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STATUTORY INSTRUMENTS

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**2015 No. 312 (C. 16)**

**DATA PROTECTION**

**The Data Protection Act 1998  
(Commencement No. 4) Order 2015**

*Made - - - - 11th February 2015*

The Secretary of State makes the following Order in exercise of the power conferred by section 75(3) of the Data Protection Act 1998(1):

**Citation**

1. This Order may be cited as the Data Protection Act 1998 (Commencement No. 4) Order 2015.

**Commencement of section 56 of the Data Protection Act 1998**

2. The day appointed for the coming into force of section 56 (prohibition of requirement as to production of certain records) of the Data Protection Act 1998(2), so far as it is not already in force, is 10th March 2015.

11th February 2015

*Simon Hughes*  
Minister of State  
Ministry of Justice

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(1) [1998 c. 29](#). Section 75(3) was amended by [2003/1887](#). Section 75(4) provides that the day appointed for the coming into force of section 56 must not be earlier than the first day on which sections 112, 113A and 113B of the Police Act 1997 ([c. 50](#)) are all in force. Section 112 was commenced by [S.S.I. 2002/124](#), [2008/692](#) and [2014/237](#). Section 113A was commenced by [S.S.I. 2006/166](#), [2006/378](#), [2008/692](#) and [2008/697](#). Section 113B was commenced by [S.S.I. 2006/166](#), [2006/378](#), [2006/2182](#), [2007/3064](#), [2008/306](#), [2008/692](#) and [2015/188](#).

(2) Section 56 was amended by the Powers of Criminal Courts (Sentencing) Act [2000 \(c. 6\)](#), Schedule 9, paragraph 191; the Police (Northern Ireland) Act [2000 \(c. 32\)](#), section 78(2)(a); the Freedom of Information Act [2000 \(c. 36\)](#), section 68(4); the Serious Organised Crime and Police Act [2005 \(c. 15\)](#), Schedule 4, paragraph 112; the Safeguarding Vulnerable Groups Act [2006 \(c. 47\)](#), Schedule 9, paragraph 15; the Policing and Crime Act [2009 \(c. 1\)](#), section 81(2) and (3)(i); and the Crime and Courts Act [2013 \(c. 22\)](#), Schedule 8, paragraph 187. Section 56 was also amended by [2003/1887](#), [2007/1351](#), [2011/565](#), [2011/2425](#), [2012/3006](#), [2013/602](#) and [2013/630](#), and by [S.R.\(NI\) 2011 No. 357](#).

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

Article 2 of this Order brings into force on 10th March 2015 section 56 of the Data Protection Act 1998 (“the Act”), so far as that provision is not already in force. Section 56 introduces an offence which prohibits a person, A from requiring another person, B, or a third party, C, to provide A with information obtained by means of a subject access request under section 7 of the Act. The prohibition applies in certain circumstances specified in section 56, for example where B is seeking employment with A, and only applies to particular information obtained from specified data controllers, such as information relating to a record of convictions obtained from a chief officer of police of a police force in England and Wales.

A full impact assessment will be published on 12th May 2015.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

The following provisions of the Data Protection Act 1998 have been brought into force by commencement order made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
sections 4 to 6	1st March 2000	<a href="#">2000/183</a>
section 7 so far as not already in force	1st March 2000	<a href="#">2000/183</a>
section 8 so far as not already in force	1st March 2000	<a href="#">2000/183</a>
section 9 so far as not already in force	1st March 2000	<a href="#">2000/183</a>
section 10 so far as not already in force	1st March 2000	<a href="#">2000/183</a>
section 11	1st March 2000	<a href="#">2000/183</a>
section 12 so far as not already in force	1st March 2000	<a href="#">2000/183</a>
sections 13 to 16	1st March 2000	<a href="#">2000/183</a>
section 17 so far as not already in force	1st March 2000	<a href="#">2000/183</a>
section 18 so far as not already in force	1st March 2000	<a href="#">2000/183</a>
section 19 so far as not already in force	1st March 2000	<a href="#">2000/183</a>
section 20 so far as not already in force	1st March 2000	<a href="#">2000/183</a>
section 21	1st March 2000	<a href="#">2000/183</a>
section 22 so far as not already in force	1st March 2000	<a href="#">2000/183</a>
section 23 so far as not already in force	1st March 2000	<a href="#">2000/183</a>
section 24	1st March 2000	<a href="#">2000/183</a>
section 25(2) and (3)	1st March 2000	<a href="#">2000/183</a>

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
sections 27 to 29	1st March 2000	2000/183
section 30 so far as not already in force	1st March 2000	2000/183
section 31	1st March 2000	2000/183
section 32 so far as not already in force	1st March 2000	2000/183
sections 33 to 37	1st March 2000	2000/183
section 38 so far as not already in force	1st March 2000	2000/183
sections 39 to 50	1st March 2000	2000/183
section 51 so far as not already in force	1st March 2000	2000/183
section 52	1st March 2000	2000/183
section 53	1st March 2000	2000/183
section 54 so far as not already in force	1st March 2000	2000/183
section 55	1st March 2000	2000/183
section 56 (partially)	7th July 2008	2008/15922011/601
section 56 (partially)	3rd March 2011	2000/183
sections 57 to 63	1st March 2000	2000/183
section 64 so far as not already in force	1st March 2000	2000/183
section 65	1st March 2000	2000/183
section 66	1st March 2000	2000/183
sections 72 to 74	1st March 2000	2000/183
Schedules 1 to 4 so far as not already in force	1st March 2000	2000/183
Paragraphs 1 to 16 of Schedule 5	1st March 2000	2000/183
Schedule 6	1st March 2000	2000/183
Schedule 7 so far as not already in force	1st March 2000	2000/183
Schedules 8 to 10	1st March 2000	2000/183
Schedules 13 to 16	1st March 2000	2000/183