



Digital Economy Act 2017

2017 CHAPTER 30

PART 5

DIGITAL GOVERNMENT

CHAPTER 1

PUBLIC SERVICE DELIVERY

35 Disclosure of information to improve public service delivery

- (1) A specified person may disclose information held by the person in connection with any of the person's functions to another specified person for the purposes of an objective which is a specified objective in relation to each of those persons.
- (2) In this section "specified person" means a person specified, or of a description specified, in Schedule 4.
- (3) The appropriate national authority may by regulations amend Schedule 4 so as to add, remove or modify an entry relating to a person or description of person.
- (4) Regulations under subsection (3) may add an entry relating to a person or a description of person to Schedule 4 only if—
 - (a) the person is a public authority or (as the case may be) each person of that description is a public authority, or
 - (b) the person provides services to a public authority or (as the case may be) each person of that description provides services to a public authority.
- (5) In the case of a person ("P") who is a specified person merely because of providing services to a public authority, the reference in subsection (1) to the functions of a specified person is limited to the functions P exercises for that purpose.

Status: This is the original version (as it was originally enacted).

- (6) In determining whether to make regulations under subsection (3) in relation to a person or description of person the appropriate national authority must have regard, in particular, to—
- (a) the systems and procedures for the secure handling of information by that person or persons of that description, and
 - (b) in the case of regulations which remove a person from Schedule 4 whether that person, or any person providing services to that person, has had regard to the code of practice under section 43 as required by that section.
- (7) In this section “specified objective”, in relation to a specified person, means an objective specified in relation to that specified person in regulations made by the appropriate national authority.
- (8) An objective may be specified by regulations under subsection (7) only if it complies with the following conditions.
- (9) The first condition is that the objective has as its purpose—
- (a) the improvement or targeting of a public service provided to individuals or households, or
 - (b) the facilitation of the provision of a benefit (whether or not financial) to individuals or households.
- (10) The second condition is that the objective has as its purpose the improvement of the well-being of individuals or households.
- (11) The reference in subsection (10) to the well-being of individuals or households includes—
- (a) their physical and mental health and emotional well-being,
 - (b) the contribution made by them to society, and
 - (c) their social and economic well-being.
- (12) The third condition is that the objective has as its purpose the supporting of—
- (a) the delivery of a specified person’s functions, or
 - (b) the administration, monitoring or enforcement of a specified person’s functions.