

Research, history or statistics

What is exempted?

This exemption relates to personal data processes for the purposes of research (understood to be scientific research and not e.g. marketing research), history or statistics.

The exemption may apply only if:

- the personal data is not processed to support a measure or decision relating to a particular individual; and
- the personal data is not processed in a way that likely causes substantial damage or substantial distress to any individual.

What provisions in the DPL does the exemption relate to?

1. Under this exemption personal data is exempt from the first data protection principle to the extent that it requires compliance with paragraph 2(b) of Part 2 of Schedule 1 (notification of the purpose for the processing).
2. Personal data processed only for scientific research purpose, or which is kept in a form that identifies a data subject only for as long as required to create statistics, is exempt from section 8 of the DPL (the right to access).
3. Personal data processed for historical, statistical or scientific purposes is exempt from the fifth data protection principle (storage limitation) to the extent that compliance would be likely to prejudice those purposes.

When does the exemption apply?

1. The exemption (from the first data protection principle) applies if the provision of the notification of the purpose would prove impossible or would involve a disproportionate effort.
 2. The exemption also applies if the processing is required by law
 3. The exemption (from section 8 of the DPL) applies if:
 - the data is processed in compliance with the relevant conditions;
 - there is no risk of breaching the rights and freedoms of the data subject; and
 - the results of the research or resulting statistics does not identify one or more data subject.
1. The exemption from the fifth data protection principle applies to the extent that complying would prejudice the historical, statistical al or scientific research.

What else is there to consider?

Processing for the purposes of scientific research, history or statistics does not constitute “incompatible processing” under the second data protection principle.

Relevant provisions

[Data Protection Law, 2017](#)

Section 23: Exemption relating to research, history or statistics