



Statistics and Registration Service Act 2007

2007 CHAPTER 18

PART 1

THE STATISTICS BOARD

Information sharing

[^{F1}45A Information held by other public authorities

- (1) A public authority to which this section applies may, subject to this section, disclose to the Board any information held by the authority in connection with its functions.
- (2) This section applies to a public authority other than—
 - (a) the Commissioners for Her Majesty's Revenue and Customs, or
 - (b) an officer of Revenue and Customs.
- (3) A public authority may disclose information under subsection (1) only if it is satisfied that the Board requires the information to enable it to exercise one or more of its functions.
- (4) In determining whether the condition in subsection (3) is met the public authority must have regard to any views of the Board which have been communicated to the authority.
- (5) Information disclosed under subsection (1) may only be used by the Board for the purposes of any one or more of its functions.
- (6) Information disclosed under subsection (1) may not be used by the Board for the purposes of its function under section 22 (statistical services) except with the consent of the public authority which disclosed the information.
- (7) Where personal information is disclosed by a public authority to the Board under subsection (1), the Board may not disclose the information to an approved researcher under section 39(4)(i) except with the consent of the public authority.

Changes to legislation: There are currently no known outstanding effects for the Statistics and Registration Service Act 2007, Section 45A. (See end of Document for details)

- (8) In disclosing information under subsection (1), a public authority must have regard to the following codes of practice issued by the Information Commissioner under ^[F2]section 128 of the Data Protection Act 2018], so far as they apply to the information in question—
- (a) any code which makes provision about the identification and reduction of the risks to privacy of a proposal to disclose information;
 - (b) any code which makes provision about the information to be provided to data subjects (within the meaning of that Act) about the use to be made of information collected from them.
- (9) The duty in subsection (8) to have regard to a code of practice does not affect any other requirement for the public authority to have regard to a code of practice under ^[F3]the data protection legislation] in disclosing the information.
- (10) In determining how to comply with the duty in subsection (8) the public authority must have regard to any views of the Board which are communicated to the authority.
- (11) A disclosure under subsection (1) does not breach—
- (a) any obligation of confidence owed by the public authority making the disclosure, or
 - (b) any other restriction on the disclosure of information (however imposed).
- (12) But subsection (1) does not authorise the making of a disclosure which—
- (a) contravenes ^[F4]the data protection legislation],
 - (b) is prohibited by any of Parts 1 to 7 or Chapter 1 of Part 9 of the Investigatory Powers Act 2016, or
 - (c) contravenes ^[F5]^[F6]assimilated direct] legislation]^[F7](which is not part of the data protection legislation)] or ^[F8]anything that is EU-derived domestic legislation by virtue of section 2(2)(a) or (b) of the European Union (Withdrawal) Act 2018].
- (13) Until the repeal of Part 1 of the Regulation of Investigatory Powers Act 2000 by paragraphs 45 and 54 of Schedule 10 to the Investigatory Powers Act 2016 is fully in force, subsection (12)(b) has effect as if it included a reference to that Part.
- (14) This section does not limit the circumstances in which information may be disclosed apart from this section.]

Textual Amendments

- F1** S. 45A inserted (31.7.2017 for E.W.S., 1.5.2018 in so far as not already in force) by [Digital Economy Act 2017 \(c. 30\)](#), **ss. 79(2)**, 118(4); S.I. 2017/765, reg. 2(u); S.I. 2018/382, reg. 3(kk)
- F2** Words in s. 45A(8) substituted (25.5.2018) by [Data Protection Act 2018 \(c. 12\)](#), s. 212(1), **Sch. 19 para. 135(2)** (with ss. 117, 209, 210); S.I. 2018/625, reg. 2(1)(g)
- F3** Words in s. 45A(9) substituted (25.5.2018) by [Data Protection Act 2018 \(c. 12\)](#), s. 212(1), **Sch. 19 para. 135(3)** (with ss. 117, 209, 210); S.I. 2018/625, reg. 2(1)(g)
- F4** Words in s. 45A(12)(a) substituted (25.5.2018) by [Data Protection Act 2018 \(c. 12\)](#), s. 212(1), **Sch. 19 para. 135(4)** (with ss. 117, 209, 210); S.I. 2018/625, reg. 2(1)(g)
- F5** Words in s. 45A(12)(c) substituted (31.1.2020) by [The UK Statistics \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/489\)](#), regs. 1, **2(4)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F6** Words in s. 45A(12)(c) substituted (1.1.2024) by [The Retained EU Law \(Revocation and Reform\) Act 2023 \(Consequential Amendment\) Regulations 2023 \(S.I. 2023/1424\)](#), reg. 1(2), **Sch. para. 65(4)(a)**

Changes to legislation: *There are currently no known outstanding effects for the Statistics and Registration Service Act 2007, Section 45A. (See end of Document for details)*

- F7** Words in s. 45A(12)(c) inserted (25.5.2018) by Data Protection Act 2018 (c. 12), s. 212(1), **Sch. 19 para. 135(5)** (with ss. 117, 209, 210); S.I. 2018/625, reg. 2(1)(g)
- F8** Words in s. 45A(12)(c) substituted (31.1.2020) by The UK Statistics (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/489), regs. 1, **2(4)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation:

There are currently no known outstanding effects for the Statistics and Registration Service Act 2007, Section 45A.