



# Data Protection Act 1998

## 1998 CHAPTER 29

### PART IV

#### EXEMPTIONS

#### **33 Research, history and statistics**

(1) In this section—

“research purposes” includes statistical or historical purposes;

“the relevant conditions”, in relation to any processing of personal data, means the conditions—

- (a) that the data are not processed to support measures or decisions with respect to particular individuals, and
- (b) that the data are not processed in such a way that substantial damage or substantial distress is, or is likely to be, caused to any data subject.

(2) For the purposes of the second data protection principle, the further processing of personal data only for research purposes in compliance with the relevant conditions is not to be regarded as incompatible with the purposes for which they were obtained.

(3) Personal data which are processed only for research purposes in compliance with the relevant conditions may, notwithstanding the fifth data protection principle, be kept indefinitely.

(4) Personal data which are processed only for research purposes are exempt from section 7 if—

- (a) they are processed in compliance with the relevant conditions, and
- (b) the results of the research or any resulting statistics are not made available in a form which identifies data subjects or any of them.

(5) For the purposes of subsections (2) to (4) personal data are not to be treated as processed otherwise than for research purposes merely because the data are disclosed—

- (a) to any person, for research purposes only,

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*Status: This is the original version (as it was originally enacted).*

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- (b) to the data subject or a person acting on his behalf,
- (c) at the request, or with the consent, of the data subject or a person acting on his behalf, or
- (d) in circumstances in which the person making the disclosure has reasonable grounds for believing that the disclosure falls within paragraph (a), (b) or (c).