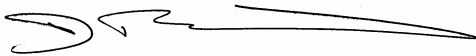


Disclosure of Personal Data

1. This Direction sets out the circumstances in which personal data may be disclosed to law enforcement agencies. The agencies most likely to request such information are the PSNI, HMRC and DHSS.
2. The information we hold on electors i.e. full name, address at which registered, date of birth, NINO, signature and sometimes previous names and/or addresses is personal data for the purposes of the Data Protection Act 1998. It follows that it is unlawful to disclose it to anyone unless one of the exceptions to disclosure set out in the Act applies.
3. The only exception likely to be relevant is in section 29 of the Act which provides that we may disclose our information were not doing so would be likely to prejudice one of the following purposes –
 - “(a) the prevention or detection of crime,
 - (b) the apprehension or prosecution of offenders, or
 - (c) the assessment or collection of any tax or duty or of any imposition of a similar nature”.
4. Before you can lawfully disclose information under that exception you must be satisfied that –
 - ◆ at least one of these activities would be likely to be prejudiced by non disclosure; and
 - ◆ a written request has been received from an organisation responsible for that activity.
5. A written request is required in all cases so that we have an audit trail to refer to in the event of a challenge. Most organisations have a standard request form covering section 27 applications. This is quite acceptable: indeed failure to use a standard form should probably cause you to doubt the authenticity of the request. The application

must state the grounds on which it is made. It is not necessary for you to seek information on why the requester believes that non-disclosure would prejudice the specified purpose. It is sufficient that the form sets out that prejudice would be the likely result. The application must be signed by an officer of the organisation who could reasonably be expected to have sufficient knowledge to assess the likely impact of non-disclosure. The individual's name and, where appropriate, number must be stated. If there is any doubt about the authenticity of any request received you must seek verification from the organisation concerned.

6. All such requests, together with a note of the action taken, must be kept as a TRIM record.
7. Any questions in relation to requests for disclosure of personal data should be referred to the Information Officer or in her absence to the CEO.



Douglas Bain
Chief Electoral Officer

5 February 2008