



Statistics and Registration Service Act 2007

2007 CHAPTER 18

PART 1

THE STATISTICS BOARD

Information sharing

[^{F1}45E Further provisions about powers in sections 45B, 45C and 45D

- (1) Information disclosed under section 45B, 45C or 45D may only be used by the Board for the purposes of any one or more of its functions.
- (2) Information disclosed under section 45B, 45C or 45D may not be used by the Board for the purposes of its function under section 22 (statistical services) except with the consent of the person who disclosed the information.
- (3) Where personal information is disclosed under section 45B, 45C or 45D, the Board may not disclose the information to an approved researcher under section 39(4)(i) except with the consent of the person who disclosed the information.
- (4) A disclosure pursuant to section 45B, 45C or 45D does not breach—
 - (a) any obligation of confidence owed by the person making the disclosure, or
 - (b) any other restriction on the disclosure of information (however imposed).
- (5) The Board must prepare and publish a statement of—
 - (a) the principles to which it will have regard in exercising its functions under sections 45B, 45C and 45D, and
 - (b) the procedures which it will adopt in exercising those functions.
- (6) The statement must be consistent with the code of practice [^{F2}prepared under section 121 of the Data Protection Act 2018 (data-sharing code) and issued under section 125(4) of that Act] (as altered or replaced from time to time).

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

- (7) The Board may at any time revise the statement and, if it decides to do so, must publish the statement as revised.
- (8) In preparing or revising the statement the Board must consult—
 - (a) the Minister for the Cabinet Office,
 - (b) the Information Commissioner,
 - (c) the Scottish Ministers,
 - (d) the Welsh Ministers,
 - (e) the Department of Finance in Northern Ireland, and
 - (f) such other persons as the Board thinks fit.
- (9) The fact that this section was not in force when consultation of the kind mentioned in subsection (8) took place is to be disregarded in determining whether there has been compliance with that subsection.
- (10) The Board may not publish the original statement under this section unless a draft of the statement has been laid before, and approved by a resolution of, each House of Parliament.
- (11) Before publishing a revised statement under this section the Board must lay a draft of the statement as proposed to be published before Parliament.
- (12) The Board may not publish the revised statement if, within the 40-day period, either House of Parliament resolves not to approve it.
- (13) In subsection (12) “the 40 day period” means—
 - (a) the period of 40 days beginning with the day on which the draft is laid before Parliament, or
 - (b) if the draft is not laid before each House on the same day, the period of 40 days beginning with the later of the days on which it is laid before Parliament.
- (14) For the purposes of subsection (13) no account is to be taken of any period during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than four days.
- (15) After preparing or revising a statement the Board must lay the statement, or the statement as revised, before—
 - (a) the Scottish Parliament,
 - (b) the National Assembly for Wales, and
 - (c) the Northern Ireland Assembly.
- (16) In exercising any of its functions under section 45B, 45C or 45D to require the disclosure of information, the Board must have regard to any code of practice issued by the Information Commissioner under [^{F3} section 128 of the Data Protection Act 2018] which makes provision about the identification and reduction of the risks to privacy of a proposal to disclose information, so far as the code applies to the information in question.
- (17) The duty in subsection (16) to have regard to a code of practice does not affect any other requirement for the Board to have regard to a code of practice under [^{F4}the data protection legislation] in exercising the function.]

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

Textual Amendments

- F1** Ss. 45B-45G inserted (1.10.2017 for E.W.S. for specified purposes, 1.5.2018 in so far as not already in force) by [Digital Economy Act 2017 \(c. 30\)](#), **ss. 80**, 118(4); S.I. 2017/765, reg. 3(n); S.I. 2018/382, reg. 3(II)
- F2** Words in s. 45E(6) substituted (25.5.2018) by [Data Protection Act 2018 \(c. 12\)](#), s. 212(1), **Sch. 19 para. 139(2)** (with ss. 117, 209, 210, Sch. 20 para. 49); S.I. 2018/625, reg. 2(1)(g)
- F3** Words in s. 45E(16) substituted (25.5.2018) by [Data Protection Act 2018 \(c. 12\)](#), s. 212(1), **Sch. 19 para. 139(3)** (with ss. 117, 209, 210, Sch. 20 para. 49); S.I. 2018/625, reg. 2(1)(g)
- F4** Words in s. 45E(17) substituted (25.5.2018) by [Data Protection Act 2018 \(c. 12\)](#), s. 212(1), **Sch. 19 para. 139(4)** (with ss. 117, 209, 210, Sch. 20 para. 49); S.I. 2018/625, reg. 2(1)(g)

Changes to legislation:

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