

1987 No. 1905

DATA PROTECTION

**The Data Protection (Regulation of Financial Services
etc.) (Subject Access Exemption) Order 1987**

Made - - - - - 9th November 1987

Coming into force 11th November 1987

Whereas a draft of this Order has been laid before and approved by a resolution of each House of Parliament;

Now, therefore, in exercise of the powers conferred upon me by section 30(2) of the Data Protection Act 1984(a) and section 190 of the Financial Services Act 1986(b) and after consultation with the Data Protection Registrar in accordance with section 40(3) of the Act of 1984, I hereby make the following Order:

1. This Order may be cited as the Data Protection (Regulation of Financial Services etc.) (Subject Access Exemption) Order 1987 and shall come into force on 11th November 1987.

2. The functions designated for the purposes of section 30 of the Data Protection Act 1984 (exemption from subject access provisions of data held for the purpose of discharging designated functions relating to the regulation of financial services etc.) are—

- (a) those specified in Schedule 1 to this Order being functions conferred by or under the enactments listed in column 1 of that Schedule and described in column 2 thereof; and
- (b) those specified in Schedule 2 to this Order being functions of a type mentioned in paragraphs (a) to (c) of section 190 of the Financial Services Act 1986 and designated for the purposes of section 30 as if they were functions conferred by or under any enactment.

3. This Order is without prejudice to any exemption from the subject access provisions within the meaning of section 26(2) of the Data Protection Act 1984.

Home Office
9th November 1987

Douglas Hurd
One of Her Majesty's Principal Secretaries of State

SCHEDULE 1

Article 2(a)

FUNCTIONS DESIGNATED FOR THE PURPOSES OF SECTION 30 OF THE DATA PROTECTION ACT 1984 WHICH ARE CONFERRED BY OR UNDER ANY ENACTMENT

(1) <i>Enactment by or under which function conferred</i>	(2) <i>Description of function</i>
Lloyd's Acts 1871 to 1982(a)	Functions of organs of Lloyd's in relation to admission of persons to membership and regulation of insurance business.
Bankruptcy (Ireland) Amendment Act 1872(b)	Functions relating to control over trustee by Department of Economic Development under section 118.
Bankruptcy Act 1914(c)	<p>Functions of Board of Trade under sections 19, 81 and 95 in relation to appointment, conduct and removal of trustees in bankruptcy.</p> <p>Functions of Board of Trade under sections 82 and 87 in relation to remuneration of and statement of proceedings by trustees in bankruptcy.</p> <p>Functions of official receivers in relation to conduct of bankrupts.</p> <p>Functions of trustees in bankruptcy in relation to conduct of bankrupts.</p> <p>Functions of deputy official receivers and officers of Board of Trade under section 71 in relation to functions of official receivers.</p> <p>Functions of the Lord Chancellor and Secretary of State under section 132 in relation to conduct of discharged or undischarged bankrupts.</p>
Industrial Assurance Act 1923(d)	Functions of Industrial Assurance Commissioner under section 17 in relation to inspection of industrial assurance company and action taken consequent upon such inspection.
Prevention of Fraud (Investments) Act (Northern Ireland) 1940(e)	Functions of Department of Economic Development in relation to collection of data under powers conferred by Act.
Prevention of Fraud (Investments) Act 1958(f)	<p>Functions conferred on Secretary of State and tribunal established under section 6 in relation to grant, refusal and revocation of licences.</p> <p>Functions conferred on Secretary of State in relation to making and revocation of orders exempting certain persons from licensing requirement, supervision or regulation of persons carrying on business of dealing in securities.</p> <p>Functions in relation to making and revocation of orders recognising stock exchanges and associations of dealers in securities and authorising unit trust schemes.</p>
Industrial and Provident Societies Act 1965(g)	<p>Functions of appropriate registrar under sections 16 and 17 in relation to cancellation or suspension of registration of society.</p> <p>Functions of appropriate registrar under section 56 in relation to petition for winding up society.</p>
Industrial and Provident Societies Act (Northern Ireland) 1969(h)	<p>Functions of Registrar of Friendly Societies under sections 15 and 16 in relation to cancellation or suspension of registration of society.</p> <p>Functions of Registrar of Friendly Societies under section 65 in relation to petition for winding up society.</p>
Insolvency Service (Accounting and Investment) Act 1970(i)	Functions of Board of Trade in relation to Insolvency Services Account.

(a) 1871 c.xxi; 1911 c.lxii; 1925 c.xxvi; 1951 c.viii; 1982 c.xiv.

(b) 1872 c.58.

(c) 1914 c.59.

(f) 1958 c.45.

(i) 1970 c.8.

(d) 1923 c.8.

(g) 1965 c.12.

(e) 1940 c.9 (N.I.).

(h) 1969 c.24 (N.I.).

(1) <i>Enactment by or under which function conferred</i>	(2) <i>Description of function</i>
Friendly Societies Act (Northern Ireland) 1970(a)	<p>Functions of Registrar of Friendly Societies under section 77 in relation to investigation or winding up of societies or branches.</p> <p>Functions of Registrar of Friendly Societies under section 78 in relation to suspension of business of societies.</p> <p>Functions of Registrar of Friendly Societies under section 79 in relation to production of documents.</p> <p>Functions of Registrar of Friendly Societies under section 80 in relation to cancellation and suspension of registration of society.</p> <p>Functions of Registrar of Friendly Societies under section 84 in relation to dissolution by award of society.</p> <p>Functions of Registrar of Friendly Societies under sections 87 and 88 in relation to institution of proceedings and punishment of fraud.</p>
Fair Trading Act 1973(b)	Functions of Director-General of Fair Trading under Part III in relation to the protection of consumers.
Powers of Criminal Courts Act 1973(c)	Functions of Official Petitioner under Schedule 2 in relation to criminal bankruptcies.
Consumer Credit Act 1974(d)	Functions of Director-General of Fair Trading under Part III in relation to licensing of businesses.
Friendly Societies Act 1974(e)	<p>Functions of Chief Registrar under section 87 in relation to inspection or winding up of societies or branches.</p> <p>Functions of Chief Registrar under section 88 in relation to suspension of business of societies.</p> <p>Functions of Chief Registrar under section 89 in relation to production of documents.</p> <p>Functions of Chief Registrar and assistant registrar for Scotland under section 91 in relation to cancellation and suspension of registration.</p> <p>Functions of Chief Registrar under section 95 in relation to dissolution by award of society.</p> <p>Functions of Chief Registrar and assistant registrars under sections 98 and 99 in relation to institution of proceedings and punishment of fraud.</p>
Policyholders Protection Act 1975(f)	Functions of Policyholders Protection Board exercisable in relation to policyholders and others prejudiced by inability of insurance companies to meet liabilities.
Insurance Brokers Registration Act 1977(g)	Functions of Insurance Brokers Registration Council relating to registration and training of insurance brokers and regulation of their professional standards.
Credit Unions Act 1979(h)	<p>Functions of Chief Registrar under section 18 in relation to inspection of credit unions and calling of special meetings.</p> <p>Functions of Chief Registrar under section 19 in relation to suspension of operations of credit unions.</p> <p>Functions of appropriate registrar under section 20 in relation to cancellation or suspension of registration and petition for winding up of credit union.</p>
Industrial Assurance (Northern Ireland) Order 1979(i)	Functions of Industrial Assurance Commissioner for Northern Ireland under Article 18 in relation to investigation of affairs of industrial assurance company and action taken consequent upon such investigation.

(a) 1970 c.31 (N.I.).
(d) 1974 c.39.
(g) 1977 c.46.

(b) 1973 c.41.
(e) 1974 c.46.
(h) 1979 c.34.

(c) 1973 c.62.
(f) 1975 c.75.
(i) S.I. 1979/1574 (N.I.13).

(1) <i>Enactment by or under which function conferred</i>	(2) <i>Description of function</i>
Bankruptcy Amendment (Northern Ireland) Order 1980(a)	<p>Functions of Department of Economic Development under Articles 27 and 39 in relation to release of official assignee and trustees.</p> <p>Functions of official assignee in relation to examination of bankrupt and preparation of notes and reports under Articles 11, 28 and 30.</p>
Insurance Companies Act 1982(b)	<p>Functions of Secretary of State under Part I in relation to authorisation and withdrawal of authorisation of insurance companies.</p> <p>Functions of Secretary of State conferred by or under Parts II to V in relation to regulation of insurance business and its conduct.</p> <p>Functions of Secretary of State or officer in relation to requirements, directions and powers under Companies Act 1967(c) as saved by Schedule 4 to Act.</p>
Bankruptcy Rules (Northern Ireland) 1983(d)	<p>Functions of official assignee in relation to examination of bankrupt and preparation of notes under Rules 77 and 78.</p>
Companies Act 1985(e)	<p>Functions of Secretary of State under Chapter II of Part I in relation to names of companies and under section 694 in relation to names of overseas companies.</p> <p>Functions of Secretary of State under section 134.</p> <p>Functions of Secretary of State under section 179.</p> <p>Functions of Secretary of State under Part VI and section 456 and of Governor of Bank of England under section 216.</p> <p>Functions of Secretary of State under Part VII, Schedule 5, Schedule 7 and Schedule 9 in relation to accounts of companies and under Chapter II of Part XXIII in relation to accounts of overseas companies.</p> <p>Functions of registrar under section 244.</p> <p>Functions of Secretary of State under section 315 in relation to modification of provisions in relation to general meetings of companies for purpose of that section.</p> <p>Functions of Secretary of State under section 345 in relation to increase of financial limits for purpose of Part X.</p> <p>Functions of Secretary of State under section 367 in relation to calling of general meetings of companies.</p> <p>Functions of Secretary of State under sections 384 and 385 in relation to appointment and remuneration of auditors and under section 389 in relation to qualification and authorisation for appointment as auditor.</p> <p>Functions of following persons under Part XIV—</p> <ul style="list-style-type: none"> Secretary of State or inspectors in relation to investigation powers and investigations conducted in exercise of these powers; Secretary of State or officer authorised by him under section 447 in relation to power to require production of documents; Secretary of State under section 440 in relation to winding up and under section 445 in relation to restrictions on shares and debentures. <p>Functions of Secretary of State under section 460.</p> <p>Functions of Secretary of State under section 491 when appointed receiver in relation to companies being wound up by court.</p>

(a) S.I. 1980/561 (N.I.4).
(d) S.R. 1983 No. 310.

(b) 1982 c.50.
(e) 1985 c.6.

(c) 1967 c.81.

(1) <i>Enactment by or under which function conferred</i>	(2) <i>Description of function</i>
Companies Act 1985 (contd.)	<p>Functions of Secretary of State under section 548 in relation to committees of inspection.</p> <p>Functions of special managers under section 556 in relation to companies where official receiver is liquidator.</p> <p>Functions of Secretary of State under sections 584 and 594 in relation to holding of meetings.</p> <p>Functions of Secretary of State under Part XX in relation to conduct, accounts, records and release of liquidators and provisional liquidators.</p> <p>Functions of Secretary of State under Part XX in relation to Insolvency Services Account.</p> <p>Functions of liquidators under Part XX in relation to winding up of companies.</p> <p>Functions of provisional liquidators under Part XX in relation to companies in respect of which winding up petition is presented.</p> <p>Functions of official receivers under Part XX in relation to winding up of companies.</p> <p>Functions of Secretary of State under Chapters V and VII of Part XX in relation to winding up of companies.</p> <p>Functions of registrar under sections 652 and 653 in relation to striking off companies.</p> <p>Functions of registrar under section 713 in relation to enforcement of duty of companies to file with, deliver or send to registrar returns, accounts and other documents.</p> <p>Any functions of making available information for purposes of or otherwise in connection with any functions specified in this Schedule in relation to Act.</p>
Bankruptcy (Scotland) Act 1985(a)	<p>Functions of Accountant in Bankruptcy under section 1 in relation to making of report to Lord Advocate.</p> <p>Functions of interim and permanent trustee under sections 2 and 3 in relation to making of reports to Accountant in Bankruptcy.</p>
Credit Unions (Northern Ireland) Order 1985(b)	<p>Functions of Registrar of Friendly Societies under Article 58 in relation to inspection of credit unions and calling of special meetings.</p> <p>Functions of Registrar of Friendly Societies under Article 59 in relation to suspension of operation of credit unions.</p> <p>Functions of Registrar of Friendly Societies under Articles 60, 61 and 63 in relation to cancellation or suspension of registration and petition for winding up of credit union.</p>
Insolvency Act 1986(c)	<p>Functions of administrators under Part II and Schedule 1 in relation to companies in respect of which an administration order has been made.</p> <p>Functions of official receivers under section 32 when appointed receiver in relation to companies being wound up by court.</p> <p>Functions of Secretary of State under sections 93 and 105 in relation to holding of meetings.</p> <p>Functions of Secretary of State under section 124 in relation to presentation of winding up petitions.</p> <p>Functions of Secretary of State under section 141 in relation to liquidation committees.</p> <p>Functions of special managers under section 177 in relation to companies in liquidation or where a provisional liquidator has been appointed.</p>

(a) 1985 c.66.

(b) S.I. 1985/1205 (N.I.12).

(c) 1986 c.45.

(1) <i>Enactment by or under which function conferred</i>	(2) <i>Description of function</i>
Insolvency Act 1986 (contd).	<p>Functions of Secretary of State under Part IV in relation to appointment, removal and release of liquidators and provisional liquidators.</p> <p>Functions of Accountant of Court under Part IV in relation to release of liquidators.</p> <p>Functions of provisional liquidators under Part IV and Schedule IV in relation to companies in respect of which winding up petition is presented.</p> <p>Functions of liquidators under Part IV and Schedule IV in relation to winding up of companies.</p> <p>Functions of official receivers under Part IV in relation to winding up of companies.</p> <p>Functions of Secretary of State under Chapter IX of Part IV in relation to dissolution of companies.</p> <p>Functions of Secretary of State under Chapter X of Part IV in relation to directors, shadow directors, officers or members of companies.</p> <p>Functions of official receivers and persons referred to as office-holders under Part VI in relation to companies which are insolvent or in liquidation,</p> <p>Functions of trustees in bankruptcy under Part IX and Schedule 5 in relation to conduct of bankrupts.</p> <p>Functions of official receivers under Part IX in relation to conduct of bankrupts.</p> <p>Functions of Secretary of State under Part IX in relation to appointment, removal and release of trustees in bankruptcy.</p> <p>Functions of Secretary of State under section 301 in relation to creditors' committee.</p> <p>Functions of Official Petitioner in relation to criminal bankruptcies.</p> <p>Functions of professional bodies recognised under section 391 in relation to insolvency practitioners.</p> <p>Functions of Secretary of State under Parts XIII and XV in relation to insolvency practitioners.</p> <p>Functions of Secretary of State in relation to Insolvency Practitioners Tribunal.</p> <p>Functions of Insolvency Practitioners Tribunal under Part XIII in relation to insolvency practitioners.</p> <p>Functions of deputy official receivers under section 401 in relation to cases of insolvency.</p> <p>Functions of Secretary of State under Part XIV in relation to Insolvency Services Account.</p> <p>Functions of Secretary of State, liquidators, provisional liquidators, special managers, official receivers and trustees in relation to insolvent partnerships, administration of insolvent estates of bankrupts and authorised and former authorised institutions within the meaning of the Banking Act 1987.</p> <p>Functions of Lord Chancellor, Secretary of State, Treasury and Bank of England under Part XV in relation to functions under Act specified in this Schedule or to functions under Company Directors Disqualification Act 1986 specified in this Schedule (a)</p>
Company Directors Disqualification Act 1986 (b)	<p>Functions of Secretary of State, official receivers, liquidators, administrators, administrative receivers and former liquidators conferred by or under Act in relation to conduct of persons and making of disqualification orders.</p>

(a) Part XV of 1986 c.45 was extended by s.21(2) of 1986 c.46 so as to apply to certain functions of the latter Act.
(b) 1986 c.46.

(1) <i>Enactment by or under which function conferred</i>	(2) <i>Description of function</i>
Building Societies Act 1986 (a)	<p>Functions of Building Societies Commission under section 1(4) in promoting protection by each building society of investments of its shareholders and depositors and financial stability of building societies generally.</p> <p>Functions of Building Societies Commission under section 9 in relation to initial authorisation to raise funds and borrow money.</p> <p>Functions of Building Societies Investor Protection Board under Part IV in relation to administration of Investor Protection Scheme.</p> <p>Functions of Building Societies Commission under sections 36 to 51 in relation to powers of control over registered building societies.</p> <p>Functions of Building Societies Commission under sections 93 to 103 in relation to mergers and transfer of business.</p> <p>Functions of Building Societies Commission under section 107 in relation to restrictions on use of certain names and descriptions.</p> <p>Functions of Building Societies Commission under section 108 in relation to power to require building society to change misleading name.</p>
Financial Services Act 1986 (b)	<p>Functions of Secretary of State conferred by or under Chapter I of Part I.</p> <p>Functions of Secretary of State or designated agency under Chapter II of Part I in relation to injunctions and restitution orders.</p> <p>Functions of Secretary of State or designated agency under Chapter III of Part I in relation to authorisation, suspension of authorisation and withdrawal of authorisation.</p> <p>Functions of Secretary of State or designated agency under Chapter III of Part I in relation to self-regulating organisations and professional bodies.</p> <p>Functions of Secretary of State or designated agency under Chapter IV of Part I in relation to investment exchanges and clearing houses.</p> <p>Functions of Bank of England under section 43.</p> <p>Functions of Secretary of State under section 46.</p> <p>Functions of Secretary of State or designated agency under Chapter V of Part I in relation to—</p> <ul style="list-style-type: none"> (a) conduct of investment business or any business carried on in connection with investment business or held out as being for the purpose of investment; (b) financial resources of persons carrying on investment business; (c) rescission of agreements entered into with persons carrying on investment business; (d) information to be notified or furnished by persons carrying on investment business; (e) indemnity and compensation; (f) money held by persons carrying on investment business; (g) unsolicited calls; (h) investment advertisements; (i) employment of persons in connection with investment business or investment business of particular description;

(a) 1986 c.53.

(b) 1986 c.60.

(1) <i>Enactment by or under which function conferred</i>	(2) <i>Description of function</i>
Financial Services Act 1986 (contd.)	<p>(j) public statements as to misconduct by person who is or was authorised person under Act;</p> <p>(k) injunctions and restitution orders.</p> <p>Functions of Secretary of State or designated agency under Chapter VI of Part I in relation to powers of intervention.</p> <p>Functions of Secretary of State or designated agency under Chapter VII of Part I in relation to winding up and administration orders.</p> <p>Functions of Secretary of State under section 75(9) in relation to amendment of provisions of that section.</p> <p>Functions of Secretary of State or designated agency under section 76 in relation to promotion of collective investment schemes by authorised persons.</p> <p>Functions of Secretary of State or designated agency under section 76 in relation to schemes which are single property schemes for purposes of section 76(4).</p> <p>Functions of Secretary of State or designated agency under Chapter VIII of Part I in relation to authorisation, refusal of authorisation and revocation of authorisation of unit trust schemes.</p> <p>Functions of Secretary of State or designated agency under Chapter VIII of Part I in relation to recognition and revocation of collective investment schemes established outside United Kingdom.</p> <p>Functions of Secretary of State or designated agency under section 81.</p> <p>Functions of Secretary of State or designated agency under section 82 in relation to alteration of authorised unit trust scheme and changes of manager or trustee of such a scheme including functions under that section as applied by section 88(9).</p> <p>Functions of Secretary of State or designated agency under section 85 in relation to document referred to in that section as "scheme particulars" including functions under that section as it has effect by virtue of sections 87(5) and 88(10).</p> <p>Functions of Secretary of State or designated agency under section 86 in relation to collective investment scheme constituted in another member State including functions under that section as it has effect by virtue of paragraph 10 of Schedule 15.</p> <p>Functions of Secretary of State under section 87 in relation to designation and revocation of designation of countries or territories.</p> <p>Functions of Secretary of State or designated agency under section 90 in relation to facilities to be maintained in United Kingdom by operator of recognised collective investment and to explanatory information to be included in any advertisement issued or caused to be issued in United Kingdom by any such operator.</p> <p>Functions of Secretary of State or designated agency under sections 91 to 93 in relation to powers of intervention mentioned in those sections and to applications made to court under section 93.</p> <p>Functions of Secretary of State or designated agency under sections 60 and 61 as those sections to have effect by virtue of section 91(4).</p> <p>Functions of Secretary of State or designated agency under section 94.</p> <p>Functions of inspector appointed under section 94.</p> <p>Functions of Financial Services Tribunal.</p>

(1) <i>Enactment by or under which function conferred</i>	(2) <i>Description of function</i>
Financial Services Act 1986 (contd.)	<p>Functions of Secretary of State or designated agency in relation to Financial Services Tribunal.</p> <p>Functions of Secretary of State or designated agency under Chapter X of Part I in relation to register of authorised persons and recognised organisations etc to be maintained under that Chapter.</p> <p>Functions of Secretary of State or designated agency under section 104 in relation to requisition of information.</p> <p>Functions of Secretary of State or designated agency under sections 60 and 61 as they have effect by virtue of section 104(4).</p> <p>Functions of Secretary of State or designated agency under section 105 in relation to investigation powers and investigations conducted in exercise of those powers.</p> <p>Functions of any person authorised by Secretary of State or designated agency under section 106 to exercise on his or its behalf all or any of powers conferred by section 105.</p> <p>Functions of Secretary of State or designated agency under section 107.</p> <p>Functions of Secretary of State or designated agency under section 108 in relation to power to require a person authorised under section 25 or 31 to submit accounts or matters mentioned in section 108 for further examination.</p> <p>Functions of Secretary of State under section 109(2) and (3) in relation to circumstances in which matters are to be communicated to Secretary of State or designated agency.</p> <p>Functions of Secretary of State or designated agency under section 110 in relation to equivalence of qualifications, powers and duties mentioned in that section.</p> <p>Functions of Secretary of State under Chapter XIII of Part I in relation to transfer and resumption of functions.</p> <p>Functions of Secretary of State under Chapter XIV of Part I in relation to effect on competition of any of rules, guidance, arrangements or restrictions mentioned in that Chapter.</p> <p>Functions of Secretary of State under sections 129 to 134 and Schedule 10 in relation to regulation of insurance companies.</p> <p>Functions of Secretary of State under section 130 in relation to promotion of insurance contracts.</p> <p>Functions of Secretary of State under section 61 as it has effect by virtue of section 131(8).</p> <p>Functions of Secretary of State, Chief Registrar, Registrar of Friendly Societies for Northern Ireland and transferee body under sections 140 and 141 and Schedule 11 in relation to regulation of friendly societies.</p> <p>Functions of competent authority under Part IV in relation to listing rules.</p> <p>Functions of competent authority under Part IV in relation to admission or refusal of admission to and discontinuance or suspension of listing.</p> <p>Functions of competent authority under Part IV in relation to listing particulars and advertisements or other information of kind described in section 154(1).</p> <p>Functions under sections 148 and 165 in relation to exemption from disclosure.</p> <p>Functions of competent authority under section 152 in relation to certification of directors.</p> <p>Functions of Secretary of State under section 157 in relation to alteration of competent authority.</p>

(1) <i>Enactment by or under which function conferred</i>	(2) <i>Description of function</i>
Financial Services Act 1986 (contd.)	<p>Functions of Secretary of State under section 158 in relation to approval of exchanges and under section 162 in relation to directions in respect of rules of such exchanges.</p> <p>Functions of approved exchange under section 159 in relation to approval of prospectus.</p> <p>Functions of approved exchange under sections 159 and 161 in relation to certification respecting information.</p> <p>Functions of Secretary of State under section 160 in relation to exemption of advertisements from provisions of section 160(1).</p> <p>Functions of Secretary of State under section 161(4) in relation to disapplication of sections 159 and 160.</p> <p>Functions of Secretary of State under section 162 in relation to form and contents of prospectus.</p> <p>Functions of approved exchange under section 168 in relation to certification of directors.</p> <p>Functions of Secretary of State under section 169 in relation to terms upon which person may offer securities and regulation of such person's conduct.</p> <p>Functions of Secretary of State under section 170 in relation to advertisements.</p> <p>Functions of Secretary of State under section 177.</p> <p>Functions of inspector appointed under section 177.</p> <p>Functions of Secretary of State or designated agency under section 178 in relation to service or revocation of notice or giving or revocation of direction of kind described in section 178(3) or 178(5).</p> <p>Functions of Secretary of State under section 181.</p> <p>Functions of Secretary of State under section 191(3) in relation to scope of that section.</p> <p>Functions of Secretary of State under section 192.</p> <p>Functions of Secretary of State or designated agency under section 199 in relation to powers of entry.</p> <p>Functions of Secretary of State or designated agency under section 206 in relation to publication of information and giving of advice.</p> <p>Functions of Secretary of State or designated agency under paragraph 23 of Schedule 1 in relation to grant and withdrawal of permission under that paragraph.</p> <p>Functions of Secretary of State or designated agency under paragraph 23(5) of Schedule 1 in relation to information to be supplied by persons holding permissions granted under that paragraph.</p> <p>Functions of Secretary of State or designated agency under sections 61, 104 and 105 as they have effect by virtue of paragraphs 23(6) and (7) of paragraph 23 of Schedule 1.</p> <p>Functions of person authorised by Secretary of State or designated agency under section 106 to exercise on his or its behalf all or any of powers conferred by section 105 as it has effect by virtue of paragraph 23(7) of Schedule 1.</p> <p>Functions of Secretary of State or designated agency under paragraph 25 of Schedule 1 in relation to grant and revocation of certificates.</p> <p>Functions of Secretary of State or designated agency under paragraph 13 of Schedule 9 in relation to exchange of information.</p> <p>Functions of Secretary of State under paragraph 3(6) of Schedule 10 in relation to circumstances in which he may transfer functions in relation to regulated insurance company.</p>

(1) <i>Enactment by or under which function conferred</i>	(2) <i>Description of function</i>
Financial Services Act 1986 (contd.)	<p>Functions of designated agency under paragraph 6(3) of Schedule 10 in relation to notice to be given to Secretary of State under that paragraph.</p> <p>Functions of Secretary of State under paragraph 6(4) of Schedule 10 in relation to service of notice by Secretary of State.</p> <p>Functions under paragraph 6(3) and (4) of Schedule 10 as they apply by virtue of paragraph 6(5) of that Schedule.</p> <p>Functions under paragraph 8 of Schedule 10 in relation to termination of investment business authorisation of insurer established in another member State.</p> <p>Functions of Secretary of State and designated agency under paragraph 10 of Schedule 10.</p> <p>Functions under paragraph 1(4) of Schedule 15 in relation to making available information described in that paragraph.</p> <p>Functions of Secretary of State or designated agency under paragraph 4 of Schedule 15 in relation to making and extension of interim recognition orders.</p> <p>Functions of Secretary of State or designated agency under paragraph 5 of Schedule 15 in relation to interim authorisation by recognised professional body.</p> <p>Functions of Secretary of State under paragraph 6(4) of Schedule 15 in relation to statutory provisions relating to regulation of conduct, practice or discipline of member of recognised professional body.</p> <p>Functions of Secretary of State under paragraph 10(1) of Schedule 15 in relation to orders directing that schemes established in another member State are to be recognised schemes for purposes of Act.</p> <p>Functions of Secretary of State or designated agency under paragraph 11 of Schedule 13.</p> <p>Functions of Secretary of State under paragraph 15 of Schedule 15 in relation to requirements which may be imposed on person who has applied for permission under paragraph 23 of Schedule 1 before the day on which paragraph 3 of Act comes into force and whose application has not been determined before that day.</p> <p>Any functions of making available information for purposes of, or otherwise in connection with, any functions specified in this Schedule in relation to Act.</p> <p>Functions of Secretary of State or designated agency in relation to supervision or regulation of any person authorised, recognised or holding permission under Act or to supervision or regulation of any collective investment schemes.</p> <p>Functions of Secretary of State in relation to designated agency.</p>
Companies (Northern Ireland) Order 1986 (a)	<p>Functions of Department of Economic Development and official assignee under Articles 303, 308 and 309 and Schedule 12 in relation to making of disqualification orders.</p> <p>Functions of Department of Economic Development and official assignee under Article 481(4), (6) and (7) in relation to presentation of winding up petitions.</p> <p>Reporting functions of official assignee under Article 491.</p> <p>Functions of liquidators under Article 495 in relation to assisting official assignee perform his functions under Order.</p>

(a) S.I. 1986/1032 (N.I.6).

(1) <i>Enactment by or under which function conferred</i>	(2) <i>Description of function</i>
Companies (Northern Ireland) Order 1986 (contd.)	Functions of Department of Economic Development under Part XV in relation to investigation and winding up of companies. Functions of Department of Economic Development under Part XX in relation to control and release of liquidators.
Company Securities (Insider Dealing) (Northern Ireland) Order 1986(a)	Functions of Department of Economic Development under Order.
Banking Act 1987(b)	Functions of Bank of England under Part I in relation to regulation of deposit-taking business. Functions of Bank of England under Part III in relation to regulation of use of banking names and descriptions. Functions of Bank of England under Part IV in relation to regulation of overseas institutions with representative offices. Functions of members of Board of Banking supervision under section 2. Functions of Deposit Protection Board under Part II in relation to administration of Deposit Protection Scheme.

SCHEDULE 2

Article 2(b)

FUNCTIONS DESIGNATED FOR THE PURPOSES OF SECTION 30 OF THE DATA PROTECTION ACT 1984 AS IF THEY WERE FUNCTIONS CONFERRED BY OR UNDER ANY ENACTMENT

1. Functions of a recognised self-regulating organisation within the meaning of section 8(1) of the Financial Services Act 1986(c) in connection with the admission or expulsion of members, the supervision of a person's membership or the supervision or regulation of persons carrying on investment business by virtue of membership of the organisation.
2. Functions of a recognised professional body within the meaning of section 207(1) of that Act in connection with the issue of certificates for the purposes of Part I of the Act, the withdrawal and suspension of such certificates or the supervision or regulation of persons carrying on investment business by virtue of certification by that body.
3. Functions of a recognised self-regulating organisation for friendly societies within the meaning of paragraph 1 of Schedule 11 to that Act in connection with the supervision or regulation of its member societies.

(a) S.I. 1986/1034 (N.I.8).

(b) 1987 c.22.

(c) 1986 c.60.

EXPLANATORY NOTE

(This note is not part of the Order)

Section 30 of the Data Protection Act 1984 provides that personal data held for the purpose of discharging statutory functions which are designated by the Secretary of State by an order made under that section shall be exempt from the subject access provisions of the Act in any case in which the application of those provisions to the data would be likely to prejudice the proper discharge of those functions. The functions that may be designated are those conferred by or under any enactment appearing to the Secretary of State to be designed for protecting members of the public against financial loss due to dishonesty, incompetence or malpractice by persons concerned in the provision of banking, insurance, investment or other financial services or in the management of companies or to the conduct of discharged or undischarged bankrupts.

Section 190 of the Financial Services Act 1986 provides that an order made under that section may designate certain additional functions for the purposes of section 30 as if they were functions conferred by or under an enactment, namely certain functions of recognised self-regulating organisations, recognised professional bodies and recognised self-regulating organisations of friendly societies.

This Order designates functions for the purposes of section 30. Schedule 1 sets out the designated functions which are conferred by or under an enactment and Schedule 2 sets out the designated functions which are of a type mentioned in section 190 of the Financial Services Act.

