



Agriculture (Retained EU Law and Data) (Scotland) Act 2020

2020 asp 17

PART 2

COLLECTION AND PROCESSING OF DATA

18 Limitations on the processing of required information

- (1) This section applies to information provided in response to a requirement imposed under section 14(1) or (2) or 15(1) or (2).
- (2) The information may be processed for, and only for, purposes specified in the requirement in accordance with section 17.
- (3) Subsection (2) applies to—
 - (a) the person to whom the information is provided, and
 - (b) any person to whom the information is disclosed.
- (4) In the case of a person mentioned in subsection (3)(b), subsection (2) does not authorise processing contrary to the terms on which the information is disclosed.
- (5) Where the requirement specifies the types of processing to which the information may be subjected, the information may not be subjected to other types of processing except in circumstances specified in the requirement.
- (6) Subsections (7) and (8) apply if a person (“P”) proposes to make a disclosure of the information.
- (7) Where P proposes that the disclosure should be of the information otherwise than in anonymised form—
 - (a) P must consider whether the disclosure (if made in that form) would or might prejudice the commercial interests of any person, and
 - (b) if P considers that it would or might do so, the disclosure (if made) must be of the information in anonymised form unless the Scottish Ministers consider that it is in the public interest for the disclosure to be of the information in some other form (in which event the disclosure may be of the information in that other form).

Changes to legislation: There are currently no known outstanding effects for the Agriculture (Retained EU Law and Data) (Scotland) Act 2020, Section 18. (See end of Document for details)

(8) Where—

- (a) subsection (7)(b) does not apply to the disclosure, but
- (b) the requirement specifies the form in which the information may be disclosed, the disclosure must not be of the information in any other form except in circumstances specified in the requirement.

Commencement Information

II S. 18 in force at 1.12.2020 by [S.S.I. 2020/373](#), **reg. 2(1)(f)**

Changes to legislation:

There are currently no known outstanding effects for the Agriculture (Retained EU Law and Data) (Scotland) Act 2020, Section 18.