



Department for
Science, Innovation
& Technology

Rt Hon John Whittingdale OBE MP
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Department for Science, Innovation & Technology
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Stephanie Peacock MP
stephanie.peacock.mp@parliament.co.uk

Dear Stephanie,

Thank you for your important consideration of the bill so far. The Government sees the real opportunity for growth and innovation provided by the powers within Part 3 of the Data Protection and Digital Information Bill, and I am pleased to work with you to ensure that this is fully realised.

On Thursday 18 May, you asked whether there were plans for Clauses 64 and 65, in relation to business data, to be used independently of the powers under Clauses 62 and 63, in relation to customer data. I promised to write and provide more information in response to your queries. I have copied this letter to other Committee members.

As we discussed, business data is data relating to the goods or services provided by the data holder. This may include standard pricing or information relating to service performance i.e., data that is not specific to the customer.

While it is envisaged that the powers relating to business data in Clause 64 will be used together with those in Clause 62 relating to customer data, they can be used to establish schemes that solely relate to business data. Such a scheme could empower customers to make more informed decisions by making business data more accessible – for example, by mandating all suppliers of the same good or service to provide their pricing and quality information in a standardised format and on a regular, specified timeframe. This data could be accessed by consumers and business customers directly, and/or used by third party providers to analyse and synthesise that information to provide further services.

To provide you with a hypothetical example, I outlined that the Competition and Markets Authority (CMA), in its Road Fuel review published on 8 July 2022, highlighted the potential of an open data scheme that compared the prices of fuel at roadside stations and forecourts. This is a scheme that could be possible under Clauses 64 and 65 of the Bill.

For completeness, I will also note that the powers would also permit the Government to make a scheme which involved only customer data, which is related to the transactions of an individual consumer or business customer, and which did not mandate the data holders to share any wider contextual business data.

Any regulations that introduce a new scheme – in relation to customer or business data or both – will be subject to the safeguards we discussed on Thursday. This includes affirmative Parliamentary scrutiny, consultation, as appropriate, with those likely to be affected by the



regulations, and requirements to produce an Impact Assessment in line with the Better Regulation Framework.

I will place a copy of this letter in the Libraries of both Houses.

With best wishes,

A handwritten signature in black ink that reads "John Whittingdale". The signature is written in a cursive style with a prominent flourish at the end of the name.

Rt Hon John Whittingdale OBE MP
Minister for Data and Digital Infrastructure