



# Statistics and Registration Service Act 2007

## 2007 CHAPTER 18

### PART 1

#### THE STATISTICS BOARD

##### *Information sharing*

#### **[<sup>F1</sup>45B Access to information held by Crown bodies etc**

- (1) This section applies to—
  - (a) a public authority which is an emanation of the Crown or a servant or agent of the Crown,
  - (b) the Bank of England (including in the exercise of its functions as the Prudential Regulation Authority),
  - (c) a subsidiary undertaking of the Bank of England within the meaning of the Companies Acts (see sections 1161 and 1162 of the Companies Act 2006),
  - (d) the Financial Conduct Authority, and
  - (e) the Payment Systems Regulator established under section 40 of the Financial Services (Banking Reform) Act 2013.
- (2) Subject to this section and section 45E, the Board has a right of access to information which—
  - (a) is held by a public authority to which this section applies in connection with its functions, and
  - (b) is required by the Board to enable it to exercise one or more of its functions.
- (3) Subsection (2) does not apply to information if the disclosure of that information—
  - (a) would contravene [<sup>F2</sup>the data protection legislation],
  - (b) would be prohibited by any of Parts 1 to 7 or Chapter 1 of Part 9 of the Investigatory Powers Act 2016, or

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- (c) would contravene [<sup>F3</sup>[<sup>F4</sup>assimilated direct] legislation][<sup>F5</sup>(which is not part of the data protection legislation)] or [<sup>F6</sup>anything that is EU-derived domestic legislation by virtue of section 2(2)(a) or (b) of the European Union (Withdrawal) Act 2018].
- (4) Until the repeal of Part 1 of the Regulation of Investigatory Powers Act 2000 by paragraphs 45 and 54 of Schedule 10 to the Investigatory Powers Act 2016 is fully in force, subsection (3)(b) has effect as if it included a reference to that Part.
- (5) The right of access in subsection (2) is to be exercised in accordance with the following provisions of this section.
- (6) The Board may, by notice in writing to the public authority, request the authority to disclose the information to the Board.
- (7) A notice under subsection (6) must—
- (a) set out the Board's reasons for requesting the information to be disclosed, and
  - (b) specify the date by which or the period within which the public authority must respond to the request.
- (8) The public authority must, by that date or within that period, provide a response in writing to the Board which—
- (a) indicates that it is willing to provide the information and gives the date by which it will be provided, or
  - (b) indicates that it is not willing to provide the information and gives reasons for not providing it.
- (9) Subsection (10) applies if—
- (a) the public authority fails to respond to the request in accordance with subsection (8),
  - (b) the public authority indicates that it is not willing to provide the information requested, or
  - (c) the public authority has indicated that it is willing to provide the information requested, but the Board considers that the public authority is failing to take reasonable steps to comply with that request.
- (10) The Board may lay the request and any response by the public authority before the relevant legislature.
- (11) In subsection (10) “the relevant legislature” means Parliament, subject as follows.
- (12) The Scottish Parliament is the relevant legislature if the public authority—
- (a) is a part of the Scottish Administration, or
  - (b) is a Scottish public authority with mixed functions or no reserved functions (within the meaning of the Scotland Act 1998).
- (13) The National Assembly for Wales is the relevant legislature if the public authority is a devolved Welsh authority as defined by section 157A of the Government of Wales Act 2006.
- (14) The Northern Ireland Assembly is the relevant legislature if—
- (a) the public authority exercises functions only as regards Northern Ireland, and
  - (b) its functions are wholly or mainly functions which relate to transferred matters (within the meaning of the Northern Ireland Act 1998).

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- (15) This section does not apply to—
- (a) Her Majesty in Her private capacity,
  - (b) Her Majesty in right of the Duchy of Lancaster, or
  - (c) the Duke of Cornwall.
- (16) Until the coming into force of section 12 of the Bank of England and Financial Services Act 2016 subsection (1)(b) has effect as if the words in brackets were omitted.]

#### Textual Amendments

- F1** Ss. 45B-45G inserted (1.10.2017 for E.W.S. for specified purposes, 1.5.2018 in so far as not already in force) by [Digital Economy Act 2017 \(c. 30\)](#), **ss. 80**, 118(4); S.I. 2017/765, reg. 3(n); S.I. 2018/382, reg. 3(l)
- F2** Words in s. 45B(3)(a) substituted (25.5.2018) by [Data Protection Act 2018 \(c. 12\)](#), s. 212(1), **Sch. 19 para. 136(2)** (with ss. 117, 209, 210); S.I. 2018/625, reg. 2(1)(g)
- F3** Words in s. 45B(3)(c) substituted (31.1.2020) by [The UK Statistics \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/489\)](#), regs. 1, **2(5)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in s. 45B(3)(c) substituted (1.1.2024) by [The Retained EU Law \(Revocation and Reform\) Act 2023 \(Consequential Amendment\) Regulations 2023 \(S.I. 2023/1424\)](#), reg. 1(2), **Sch. para. 65(4)(b)**
- F5** Words in s. 45B(3)(c) inserted (25.5.2018) by [Data Protection Act 2018 \(c. 12\)](#), s. 212(1), **Sch. 19 para. 136(3)** (with ss. 117, 209, 210); S.I. 2018/625, reg. 2(1)(g)
- F6** Words in s. 45B(3)(c) substituted (31.1.2020) by [The UK Statistics \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/489\)](#), regs. 1, **2(5)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

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