
STATUTORY INSTRUMENTS

2000 No. 414

**The Data Protection (Subject Access
Modification) (Education) Order 2000**

Further modifications of section 7

7.—(1) In relation to data to which this Order applies—

(a) section 7(4) of the Act 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(ii) 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 4(a) or (b) or paragraph 8(a) or (b) of Schedule 11;

(b) is employed by an education authority (within the meaning of paragraph 6 of Schedule 11) in pursuance of its functions relating to education and the information relates to him, or he supplied the information in his capacity as such an employee; or

(c) is the person making the request.”.