
Changes to legislation: Data Protection Act 2018, Cross Heading: Exam scripts and marks is up to date with all changes known to be in force on or before 21 April 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) View outstanding changes

SCHEDULES

SCHEDULE 11

OTHER EXEMPTIONS UNDER PART 4

Exam scripts and marks

- 12 (1) The listed provisions do not apply to personal data consisting of information recorded by candidates during an exam.
- (2) Where personal data consists of marks or other information processed by a controller—
- (a) for the purposes of determining the results of an exam, or
 - (b) in consequence of the determination of the results of an exam,
- section 94 has effect subject to sub-paragraph (3).
- (3) Where the relevant time falls before the results of the exam are announced, the period mentioned in section 94(10)(b) is extended until the earlier of—
- (a) the end of the period of 5 months beginning with the relevant time, and
 - (b) the end of the period of 40 days beginning with the announcement of the results.
- (4) In this paragraph—
- “exam” means an academic, professional or other examination used for determining the knowledge, intelligence, skill or ability of a candidate and may include an exam consisting of an assessment of the candidate's performance while undertaking work or any other activity;
 - “the relevant time” has the same meaning as in section 94.
- (5) For the purposes of this paragraph, the results of an exam are treated as announced when they are first published or, if not published, first communicated to the candidate.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 204(1)(l) inserted by [S.I. 2024/374 Sch. 5 para. 7](#)
- Sch. 3 para. 8(1)(y) added by [2022 c. 18 \(N.I.\) Sch. 3 para. 78\(3\)](#)