
EXPLANATORY NOTE

(This note is not part of the Order)

This is the second Commencement Order made under the Data Protection Act 1998.

Article 2 of this Order provides for the partial commencement of section 56 of the Data Protection Act 1998 (c. 29) (“DPA”) on the 7th of July 2008. Section 56 prohibits a person, A, from requiring an individual, B, or a third party, C, to provide A with information obtained by means of a subject access request under section 7 of the DPA. The prohibition applies in circumstances specified in section 56, for example where B is seeking employment with A. However, Article 2 commences section 56 only in relation to information held by the Secretary of State or by the Independent Barring Board pursuant to their respective functions under the Safeguarding Vulnerable Groups Act 2006 (c. 47) or the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007 (S.I. 2007/1351 (N.I. 11)) (the Independent Barring Board is established under section 1 of the Safeguarding Vulnerable Groups Act).