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**Changes to legislation:** Data Protection Act 2018, Paragraph 4 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

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## 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;
  - [<sup>F1</sup>(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,
    - [<sup>F2</sup>(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)).
- [<sup>F3</sup>(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.]

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#### 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\(3\)](#)