



STATUTORY INSTRUMENTS.

**S.I. No. 421 of 2009**



DATA PROTECTION ACT 1988 (SECTION 5(1)(D)) (SPECIFICATION)  
REGULATIONS 2009

**(Prn. A9/1468)**

DATA PROTECTION ACT 1988 (SECTION 5(1)(D)) (SPECIFICATION)  
REGULATIONS 2009

I, DERMOT AHERN, Minister for Justice, Equality and Law Reform, being of the opinion that the functions described in column (2) of the schedule to these regulations, in so far as they are conferred by or under the enactments specified in column (3) of that schedule, are designed to protect members of the public against the financial loss referred to in subsection (1)(d) of section 5 of the Data Protection Act 1988 (No. 25 of 1988), hereby, in exercise of the powers conferred on me by subsections (1)(d) and (2) of that section (as adapted by the Justice (Alteration of Name of Department and Title of Minister) Order 1997 (S.I. No. 298 of 1997)), and after consultation with the other Ministers of the Government who, having regard to their functions, ought, in my opinion, to be consulted, make the following regulations:

1. These Regulations may be cited as the Data Protection Act 1988 (Section 5(1)(d)) (Specification) Regulations 2009.
2. These Regulations come into operation on 21 October 2009.
3. The functions referred to in column (2) of the Schedule are, in so far as they are conferred by, or by a statutory instrument made under, the enactments referred to in column (3) at the reference number concerned, specified for the purposes of section 5(1)(d) of the Data Protection Act 1988 (No. 25 of 1988).

SCHEDULE

| (1)<br>Reference<br>Number | (2)<br>Description of Function   | (3)<br>Enactments by or<br>under which function<br>conferred |
|----------------------------|--|--|
| 1.                         | Functions of the Director of Corporate Enforcement and officers of the Director of Corporate Enforcement | Companies Acts   |
| 2.                         | Functions of inspectors appointed by the High Court or by the Director of Corporate Enforcement          | Companies Acts   |

*Notice of the making of this Statutory Instrument was published in  
"Iris Oifigiúil" of 23rd October, 2009.*



GIVEN under my Official Seal,  
20 October 2009.

DERMOT AHERN,  
Minister for Justice, Equality and Law Reform.

## EXPLANATORY NOTE

*(This note is not part of the Instrument and does not purport to be a legal interpretation.)*

The Regulations update the Data Protection Act 1988 (Section 5(1)(d)) (Specification) Regulations 1993 (S.I. No. 95 of 1993). Section 5(1)(d) empowers the Minister, by regulations, to restrict access to personal data kept by persons or bodies with statutory functions designed to prevent financial loss to members of the public where such access would be likely to prejudice the proper performance of any of those functions. These Regulations specify the functions under the Companies Acts of the Director of Corporate Enforcement, officers of the Director of Corporate Enforcement and inspectors appointed by the High Court or the Director of Corporate Enforcement for the purposes of the restrictions set out in section 5(1)(d).

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ón  
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,  
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,  
nó tríd an bpost ó  
FOILSEACHÁIN RIALTAIS, AN RANNÓG POST-TRÁCHTA,  
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