
Changes to legislation: Data Protection Act 2018, Cross Heading: Automated processing under the 1998 Act is up to date with all changes known to be in force on or before 08 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

SCHEDULES

SCHEDULE 20

TRANSITIONAL PROVISION ETC

PART 2

RIGHTS OF DATA SUBJECTS

Automated processing under the 1998 Act

- 5 (1) The repeal of section 12 of the 1998 Act (rights in relation to automated decision-taking) does not affect the application of that section after the relevant time in relation to a decision taken by a person before that time if—
- (a) in taking the decision the person failed to comply with section 12(1) of the 1998 Act, or
 - (b) at the relevant time—
 - (i) the person had not taken all of the steps required under section 12(2) or (3) of the 1998 Act, or
 - (ii) the period specified in section 12(2)(b) of the 1998 Act (for an individual to require a person to reconsider a decision) had not expired.
- (2) In this paragraph, “the relevant time” means the time when the repeal of section 12 of the 1998 Act comes into force.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 3 para. 8(1)(y) added by [2022 c. 18 \(N.I.\) Sch. 3 para. 78\(3\)](#)