



Statistics and Registration Service Act 2007

2007 CHAPTER 18

PART 1

THE STATISTICS BOARD

General

65 Orders and regulations

- (1) Any power to make an order or regulations under this Part is exercisable—
 - (a) in the case of an order or regulations made by the Minister for the Cabinet Office or other Minister of the Crown, the Scottish Ministers or a Welsh ministerial authority, by statutory instrument, and
 - (b) in the case of an order or regulations made by a Northern Ireland department, by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 (SI 1979/1573 (NI 12)).
- (2) A Minister of the Crown may not make an order under section 6(1)(b) unless a draft of the statutory instrument containing the order has been laid before, and approved by resolution of, each House of Parliament.
- (3) A statutory instrument containing an order made by a Minister of the Crown under section 24 that includes consequential or incidental provision amending any relevant legislation is subject to annulment in pursuance of a resolution of either House of Parliament.
- (4) A statutory instrument containing an order made by the Minister for the Cabinet Office under section ^{F1}... 50(7) or 51(11) is subject to annulment in pursuance of a resolution of either House of Parliament.
- (5) The Minister for the Cabinet Office may not make—
 - (a) an order under section 11, or

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- (b) regulations under section ^{F2}... 50 or 51,
unless a draft of the statutory instrument containing the order or regulations has been laid before, and approved by resolution of, each House of Parliament.
- (6) The Scottish Ministers may not make—
- (a) an order under section 6(1)(b) or 11, or
- (b) regulations under section ^{F3}... 52,
unless a draft of the instrument containing the order or regulations has been laid before, and approved by resolution of, the Scottish Parliament.
- (7) The Welsh Ministers may not make an order under section 6(1)(b) or 11 unless a draft of the instrument containing the order has been laid before, and approved by resolution of, the National Assembly for Wales.
- (8) A statutory instrument containing an order made by a Welsh ministerial authority under section 24 that includes consequential or incidental provision amending any relevant legislation is subject to annulment in pursuance of a resolution of the National Assembly for Wales.
- (9) A statutory rule containing—
- (a) an order made by a Northern Ireland department under section 6(1)(b),
- (b) an order made by the Department of Finance and Personnel for Northern Ireland under section 11, or
- (c) regulations made by a Northern Ireland department under section ^{F4}... 53,
is subject to affirmative resolution, within the meaning of section 41(4) of the Interpretation Act (Northern Ireland) 1954 (1954 c. 33 (NI)).
- (10) A statutory rule containing an order made by a Northern Ireland department under section 24 that includes consequential or incidental provision amending any relevant legislation is subject to negative resolution, within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954.
- (11) In this section, “relevant legislation” means—
- (a) an Act of Parliament;
- (b) an Act of the Scottish Parliament;
- (c) Northern Ireland legislation;
- (d) a Measure or Act of the National Assembly for Wales.

Textual Amendments

- F1** Words in s. 65(4) omitted (31.7.2017 for E.W.S., 1.5.2018 in so far as not already in force) by virtue of [Digital Economy Act 2017 \(c. 30\)](#), **ss. 79(5)(a)**, 118(4); S.I. 2017/765, reg. 2(u); S.I. 2018/382, reg. 3(kk)
- F2** Word in s. 65(5)(b) omitted (31.7.2017 for E.W.S., 1.5.2018 in so far as not already in force) by virtue of [Digital Economy Act 2017 \(c. 30\)](#), **ss. 79(5)(b)**, 118(4); S.I. 2017/765, reg. 2(u); S.I. 2018/382, reg. 3(kk)
- F3** Words in s. 65(6)(b) omitted (31.7.2017 for E.W.S., 1.5.2018 in so far as not already in force) by virtue of [Digital Economy Act 2017 \(c. 30\)](#), **ss. 79(5)(c)**, 118(4); S.I. 2017/765, reg. 2(u); S.I. 2018/382, reg. 3(kk)
- F4** Words in s. 65(9)(c) omitted (31.7.2017 for E.W.S., 1.5.2018 in so far as not already in force) by virtue of [Digital Economy Act 2017 \(c. 30\)](#), **ss. 79(5)(d)**, 118(4); S.I. 2017/765, reg. 2(u); S.I. 2018/382, reg. 3(kk)

Changes to legislation: There are currently no known outstanding effects for the Statistics and Registration Service Act 2007, Cross Heading: General. (See end of Document for details)

Commencement Information

II S. 65 in force at 1.12.2007 by [S.I. 2007/3388](#), [art. 2\(h\)](#)

66 Devolved statistics

- (1) In this Part “Scottish devolved statistics” means—
- (a) statistics which relate to matters in Scotland which are not reserved matters, unless the statistics are produced by a person acting on behalf of the Crown or a public authority in the exercise of functions in relation to a reserved matter,
 - (b) statistics which relate to matters in Scotland which are reserved matters, where the statistics are produced by a person acting on behalf of the Crown or a public authority in the exercise of functions in relation to a matter which is not a reserved matter, and
 - (c) statistics produced by the Scottish Ministers in the exercise of a function which is exercisable by them pursuant to an Order made under section 63(1)(a) of the Scotland Act 1998 (c. 46).
- (2) But statistics are not Scottish devolved statistics by virtue of subsection (1)(a) or (b) if they are produced by—
- (a) an authority which is a cross-border public authority within the meaning of the Scotland Act 1998, or
 - (b) an authority which is treated as a cross-border public authority for the purposes of sections 23(2)(b) and 70(6) of that Act,
- and do not relate wholly to Scotland.
- [^{F5}(3) In this Part “Welsh devolved statistics” means statistics which relate to the exercise of functions by a devolved Welsh authority (within the meaning given by section 157A of the Government of Wales Act 2006), other than statistics produced by a person acting on behalf of—
- (a) the Crown, or
 - (b) a public authority,
- in the exercise of functions that could not be conferred by provision falling within the legislative competence of the National Assembly for Wales (see section 108A of that Act).]
- (4) In this Part “Northern Ireland devolved statistics” means—
- (a) statistics which relate to matters in Northern Ireland which are transferred matters, unless the statistics are produced by a person acting on behalf of the Crown or a public authority in the exercise of functions in relation to a matter which is not a transferred matter, and
 - (b) statistics which relate to matters in Northern Ireland which are not transferred matters, where the statistics are produced by a person acting on behalf of the Crown or a public authority in the exercise of functions in relation to matter which is a transferred matter.

Textual Amendments

F5 S. 66(3) substituted (1.4.2018) by [Wales Act 2017 \(c. 4\)](#), s. 71(4), [Sch. 6 para. 69](#) (with [Sch. 7 paras. 1, 6](#)); [S.I. 2017/1179](#), reg. 3(r)

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Commencement Information

I2 S. 66 in force at 1.12.2007 by [S.I. 2007/3388](#), [art. 2\(h\)](#)

67 General interpretation

In this Part—

[^{F6}“the data protection legislation” has the same meaning as in the Data Protection Act 2018 (see section 3 of that Act);]

[^{F7}“enactment” includes—

- (a) an enactment contained in subordinate legislation within the meaning of the Interpretation Act 1978;
- (b) an enactment contained in, or in an instrument made under, an Act of the Scottish Parliament;
- (c) an enactment contained in, or in an instrument made under, a Measure or Act of the National Assembly for Wales;
- (d) an enactment contained in, or in an instrument made under, Northern Ireland legislation;]

^{F8} ...

“Minister of the Crown” has the same meaning as in the Ministers of the Crown Act 1975 (c. 26);

“Northern Ireland devolved statistics” has the meaning given by section 66(4);

“Northern Ireland public authority” means a public authority whose functions—

- (a) are exercisable only or mainly in or as regards Northern Ireland, and
- (b) relate only or mainly to transferred matters;

“official statistics” has the meaning given by section 6(1);

“person responsible”, in relation to any official statistics, means—

- (a) in the case of official statistics produced by the Board, the National Statistician,
- (b) in the case of official statistics produced by a government department, the Minister in charge of the department, and
- (c) in any other case, the person producing the statistics;

“personal information” has the meaning given by section 39(2);

“public authority” (except in section 40(1)) means—

- (a) a person or body exercising functions of a public nature in the United Kingdom,
- (b) a person or body entirely or substantially funded from public money,
- (c) an office-holder appointed by a person or body falling within paragraph (a), or
- (d) a body more than half of whose governing body or members are appointed by a person or body falling within paragraph (a);

“reserved matters” has the same meaning as in the Scotland Act 1998 (c. 46);

“rights and liabilities” includes rights and liabilities relating to employment;

“Scottish devolved statistics” has the meaning given by section 66(1) and (2);

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“Scottish public authority” (except in section 40(3)) has the same meaning as in the Scotland Act 1998;

“transferred matters” has the same meaning as in the Northern Ireland Act 1998 (c. 47);

“Welsh devolved statistics” has the meaning given by section 66(3);

“Welsh ministerial authority” has the meaning given by section 6(5).

Textual Amendments

- F6** Words in s. 67 inserted (25.5.2018) by [Data Protection Act 2018 \(c. 12\)](#), s. 212(1), [Sch. 19 para. 142](#) (with [ss. 117, 209, 210](#)); [S.I. 2018/625](#), [reg. 2\(1\)\(g\)](#)
- F7** Words in s. 67 substituted (31.7.2017 for E.W.S., 1.5.2018 in so far as not already in force) by [Digital Economy Act 2017 \(c. 30\)](#), [ss. 79\(6\), 118\(4\)](#); [S.I. 2017/765](#), [reg. 2\(u\)](#); [S.I. 2018/382](#), [reg. 3\(kk\)](#)
- F8** Words in s. 67 repealed (24.12.2008) by [Counter-Terrorism Act 2008 \(c. 28\)](#), s. 100(5), [Sch. 1 para. 5\(b\)](#), [Sch. 9 Pt. 2](#) (with s. 101(2)); [S.I. 2008/3296](#), [art. 2](#)

Commencement Information

- I3** S. 67 in force at 1.12.2007 by [S.I. 2007/3388](#), [art. 2\(h\)](#)

Changes to legislation:

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