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**Changes to legislation:** Data Protection Act 2018, Cross Heading: National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2018 (S.S.I. 2018/67) is up to date with all changes known to be in force on or before 20 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

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## SCHEDULES

### SCHEDULE 19

#### MINOR AND CONSEQUENTIAL AMENDMENTS

#### PART 2

##### AMENDMENTS OF OTHER LEGISLATION

*National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2018 (S.S.I. 2018/67)*

- 426 The National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2018 are amended as follows.
- 427 (1) Regulation 1 (citation and commencement) is amended as follows.
- (2) In paragraph (2), omit “Subject to paragraph (3).”.
- (3) Omit paragraph (3).
- 428 In regulation 3(1) (interpretation)—
- (a) omit the definition of “the 1998 Act”, and
- (b) at the appropriate place insert—
- ““the data protection legislation” has the same meaning as in the Data Protection Act 2018 (see section 3 of that Act);”, and
- (c) omit the definition of “GDPR”.
- 429 (1) Schedule 1 (content of agreements) is amended as follows.
- (2) In paragraph 34 (interpretation)—
- (a) in sub-paragraph (1)—
- (i) omit “Subject to sub-paragraph (3).”,
- (ii) before paragraph (a) insert—
- “(za) “controller” has the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section 3(6) and (14) of that Act);
- (zb) “data protection officer” means a person designated as a data protection officer under the data protection legislation;”, and
- (iii) for paragraph (d) substitute—
- “(e) “personal data” and “processing” have the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section 3(2), (4) and (14) of that Act).”,
- (b) omit sub-paragraphs (2) and (3),

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- (c) in sub-paragraph (4), for “the 1998 Act and any directly applicable EU instrument relating to data protection” substitute “—
    - (a) the data protection legislation, or
    - (b) any directly applicable EU legislation which is not part of the data protection legislation but which relates to data protection.”, and
  - (d) in sub-paragraph (6)(b), for “data controllers” substitute “ controllers ”.
- (3) In paragraph 37(2)(a) (processing and access of data), for “the 1998 Act, and any directly applicable EU instrument relating to data protection;” substitute “—
  - (i) the data protection legislation, and
  - (ii) any directly applicable EU legislation which is not part of the data protection legislation but which relates to data protection;”.
- (4) In paragraph 61(3) (variation of agreement: general)—
  - (a) omit paragraph (b), and
  - (b) after paragraph (d) (but before the final “and”) insert—
    - “(da) the data protection legislation;
    - (db) any directly applicable EU legislation which is not part of the data protection legislation but which relates to data protection;”.

**Changes to legislation:**

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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):

- s. 204(1)(l) inserted by [S.I. 2024/374 Sch. 5 para. 7](#)
- Sch. 3 para. 8(1)(y) added by [2022 c. 18 \(N.I.\) Sch. 3 para. 78\(3\)](#)