



Digital Economy Act 2017

2017 CHAPTER 30

PART 5

DIGITAL GOVERNMENT

CHAPTER 5

SHARING FOR RESEARCH PURPOSES

65 Provisions supplementary to section 64

- (1) A disclosure under section 64 does not breach—
 - (a) any obligation of confidence owed by the person making the disclosure, or
 - (b) any other restriction on the disclosure of information (however imposed).
- (2) But nothing in section 64 authorises information to be disclosed if to do so would—
 - (a) contravene the Data Protection Act 1998, or
 - (b) be prohibited by any of Parts 1 to 7 or Chapter 1 of Part 9 of the Investigatory Powers Act 2016.
- (3) Until the repeal of Part 1 of the Regulation of Investigatory Powers Act 2000 by paragraphs 45 and 54 of Schedule 10 to the Investigatory Powers Act 2016 is fully in force, subsection (2)(b) has effect as if it included a reference to that Part.
- (4) In its application to a public authority with functions relating to the provision of health services or adult social care, section 64 does not authorise the disclosure of information held by the authority in connection with such functions.
- (5) Section 64 does not limit the circumstances in which information may be disclosed apart from that section.
- (6) A person within subsection (7) may charge a person who requests information to be disclosed under section 64(1) a fee for work done in response to the request.

Status: This is the original version (as it was originally enacted).

- (7) The persons mentioned in subsection (6) are—
 - (a) the public authority to whom the request is made, and
 - (b) a person who is involved in processing the information for disclosure.
- (8) A fee charged under subsection (6) by a public authority (including a person within subsection (7)(b) who is a public authority) must not exceed the cost to the person of doing the work for which the fee is charged.