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STATUTORY INSTRUMENTS

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**1999 No. 677**

**The Scottish Parliamentary Corporate  
Body (Crown Status) Order 1999**

**Data protection**

7.—(1) The Parliamentary corporation shall be treated as a Crown body for the purposes of the Data Protection Act 1984<sup>(1)</sup> and accordingly—

- (a) for the purposes of section 29(2)(a) of that Act (exemptions for certain information held by government departments) information held by the Parliamentary corporation shall be treated as information held by a government department;
- (b) for the purposes of section 31(1) of that Act (exemptions for certain personal data held by government departments) personal data held by the Parliamentary corporation shall be treated as personal data held by a government department;
- (c) for the purposes of section 38 of that Act (application to government departments etc.) the Parliamentary corporation shall be treated as a government department; and
- (d) employment under the Parliamentary corporation shall be treated for the purposes of that section as employment in the service of the Crown.

(2) In paragraph (1) of this article, “personal data” has the same meaning as in the Data Protection Act 1984.

(3) On the coming into force of each of the provisions of the Data Protection Act 1998<sup>(2)</sup>, the Parliamentary corporation shall be treated as a Crown body for the purposes of those provisions and accordingly—

- (a) for the purposes of section 30(3) of that Act (power to exempt certain information) information processed by the Parliamentary corporation shall be treated as information processed by a government department;
- (b) for the purposes of section 31 of that Act (exemptions for certain regulatory activities), of paragraph 5 of Schedule 2 to that Act (conditions relating to processing of personal data), and of paragraph 7 of Schedule 3 to that Act (conditions relating to processing of sensitive personal data) the functions of the Parliamentary corporation shall be treated as functions of the Crown;
- (c) for the purposes of section 63 of that Act (application to the Crown) the Parliamentary corporation shall be treated as a government department and employment under the Parliamentary corporation shall be treated as employment in the service of the Crown; and
- (d) for the purposes of paragraph 4 of Schedule 7 to that Act (power to exempt certain personal data) employment by or under the Parliamentary corporation shall be treated as employment by or under the Crown.

(4) In paragraph (3) of this article, “information processed” and “functions” shall have the same meanings as they have for the purposes of the Data Protection Act 1998.

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(1) 1984 c. 35.

(2) 1998 c. 29.

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

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