



Data Protection Act 2018

2018 CHAPTER 12

PART 2

GENERAL PROCESSING

CHAPTER 3

[^{F1}EXEMPTIONS FOR MANUAL UNSTRUCTURED PROCESSING AND FOR NATIONAL SECURITY AND DEFENCE PURPOSES]

Exemptions etc

25 Manual unstructured data used in longstanding historical research

- (1) The provisions of [^{F1}the UK GDPR] listed in subsection (2) do not apply to personal data to which [^{F2}the UK GDPR] applies by virtue of [^{F3}Article 2(1A)] (manual unstructured personal data held by FOI public authorities) at any time when—
- (a) the personal data—
 - (i) is subject to processing which was already underway immediately before 24 October 1998, and
 - (ii) is processed only for the purposes of historical research, and
 - (b) the processing is not carried out—
 - (i) for the purposes of measures or decisions with respect to a particular data subject, or
 - (ii) in a way that causes, or is likely to cause, substantial damage or substantial distress to a data subject.
- (2) Those provisions are—
- (a) in Chapter II^{F4}...(principles), Article 5(1)(d) (the accuracy principle), and
 - (b) in Chapter III^{F5}...(rights of the data subject)—
 - (i) Article 16 (right to rectification), and

Status: Point in time view as at 26/12/2023.

Changes to legislation: Data Protection Act 2018, Section 25 is up to date with all changes known to be in force on or before 01 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

(ii) Article 17(1) and (2) (right to erasure).

(3) The exemptions in this section apply in addition to the exemptions in section 24.

Textual Amendments

- F1** Words in s. 25(1) substituted (31.12.2020) by The Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 (S.I. 2019/419), reg. 1(2), **Sch. 2 para. 33(2)(a)** (with reg. 5); 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in s. 25(1) substituted (31.12.2020) by The Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 (S.I. 2019/419), reg. 1(2), **Sch. 2 para. 33(2)(b)** (with reg. 5); 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in s. 25(1) substituted (31.12.2020) by The Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 (S.I. 2019/419), reg. 1(2), **Sch. 2 para. 33(2)(c)** (with reg. 5); 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in s. 25(2)(a) omitted (31.12.2020) by virtue of The Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 (S.I. 2019/419), reg. 1(2), **Sch. 2 para. 33(3)** (with reg. 5); 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in s. 25(2)(b) omitted (31.12.2020) by virtue of The Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 (S.I. 2019/419), reg. 1(2), **Sch. 2 para. 33(3)** (with reg. 5); 2020 c. 1, Sch. 5 para. 1(1)

Modifications etc. (not altering text)

- C1** Pt. 2 Ch. 3 applied (31.12.2020) by Regulation (EU) No. 625/2017, Art. 143 (as substituted by The Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1481), regs. 1, **27(3)** (with reg. 46))

Status:

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