

SCHEDULES

SCHEDULE 8

TRANSITIONAL RELIEF

PART II

EXEMPTIONS AVAILABLE BEFORE 24TH OCTOBER 2001

Payrolls and accounts

- 6 (1) Subject to sub-paragraph (2), eligible automated data processed by a data controller for one or more of the following purposes—
- (a) calculating amounts payable by way of remuneration or pensions in respect of service in any employment or office or making payments of, or of sums deducted from, such remuneration or pensions, or
 - (b) keeping accounts relating to any business or other activity carried on by the data controller or keeping records of purchases, sales or other transactions for the purpose of ensuring that the requisite payments are made by or to him in respect of those transactions or for the purpose of making financial or management forecasts to assist him in the conduct of any such business or activity,
- are exempt from the data protection principles and Parts II and III of this Act during the first transitional period.
- (2) It shall be a condition of the exemption of any eligible automated data under this paragraph that the data are not processed for any other purpose, but the exemption is not lost by any processing of the eligible data for any other purpose if the data controller shows that he had taken such care to prevent it as in all the circumstances was reasonably required.
- (3) Data processed only for one or more of the purposes mentioned in sub-paragraph (1) (a) may be disclosed—
- (a) to any person, other than the data controller, by whom the remuneration or pensions in question are payable,
 - (b) for the purpose of obtaining actuarial advice,
 - (c) for the purpose of giving information as to the persons in any employment or office for use in medical research into the health of, or injuries suffered by, persons engaged in particular occupations or working in particular places or areas,
 - (d) 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, or
 - (e) if the person making the disclosure has reasonable grounds for believing that the disclosure falls within paragraph (d).

Status: This is the original version (as it was originally enacted).

- (4) Data processed for any of the purposes mentioned in sub-paragraph (1) may be disclosed—
- (a) for the purpose of audit or where the disclosure is for the purpose only of giving information about the data controller's financial affairs, or
 - (b) in any case in which disclosure would be permitted by any other provision of this Part of this Act if sub-paragraph (2) were included among the non-disclosure provisions.
- (5) In this paragraph “remuneration” includes remuneration in kind and “pensions” includes gratuities or similar benefits.