



Data Protection Act 1984

1984 CHAPTER 35

PART IV

EXEMPTIONS

33 Domestic or other limited purposes

- (1) Personal data held by an individual and concerned only with the management of his personal, family or household affairs or held by him only for recreational purposes are exempt from the provisions of Part II of this Act and of sections 21 to 24 above.
- (2) Subject to subsections (3) and (4) below—
 - (a) personal data held by an unincorporated members' club and relating only to the members of the club ; and
 - (b) personal data held by a data user only for the purpose of distributing, or recording the distribution of, articles or information to the data subjects and consisting only of their names, addresses or other particulars necessary for effecting the distribution,are exempt from the provisions of Part II of this Act and of sections 21 to 24 above.
- (3) Neither paragraph (a) nor paragraph (b) of subsection (2) above applies to personal data relating to any data subject unless he has been asked by the club or data user whether he objects to the data relating to him being held as mentioned in that paragraph and has not objected.
- (4) It shall be a condition of the exemption of any data under paragraph (b) of subsection (2) above that the data are not used for any purpose other than that for which they are held and of the exemption of any data under either paragraph of that subsection that the data are not disclosed except as permitted by subsection (5) below ; but the first exemption shall not be lost by any use, and neither exemption shall be lost by any disclosure, in breach of that condition if the data user shows that he had taken such care to prevent it as in all the circumstances "was reasonably required.
- (5) Data to which subsection (4) above applies may be disclosed—

Status: This is the original version (as it was originally enacted).

- (a) if the data subject (or a person acting on his behalf) has requested or consented to the disclosure of the data either generally or in the circumstances in which the disclosure in question is made ;
 - (b) if the person making the disclosure has reasonable grounds for believing that the disclosure falls within paragraph (a) above ; or
 - (c) in any case in which disclosure would be permitted by any other provision of this Part of this Act if subsection (4) above were included among the non-disclosure provisions.
- (6) Personal data held only for—
- (a) preparing statistics ; or
 - (b) carrying out research,
- are exempt from the subject access provisions ; but it shall be a condition of that exemption that the data are not used or disclosed for any other purpose and that the resulting statistics or the results of the research are not made available in a form which identifies the data subjects or any of them.