

**2010 No. 2961**

**DATA PROTECTION**

**The Data Protection (Processing of Sensitive Personal Data)  
(Elected Representatives) (Amendment) Order 2010**

<i>Made</i>	- - - -	<i>14th December 2010</i>
<i>Laid before Parliament</i>		<i>20th December 2010</i>
<i>Coming into force</i>	- -	<i>17th January 2011</i>

The Secretary of State, in exercise of the powers conferred upon her by section 160(2)(b) of the Government of Wales Act 2006(a), makes the following Order.

**Citation and commencement**

1. This Order may be cited as the Data Protection (Processing of Sensitive Personal Data) (Elected Representatives) (Amendment) Order 2010 and comes into force on 17th January 2011.

**Amendments to the Data Protection (Processing of Sensitive Personal Data) (Elected Representatives) Order 2002**

2. Paragraph 2 of the Schedule to the Data Protection (Processing of Sensitive Personal Data) (Elected Representatives) Order 2002(b) is amended as follows:-

- (a) at the end of sub-paragraph (a)(ii), omit “or”;
- (b) In sub-paragraph (a)(iii), immediately after “that Assembly is dissolved,” insert “or”;
- (c) After sub-paragraph (a)(iii), insert “(iv) a Member of the National Assembly for Wales immediately before that Assembly is dissolved,”;
- (d) In sub-paragraph (a), immediately after “that Parliament or Assembly is held;” insert “and”;
- (e) Omit sub-paragraph (b);
- (f) In sub-paragraph (c), for “(c)” substitute “(b)”.

*Cheryl Gillan*  
Secretary of State for Wales

14th December 2010

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(a) 2006 c. 32.  
(b) S.I. 2000/2905

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order makes amendments to the Data Protection (Processing of Sensitive Personal Data)(Elected Representatives) Order 2002 (the 2002 Order) consequent on the coming into force of the Government of Wales Act 2006 (the 2006 Act). The 2006 Act came into force following the Assembly election in 2007 and the National Assembly for Wales constituted by the Government of Wales Act 1998 ( the 1998 Act) ceased to exist.

The 2002 Order referred to an Assembly member ceasing to be a member at the end of the day before the day of the poll at an ordinary election. This was the case when the 1998 Act was in force but under the 2006 Act, an Assembly member ceases to be a member when the Assembly is dissolved. Dissolution takes place 21 working days before the poll at an Assembly general election. Article 2 of this Order makes appropriate amendments to paragraph 2 of the 2002 Order to give effect to this change.

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