



Data Protection Act 1984

1984 CHAPTER 35

PART I

PRELIMINARY

1 Definition of " data " and related expressions

- (1) The following provisions shall have effect for the interpretation of this Act.
- (2) " Data " means information recorded in a form in which it can be processed by equipment operating automatically in response to instructions given for that purpose.
- (3) " Personal data " means data consisting of information which relates to a living individual who can be identified from that information (or from that and other information in the possession of the data user), including any expression of opinion about the individual but not any indication of the intentions of the data user in respect of that individual.
- (4) " Data subject" means an individual who is the subject of personal data.
- (5) " Data user " means a person who holds data, and a person " holds " data if—
 - (a) the data form part of a collection of data processed or intended to be processed by or on behalf of that person as mentioned in subsection (2) above ; and
 - (b) that person (either alone or jointly or in common with other persons) controls the contents and use of the data comprised in the collection ; and
 - (c) the data are in the form in which they have been or are intended to be processed as mentioned in paragraph (a) above or (though not for the time being in that form) in a form into which they have been converted after being so processed and with a view to being further so processed on a subsequent occasion.
- (6) A person carries on a " computer bureau " if he provides other persons with services in respect of data, and a person provides such services if—
 - (a) as agent for other persons he causes data held by them to be processed as mentioned in subsection (2) above; or

Status: This is the original version (as it was originally enacted).

- (b) he allows other persons the use of equipment in his possession for the processing as mentioned in that subsection of data held by them.
- (7) " Processing ", in relation to data, means amending, augmenting, deleting or re-arranging the data or extracting the information constituting the data and, in the case of personal data, means performing any of those operations by reference to the data subject.
- (8) Subsection (7) above shall not be construed as applying to any operation performed only for the purpose of preparing the text of documents.
- (9) "Disclosing", in relation to data, includes disclosing information extracted from the data ; and where the identification of the individual who is the subject of personal data depends partly on the information constituting the data and partly on other information in the possession of the data user, the data shall not be regarded as disclosed or transferred unless the other information is also disclosed or transferred.