

SCHEDULES

SCHEDULE 11

OTHER EXEMPTIONS UNDER PART 4

Exam scripts and marks

- 12 (1) The listed provisions do not apply to personal data consisting of information recorded by candidates during an exam.
- (2) Where personal data consists of marks or other information processed by a controller—
- (a) for the purposes of determining the results of an exam, or
 - (b) in consequence of the determination of the results of an exam,
- section 94 has effect subject to sub-paragraph (3).
- (3) Where the relevant time falls before the results of the exam are announced, the period mentioned in section 94(10)(b) is extended until the earlier of—
- (a) the end of the period of 5 months beginning with the relevant time, and
 - (b) the end of the period of 40 days beginning with the announcement of the results.
- (4) In this paragraph—
- “exam” means an academic, professional or other examination used for determining the knowledge, intelligence, skill or ability of a candidate and may include an exam consisting of an assessment of the candidate’s performance while undertaking work or any other activity;
 - “the relevant time” has the same meaning as in section 94.
- (5) For the purposes of this paragraph, the results of an exam are treated as announced when they are first published or, if not published, first communicated to the candidate.