



# Data Protection Act 1998

## 1998 CHAPTER 29

### PART VI

#### MISCELLANEOUS AND GENERAL

##### *General*

#### **75 Short title, commencement and extent.**

- (1) This Act may be cited as the Data Protection Act 1998.
- (2) The following provisions of this Act—
  - (a) sections 1 to 3,
  - (b) section 25(1) and (4),
  - (c) section 26,
  - (d) sections 67 to 71,
  - (e) this section,
  - (f) paragraph 17 of Schedule 5,
  - (g) Schedule 11,
  - (h) Schedule 12, and
  - (i) so much of any other provision of this Act as confers any power to make subordinate legislation,shall come into force on the day on which this Act is passed.
- (3) The remaining provisions of this Act shall come into force on such day as the [<sup>F1</sup>Secretary of State] may by order appoint; and different days may be appointed for different purposes.
- (4) The day appointed under subsection (3) for the coming into force of section 56 must not be earlier than the first day on which [<sup>F2</sup>sections 112, 113A and 113B] of the <sup>M1</sup>Police Act 1997 (which provide for the issue by the Secretary of State of criminal conviction certificates, criminal record certificates and enhanced criminal record certificates) are all in force.

*Status: Point in time view as at 10/09/2012. This version of this provision has been superseded.*

*Changes to legislation: Data Protection Act 1998, Section 75 is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

[<sup>F3</sup>(4A) Subsection (4) does not apply to section 56 so far as that section relates to a record containing information relating to—

- (a) the Secretary of State's functions under the Safeguarding Vulnerable Groups Act 2006 [<sup>F4</sup> or the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007 ], <sup>F5</sup> . . .
- (b) the [<sup>F6</sup>“Independent Safeguarding Authority's”] functions under that Act [<sup>F7</sup> or that Order][<sup>F8</sup> , or
- (c) the Scottish Ministers' functions under Parts 1 and 2 of the Protection of Vulnerable Groups (Scotland) Act 2007 (asp 14).]]

(5) Subject to [<sup>F9</sup>subsections (5A) and (6)], this Act extends to Northern Ireland.

[<sup>F10</sup>(5A) In section 56(6) (prohibition of requirement as to production of certain records), paragraph (2)(e) of the Table in that section, insofar as it relates to Part 1 of the Welfare Reform Act 2007, extends to England and Wales and Scotland only.]

(6) Any amendment, repeal or revocation made by Schedule 15 or 16 has the same extent as that of the enactment or instrument to which it relates.

#### Subordinate Legislation Made

- P1** S. 75(3) power partly exercised:  
1.3.2000 appointed by [S.I. 2000/183](#), **art. 2(1)** (with **art. 2(2)**)  
7.7.2008 appointed by [S.I. 2008/1592](#), **art. 2**  
3.3.2011 appointed by [S.I. 2011/601](#), **art. 2**

#### Textual Amendments

- F1** Words in s. 75 substituted (19.8.2003) by [The Secretary of State for Constitutional Affairs Order 2003 \(S.I. 2003/1887\)](#), **art. 9, Sch. 2 para. 9(1)(a)**
- F2** Words in s. 75(4) substituted (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\)](#), **ss. 86, 120** (with s. 97); [S.I. 2012/2234](#), **art. 2(w)**
- F3** S. 75(4A) inserted (19.5.2008) by [Safeguarding Vulnerable Groups Act 2006 \(c. 47\)](#), **ss. 63, 65, Sch. 9 para. 15(3)** (with **ss. 51, 57(3), 60(4), 64(5)**); [S.I. 2008/1320](#), **art. 3**
- F4** Words in s. 75(4A)(a) inserted (N.I.) (29.5.2008) by [The Safeguarding Vulnerable Groups \(Northern Ireland\) Order 2007 \(S.I. 2007/1351 \(N.I. 11\)\)](#), **art. 60, Sch. 7 para. 4(2)(a)**; [S.R. 2008/233](#), **art. 3(c)**
- F5** Word in s. 75(4A)(a) omitted (1.3.2011) by virtue of [The Protection of Vulnerable Groups \(Scotland\) Act 2007 \(Consequential Modifications\) Order 2011 \(S.I. 2011/565\)](#), **art. 3(3)(a)**
- F6** Words in s. 75 substituted (12.11.2009) by [Policing and Crime Act 2009 \(c. 26\)](#), **ss. 81(2)(3)(i)**, 116
- F7** Words in s. 75(4A)(b) inserted (N.I.) (29.5.2008) by [The Safeguarding Vulnerable Groups \(Northern Ireland\) Order 2007 \(S.I. 2007/1351 \(N.I. 11\)\)](#), **art. 60, Sch. 7 para. 4(2)(b)**; [S.R. 2008/233](#), **art. 3(c)**
- F8** S. 75(4A)(c) and word inserted (1.3.2011) by [The Protection of Vulnerable Groups \(Scotland\) Act 2007 \(Consequential Modifications\) Order 2011 \(S.I. 2011/565\)](#), **art. 3(3)(c)**
- F9** Words in s. 75(5) substituted (E.W.S.) for "subsection (6)" (31.10.2011) by [The Social Security \(Miscellaneous Amendments\) \(No. 3\) Regulations 2011 \(S.I. 2011/2425\)](#), **reg. 4(b)(i)**
- F10** S. 75(5A) inserted (E.W.S) (31.10.2011) by [The Social Security \(Miscellaneous Amendments\) \(No. 3\) Regulations 2011 \(S.I. 2011/2425\)](#), **reg. 4(b)(ii)**

#### Marginal Citations

- M1** 1997 c. 50.

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