
STATUTORY INSTRUMENTS

2000 No. 415

The Data Protection (Subject Access Modification) (Social Work) Order 2000

Further modifications of section 7

7.—(1) In relation to data to which this Order applies by virtue of paragraph 1 of the Schedule—

(a) section 7(4) shall have effect as if there were inserted after paragraph (b) of that subsection

“or,

(c) the other individual is a relevant person”;

(b) section 7(9) shall have effect as if—

(i) there was substituted—

“(9) If a court is satisfied on the application of—

(a) any person who has made a request under the foregoing provisions of this section, or

(b) any person to whom serious harm to his physical or mental health or condition would be likely to be caused by compliance with any such request in contravention of those provisions,

that the data controller in question is about to comply with or has failed to comply with the request in contravention of those provisions, the court may order him not to comply or, as the case may be, to comply with the request.”; and

(ii) the reference to a contravention of the foregoing provisions of that section included a reference to a contravention of the provisions contained in this Order.

(2) After section 7(11) of the Act insert—

“(12) A person is a relevant person for the purposes of subsection (4)(c) if he—

(a) is a person referred to in paragraph 1(p) or (q) of the Schedule to the Data Protection (Subject Access Modification) (Social Work) Order 2000; or

(b) is or has been employed by any person or body referred to in paragraph 1 of that Schedule in connection with functions which are or have been exercised in relation to the data consisting of the information; or

(c) has provided for reward a service similar to a service provided in the exercise of any functions specified in paragraph 1(a)(i), (b), (c) or (d) of that Schedule,

and the information relates to him or he supplied the information in his official capacity or, as the case may be, in connection with the provision of that service.”.