

SCHEDULE 3

Consequential amendments of other legislation

PART 4

Modification

References to the GDPR

111.—(1) Legislation described in sub-paragraph (2) has effect on and after [^{F1}IP completion day] as if it were modified in accordance with sub-paragraphs (3) and (4) (but see sub-paragraph (5)).

(2) That legislation is—

- (a) subordinate legislation made on or before [^{F2}IP completion day];
- (b) primary legislation passed or made on or before [^{F2}IP completion day”].

(3) The following have effect as references to the UK GDPR—

- (a) references to the GDPR as defined in section 3(10) of the 2018 Act or as defined for the purposes of Parts 5 to 7 of the 2018 Act;
- (b) other references to Regulation (EU) 2016/679 of the European Parliament and of the Council of 27th April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation).

(4) References described in sub-paragraph (3) which are references to the GDPR or the Regulation read with Chapter 2 of Part 2 of the 2018 Act have effect as references to the UK GDPR read with Part 2 of that Act.

(5) Sub-paragraphs (1) to (4) have effect unless the context otherwise requires and, in particular, do not affect references to the Regulation mentioned in sub-paragraph (3)(b) as it has effect in EU law.

(6) Paragraph 2 of Schedule 21 to the 2018 Act (inserted by these Regulations) has effect in relation to references to the UK GDPR arising as a result of this paragraph as it has effect in relation of other references to the UK GDPR.

(7) In this paragraph—

“primary legislation” has the meaning given in section 211 of the 2018 Act;

“references” includes any references, however expressed;

“subordinate legislation” has the meaning given in the Interpretation Act 1978.

F1 Words in Sch. 3 para. 111(1) substituted (31.12.2020 immediately before IP completion day) by [The Data Protection, Privacy and Electronic Communications \(Amendments etc\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1586\)](#), regs. 1(2), **6(4)(a)**

F2 Words in Sch. 3 para. 111(2) substituted (31.12.2020 immediately before IP completion day) by [The Data Protection, Privacy and Electronic Communications \(Amendments etc\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1586\)](#), regs. 1(2), **6(4)(b)**

Commencement Information

II Sch. 3 para. 111 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019, PART 4.