Data Protection Act 2018

CHAPTER 12

DATA PROTECTION ACT 2018

PART 1
PRELIMINARY

1 Overview
2 Protection of personal data
3 Terms relating to the processing of personal data

PART 2
GENERAL PROCESSING

CHAPTER 1
SCOPE AND DEFINITIONS

4 Processing to which this Part applies
5 Definitions

CHAPTER 2
THE GDPR

Meaning of certain terms used in the GDPR

6 Meaning of “controller”
7 Meaning of “public authority” and “public body”
Lawfulness of processing
8 Lawfulness of processing: public interest etc
9 Child’s consent in relation to information society services

Special categories of personal data
10 Special categories of personal data and criminal convictions etc data
11 Special categories of personal data etc: supplementary

Rights of the data subject
12 Limits on fees that may be charged by controllers
13 Obligations of credit reference agencies
14 Automated decision-making authorised by law: safeguards

Restrictions on data subject’s rights
15 Exemptions etc
16 Power to make further exemptions etc by regulations

Accreditation of certification providers
17 Accreditation of certification providers

Transfers of personal data to third countries etc
18 Transfers of personal data to third countries etc

Specific processing situations
19 Processing for archiving, research and statistical purposes: safeguards

Minor definition
20 Meaning of “court”

CHAPTER 3
OTHER GENERAL PROCESSING

Scope
21 Processing to which this Chapter applies

Application of the GDPR
22 Application of the GDPR to processing to which this Chapter applies
23 Power to make provision in consequence of regulations related to the GDPR

Exemptions etc
24 Manual unstructured data held by FOI public authorities
25 Manual unstructured data used in longstanding historical research
26 National security and defence exemption
27 National security: certificate
PART 3

LAW ENFORCEMENT PROCESSING

CHAPTER 1

SCOPE AND DEFINITIONS

Scope

Processing to which this Part applies

Definitions

Meaning of “competent authority”
“The law enforcement purposes”
Meaning of “controller” and “processor”
Other definitions

CHAPTER 2

PRINCIPLES

Overview and general duty of controller
The first data protection principle
The second data protection principle
The third data protection principle
The fourth data protection principle
The fifth data protection principle
The sixth data protection principle
Safeguards: archiving
Safeguards: sensitive processing

CHAPTER 3

RIGHTS OF THE DATA SUBJECT

Overview and scope

Information: controller's general duties
Information: controller’s general duties

Data subject's right of access
Right of access by the data subject

Data subject's rights to rectification or erasure etc
Right to rectification
Right to erasure or restriction of processing
Rights under section 46 or 47: supplementary
### Automated individual decision-making

49 Right not to be subject to automated decision-making
50 Automated decision-making authorised by law: safeguards

### Supplementary

51 Exercise of rights through the Commissioner
52 Form of provision of information etc
53 Manifestly unfounded or excessive requests by the data subject
54 Meaning of “applicable time period”

### CHAPTER 4

#### Controller and processor

#### Overview and scope

55 Overview and scope

#### General obligations

56 General obligations of the controller
57 Data protection by design and default
58 Joint controllers
59 Processors
60 Processing under the authority of the controller or processor
61 Records of processing activities
62 Logging
63 Co-operation with the Commissioner
64 Data protection impact assessment
65 Prior consultation with the Commissioner

#### Obligations relating to security

66 Security of processing

#### Obligations relating to personal data breaches

67 Notification of a personal data breach to the Commissioner
68 Communication of a personal data breach to the data subject

#### Data protection officers

69 Designation of a data protection officer
70 Position of data protection officer
71 Tasks of data protection officer

### CHAPTER 5

#### Transfers of personal data to third countries etc

#### Overview and interpretation

72 Overview and interpretation
General principles for transfers

73 General principles for transfers of personal data
74 Transfers on the basis of an adequacy decision
75 Transfers on the basis of appropriate safeguards
76 Transfers on the basis of special circumstances

Transfers to particular recipients

77 Transfers of personal data to persons other than relevant authorities

Subsequent transfers

78 Subsequent transfers

CHAPTER 6
SUPPLEMENTARY

79 National security: certificate
80 Special processing restrictions
81 Reporting of infringements

PART 4
INTELLIGENCE SERVICES PROCESSING

CHAPTER 1
SCOPE AND DEFINITIONS

Scope

82 Processing to which this Part applies

Definitions

83 Meaning of “controller” and “processor”
84 Other definitions

CHAPTER 2
PRINCIPLES

Overview

85 Overview

The data protection principles

86 The first data protection principle
87 The second data protection principle
88 The third data protection principle
89 The fourth data protection principle
90 The fifth data protection principle
91 The sixth data protection principle
CHAPTER 3

RIGHTS OF THE DATA SUBJECT

Overview

1. Overview

Rights

2. Right to information
3. Right of access
4. Right of access: supplementary
5. Right not to be subject to automated decision-making
6. Right to intervene in automated decision-making
7. Right to information about decision-making
8. Right to object to processing
9. Rights to rectification and erasure

CHAPTER 4

CONTROLLER AND PROCESSOR

Overview

1. Overview

General obligations

2. General obligations of the controller
3. Data protection by design
4. Joint controllers
5. Processors
6. Processing under the authority of the controller or processor

Obligations relating to security

7. Security of processing

Obligations relating to personal data breaches

8. Communication of a personal data breach

CHAPTER 5

TRANSFERS OF PERSONAL DATA OUTSIDE THE UNITED KINGDOM

1. Transfers of personal data outside the United Kingdom

CHAPTER 6

EXEMPTIONS

1. National security
2. National security: certificate
3. Other exemptions
113 Power to make further exemptions

PART 5

THE INFORMATION COMMISSIONER

The Commissioner

114 The Information Commissioner

General functions
115 General functions under the GDPR and safeguards
116 Other general functions
117 Competence in relation to courts etc

International role
118 Co-operation and mutual assistance
119 Inspection of personal data in accordance with international obligations
120 Further international role

Codes of practice
121 Data-sharing code
122 Direct marketing code
123 Age-appropriate design code
124 Data protection and journalism code
125 Approval of codes prepared under sections 121 to 124
126 Publication and review of codes issued under section 125(4)
127 Effect of codes issued under section 125(4)
128 Other codes of practice

Consensual audits
129 Consensual audits

Records of national security certificates
130 Records of national security certificates

Information provided to the Commissioner
131 Disclosure of information to the Commissioner
132 Confidentiality of information
133 Guidance about privileged communications

Fees
134 Fees for services
135 Manifestly unfounded or excessive requests by data subjects etc
136 Guidance about fees

Charges
137 Charges payable to the Commissioner by controllers
138 Regulations under section 137: supplementary
Reports etc

139 Reporting to Parliament
140 Publication by the Commissioner
141 Notices from the Commissioner

PART 6
ENFORCEMENT

Information notices

142 Information notices
143 Information notices: restrictions
144 False statements made in response to information notices
145 Information orders

Assessment notices

146 Assessment notices
147 Assessment notices: restrictions

Information notices and assessment notices: destruction of documents etc

148 Destroying or falsifying information and documents etc

Enforcement notices

149 Enforcement notices
150 Enforcement notices: supplementary
151 Enforcement notices: rectification and erasure of personal data etc
152 Enforcement notices: restrictions
153 Enforcement notices: cancellation and variation

Powers of entry and inspection

154 Powers of entry and inspection

Penalties

155 Penalty notices
156 Penalty notices: restrictions
157 Maximum amount of penalty
158 Fixed penalties for non-compliance with charges regulations
159 Amount of penalties: supplementary

Guidance

160 Guidance about regulatory action
161 Approval of first guidance about regulatory action

Appeals etc

162 Rights of appeal
163 Determination of appeals
164 Applications in respect of urgent notices
Complaints

165 Complaints by data subjects
166 Orders to progress complaints

Remedies in the court

167 Compliance orders
168 Compensation for contravention of the GDPR
169 Compensation for contravention of other data protection legislation

Offences relating to personal data

170 Unlawful obtaining etc of personal data
171 Re-identification of de-identified personal data
172 Re-identification: effectiveness testing conditions
173 Alteration etc of personal data to prevent disclosure to data subject

The special purposes

174 The special purposes
175 Provision of assistance in special purposes proceedings
176 Staying special purposes proceedings
177 Guidance about how to seek redress against media organisations
178 Review of processing of personal data for the purposes of journalism
179 Effectiveness of the media’s dispute resolution procedures

Jurisdiction of courts

180 Jurisdiction

Definitions

181 Interpretation of Part 6

PART 7
SUPPLEMENTARY AND FINAL PROVISION

Regulations under this Act

182 Regulations and consultation

Changes to the Data Protection Convention

183 Power to reflect changes to the Data Protection Convention

Rights of the data subject

184 Prohibition of requirement to produce relevant records
185 Avoidance of certain contractual terms relating to health records
186 Data subject’s rights and other prohibitions and restrictions

Representation of data subjects

187 Representation of data subjects with their authority
188 Representation of data subjects with their authority: collective proceedings
189 Duty to review provision for representation of data subjects
190 Post-review powers to make provision about representation of data subjects

Framework for Data Processing by Government

191 Framework for Data Processing by Government
192 Approval of the Framework
193 Publication and review of the Framework
194 Effect of the Framework

Data-sharing: HMRC and reserve forces

195 Reserve forces: data-sharing by HMRC

Offences

196 Penalties for offences
197 Prosecution
198 Liability of directors etc
199 Recordable offences
200 Guidance about PACE codes of practice

The Tribunal

201 Disclosure of information to the Tribunal
202 Proceedings in the First-tier Tribunal: contempt
203 Tribunal Procedure Rules

Interpretation

204 Meaning of “health professional” and “social work professional”
205 General interpretation
206 Index of defined expressions

Territorial application

207 Territorial application of this Act

General

208 Children in Scotland
209 Application to the Crown
210 Application to Parliament
211 Minor and consequential provision

Final

212 Commencement
213 Transitional provision
214 Extent
215 Short title

SCHEDULES

SCHEDULE 1 — Special categories of personal data and criminal convictions etc data
## PART 1 — CONDITIONS RELATING TO EMPLOYMENT, HEALTH AND RESEARCH ETC

1. Employment, social security and social protection  
2. Health or social care purposes  
3. Public health  
4. Research etc

## PART 2 — SUBSTANTIAL PUBLIC INTEREST CONDITIONS

5. Requirement for an appropriate policy document when relying on conditions in this Part  
6. Statutory etc and government purposes  
7. Administration of justice and parliamentary purposes  
8. Equality of opportunity or treatment  
9. Racial and ethnic diversity at senior levels of organisations  
10. Preventing or detecting unlawful acts  
11. Protecting the public against dishonesty etc  
12. Regulatory requirements relating to unlawful acts and dishonesty etc  
13. Journalism etc in connection with unlawful acts and dishonesty etc  
14. Preventing fraud  
15. Suspicion of terrorist financing or money laundering  
16. Support for individuals with a particular disability or medical condition  
17. Counselling etc  
18. Safeguarding of children and of individuals at risk  
19. Safeguarding of economic well-being of certain individuals  
20. Insurance  
21. Occupational pensions  
22. Political parties  
23. Elected representatives responding to requests  
24. Disclosure to elected representatives  
25. Informing elected representatives about prisoners  
26. Publication of legal judgments  
27. Anti-doping in sport  
28. Standards of behaviour in sport

## PART 3 — ADDITIONAL CONDITIONS RELATING TO CRIMINAL CONVICTIONS ETC

29. Consent  
30. Protecting individual’s vital interests  
31. Processing by not-for-profit bodies  
32. Personal data in the public domain  
33. Legal claims  
34. Judicial acts  
35. Administration of accounts used in commission of indecency offences involving children  
36. Extension of conditions in Part 2 of this Schedule referring to substantial public interest  
37. Extension of insurance conditions

## PART 4 — APPROPRIATE POLICY DOCUMENT AND ADDITIONAL SAFEGUARDS

38. Application of this Part of this Schedule  
39. Requirement to have an appropriate policy document in place  
40. Additional safeguard: retention of appropriate policy document  
41. Additional safeguard: record of processing

## SCHEDULE 2 — Exemptions etc from the GDPR
PART 1 — ADAPTATIONS AND RESTRICTIONS BASED ON ARTICLES 6(3) AND 23(1)
1 GDPR provisions to be adapted or restricted: “the listed GDPR provisions”
2 Crime and taxation: general
3 Crime and taxation: risk assessment systems
4 Immigration
5 Information required to be disclosed by law etc or in connection with legal proceedings
   PART 2 — RESTRICTIONS BASED ON ARTICLE 23(1): RESTRICTIONS OF RULES IN ARTICLES 13 TO 21 AND 34
6 GDPR provisions to be restricted: “the listed GDPR provisions”
7 Functions designed to protect the public etc
8 Audit functions
9 Functions of the Bank of England
10 Regulatory functions relating to legal services, the health service and children’s services
11 Regulatory functions of certain other persons
12 In the Table in paragraph 11— “consumer protection enforcer” has...
13 Parliamentary privilege
14 Judicial appointments, judicial independence and judicial proceedings
15 Crown honours, dignities and appointments
   PART 3 — RESTRICTION BASED ON ARTICLE 23(1): PROTECTION OF RIGHTS OF OTHERS
16 Protection of the rights of others: general
17 Assumption of reasonableness for health workers, social workers and education workers
   PART 4 — RESTRICTIONS BASED ON ARTICLE 23(1): RESTRICTIONS OF RULES IN ARTICLES 13 TO 15
18 GDPR provisions to be restricted: “the listed GDPR provisions”
19 Legal professional privilege
20 Self incrimination
21 Corporate finance
22 Management forecasts
23 Negotiations
24 Confidential references
25 Exam scripts and exam marks
   PART 5 — EXEMPTIONS ETC BASED ON ARTICLE 85(2) FOR REASONS OF FREEDOM OF EXPRESSION AND INFORMATION
26 Journalistic, academic, artistic and literary purposes
   PART 6 — DEROGATIONS ETC BASED ON ARTICLE 89 FOR RESEARCH, STATISTICS AND ARCHIVING
27 Research and statistics
28 Archiving in the public interest

SCHEDULE 3 — Exemptions etc from the GDPR: health, social work, education and child abuse data
   PART 1 — GDPR PROVISIONS TO BE RESTRICTED
1 In this Schedule “the listed GDPR provisions” means the following...
   PART 2 — HEALTH DATA
2 Definitions
3 Exemption from the listed GDPR provisions: data processed by a court
4 Exemption from the listed GDPR provisions: data subject’s expectations and wishes
5 Exemption from Article 15 of the GDPR: serious harm
6 Restriction of Article 15 of the GDPR: prior opinion of appropriate health professional

PART 3 — SOCIAL WORK DATA

7 Definitions
8 (1) This paragraph applies to personal data falling within any...
9 Exemption from the listed GDPR provisions: data processed by a court
10 Exemption from the listed GDPR provisions: data subject’s expectations and wishes
11 Exemption from Article 15 of the GDPR: serious harm
12 Restriction of Article 15 of the GDPR: prior opinion of Principal Reporter

PART 4 — EDUCATION DATA

13 Educational records
14 (1) This paragraph applies to a record of information which—...
15 (1) This paragraph applies to a record of information which...
16 (1) This paragraph applies to a record of information which—...
17 Other definitions
18 Exemption from the listed GDPR provisions: data processed by a court
19 Exemption from Article 15 of the GDPR: serious harm
20 Restriction of Article 15 of the GDPR: prior opinion of Principal Reporter

PART 5 — CHILD ABUSE DATA

21 Exemption from Article 15 of the GDPR: child abuse data

SCHEDULE 4 — Exemptions etc from the GDPR: disclosure prohibited or restricted by an enactment
1 GDPR provisions to be restricted: “the listed GDPR provisions”
2 Human fertilisation and embryology information
3 Adoption records and reports
4 Statements of special educational needs
5 Parental order records and reports
6 Information provided by Principal Reporter for children’s hearing

SCHEDULE 5 — Accreditation of certification providers: reviews and appeals
1 Introduction
2 Review
3 Right to appeal
4 Appeal panel
5 Hearing
6 Decision following referral to appeal panel
7 Meaning of “working day”

SCHEDULE 6 — The applied GDPR and the applied Chapter 2

PART 1 — MODIFICATIONS TO THE GDPR
1 Introductory
2 References to the GDPR and its provisions
3 References to Union law and Member State law
4 References to the Union and to Member States
5 References to supervisory authorities
6 References to the national parliament
Chapter I of the GDPR (general provisions)
For Article 3 substitute—

In Article 4 (definitions)— (a) in paragraph (7) (meaning of...

Chapter II of the GDPR (principles)
In Article 8 (conditions applicable to child’s consent in relation...
In Article 9 (processing of special categories of personal data)—...
In Article 10 (processing of personal data relating to criminal...
Section 1 of Chapter III of the GDPR (rights of the data subject: transparency and modalities)
Section 2 of Chapter III of the GDPR (rights of the data subject: information and access to personal data)
In Article 14 (personal data collected other than from data...
Section 3 of Chapter III of the GDPR (rights of the data subject: rectification and erasure)
In Article 18 (right to restriction of processing), in paragraph...
Section 4 of Chapter III of the GDPR (rights of the data subject: right to object and automated individual decision-making)
In Article 22 (automated individual decision-making, including profiling), for paragraph...
Section 5 of Chapter III of the GDPR (rights of the data subject: restrictions)
Section 1 of Chapter IV of the GDPR (controller and processor: general obligations)
Omit Article 27 (representatives of controllers or processors not established...)
In Article 28 (processor)— (a) in paragraph 3, in point...
In Article 30 (records of processing activities)—
In Article 31 (co-operation with the supervisory authority), omit “and,...
Section 3 of Chapter IV of the GDPR (controller and processor: data protection impact assessment and prior consultation)
In Article 36 (prior consultation)— (a) for paragraph 4 substitute—...
Section 4 of Chapter IV of the GDPR (controller and processor: data protection officer)
In Article 39 (tasks of the data protection officer), in...
Section 5 of Chapter IV of the GDPR (controller and processor: codes of conduct and certification)
In Article 41 (monitoring of approved codes of conduct), omit...
In Article 42 (certification)— (a) in paragraph 1—
In Article 43 (certification bodies)— (a) in paragraph 1, in...
Chapter V of the GDPR (transfers of data to third countries or international organisations)
In Article 46 (transfers subject to appropriate safeguards)—
In Article 47 (binding corporate rules)— (a) in paragraph 1,....
In Article 49 (derogations for specific situations)—
In Article 50 (international co-operation for the protection of personal...
Section 1 of Chapter VI of the GDPR (independent supervisory authorities: independent status)
In Article 52 (independence)— (a) in paragraph 2—
Omit Article 53 (general conditions for the members of the...
Omit Article 54 (rules on the establishment of the supervisory...
Section 2 of Chapter VI of the GDPR (independent supervisory authorities: competence, tasks and powers)
Omit Article 56 (competence of the lead supervisory authority).

In Article 57 (tasks)— (a) in paragraph 1, in the...  

In Article 58 (powers)— (a) in paragraph 1, in point...

In Article 59 (activity reports)— (a) for “, the government...

Chapter VII of the GDPR (co-operation and consistency)

Chapter VIII of the GDPR (remedies, liability and penalties)

In Article 78 (right to an effective judicial remedy against...

In Article 79 (right to an effective judicial remedy against...

In Article 80 (representation of data subjects)—

Omit Article 81 (suspension of proceedings).

In Article 82 (right to compensation and liability), for paragraph...

In Article 83 (general conditions for imposing administrative fines)—

In Article 84 (penalties)— (a) for paragraph 1 substitute— The rules on other penalties applicable to infringements of this...

Chapter IX of the GDPR (provisions relating to specific processing situations)

In Article 86 (processing and public access to official documents),...

Omit Article 87 (processing of national identification number).

Omit Article 88 (processing in the context of employment).

In Article 89 (safeguards and derogations relating to processing for...

Omit Article 90 (obligations of secrecy).

Omit Article 91 (existing data protection rules of churches and...

Chapter X of the GDPR (delegated acts and implementing acts)

Omit Article 93 (committee procedure).

Chapter XI of the GDPR (final provisions)


In Article 96 (relationship with previously concluded Agreements), for “by... 

Omit Article 97 (Commission reports).

Omit Article 98 (Commission reviews).

Omit Article 99 (entry into force and application).

PART 2 — MODIFICATIONS TO CHAPTER 2 OF PART 2

Introductory

General modifications

Exemptions

SCHEDULE 7 — Competent authorities

1 Any United Kingdom government department other than a non-ministerial government...

2 The Scottish Ministers.

3 Any Northern Ireland department.

4 The Welsh Ministers.

5 Chief officers of police and other policing bodies

6 The Commissioner of Police of the Metropolis.

7 The Commissioner of Police for the City of London.

8 The Chief Constable of the Police Service of Northern Ireland....

9 The chief constable of the Police Service of Scotland.

10 The chief constable of the British Transport Police.

11 The chief constable of the Civil Nuclear Constabulary.

12 The chief constable of the Ministry of Defence Police.

13 The Provost Marshal of the Royal Navy Police.

14 The Provost Marshal of the Royal Military Police.

The chief officer of— (a) a body of constables appointed...
A body established in accordance with a collaboration agreement under...
The Director General of the Independent Office for Police Conduct....
The Police Investigations and Review Commissioner.
The Police Ombudsman for Northern Ireland.
Other authorities with investigatory functions
The Welsh Revenue Authority.
Revenue Scotland.
The Director General of the National Crime Agency.
The Director of the Serious Fraud Office.
The Director of Border Revenue.
The Financial Conduct Authority.
The Health and Safety Executive.
The Competition and Markets Authority.
The Gas and Electricity Markets Authority.
The Food Standards Agency.
Food Standards Scotland.
Her Majesty’s Land Registry.
The Criminal Cases Review Commission.
The Scottish Criminal Cases Review Commission.
Authorities with functions relating to offender management
The Youth Justice Board for England and Wales.
The Parole Board for England and Wales.
The Parole Board for Scotland.
The Parole Commissioners for Northern Ireland.
The Probation Board for Northern Ireland.
The Prisoner Ombudsman for Northern Ireland.
A person who has entered into a contract for the...
A person who has entered into a contract with the...
A person who is, under or by virtue of any...
A youth offending team established under section 39 of the...
Other authorities
The Director of Public Prosecutions for Northern Ireland.
The Lord Advocate.
A Procurator Fiscal.
The Director of Service Prosecutions.
The Information Commissioner.
The Scottish Information Commissioner.
The Scottish Courts and Tribunal Service.
The Crown agent.
A court or tribunal.

SCHEDULE 8 — Conditions for sensitive processing under Part 3
Statutory etc purposes
Administration of justice
Protecting individual’s vital interests
Safeguarding of children and of individuals at risk
Personal data already in the public domain
Legal claims
Judicial acts
Preventing fraud
Archiving etc
SCHEDULE 9 — Conditions for processing under Part 4
1 The data subject has given consent to the processing.
2 The processing is necessary— (a) for the performance of a...
3 The processing is necessary for compliance with a legal obligation...
4 The processing is necessary in order to protect the vital...
5 The processing is necessary— (a) for the administration of justice,...
6 (1) The processing is necessary for the purposes of legitimate...

SCHEDULE 10 — Conditions for sensitive processing under Part 4
1 Consent to particular processing
2 Right or obligation relating to employment
3 Vital interests of a person
4 Safeguarding of children and of individuals at risk
5 Data already published by data subject
6 Legal proceedings etc
7 Administration of justice, parliamentary, statutory etc and government purposes
8 Medical purposes
9 Equality

SCHEDULE 11 — Other exemptions under Part 4
1 Preliminary
2 Crime
3 Information required to be disclosed by law etc or in connection with legal proceedings
4 Parliamentary privilege
5 Judicial proceedings
6 Crown honours and dignities
7 Armed forces
8 Economic well-being
9 Legal professional privilege
10 Negotiations
11 Confidential references given by the controller
12 Exam scripts and marks
13 Research and statistics
14 Archiving in the public interest

SCHEDULE 12 — The Information Commissioner
1 Status and capacity
2 Appointment
3 Resignation and removal
4 Salary etc
5 Officers and staff
6 Carrying out of the Commissioner’s functions by officers and staff
7 Authentication of the seal of the Commissioner
8 Presumption of authenticity of documents issued by the Commissioner
9 Money
10 Fees etc and other sums
11 Accounts
12 Scotland

SCHEDULE 13 — Other general functions of the Commissioner
1 General tasks
2 General powers
3 Definitions

SCHEDULE 14 — Co-operation and mutual assistance

PART 1 — LAW ENFORCEMENT DIRECTIVE
1 Co-operation
2 Requests for information and assistance from LED supervisory authorities
3 Fees
4 Restrictions on use of information
5 LED supervisory authority

PART 2 — DATA PROTECTION CONVENTION
6 Co-operation between the Commissioner and foreign designated authorities
7 Assisting persons resident outside the UK with requests under Article 14 of the Convention
8 Assisting UK residents with requests under Article 8 of the Convention
9 Restrictions on use of information
10 Foreign designated authority

SCHEDULE 15 — Powers of entry and inspection
1 Issue of warrants in connection with non-compliance and offences
2 Issue of warrants in connection with assessment notices
3 Restrictions on issuing warrants: processing for the special purposes
4 Restrictions on issuing warrants: procedural requirements
5 Content of warrants
6 Copies of warrants
7 Execution of warrants: reasonable force
8 Execution of warrants: time when executed
9 Execution of warrants: occupier of premises
10 Execution of warrants: seizure of documents etc
11 Matters exempt from inspection and seizure: privileged communications
12 Matters exempt from inspection and seizure: Parliamentary privilege
13 Partially exempt material
14 Return of warrants
15 Offences
16 Self-incrimination
17 Vessels, vehicles etc
18 Scotland
19 Northern Ireland

SCHEDULE 16 — Penalties
1 Meaning of “penalty”
2 Notice of intent to impose penalty
3 Contents of notice of intent
4 Giving a penalty notice
5 Contents of penalty notice
6 Period for payment of penalty
7 Variation of penalty
8 Cancellation of penalty
9 Enforcement of payment
SCHEDULE 17 — Review of processing of personal data for the purposes of journalism

1 Interpretation
2 Information notices
3 Assessment notices
4 Applications in respect of urgent notices

SCHEDULE 18 — Relevant records

1 Relevant records
2 Relevant health records
3 Relevant records relating to a conviction or caution
4 Relevant records relating to statutory functions
5 Data subject access right
6 Records stating that personal data is not processed
7 Power to amend

SCHEDULE 19 — Minor and consequential amendments

PART 1 — AMENDMENTS OF PRIMARY LEGISLATION

1 Registration Service Act 1953 (c. 37)
2 Veterinary Surgeons Act 1966 (c. 36)
3 Parliamentary Commissioner Act 1967 (c. 13)
4 Local Government Act 1974 (c. 7)
5 In section 33A(1) (disclosure of information by Local Commissioner to...
6 In section 34O(1) (disclosure of information by Local Commissioner to...
7 Consumer Credit Act 1974 (c. 39)
8 In section 157(2A) (duty to disclose name etc of agency)—...
9 In section 159(1)(a) (correction of wrong information) for “section 7...
10 In section 189(1) (definitions), at the appropriate place insert— “the...
12 In article 2(2) (interpretation), omit the definition of “Directive 95/46/ EC”....
13 In article 8D (European professional card), after paragraph (3) insert —...
14 In article 22A(6) (Directive 2005/36/EC: functions of competent authority etc.)...
15 (1) Schedule 2C (Directive 2005/36/EC: European professional card) is amended...
16 (1) The table in Schedule 2D (functions of the Society...
17 (1) Paragraph 2 of Schedule 3 (fitness to practice: disclosure...
18 Representation of the People Act 1983 (c. 2)
19 Medical Act 1983 (c. 54)
20 (1) Section 29E (evidence) is amended as follows.
21 (1) Section 35A (General Medical Council’s power to require disclosure...
22 In section 49B(7) (Directive 2005/36: designation of competent authority etc.)....
23 In section 55(1) (interpretation), omit the definition of “Directive 95/46/ EC”....
24 (1) Paragraph 9B of Schedule 1 (incidental powers of the...
25 (1) Paragraph 5A of Schedule 4 (professional performance assessments and...
(1) The table in Schedule 4A (functions of the General...
69 In section 29(1) (interpretation), at the appropriate place insert— “the...
70 Criminal Justice and Police Act 2001 (c. 16)
71 In section 57(1) (retention of seized items)—
72 In section 65(7) (meaning of “legal privilege”)—
73 In Schedule 1 (powers of seizure)— (a) omit paragraph 65,...
74 Anti-terrorism, Crime and Security Act 2001 (c.24)
75 (1) Section 19 (disclosure of information held by revenue departments)... 
76 (1) Part 1 of Schedule 4 (extension of existing disclosure...
77 Health and Personal Social Services Act (Northern Ireland) 2001 (c. 3 (N.I.))
78 Justice (Northern Ireland) Act 2002 (c. 26)
79 Proceeds of Crime Act 2002 (c. 29)
80 In section 333C(2)(d) (other permitted disclosures between institutions etc), for...
81 In section 436(3)(a) (disclosure of information to certain Directors), for...
82 In section 438(8)(a) (disclosure of information by certain Directors), for...
83 In section 439(3)(a) (disclosure of information to Lord Advocate and...
84 In section 441(7)(a) (disclosure of information by Lord Advocate and...
85 After section 442 insert— Data protection legislation In this Part, “the data protection legislation” has the same...
86 Enterprise Act 2002 (c. 40)
87 Scottish Public Services Ombudsman Act 2002 (asp 11)
88 Freedom of Information (Scotland) Act 2002 (asp 13)
89 In section 2(2)(e)(ii) (absolute exemptions), omit “by virtue of subsection...
90 (1) Section 38 (personal information) is amended as follows.
91 Courts Act 2003 (c. 39)
92 (1) Paragraph 9C (disclosure of information in connection with making...
93 (1) Paragraph 10A (attachment of earnings orders (Justice Act (Northern...
94 Sexual Offences Act 2003 (c. 42)
95 Criminal Justice Act 2003 (c. 44)
96 In section 327A(9) (disclosure of information about convictions etc of...
97 In section 327B (disclosure of information about convictions etc of...
98 Mental Health (Care and Treatment) (Scotland) Act 2003 (asp 13)
99 Public Audit (Wales) Act 2004 (c. 23)
100 Companies (Audit, Investigations and Community Enterprise) Act 2004 (c. 27)
101 (1) Section 15A (disclosure of information by tax authorities) is...
102 (1) Section 15D (permitted disclosure of information obtained under compulsory...
103 Domestic Violence, Crime and Victims Act 2004 (c. 28)
104 Children Act 2004 (c. 31)
105 (1) Section 12 (information databases) is amended as follows.
106 (1) Section 29 (information databases: Wales) is amended as follows,...
107 Constitutional Reform Act 2005 (c. 4)
108 Mental Capacity Act 2005 (c. 9)
109 Public Services Ombudsman (Wales) Act 2005 (c. 10)
110 Commissioners for Revenue and Customs Act 2005 (c. 11)
111 Gambling Act 2005 (c. 19)
112 Commissioner for Older People (Wales) Act 2006 (c. 30)
113 National Health Service Act 2006 (c. 41)
114 (1) Section 251 (control of patient information) is amended as...
115 (1) Section 264C (provision and disclosure of information about health)...
116 In paragraph 7B(3) of Schedule 1 (further provision about the...
117 National Health Service (Wales) Act 2006 (c. 42)
118 (1) Section 201C (provision of information about medical supplies: supplementary)...
119 In paragraph 7B(3) of Schedule 1 (further provision about the...
120 Companies Act 2006 (c. 46)
121 In section 458(2) (disclosure of information by tax authorities)—
122 In section 461(7) (permitted disclosure of information obtained under compulsory,...
123 In section 948(9) (restrictions on disclosure) for “the Data Protection...
124 In section 1173(1) (minor definitions: general), at the appropriate place...
125 In section 1224A(7) (restrictions on disclosure), for “the Data Protection...
126 In section 1253D(3) (restriction on transfer of audit working papers)...
127 In section 1261(1) (minor definitions: Part 42), at the appropriate...
128 In section 1262 (index of defined expressions: Part 42), at...
129 In Schedule 8 (index of defined expressions: general), at the...
130 Tribunals, Courts and Enforcement Act 2007 (c. 15)
131 In section 11(5)(b) (right to appeal to Upper Tribunal), for...
132 In section 13(8)(a) (right to appeal to the Court of...
133 Statistics and Registration Service Act 2007 (c. 18)
134 (1) Section 45 (information held by HMRC) is amended as...
135 (1) Section 45A (information held by other public authorities) is...
136 (1) Section 45B(3) (access to information held by Crown bodies)...
137 (1) Section 45C(13) (power to require disclosures by other public...
138 In section 45D(9)(b) (power to require disclosure by undertakings), for...
139 (1) Section 45E (further provision about powers in sections 45B,...
140 (1) Section 53A (disclosure by the Statistics Board to devolved...,
141 (1) Section 54 (Data Protection Act 1998 and Human Rights...
142 In section 67 (general interpretation: Part 1), at the appropriate...
143 Serious Crime Act 2007 (c. 27)
144 (1) Section 5A (verification and disclosure of information) is amended...
145 (1) Section 68 (disclosure of information to prevent fraud) is...
146 (1) Section 85 (disclosure of information by Revenue and Customs)...,
147 Legal Services Act 2007 (c. 29)
148 Adoption and Children (Scotland) Act 2007 (asp 4)
149 Criminal Justice and Immigration Act 2008 (c. 4)
150 Omit— (a) section 77 (power to alter penalty for unlawfully...
151 (1) Section 114 (supply of information to Secretary of State...
152 Regulatory Enforcement and Sanctions Act 2008 (c. 13)
153 Health and Social Care Act 2008 (c. 14)
154 Counter-Terrorism Act 2008 (c. 28)
155 Public Health etc. (Scotland) Act 2008 (asp 5)
156 Banking Act 2009 (c. 1)
157 Borders, Citizenship and Immigration Act 2009 (c. 11)
158 Marine and Coastal Access Act 2009 (c. 23)
(1) Paragraph 13 of Schedule 7 (further provision about civil...  
(1) Paragraph 9 of Schedule 10 (further provision about fixed...  
Coroners and Justice Act 2009 (c. 25)  
Broads Authority Act 2009 (c. i)  
Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1 (N.I.))  
Terrorist Asset-Freezing etc. Act 2010 (c. 38)  
Marine (Scotland) Act 2010 (asp 5)  
Charities Act 2011 (c. 25)  
Welsh Language (Wales) Measure 2011 (nawm 1)  
(1) Section 22 (power to disclose information) is amended as...  
(1) Paragraph 8 of Schedule 2 (inquiries by the Commissioner....  
Safeguarding Board Act (Northern Ireland) 2011 (c. 7 (N.I))  
Health and Social Care Act 2012 (c. 7)  
In section 250(7) (power to publish information standards), for the...  
(1) Section 251A (consistent identifiers) is amended as follows.  
(1) Section 251B (duty to share information) is amended as...  
Protection of Freedoms Act 2012 (c. 9)  
(1) Section 27 (exceptions and further provision about consent and...  
In section 28(1) (interpretation: Chapter 2), for the definition of...  
In section 29(7) (code of practice for surveillance camera systems),...  
HGV Road User Levy Act 2013 (c. 7)  
Crime and Courts Act 2013 (c. 22)  
(1) Section 42 (other interpretive provisions) is amended as follows....  
(1) Paragraph 1 of Schedule 7 (statutory restrictions on disclosure)...  
Marine Act (Northern Ireland) 2013 (c. 10 (N.I.))  
Local Audit and Accountability Act 2014 (c. 2)  
Anti-social Behaviour, Crime and Policing Act 2014 (c. 12)  
Immigration Act 2014 (c. 22)  
Care Act 2014 (c. 23)  
Social Services and Well-being (Wales) Act 2014 (anaw 4)  
Counter-Terrorism and Security Act 2015 (c. 6)  
Small Business, Enterprise and Employment Act 2015 (c. 26)  
Modern Slavery Act 2015 (c. 30)  
Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 (c. 2 (N.I.))  
In section 13(5) (duty to notify National Crime Agency about...  
In section 25(1) (interpretation of this Act), at the appropriate...  
In paragraph 18(5) of Schedule 3 (supply of information to...  
Justice Act (Northern Ireland) 2015 (c. 9 (N.I.))  
Immigration Act 2016 (c. 19)  
Investigatory Powers Act 2016 (c. 25)  
In section 1(5)(b), for sub-paragraph (ii) substitute—  
In section 199 (bulk personal datasets: interpretation), for subsection (2)...  
In section 202(4) (restriction on use of class BPD warrants),...  
In section 206 (additional safeguards for health records), for subsection...  
(1) Section 237 (information gateway) is amended as follows.  
Public Services Ombudsman Act (Northern Ireland) 2016 (c. 4 (N.I.))  
Health and Social Care (Control of Data Processing) Act (Northern Ireland) 2016 (c. 12 (N.I.))  
Mental Capacity Act (Northern Ireland) 2016 (c. 18 (N.I.))
207 Justice Act (Northern Ireland) 2016 (c. 21 (N.I.))
208 (1) Section 17 (disclosure of information) is amended as follows....
209 In section 44(3) (disclosure of information)— (a) in paragraph (a),....
210 Policing and Crime Act 2017 (c. 3)
211 Children and Social Work Act 2017 (c. 12)
212 Higher Education and Research Act 2017 (c. 29)
213 (1) Section 63 (cooperation and information sharing by the Office...
214 (1) Section 112 (cooperation and information sharing between the
Office...
215 Digital Economy Act 2017 (c. 30)
216 (1) Section 40 (further provisions about disclosures under sections 35...
217 (1) Section 43 (codes of practice) is amended as follows....
218 (1) Section 49 (further provision about disclosures under section 48)...
219 (1) Section 52 (code of practice) is amended as follows....
220 (1) Section 57 (further provision about disclosures under section 56)...
221 (1) Section 60 (code of practice) is amended as follows....
222 (1) Section 65 (supplementary provision about disclosures under
section 64)....
223 (1) Section 70 (code of practice) is amended as follows....
224 Omit sections 108 to 110 (charges payable to the Information...
225 Landfill Disposals Tax (Wales) Act 2017 (anaw 3)
226 Additional Learning Needs and Educational Tribunal (Wales) Act 2018
(anaw 2)
227 This Act
PART 2 — AMENDMENTS OF OTHER LEGISLATION
228 Estate Agents (Specified Offences) (No. 2) Order 1991 (S.I. 1991/1091)
229 Channel Tunnel (International Arrangements) Order 1993 (S.I.
1993/1813)
1993/1250 (N.I. 4))
231 In Article 4 (health professionals), for paragraph (1) substitute—
232 In Article 5(4)(a) (fees for access to health records), for...
233 Channel Tunnel (Miscellaneous Provisions) Order 1994 (S.I.
1994/1405)
234 European Primary and Specialist Dental Qualifications Regulations
235 (1) Regulation 2(1) (interpretation) is amended as follows.
236 (1) The table in Schedule A1 (functions of the GDC...
237 Scottish Parliamentary Corporate Body (Crown Status) Order 1999 (S.I.
1999/677)
238 Northern Ireland Assembly Commission (Crown Status) Order 1999
(S.I. 1999/3145)
239 Data Protection (Corporate Finance Exemption) Order 2000 (S.I.
2000/184)
240 Data Protection (Conditions under Paragraph 3 of Part II of Schedule 1)
Order 2000 (S.I. 2000/185)
241 Data Protection (Functions of Designated Authority) Order 2000 (S.I.
2000/186)
243 Data Protection (Subject Access) (Fees and Miscellaneous Provisions)
Regulations 2000 (S.I. 2000/191)
244 Consumer Credit (Credit Reference Agency) Regulations 2000 (S.I.
2000/290)
245 Data Protection (Subject Access Modification) (Health) Order 2000 (S.I. 2000/413)
246 Data Protection (Subject Access Modification) (Education) Order 2000 (S.I. 2000/414)
249 Data Protection (Processing of Sensitive Personal Data) Order 2000 (S.I. 2000/417)
250 Data Protection (Miscellaneous Subject Access Exemptions) Order 2000 (S.I. 2000/419)
251 Data Protection (Designated Codes of Practice) (No. 2) Order 2000 (S.I. 2000/1864)
252 Representation of the People (England and Wales) Regulations 2001 (S.I. 2001/341)
253 In regulation 3(1) (interpretation), at the appropriate places insert—“Article...
254 In regulation 26(3)(a) (applications for registration), for “the Data Protection...
255 In regulation 26A(2)(a) (application for alteration of register in respect...
256 In regulation 32ZA(3)(f) (annual canvass), for “the Data Protection Act...
257 In regulation 61A (conditions on the use, supply and inspection...
258 (1) Regulation 92(2) (interpretation and application of Part VI etc)...
259 In regulation 96(2A)(b)(i) (restriction on use of the full register),...
260 In regulation 97(5) and (6) (supply of free copy of...
261 In regulation 97A(7) and (8) (supply of free copy of...
262 In regulation 99(6) and (7) (supply of free copy of...
263 In regulation 109A(9) and (10) (supply of free copy of...
264 In regulation 119(2) (conditions on the use, supply and disclosure...
265 Representation of the People (Scotland) Regulations 2001 (S.I. 2001/497)
266 In regulation 3(1) (interpretation), at the appropriate places, insert—“Article...
267 In regulation 26(3)(a) (applications for registration), for “the Data Protection...
268 In regulation 26A(2)(a) (application for alteration of register in respect...
269 In regulation 32ZA(3)(f) (annual canvass), for “the Data Protection Act...
270 In regulation 61(3) (records and lists kept under Schedule 4),...
271 In regulation 61A (conditions on the use, supply and inspection...
272 (1) Regulation 92(2) (interpretation of Part VI etc) is amended...
273 In regulation 95(3)(b)(i) (restriction on use of the full register),...
274 In regulation 96(5) and (6) (supply of free copy of...
275 In regulation 98(6) and (7) (supply of free copy of...
276 In regulation 108A(9) and (10) (supply of full register to...
277 In regulation 119(2) (conditions on the use, supply and disclosure...
278 Financial Services and Markets Act 2000 (Disclosure of Confidential Information) Regulations 2001 (S.I. 2001/2188)
279 Nursing and Midwifery Order 2001 (S.I. 2002/253)
280 (1) Article 3 (the Nursing and Midwifery Council and its...
281 (1) Article 25 (the Council’s power to require disclosure of...
282 In article 39B (European professional card), after paragraph (2) insert —...

283 In article 40(6) (Directive 2005/36/EC: designation of competent authority etc),...

284 (1) Schedule 2B (Directive 2005/36/EC: European professional card) is amended...

285 (1) The table in Schedule 3 (functions of the Council...

286 In Schedule 4 (interpretation), omit the definition of “Directive 95/46/EC”....


288 In paragraph (1)(b) for “the Data Protection Directive and the...

289 In paragraph (3)— (a) omit the definitions of “Data Protection...

290 Data Protection (Processing of Sensitive Personal Data) (Elected Representatives) Order 2002 (S.I. 2002/2905)


292 In regulation 2(1) (interpretation), in the definition of “the Information...

293 (1) Regulation 4 (relationship between these Regulations and the Data...


295 In article 8(2) (exercise of powers by French officers in...

296 In article 11(4) (exercise of powers by UK immigration officers...

297 Pupils’ Educational Records (Scotland) Regulations 2003 (S.S.I. 2003/581)

298 (1) Regulation 2 (interpretation) is amended as follows.

299 (1) Regulation 6 (circumstances where information should not be disclosed)... 

300 In regulation 9 (fees), for paragraph (1) substitute— 

301 European Parliamentary Elections (Northern Ireland) Regulations 2004 (S.I. 2004/1267)

302 (1) Paragraph 74(1) (interpretation) is amended as follows. 

303 In paragraph 77(2)(b) (conditions on the use, supply and disclosure...


305 Environmental Information Regulations 2004 (S.I. 2004/3391)

306 (1) Regulation 2 (interpretation) is amended as follows.

307 (1) Regulation 13 (personal data) is amended as follows.

308 In regulation 14 (refusal to disclose information), in paragraph (3)(b),...

309 In regulation 18 (enforcement and appeal provisions), in paragraph (5),...

310 Environmental Information (Scotland) Regulations 2004 (S.S.I. 2004/520)

311 (1) Regulation 2 (interpretation) is amended as follows.

312 (1) Regulation 11 (personal data) is amended as follows.

313 Licensing Act 2003 (Personal Licences) Regulations 2005 (S.I. 2005/41)


315 In regulation 3(5) (meaning of educational record) for “section 1(1)...

316 (1) Regulation 5 (disclosure of curricular and educational records) is...

318  Register of Judgments, Orders and Fines Regulations 2005 (S.I. 2005/3595)
319  Civil Contingencies Act 2004 (Contingency Planning) (Scotland) Regulations 2005 (S.S.I. 2005/494)
320  (1) Regulation 39 (sensitive information) is amended as follows.
321  Data Protection (Processing of Sensitive Personal Data) Order 2006 (S.I. 2006/2068)
322  National Assembly for Wales (Representation of the People) Order 2007 (S.I. 2007/236)
326  Representation of the People (Absent Voting at Local Elections) (Scotland) Regulations 2007 (S.S.I. 2007/170)
327  Representation of the People (Post-Local Government Elections Supply and Inspection of Documents) (Scotland) Regulations 2007 (S.S.I. 2007/264)
328  Education (Pupil Records and Reporting) (Transitional) Regulations (Northern Ireland) 2007 (S.R. (N.I.) 2007 No. 43)
329  In regulation 2 (interpretation), at the appropriate place insert— “the...
330  In regulation 10(2) (duties of Boards of Governors), for “documents...
331  Representation of the People (Northern Ireland) Regulations 2008 (S.I. 2008/1741)
333  Controlled Drugs (Supervision of Management and Use) (Wales) Regulations 2008 (S.I. 2008/3239 (W.286))
334  In regulation 2(1) (interpretation)— (a) at the appropriate place in...
335  (1) Regulation 25 (duty to co-operate by disclosing information as...
336  (1) Regulation 26 (responsible bodies requesting additional information be disclosed...
337  (1) Regulation 29 (occurrence reports) is amended as follows.
339  Companies (Disclosure of Address) Regulations 2009 (S.I. 2009/214)
340  Overseas Companies Regulations 2009 (S.I. 2009/1801)
341  Data Protection (Processing of Sensitive Personal Data) Order 2009 (S.I. 2009/1811)
342  Provision of Services Regulations 2009 (S.I. 2009/2999)
343  INSPIRE Regulations 2009 (S.I. 2009/3157)
344  INSPIRE (Scotland) Regulations 2009 (S.S.I. 2009/440)
345  Controlled Drugs (Supervision of Management and Use) Regulations (Northern Ireland) 2009 (S.R (N.I.) 2009 No. 225)
346  In regulation 2(2) (interpretation), at the appropriate place insert— “the...
347  (1) Regulation 25 (duty to co-operate by disclosing information as...
348  (1) Regulation 26 (responsible bodies requesting additional information be disclosed...
349  (1) Regulation 29 (occurrence reports) is amended as follows.
350 Data Protection (Monetary Penalties) (Maximum Penalty and Notices) Regulations 2010 (S.I. 2010/31)
351 Pharmacy Order 2010 (S.I. 2010/231)
352 In article 3(1) (interpretation), omit the definition of “Directive 95/46/EC”...
353 (1) Article 9 (inspection and enforcement) is amended as follows....
354 In article 33A (European professional card), after paragraph (2) insert —...
355 (1) Article 49 (disclosure of information: general) is amended as...
356 (1) Article 55 (professional performance assessments) is amended as...
357 In article 67(6) (Directive 2005/36/EC: designation of competent authority etc.)...
358 (1) Schedule 2A (Directive 2005/36/EC: European professional card) is amended...
359 (1) The table in Schedule 3 (Directive 2005/36/EC: designation of...
360 Data Protection (Monetary Penalties) Order 2010 (S.I. 2010/910)
361 National Employment Savings Trust Order 2010 (S.I. 2010/917)
362 In article 2 (interpretation)— (a) omit the definition of “data”...
363 (1) Article 10 (disclosure of requested data to the Secretary...
364 Local Elections (Northern Ireland) Order 2010 (S.I. 2010/2977)
365 Pupil Information (Wales) Regulations 2011 (S.I. 2011/1942 (W.209))
366 Debt Arrangement Scheme (Scotland) Regulations 2011 (S.S.I. 2011/141)
368 (1) Schedule 2 (absent voting in Police and Crime Commissioner...
369 (1) Schedule 10 (access to marked registers and other documents...
371 Neighbourhood Planning (Referendums) Regulations 2012 (S.I. 2012/2031)
372 (1) Paragraph 29(1) (interpretation of Part 8) is amended as...
373 In paragraph 32(3)(b)(i), for “section 11(3) of the Data Protection...
374 In paragraph 33(6) and (7) (supply of copy of business...
375 In paragraph 34(6) and (7) (supply of copy of business...
376 In paragraph 39(8) and (97) (supply of copy of business...
377 In paragraph 45(2) (conditions on the use, supply and disclosure...
378 Controlled Drugs (Supervision of Management and Use) Regulations 2013 (S.I. 2013/373)
380 Criminal Justice and Data Protection (Protocol No. 36) Regulations 2014 (S.I. 2014/3141)
381 Data Protection (Assessment Notices) (Designation of National Health Service Bodies) Order 2014 (S.I. 2014/3282)
382 The Control of Explosives Precursors etc Regulations (Northern Ireland) 2014 (S.R. (N.I.) 2014 No. 224)
383 Control of Poisons and Explosives Precursors Regulations 2015 (S.I. 2015/966)
384 Companies (Disclosure of Date of Birth Information) Regulations 2015 (S.I. 2015/1694)
385 Small and Medium Sized Business (Credit Information) Regulations 2015 (S.I. 2015/1945)
(1) Regulation 12 (criteria for the designation of a credit...
(1) Regulation 15 (access to and correction of information for...
European Union (Recognition of Professional Qualifications)
Regulations 2015 (S.I. 2015/2059)
(1) Regulation 2(1) (interpretation) is amended as follows.
In regulation 5(5) (functions of competent authorities in the United...
In regulation 45(3) (processing and access to data regarding the...
In regulation 46(1) (processing and access to data regarding the...
In regulation 48(2) (processing and access to data regarding the...
In regulation 66(3) (exchange of information), for “Directives 95/46/
EC” substitute...
Scottish Parliament (Elections etc) Order 2015 (S.S.I. 2015/425)
(1) Schedule 3 (absent voting) is amended as follows.
(1) Schedule 8 (access to marked registers and other documents...
Recall of MPs Act 2015 (Recall Petition) Regulations 2016 (S.I.
2016/295)
Register of People with Significant Control Regulations 2016 (S.I.
2016/339)
(1) Paragraph 6 (disclosure to a credit reference agency) is...
In paragraph 12A (disclosure to a credit institution or a...
In Part 3 (interpretation), after paragraph 13 insert— In this Schedule, “data protection obligations”, in relation to a...
Electronic Identification and Trust Services for Electronic Transactions
Regulations 2016 (S.I. 2016/696)
In regulation 2(1) (interpretation), omit the definition of “the 1998...
In regulation 3(3) (supervision), omit “under the 1998 Act”.
For Schedule 2 substitute— SCHEDULE 2 Information
Commissioner’s enforcement powers...
Court Files Privileged Access Rules (Northern Ireland) 2016 (S.R. (N.I.)
2016 No. 123)
In rule 5 (information that may released) for “Schedule 1...
In rule 7(2) (provision of information) for “Schedule 1 of...
Money Laundering, Terrorist Financing and Transfer of Funds
(Information on the Payer) Regulations 2017 (S.I. 2017/692)
In regulation 3(1) (interpretation), at the appropriate places insert— “the...
In regulation 16(8) (risk assessment by the Treasury and Home...
In regulation 17(9) (risk assessment by supervisory authorities), for “the...
For regulation 40(9)(c) (record keeping) substitute— (c) “data subject” has...
(1) Regulation 41 (data protection) is amended as follows.
(1) Regulation 84 (publication: the Financial Conduct Authority) is amended...
(1) Regulation 85 (publication: the Commissioners) is amended as follows....
For regulation 106(a) (general restrictions) substitute— (a) a disclosure in...
After paragraph 27 of Schedule 3 (relevant offences) insert— An
offence under the Data Protection Act 2018, apart from...
Scottish Partnerships (Register of People with Significant Control)
Regulations 2017 (S.I. 2017/694)
421 Data Protection (Charges and Information) Regulations 2018 (S.I. 2018/480)
422 National Health Service (General Medical Services Contracts) (Scotland) Regulations 2018 (S.S.I. 2018/66)
423 (1) Regulation 1 (citation and commencement) is amended as follows....
424 In regulation 3(1) (interpretation)— (a) omit the definition of “the...
425 (1) Schedule 6 (other contractual terms) is amended as follows....
426 National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2018 (S.S.I. 2018/67)
427 (1) Regulation 1 (citation and commencement) is amended as follows....
428 In regulation 3(1) (interpretation)— (a) omit the definition of “the...
429 (1) Schedule 1 (content of agreements) is amended as follows....

PART 3 — MODIFICATIONS
430 Introduction
431 General modifications
432 Specific modification of references to terms used in the Data Protection Act 1998

PART 4 — SUPPLEMENTARY
433 Definitions
434 Provision inserted in subordinate legislation by this Schedule

SCHEDULE 20 — Transitional provision etc
PART 1 — GENERAL
1 Interpretation
   PART 2 — RIGHTS OF DATA SUBJECTS
2 Right of access to personal data under the 1998 Act
3 Right to prevent processing likely to cause damage or distress under the 1998 Act
4 Right to prevent processing for purposes of direct marketing under the 1998 Act
5 Automated processing under the 1998 Act
6 Compensation for contravention of the 1998 Act or Part 4 of the 2014 Regulations
7 Rectification, blocking, erasure and destruction under the 1998 Act
8 Jurisdiction and procedure under the 1998 Act
9 Exemptions under the 1998 Act
10 Prohibition by this Act of requirement to produce relevant records
11 Avoidance under this Act of certain contractual terms relating to health records
   PART 3 — THE GDPR AND PART 2 OF THIS ACT
12 Exemptions from the GDPR: restrictions of rules in Articles 13 to 15 of the GDPR
13 Manual unstructured data held by FOI public authorities
   PART 4 — LAW ENFORCEMENT AND INTELLIGENCE SERVICES PROCESSING
14 Logging
15 Regulation 50 of the 2014 Regulations (disapplication of the 1998 Act)
16 Maximum fee for data subject access requests to intelligence services
   PART 5 — NATIONAL SECURITY CERTIFICATES
17 National security certificates: processing of personal data under the 1998 Act
18 National security certificates: processing of personal data under the 2018 Act
   PART 6 — THE INFORMATION COMMISSIONER
19 Appointment etc
20 Accounts
21 Annual report
22 Fees etc received by the Commissioner
23 Paragraph 10 of Schedule 12 to this Act applies only...
24 Functions in connection with the Data Protection Convention
25 Co-operation with the European Commission: transfers of personal data outside the EEA
26 Charges payable to the Commissioner by controllers
27 Requests for assessment
28 Codes of practice
   PART 7 — ENFORCEMENT ETC UNDER THE 1998 ACT
29 Interpretation of this Part
30 Information notices
31 Special information notices
32 Assessment notices
33 Enforcement notices
34 Determination by Commissioner as to the special purposes
35 Restriction on enforcement in case of processing for the special purposes
36 Offences
37 Powers of entry
38 Monetary penalties
39 Appeals
40 Exemptions
41 Tribunal Procedure Rules
42 Obstruction etc
43 Enforcement etc under the 2014 Regulations
   PART 8 — ENFORCEMENT ETC UNDER THIS ACT
44 Information notices
45 Powers of entry
46 Tribunal Procedure Rules
   PART 9 — OTHER ENACTMENTS
47 Powers to disclose information to the Commissioner
48 Codes etc required to be consistent with the Commissioner’s data-sharing code
49 (1) This paragraph applies in relation to the original statement...
50 Consumer Credit Act 1974
51 Freedom of Information Act 2000
52 (1) This paragraph applies where a request for information was...
53 (1) Tribunal Procedure Rules made under paragraph 7(1)(b) of Schedule...
54 (1) The repeal of paragraph 8 of Schedule 6 to...
55 (1) The amendment of section 77 of the 2000 Act...
56 Freedom of Information (Scotland) Act 2002
60 Environmental Information Regulations 2004 (S.I. 2004/3391)
61 Environmental Information (Scotland) Regulations 2004 (S.S.I. 2004/520)