

SCHEDULES

SCHEDULE 2

EXEMPTIONS ETC FROM THE GDPR

PART 6

DEROGATIONS ETC BASED ON ARTICLE 89 FOR RESEARCH, STATISTICS AND ARCHIVING

Research and statistics

- 27 (1) The listed GDPR provisions do not apply to personal data processed for—
- (a) scientific or historical research purposes, or
 - (b) statistical purposes,
- to the extent that the application of those provisions would prevent or seriously impair the achievement of the purposes in question.
- This is subject to sub-paragraph (3).
- (2) For the purposes of this paragraph, the listed GDPR provisions are the following provisions of the GDPR (the rights in which may be derogated from by virtue of Article 89(2) of the GDPR)—
- (a) Article 15(1) to (3) (confirmation of processing, access to data and safeguards for third country transfers);
 - (b) Article 16 (right to rectification);
 - (c) Article 18(1) (restriction of processing);
 - (d) Article 21(1) (objections to processing).
- (3) The exemption in sub-paragraph (1) is available only where—
- (a) the personal data is processed in accordance with Article 89(1) of the GDPR (as supplemented by section 19), and
 - (b) as regards the disapplication of Article 15(1) to (3), the results of the research or any resulting statistics are not made available in a form which identifies a data subject.

Archiving in the public interest

- 28 (1) The listed GDPR provisions do not apply to personal data processed for archiving purposes in the public interest to the extent that the application of those provisions would prevent or seriously impair the achievement of those purposes.
- This is subject to sub-paragraph (3).
- (2) For the purposes of this paragraph, the listed GDPR provisions are the following provisions of the GDPR (the rights in which may be derogated from by virtue of Article 89(3) of the GDPR)—

Status: This is the original version (as it was originally enacted).

- (a) Article 15(1) to (3) (confirmation of processing, access to data and safeguards for third country transfers);
 - (b) Article 16 (right to rectification);
 - (c) Article 18(1) (restriction of processing);
 - (d) Article 19 (notification obligation regarding rectification or erasure of personal data or restriction of processing);
 - (e) Article 20(1) (right to data portability);
 - (f) Article 21(1) (objections to processing).
- (3) The exemption in sub-paragraph (1) is available only where the personal data is processed in accordance with Article 89(1) of the GDPR (as supplemented by section 19).