

SCHEDULES

SCHEDULE 7

CODES OF PRACTICE

Scope of codes

- 2 (1) Each code must include—
- (a) provision designed to protect the public interest in the confidentiality of sources of journalistic information, and
 - (b) provision about particular considerations applicable to any data which relates to a member of a profession which routinely holds items subject to legal privilege or relevant confidential information.
- (2) A code about the exercise of functions conferred by virtue of Part 2, Part 5 or Chapter 1 or 3 of Part 6 must also contain provision about when circumstances are to be regarded as “exceptional and compelling circumstances” for the purposes of any provision of that Part or Chapter that restricts the exercise of functions in relation to items subject to legal privilege by reference to the existence of such circumstances.
- (3) The Investigatory Powers Commissioner must keep under review any provision included in a code by virtue of sub-paragraph (2).
- (4) In this paragraph—
- “relevant confidential information” means information which is held in confidence by a member of a profession and consists of—
- (a) personal records or journalistic material which are (or would be if held in England and Wales) excluded material as defined by section 11 of the Police and Criminal Evidence Act 1984, or
 - (b) communications between Members of Parliament and their constituents,
- and the references in this paragraph to a member of a profession include references to any person acting in the course of any trade, business, profession or other occupation or for the purposes of any paid or unpaid office.