

STATUTORY INSTRUMENTS

2007 No. 1118

The National Assembly for Wales Commission (Crown Status) Order 2007

[^{F1}Data Protection Act 2018

5.—(1) The Assembly Commission is to be treated as a Crown body for the purposes of the Data Protection Act 2018 to the extent specified in this article.

(2) The Assembly Commission is to be treated as a government department for the purposes of the following provisions—

- (a) section 8(d) (lawfulness of processing under the [^{F2}UK GDPR]: public interest etc),
- (b) section 209 (application to the Crown),
- (c) paragraph 6 of Schedule 1 (statutory etc and government purposes),
- (d) paragraph 7 of Schedule 2 (exemptions from the [^{F3}UK GDPR]: functions designed to protect the public etc), and
- (e) paragraph 8(1)(o) of Schedule 3 (exemptions from the [^{F4}UK GDPR]: health data).

(3) In the provisions mentioned in paragraph (4)—

- (a) references to employment by or under the Crown are to be treated as including employment as a member of staff of the Assembly Commission, and
- (b) references to a person in the service of the Crown are to be treated as including a person so employed.

(4) The provisions are—

- (a) section 24(3) (exemption for certain data relating to employment under the Crown), and
- (b) section 209(6) (application of certain provisions to a person in the service of the Crown).

^{F5}(5)]

F1 Art. 5 substituted (25.5.2018) by Data Protection Act 2018 (c. 12), s. 212(1), **Sch. 19 para. 324** (with ss. 117, 209, 210); S.I. 2018/625, reg. 2(1)(g)

F2 Words in art. 5(2)(a) substituted (31.12.2020) by The Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 (S.I. 2019/419), reg. 1(2), **Sch. 3 para. 64(a)** (with Sch. 3 para. 112); 2020 c. 1, Sch. 5 para. 1(1)

F3 Words in art. 5(2)(d) substituted (31.12.2020) by The Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 (S.I. 2019/419), reg. 1(2), **Sch. 3 para. 64(a)** (with Sch. 3 para. 112); 2020 c. 1, Sch. 5 para. 1(1)

F4 Words in art. 5(2)(e) substituted (31.12.2020) by The Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 (S.I. 2019/419), reg. 1(2), **Sch. 3 para. 64(a)** (with Sch. 3 para. 112); 2020 c. 1, Sch. 5 para. 1(1)

F5 Art. 5(5) omitted (31.12.2020) by virtue of The Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 (S.I. 2019/419), reg. 1(2), **Sch. 3 para. 64(b)** (with Sch. 3 para. 112); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation:

There are currently no known outstanding effects for the The National Assembly for Wales Commission (Crown Status) Order 2007, Section 5.