



2001 CHAPTER 3

PART I

SOCIAL CARE WORKERS

Registration

[^{F1}Power to obtain information etc

7A.—(1) The power under subsection (2) may be exercised for the purpose of assisting the Council in performing a function under section 5^{F2}... or 6 in respect of a person (“the relevant person”).

(2) If the Council considers that any person (except the relevant person) is able to provide information or produce a document that appears relevant to the performance of the function, it may by notice require the person to provide the information or produce the document.

(3) Subsection (2) does not require or permit any disclosure of information which is prohibited by or under any other statutory provision [^{F3}or the [^{F4}UK GDPR]].

(4) But where information is held in a form in which the prohibition operates because the information is capable of identifying an individual, the Council may, in exercising the power under subsection (2), require that the information be put into a form which is not capable of identifying that individual.

[^{F5}(5) In determining for the purposes of subsection (3) whether a disclosure is prohibited, it is to be assumed for the purposes of paragraph 5(2) of Schedule 2 to the Data Protection Act 2018 and paragraph 3(2) of Schedule 11 to that Act (exemptions from certain provisions of the data protection legislation: disclosures required by law) that the disclosure is required by this section.]

Changes to legislation: There are currently no known outstanding effects for the Health and Personal Social Services Act (Northern Ireland) 2001, Section 7A. (See end of Document for details)

(6) Subsection (2) does not apply to information or a document which the person could not be compelled to provide or produce in civil proceedings before the county court.

(7) If a person fails to provide any information or produce any document within 14 days of the person being required to do so under this section, the Council may apply to the county court for an order requiring the information to be provided or the document to be produced.

[^{F6}(8) In this section, “the UK GDPR” has the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section 3(10) and (14) of that Act).]

- F1** S. 7A inserted (13.5.2016) by [Health and Personal Social Services \(Amendment\) Act \(Northern Ireland\) 2016 \(c. 23\), ss. 2\(1\), 8](#)
- F2** Word in s. 7A(1) omitted (31.12.2020) by virtue of [The European Qualifications \(Health and Social Care Professions\) \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/593\), reg. 1\(2\), Sch. 10 para. 7](#) (with [reg. 12A, Sch. 10 Pt. 2](#)) (as amended by [S.I. 2020/1394, regs. 4, 18](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)
- F3** Words in s. 7A(3) inserted (25.5.2018) by [Data Protection Act 2018 \(c. 12\), s. 212\(1\), Sch. 19 para. 77\(2\)](#) (with [ss. 117, 209, 210](#)); [S.I. 2018/625, reg. 2\(1\)\(g\)](#)
- F4** Words in s. 7A(3) 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. 21\(2\)](#) (with [Sch. 3 para. 112](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)
- F5** S. 7A(5) substituted (25.5.2018) by [Data Protection Act 2018 \(c. 12\), s. 212\(1\), Sch. 19 para. 77\(3\)](#) (with [ss. 117, 209, 210](#)); [S.I. 2018/625, reg. 2\(1\)\(g\)](#)
- F6** S. 7A(8) 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. 21\(3\)](#) (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 Health and Personal Social Services Act (Northern Ireland) 2001, Section 7A.