
Changes to legislation: Data Protection Act 2018, Cross Heading: Relevant records relating to statutory functions is up to date with all changes known to be in force on or before 09 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 18

RELEVANT RECORDS

Relevant records relating to statutory functions

- 4 (1) “Relevant record relating to statutory functions” means a record which—
- (a) has been or is to be obtained by a data subject in the exercise of a data subject access right from a person listed in sub-paragraph (2), and
 - (b) contains information relating to a relevant function in relation to that person.
- (2) Those persons are—
- (a) the Secretary of State;
 - (b) the Department for Communities in Northern Ireland;
 - (c) the Department of Justice in Northern Ireland;
 - (d) the Scottish Ministers;
 - (e) the Disclosure and Barring Service;
 - [^{F1}(f) the independent reviewer appointed under section 12 of the Age of Criminal Responsibility (Scotland) Act 2019.]
- (3) In relation to the Secretary of State, the “relevant functions” are—
- (a) the Secretary of State's functions in relation to a person sentenced to detention under—
 - (i) section 92 of the Powers of Criminal Courts (Sentencing) Act 2000, [^{F2}(ia) section 260 of the Sentencing Code,]
 - (ii) section 205(2) or 208 of the Criminal Procedure (Scotland) Act 1995, or
 - (iii) Article 45 of the Criminal Justice (Children) (Northern Ireland) Order 1998 (S.I. 1998/1504 (N.I. 9));
 - (b) the Secretary of State's functions in relation to a person imprisoned or detained under—
 - (i) the Prison Act 1952,
 - (ii) the Prisons (Scotland) Act 1989, or
 - (iii) the Prison Act (Northern Ireland) 1953 (c. 18 (N.I.));
 - (c) the Secretary of State's functions under—
 - (i) the Social Security Contributions and Benefits Act 1992,
 - (ii) the Social Security Administration Act 1992,
 - (iii) the Jobseekers Act 1995,
 - (iv) Part 5 of the Police Act 1997,
 - (v) Part 1 of the Welfare Reform Act 2007, or
 - (vi) Part 1 of the Welfare Reform Act 2012.

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- (4) In relation to the Department for Communities in Northern Ireland, the “relevant functions” are its functions under—
- (a) the Social Security Contributions and Benefits (Northern Ireland) Act 1992,
 - (b) the Social Security Administration (Northern Ireland) Act 1992,
 - (c) the Jobseekers (Northern Ireland) Order 1995 (S.I. 1995/2705 (N.I. 15)), or
 - (d) Part 1 of the Welfare Reform Act (Northern Ireland) 2007 (c. 2 (N.I.)).
- (5) In relation to the Department of Justice in Northern Ireland, the “relevant functions” are its functions under Part 5 of the Police Act 1997.
- (6) In relation to the Scottish Ministers, the “relevant functions” are their functions under
- (a) Part 5 of the Police Act 1997, or
 - (b) Parts 1 and 2 of the Protection of Vulnerable Groups (Scotland) Act 2007 (asp 14).
- (7) In relation to the Disclosure and Barring Service, the “relevant functions” are its functions under—
- (a) Part 5 of the Police Act 1997,
 - (b) the Safeguarding Vulnerable Groups Act 2006, or
 - (c) the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007 (S.I. 2007/1351 (N.I. 11)).
- [^{F3}(8) In relation to the independent reviewer mentioned in sub-paragraph (2)(f), the “relevant functions” are the reviewer’s functions under Part 2 of the Age of Criminal Responsibility (Scotland) Act 2019.]

Textual Amendments

- F1** Sch. 18 para. 4(2)(f) inserted (17.12.2021) by The Age of Criminal Responsibility (Scotland) Act 2019 (Consequential Provisions and Modifications) Order 2021 (S.I. 2021/1458), arts. 1(1), **8(a)**
- F2** Sch. 18 para. 4(3)(a)(ia) inserted (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 24 para. 297** (with Sch. 27); S.I. 2020/1236, reg. 2
- F3** Sch. 18 para. 4(8) inserted (17.12.2021) by The Age of Criminal Responsibility (Scotland) Act 2019 (Consequential Provisions and Modifications) Order 2021 (S.I. 2021/1458), arts. 1(1), **8(b)**

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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):

- Sch. 3 para. 8(1)(y) added by [2022 c. 18 \(N.I.\) Sch. 3 para. 78\(3\)](#)