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STATUTORY INSTRUMENTS

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**2002 No. 2905**

**DATA PROTECTION**

**The Data Protection (Processing of Sensitive Personal Data) (Elected Representatives) Order 2002**

*Made* - - - - *19th November 2002*

*Coming into force* - - *17th December 2002*

Whereas a draft of this Order has been laid before and approved by a resolution of each House of Parliament:

Now, therefore, the Lord Chancellor, in exercise of the powers conferred upon him by section 67(2) of, and paragraph 10 of Schedule 3 to, the Data Protection Act 1998<sup>(1)</sup>, and after consultation with the Information Commissioner<sup>(2)</sup> in accordance with section 67(3) of that Act, hereby makes the following Order:

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- (1) 1998 c. 29. The functions of the Secretary of State under section 67 of, and paragraph 10 of Schedule 3 to, the Data Protection Act 1998 were transferred to the Lord Chancellor by Article 3 of, and paragraph 11 of Schedule 1 to, the Transfer of Functions (Miscellaneous) Order 2001 (S.I.2001/3500). Article 8 of, and paragraphs 6(v) and (z) of Schedule 2 to, that Order amended section 67 of, and Schedule 3 to, the Data Protection Act 1998 so as to refer to the Lord Chancellor.
- (2) The Data Protection Commissioner became the Information Commissioner on 30th January 2001 by virtue of sections 18(1) and 87(2)(a) of the Freedom of Information Act 2000 (c. 36). The consultation requirement in section 67(3) of the Data Protection Act 1998 now refers to the Information Commissioner as the definitions of “the Commissioner” in sections 6(1) and 70(1) of that Act have been amended by paragraphs 13(2) and 14(a) of Schedule 2 to the Freedom of Information Act 2000.