

## SCHEDULE 6

### OTHER CONTRACTUAL TERMS

#### PART 5

#### DATA PROTECTION, RECORDS, INFORMATION, NOTIFICATIONS AND RIGHTS OF ENTRY

##### **Roles, responsibilities and obligations – general**

**65.**—(1) The Health Board and the contractor, when processing any data under this Part, must comply with any relevant direction, or guidance issued by the Scottish Ministers.

(2) The Health Board and the contractor must include within the contract—

- (a) terms which have the effect of the obligations mentioned in paragraphs [F1 66 and 67] ; and
- (b) a term that requires the Health Board and the contractor to act jointly as [F2 controllers ] in relation to the processing of patient records.

##### **Textual Amendments**

- F1** Words in sch. 6 para. 65(2)(a) substituted (1.4.2018) by [The National Health Service \(General Medical Services Contracts and Primary Medical Services Section 17C Agreements\) \(Scotland\) Amendment Regulations 2018 \(S.S.I. 2018/94\)](#), regs. 1, **7(f)**
- F2** Word in sch. 6 para. 65(2)(b) substituted (25.5.2018) by [Data Protection Act 2018 \(c. 12\)](#), s. 212(1), **Sch. 19 para. 425(4)** (with ss. 117, 209, 210); S.I. 2018/625, reg. 2(1)(g)

**Changes to legislation:**

There are currently no known outstanding effects for the The National Health Service (General Medical Services Contracts) (Scotland) Regulations 2018, Paragraph 65.