

*Status: Point in time view as at 01/03/2000.*

*Changes to legislation: Data Protection Act 1998, SCHEDULE 15 is up to date with all changes known to be in force on or before 14 May 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)*

## SCHEDULES

### SCHEDULE 15

Section 74(1).

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### *Public Records Act 1958 (c. 51)*

- 1 (1) In Part II of the Table in paragraph 3 of Schedule 1 to the Public Records Act 1958 (definition of public records) for “the Data Protection Registrar” there is substituted “the Data Protection Commissioner”.
- (2) That Schedule shall continue to have effect with the following amendment (originally made by paragraph 14 of Schedule 2 to the <sup>M1</sup>Data Protection Act 1984).
- (3) After paragraph 4(1)(n) there is inserted—  
“(mn) records of the Data Protection Tribunal”.

#### **Marginal Citations**

**M1** 1984 c. 35.

##### *Parliamentary Commissioner Act 1967 (c. 13)*

- 2 In Schedule 2 to the Parliamentary Commissioner Act 1967 (departments etc. subject to investigation) for “Data Protection Registrar” there is substituted “Data Protection Commissioner”.
- 3 In Schedule 4 to that Act (tribunals exercising administrative functions), in the entry relating to the Data Protection Tribunal, for “section 3 of the Data Protection Act 1984” there is substituted “section 6 of the Data Protection Act 1998”.

##### *Superannuation Act 1972 (c. 11)*

- 4 In Schedule 1 to the Superannuation Act 1972, for “Data Protection Registrar” there is substituted “Data Protection Commissioner”.

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*House of Commons Disqualification Act 1975 (c. 24)*

- 5 (1) Part II of Schedule 1 to the House of Commons Disqualification Act 1975 (bodies whose members are disqualified) shall continue to include the entry “The Data Protection Tribunal” (originally inserted by paragraph 12(1) of Schedule 2 to the Data Protection Act 1984).
- (2) In Part III of that Schedule (disqualifying offices) for “The Data Protection Registrar” there is substituted “ The Data Protection Commissioner ”.

*Northern Ireland Assembly Disqualification Act 1975 (c. 25)*

- 6 (1) Part II of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975 (bodies whose members are disqualified) shall continue to include the entry “The Data Protection Tribunal” (originally inserted by paragraph 12(3) of Schedule 2 to the Data Protection Act 1984).
- (2) In Part III of that Schedule (disqualifying offices) for “The Data Protection Registrar” there is substituted “ The Data Protection Commissioner ”.

*Representation of the People Act 1983 (c. 2)*

- 7 In Schedule 2 of the Representation of the People Act 1983 (provisions which may be included in regulations as to registration etc), in paragraph 11A(2)—
- (a) for “data user” there is substituted “ data controller ”, and
- (b) for “the Data Protection Act 1984” there is substituted “ the Data Protection Act 1998 ”.

*Access to Medical Reports Act 1988 (c. 28)*

- 8 In section 2(1) of the Access to Medical Reports Act 1988 (interpretation), in the definition of “health professional”, for “the Data Protection (Subject Access Modification) Order 1987” there is substituted “ the Data Protection Act 1998 ”.

*Football Spectators Act 1989 (c. 37)*

- 9 (1) Section 5 of the Football Spectators Act 1989 (national membership scheme: contents and penalties) is amended as follows.
- (2) In subsection (5), for “paragraph 1(2) of Part II of Schedule 1 to the Data Protection Act 1984” there is substituted “ paragraph 1(2) of Part II of Schedule 1 to the Data Protection Act 1998 ”.
- (3) In subsection (6), for “section 28(1) and (2) of the Data Protection Act 1984” there is substituted “ section 29(1) and (2) of the Data Protection Act 1998 ”.

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*Education (Student Loans) Act 1990 (c. 6)*

- 10 Schedule 2 to the Education (Student Loans) Act 1990 (loans for students) so far as that Schedule continues in force shall have effect as if the reference in paragraph 4(2) to the Data Protection Act 1984 were a reference to this Act.

*Access to Health Records Act 1990 (c. 23)*

- 11 For section 2 of the Access to Health Records Act 1990 there is substituted—

**“2 Health professionals.**

In this Act “health professional” has the same meaning as in the Data Protection Act 1998.”

- 12 In section 3(4) of that Act (cases where fee may be required) in paragraph (a), for “the maximum prescribed under section 21 of the Data Protection Act 1984” there is substituted “ such maximum as may be prescribed for the purposes of this section by regulations under section 7 of the Data Protection Act 1998 ”.
- 13 In section 5(3) of that Act (cases where right of access may be partially excluded) for the words from the beginning to “record” in the first place where it occurs there is substituted “ Access shall not be given under section 3(2) to any part of a health record ”.

*Access to Personal Files and Medical Reports  
(Northern Ireland) Order 1991 (1991/1707 (N.I. 14))*

- 14 In Article 4 of the Access to Personal Files and Medical Reports (Northern Ireland) Order 1991 (obligation to give access), in paragraph (2) (exclusion of information to which individual entitled under section 21 of the Data Protection Act 1984) for “section 21 of the Data Protection Act 1984” there is substituted “ section 7 of the Data Protection Act 1998 ”.
- 15 In Article 6(1) of that Order (interpretation), in the definition of “health professional”, for “the Data Protection (Subject Access Modification) (Health) Order 1987” there is substituted “ the Data Protection Act 1998 ”.

*Tribunals and Inquiries Act 1992 (c. 53)*

- 16 In Part 1 of Schedule 1 to the Tribunals and Inquiries Act 1992 (tribunals under direct supervision of Council on Tribunals), for paragraph 14 there is substituted—

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“Data protection	14. (a) The Data Protection Commissioner appointed under section 6 of the Data Protection Act 1998; (b) the Data Protection Tribunal constituted under that section, in respect of its jurisdiction under section 48 of that Act.”
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*Access to Health Records (Northern Ireland) Order 1993 (1993/1250 (N.I. 4))*

- 17 For paragraphs (1) and (2) of Article 4 of the Access to Health Records (Northern Ireland) Order 1993 there is substituted—
- “(1) In this Order “health professional” has the same meaning as in the Data Protection Act 1998.”
- 18 In Article 5(4) of that Order (cases where fee may be required) in sub-paragraph (a), for “the maximum prescribed under section 21 of the Data Protection Act 1984” there is substituted “ such maximum as may be prescribed for the purposes of this Article by regulations under section 7 of the Data Protection Act 1998 ”.
- 19 In Article 7 of that Order (cases where right of access may be partially excluded) for the words from the beginning to “record” in the first place where it occurs there is substituted “ Access shall not be given under Article 5(2) to any part of a health record ”.

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