

## SCHEDULE 3

Regulation 6

### Consequential amendments of other legislation

## PART 1

### Revocation of retained EU law

#### Revocation of Regulations and Decisions

1. The following Regulations and Decisions are revoked in so far as they are retained EU law—
  - (a) Commission [Decision 2000/518/EC](#) of 26th July 2000 pursuant to [Directive 95/46/EC](#) of the European Parliament and of the Council on the adequate protection of personal data provided in Switzerland;
  - (b) Commission [Decision 2001/497/EC](#)(1) of 15th June 2001 on standard contractual clauses for the transfer of personal data to third countries, under [Directive 95/46/EC](#);
  - (c) Commission [Decision 2002/2/EC](#) of 20th December 2001 pursuant to [Directive 95/46/EC](#) of the European Parliament and of the Council on the adequate protection of personal data provided by the Canadian Personal Information Protection and Electronic Documents Act;
  - (d) Commission [Decision 2003/490/EC](#) of 30th June 2003 pursuant to [Directive 95/46/EC](#) of the European Parliament and of the Council on the adequate protection of personal data in Argentina;
  - (e) Commission [Decision 2003/821/EC](#) of 21st November 2003 on the adequate protection of personal data in Guernsey;
  - (f) Commission [Decision 2004/411/EC](#) of 28th April 2004 on the adequate protection of personal data in the Isle of Man;
  - (g) Commission [Decision 2004/915/EC](#)(2) of 27th December 2004 amending [Decision 2001/497/EC](#) as regards the introduction of an alternative set of standard contractual clauses for the transfer of personal data to third countries;
  - (h) Commission [Decision 2008/393/EC](#) of 8th May 2008 pursuant to [Directive 95/46/EC](#) of the European Parliament and of the Council on the adequate protection of personal data in Jersey;
  - (i) Commission [Decision 2010/87/EU](#)(3) of 5th February 2010 on standard contractual clauses for the transfer of personal data to processors established in third countries under [Directive 95/46/EC](#) of the European Parliament and of the Council;
  - (j) Commission [Decision 2010/146/EU](#) of 5th March 2010 pursuant to [Directive 95/46/EC](#) of the European Parliament and of the Council on the adequate protection provided by the Faeroese Act on processing of personal data;
  - (k) Commission [Decision 2010/625/EU](#) of 19th October 2010 pursuant to [Directive 95/46/EC](#) of the European Parliament and of the Council on the adequate protection of personal data in Andorra;
  - (l) Commission [Decision 2011/61/EU](#) of 31st January 2011 pursuant to [Directive 95/46/EC](#) of the European Parliament and of the Council on the adequate protection of personal data by the State of Israel with regard to automated processing of personal data;

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(1) OJ L 181, 4.7.2001, p. 19-31.

(2) OJ L 385, 29.12.2004, p. 74-84.

(3) OJ L 39, 12.2.2010, p. 5-18.

- (m) Commission Implementing [Decision 2012/484/EU](#) of 21st August 2012 pursuant to [Directive 95/46/EC](#) of the European Parliament and of the Council on the adequate protection of personal data by the Eastern Republic of Uruguay with regard to automated processing of personal data;
- (n) Commission Implementing [Decision 2013/65/EU](#) of 19th December 2012 pursuant to [Directive 95/46/EC](#) of the European Parliament and of the Council on the adequate protection of personal data by New Zealand;
- (o) Commission Implementing Decision (EU) 2016/1250 of 12th July 2016 pursuant to [Directive 95/46/EC](#) of the European Parliament and of the Council on the adequacy of the protection provided by the EU-U.S. Privacy Shield;
- (p) Commission Implementing Decision (EU) 2016/2295(4) of 16th December 2016 amending Decisions [2000/518/EC](#), [2002/2/EC](#), [2003/490/EC](#), [2003/821/EC](#), [2004/411/EC](#), [2008/393/EC](#), [2010/146/EU](#), [2010/625/EU](#), [2011/61/EU](#) and Implementing Decisions [2012/484/EU](#), [2013/65/EU](#) on the adequate protection of personal data by certain countries, pursuant to Article 25(6) of [Directive 95/46/EC](#) of the European Parliament and of the Council;
- (q) Commission Implementing Decision (EU) 2016/2297(5) of 16th December 2016 amending Decisions [2001/497/EC](#) and [2010/87/EU](#) on standard contractual clauses for the transfer of personal data to third countries and to processors established in such countries, under [Directive 95/46/EC](#) of the European Parliament and of the Council;
- (r) Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23rd October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No [1247/2002/EC](#).

### **Revocation of provisions of EEA agreement**

2. Paragraphs 5e, 5ea, 5ed, 5ee, 5ef, 5eg, 5eh, 5ei, 5ek, 5el, 5em, 5en, 5eo, 5ep and 5eq of Annex 11 to the EEA agreement, as it forms part of the law of England and Wales, Scotland or Northern Ireland on and after exit day by virtue of section 3(1) of the European Union (Withdrawal) Act 2018, are revoked in so far as they are retained EU law.

## **PART 2**

### **Amendments of primary legislation**

#### **Consumer Credit Act 1974**

- 3. The Consumer Credit Act 1974(6) is amended as follows.
- 4. In section 157(2A)(a) (duty to disclose name etc of agency), for “GDPR” substitute “UK GDPR”.
- 5. In section 159(1)(a) (correction of wrong information), for “GDPR” substitute “UK GDPR”.
- 6. In section 189(1) (definitions)—
  - (a) omit the definition of “the GDPR”;
  - (b) at the appropriate place insert—

(4) OJ L 344, 17.12.2016, p. 83-91.

(5) OJ L 344, 17.12.2016, p. 100-101.

(6) [1974 c. 39](#).

““the UK GDPR” has the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section 3(10) and (14) of that Act);”.

### **Pharmacy (Northern Ireland) Order 1976**

7. In paragraph 2 of Schedule 3 to the Pharmacy (Northern Ireland) Order 1976<sup>(7)</sup> (fitness to practice: disclosure of information)—

- (a) in sub-paragraph (2)(a), for “GDPR” substitute “UK GDPR”;
- (b) for sub-paragraph (5) substitute—

“(5) In this paragraph, “the UK GDPR” has the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section 3(10) and (14) of that Act).”.

### **Medical Act 1983**

8. The Medical Act 1983<sup>(8)</sup> is amended as follows.

9.—(1) Section 29E (evidence) is amended as follows.

- (2) In subsection (5), for “GDPR” substitute “UK GDPR”.
- (3) In subsection (9), omit the definition of “the GDPR”.

10.—(1) Section 35A (General Medical Council’s power to require disclosure of information) is amended as follows.

- (2) In subsection (4), for “GDPR” substitute “UK GDPR”.
- (3) In subsection (7), omit the definition of “the GDPR”.

11. In section 55(1) (interpretation), at the appropriate place insert—

““the UK GDPR” has the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section 3(10) and (14) of that Act);”.

12. In paragraph 9B of Schedule 1 (incidental powers of the General Medical Council)—

- (a) in sub-paragraph (2)(a), for “GDPR” substitute “UK GDPR”;
- (b) omit sub-paragraph (4).

13. In paragraph 5A of Schedule 4 (professional performance assessments and health assessments)—

- (a) in sub-paragraph (8), for “GDPR” substitute “UK GDPR”;
- (b) omit sub-paragraph (14).

### **Dentists Act 1984**

14. The Dentists Act 1984<sup>(9)</sup> is amended as follows.

15.—(1) Section 33B (the General Dental Council’s power to require disclosure of information: the dental profession) is amended as follows.

- (2) In subsection (3), for “GDPR” substitute “UK GDPR”.
- (3) In subsection (4), in the definition of “relevant provision of the GDPR”—

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(7) [S.I. 1976/1213 \(N.I. 22\)](#)

(8) [1983 c. 54.](#)

(9) [1984 c. 24.](#)

*Status: This is the original version (as it was originally made).*

- (a) for “the GDPR” (in both places) substitute “the UK GDPR”;
- (b) for “GDPR provisions” substitute “UK GDPR provisions”.
- (4) Omit subsection (11).

**16.**—(1) Section 36Y (the General Dental Council’s power to require disclosure of information: professions complementary to dentistry) is amended as follows.

- (2) In subsection (3), for “GDPR” substitute “UK GDPR”.
- (3) In subsection (4), in the definition of “relevant provision of the GDPR”—
  - (a) for “the GDPR” (in both places) substitute “the UK GDPR”;
  - (b) for “GDPR provisions” (in the second place) substitute “UK GDPR provisions”.
- (4) Omit subsection (11).

**17.** In section 53(1) (interpretation), at the appropriate place insert—

““the UK GDPR” has the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section 3(10) and (14) of that Act);”.

### **Opticians Act 1989**

**18.**—(1) Section 13B of the Opticians Act 1989 (the Council’s power to require disclosure of information)(**10**) is amended as follows.

- (2) In subsection (3), for “GDPR” substitute “UK GDPR”.
- (3) For subsection (10) substitute—
 

“(10) In this section, “the UK GDPR” has the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section 3(10) and (14) of that Act).”.

### **Immigration and Asylum Act 1999**

**19.**—(1) Section 13 of the Immigration and Asylum Act 1999 (proof of identity of persons to be removed or deported)(**11**) is amended as follows.

- (2) In subsection (4), for “GDPR” substitute “UK GDPR”.
- (3) For subsection (4A) substitute—
 

“(4A) “The UK GDPR” has the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section 3(10) and (14) of that Act).”.

### **Freedom of Information Act 2000**

**20.**—(1) Section 40 of the Freedom of Information Act 2000 (personal information)(**12**) is amended as follows.

- (2) In subsections (3B), (4A)(a) and (5B)(b) and (c), for “GDPR” substitute “UK GDPR”.
- (3) In subsection (7)—
  - (a) in the definition of “the data protection principles”, for “GDPR” substitute “UK GDPR”;
  - (b) omit the words from ““the GDPR”, “personal data”, “processing”” to the “(14) of that Act);”;
  - (c) at the appropriate places insert—

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(10) 1989 c. 44.

(11) 1999 c. 33.

(12) 2000 c. 36.

““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);”;

““the UK GDPR” has the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section 3(10) and (14) of that Act).”.

(4) In subsection (8), for “GDPR” (in both places) substitute “UK GDPR”.

### **Health and Personal Social Services Act (Northern Ireland) 2001**

**21.**—(1) Section 7A of the Health and Personal Social Services Act (Northern Ireland) 2001 (power to obtain information etc)(**13**) is amended as follows.

(2) In subsection (3), for “GDPR” substitute “UK GDPR”.

(3) For subsection (8) substitute—

“(8) In this section, “the UK GDPR” has the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section 3(10) and (14) of that Act).”.

### **Freedom of Information (Scotland) Act 2002**

**22.**—(1) Section 38 of the Freedom of Information (Scotland) Act 2002 (personal information)(**14**) is amended as follows.

(2) In subsections (2B) and (3A)(a), for “GDPR” substitute “UK GDPR”.

(3) In subsection (5)—

(a) in the definition of “the data protection principles”, for “GDPR” substitute “UK GDPR”;

(b) omit the words from ““the GDPR”, “personal data”, “processing”” to “(14) of that Act);”;

(c) at the appropriate places insert—

““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);”;

““the UK GDPR” has the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section 3(10) and (14) of that Act).”.

(4) In subsection (5A), for “GDPR” (in both places) substitute “UK GDPR”.

### **Mental Health (Care and Treatment) (Scotland) Act 2003**

**23.**—(1) Section 279 of the Mental Health (Care and Treatment) (Scotland) Act 2003 (information for research)(**15**) is amended as follows.

(2) In subsection (2), for “GDPR” substitute “UK GDPR”.

(3) For subsection (10) substitute—

“(10) In this section, “the UK GDPR” has the meaning given in section 3(10) of the Data Protection Act 2018.”.

### **Crime and Courts Act 2013**

**24.**—(1) Section 42 of the Crime and Courts Act 2013 (other interpretive provisions)(**16**) is amended as follows.

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(13) 2001 c.3 (N.I.).

(14) 2002 asp 13.

(15) 2003 asp 13.

(16) 2013 c. 22.

*Status: This is the original version (as it was originally made).*

(2) In subsection (5)(a), for “GDPR” substitute “UK GDPR”.

(3) For subsection (5A) substitute—

“(5A) In subsection (5)(a), “the UK GDPR” has the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section 3(10) and (14) of that Act).”.

### **Small Business, Enterprise and Employment Act 2015**

**25.**—(1) Section 6 of the Small Business, Enterprise and Employment Act 2015 (application of listed provisions to designated credit reference agencies)(**17**) is amended as follows.

(2) In subsection (7)(b), for “GDPR” substitute “UK GDPR”.

(3) For subsection (7A) substitute—

“(7A) In subsection (7), “the UK GDPR” has the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section 3(10) and (14) of that Act).”.

### **Social Security (Scotland) Act 2018**

**26.**—(1) Section 60 of the Social Security (Scotland) Act 2018 (right to reports used in determining entitlement)(**18**) is amended as follows.

(2) In subsection (2), for “GDPR” substitute “UK GDPR”.

(3) For subsection (3) substitute—

“(3) In subsection (2), “the UK GDPR” has the meaning given in section 3(10) of the Data Protection Act 2018.”.

## **PART 3**

### **Amendments of other legislation**

### **Channel Tunnel (International Arrangements) Order 1993**

**27.**—(1) Article 4 of the Channel Tunnel (International Arrangements) Order 1993 (application of enactments)(**19**) is amended as follows.

(2) In paragraph (2)—

(a) after “For the purposes of” insert “Article 3 of the UK GDPR and”;

(b) in the words following paragraph (c), after “establishment (and” insert “the UK GDPR and”.

(3) In paragraph (3)—

(a) after “For the purposes of” insert “Article 3 of the UK GDPR and”;

(b) in the words following paragraph (b), after “establishment (and” insert “the UK GDPR and”.

(4) After paragraph (3) insert—

“(4) In this article, “the UK GDPR” has the meaning given in section 3(10) of the Data Protection Act 2018.”.

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(17) 2015 c. 26.

(18) 2018 asp 9.

(19) S.I. 1993/1813.

### **Channel Tunnel (Miscellaneous Provisions) Order 1994**

**28.**—(1) Article 4 of the Channel Tunnel (Miscellaneous Provisions) Order 1994 (application of enactments)(**20**) is amended as follows.

(2) In paragraph (2)—

- (a) after “For the purposes of” insert “Article 3 of the UK GDPR and”;
- (b) for “the 2018 Act applies” substitute “the UK GDPR and the 2018 Act apply”.

(3) In paragraph (3)—

- (a) after “For the purposes of” insert “Article 3 of the UK GDPR and”;
- (b) for “the 2018 Act does” substitute “the UK GDPR and the 2018 Act do”.

(4) After paragraph (3) insert—

“(4) In this article, “the UK GDPR” has the meaning given in section 3(10) of the Data Protection Act 2018.”.

### **Scottish Parliamentary Corporate Body (Crown Status) Order 1999**

**29.** In article 7 of the Scottish Parliamentary Corporate Body (Crown Status) Order 1999 (Data Protection Act 2018)(**21**)—

- (a) in paragraph (2)(a), (d) and (e), for “GDPR” substitute “UK GDPR”;
- (b) omit paragraph (5).

### **Northern Ireland Assembly Commission (Crown Status) Order 1999**

**30.** In article 9 of the Northern Ireland Assembly Commission (Crown Status) Order 1999 (Data Protection Act 2018)(**22**)—

- (a) in paragraph (2)(a), (d) and (e), for “GDPR” substitute “UK GDPR”;
- (b) omit paragraph (5).

### **Representation of the People (England and Wales) Regulations 2001**

**31.** The Representation of the People (England and Wales) Regulations 2001(**23**) are amended as follows.

**32.**—(1) Regulation 3(1) (interpretation) is amended as follows.

- (2) In the definition of “Article 89 GDPR purposes”, for “the GDPR” substitute “the UK GDPR”.
- (3) Omit the definition of “the GDPR”.
- (4) At the appropriate place insert—

““the UK GDPR” has the meaning given in section 3(10) of the Data Protection Act 2018;”.

**33.** In regulation 92(2)(ba) (interpretation and application of Part VI etc), for “the GDPR” substitute “the UK GDPR”.

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(20) [S.I. 1994/1405](#).

(21) [S.I. 1999/677](#).

(22) [S.I. 1999/3145](#).

(23) [S.I. 2001/341](#).

**Representation of the People (Scotland) Regulations 2001**

**34.** The Representation of the People (Scotland) Regulations 2001<sup>(24)</sup> are amended as follows.

**35.**—(1) Regulation 3(1) (interpretation) is amended as follows.

(2) In the definition of “Article 89 GDPR purposes”, for “the GDPR” substitute “the UK GDPR”.

(3) Omit the definition of “the GDPR”.

(4) At the appropriate place insert—

““the UK GDPR” has the meaning given in section 3(10) of the Data Protection Act 2018;”.

**36.** In regulation 92(2)(ba) (interpretation of Part VI etc), for “the GDPR” substitute “the UK GDPR”.

**Financial Services and Markets Act 2000 (Disclosure of Confidential Information) Regulations 2001**

**37.**—(1) Regulation 9 of the Financial Services and Markets 2000 (Disclosure of Confidential Information) Regulations 2001 (disclosure by regulators or regulator workers to certain other persons)<sup>(25)</sup> is amended as follows.

(2) In paragraph (2B)(a), for “GDPR” substitute “UK GDPR”.

(3) For paragraph (6) substitute—

“(6) In this regulation, “the UK GDPR” has the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section 3(10) and (14) of that Act).”.

**Nursing and Midwifery Order 2001**

**38.** The Nursing and Midwifery Order 2001<sup>(26)</sup> is amended as follows.

**39.**—(1) Article 3 (the Nursing and Midwifery Council and its Committees) is amended as follows.

(2) In paragraph (18), for “GDPR” substitute “UK GDPR”.

(3) Omit paragraph (19).

**40.**—(1) Article 25 (the Council’s power to require disclosure of information) is amended as follows.

(2) In paragraph (3), for “GDPR” substitute “UK GDPR”.

(3) In paragraph (6), omit the definition of “the GDPR”.

**41.** In article 40(6) ([Directive 2005/36/EC](#): designation of competent authority etc), omit the definition of “the GDPR”.

**42.** In Schedule 4 (interpretation), at the appropriate place insert—

““the UK GDPR” has the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section 3(10) and (14) of that Act);”.

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<sup>(24)</sup> [S.I. 2001/497](#).

<sup>(25)</sup> [S.I. 2001/2188](#).

<sup>(26)</sup> [S.I. 2002/253](#).



### **Electronic Commerce (EC Directive) Regulations 2002**

**43.**—(1) Regulation 3 of the Electronic Commerce (EC Directive) Regulations 2002 (exclusions)(**27**) is amended as follows.

(2) In paragraph (1)(b), for “GDPR” substitute “UK GDPR”.

(3) In paragraph (3)—

(a) omit the definition of “the GDPR”;

(b) at the appropriate place insert—

““the UK GDPR” has the meaning given in section 3(10) of the Data Protection Act 2018;”.

### **Privacy and Electronic Communications (EC Directive) Regulations 2003**

**44.** In regulation 2(1) of the Privacy and Electronic Communications (EC Directive) Regulations 2003(**28**), for “GDPR” substitute “UK GDPR”.

### **Nationality, Immigration and Asylum Act 2002 (Juxtaposed Controls) Order 2003**

**45.** The Nationality, Immigration and Asylum Act 2002 (Juxtaposed Controls) Order 2003(**29**) is amended as follows.

**46.**—(1) Article 8 (exercise of powers by French officers in a control zone in the United Kingdom: disapplication of law of England and Wales) is amended as follows.

(2) In paragraph (2), for “The Data Protection Act 2018” substitute “The UK GDPR and the Data Protection Act 2018”.

(3) After paragraph (2) insert—

“(2A) In paragraph (2), “the UK GDPR” has the meaning given in section 3(10) of the Data Protection Act 2018.”.

**47.**—(1) Article 11 (exercise of powers by UK immigration officers and constables in a control zone in France: enactments having effect) is amended as follows.

(2) In paragraph (4)—

(a) for “The Data Protection Act 2018” substitute “The UK GDPR and the Data Protection Act 2018 (“the 2018 Act”)”;

(b) for “section 207 of that Act” substitute “Article 3 of the UK GDPR and section 207 of the 2018 Act”.

(3) After paragraph (4) insert—

“(4A) In paragraph (4), “the UK GDPR” has the meaning given in section 3(10) of the Data Protection Act 2018.”.

### **Pupils’ Educational Records (Scotland) Regulations 2003**

**48.** The Pupils’ Educational Records (Scotland) Regulations 2003(**30**) are amended as follows.

**49.** In regulation 2 (interpretation)—

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(27) [S.I. 2002/2013](#).

(28) [S.I. 2003/2426](#).

(29) [S.I. 2003/2818](#).

(30) [S.S.I. 2003/581](#).

(a) omit the definition of “the GDPR”;

(b) at the appropriate place insert—

““the UK GDPR” has the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section 3(10) and (14) of that Act);”.

**50.** In regulation 6(aa) and (ab) (circumstances where information should not be disclosed), for “GDPR” substitute “UK GDPR”.

**51.** In regulation 9(1A) (in both places) and (1B), for “GDPR” substitute “UK GDPR”.

#### **Environmental Information Regulations 2004**

**52.** The Environmental Information Regulations 2004(**31**) are amended as follows.

**53.**—(1) Regulation 2 (interpretation) is amended as follows.

(2) In paragraph (1)—

(a) in the definition of “the data protection principles”, for “GDPR” substitute “UK GDPR”;

(b) omit the words from ““the GDPR”” to “(14) of that Act);”;

(c) at the appropriate place insert—

““the UK GDPR” has the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section 3(10) and (14) of that Act);”.

(3) In paragraph (4A)—

(a) after “references to” insert “the UK GDPR and”;

(b) after “as if in” insert “Article 2 of the UK GDPR and”;

(c) for “(other general processing)” substitute “(exemptions for manual unstructured processing and for national security and defence purposes)”.

**54.** In regulation 13 (personal data), in paragraphs (2B)(a), (3A)(a), (5B)(b) and (c) and (6) (in both places), for “GDPR” substitute “UK GDPR”.

#### **Environmental Information (Scotland) Regulations 2004**

**55.** The Environmental Information (Scotland) Regulations 2004(**32**) are amended as follows.

**56.**—(1) Regulation 2 (interpretation) is amended as follows.

(2) In paragraph (1)—

(a) in the definition of “the data protection principles”, for “GDPR” substitute “UK GDPR”;

(b) omit the words from ““the GDPR”” to “(14) of that Act);”;

(c) at the appropriate place insert—

““the UK GDPR” has the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section 3(10) and (14) of that Act);”.

(3) In paragraph (3A)—

(a) after “references to” insert “the UK GDPR and”;

(b) after “as if in” insert “Article 2 of the UK GDPR and”;

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(31) [S.I. 2004/3391](#).

(32) [S.S.I. 2004/520](#).

- (c) for “(other general processing)” substitute “(exemptions for manual unstructured processing and for national security and defence purposes)”.

**57.** In regulation 11 (personal data), in paragraphs (3B), (4A)(a) and (7) (in both places), for “GDPR” substitute “UK GDPR”.

#### **Licensing Act 2003 (Personal Licences) Regulations 2005**

**58.**—(1) Regulation 7 of the Licensing Act 2003 (Personal Licences) Regulations 2005 (application for grant of a personal licence)(**33**) is amended as follows.

- (2) In paragraph (1)(b)(iii), for “GDPR” substitute “UK GDPR”.

- (3) For paragraph (3) substitute—

“(3) In this regulation, “the UK GDPR” has the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section 3(10) and (14) of that Act).”.

#### **Education (Pupil Information) (England) Regulations 2005**

**59.**—(1) Regulation 5 of the Education (Pupil Information) (England) Regulations 2005 (disclosure of curricular and educational records)(**34**) is amended as follows.

- (2) In paragraph (4), for “GDPR” (in both places) substitute “UK GDPR”.

- (3) For paragraph (7) substitute—

“(7) In this regulation, “the UK GDPR” has the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section 3(10) and (14) of that Act).”.

#### **Civil Contingencies Act 2004 (Contingency Planning) Regulations 2005**

**60.**—(1) Regulation 45 of the Civil Contingencies Act 2004 (Contingency Planning) Regulations 2005 (sensitive information)(**35**) is amended as follows.

- (2) In paragraphs (1B)(a) and (1C)(a), for “GDPR” substitute “UK GDPR”.

- (3) In paragraph (1D)—

- (a) in the definition of “the data protection principles”, for “GDPR” substitute “UK GDPR”;
- (b) omit the words from ““the GDPR”” to “(14) of that Act);”;
- (c) at the appropriate place insert—

““the UK GDPR” has the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section 3(10) and (14) of that Act);”.

- (4) In paragraph (1E), for “GDPR” (in both places) substitute “UK GDPR”.

#### **Civil Contingencies Act 2004 (Contingency Planning) (Scotland) Regulations 2005**

**61.**—(1) Regulation 39 of the Civil Contingencies Act 2004 (Contingency Planning) (Scotland) Regulations 2005 (sensitive information)(**36**) is amended as follows.

- (2) In paragraphs (1B)(a) and (1C)(a), for “GDPR” substitute “UK GDPR”.

- (3) In paragraph (1D)—

- (a) in the definition of “the data protection principles”, for “GDPR” substitute “UK GDPR”;

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(33) [S.I. 2005/41](#).

(34) [S.I. 2005/1437](#).

(35) [S.I. 2005/2042](#).

(36) [S.S.I. 2005/494](#).

*Status: This is the original version (as it was originally made).*

- (b) omit the words from ““the GDPR”” to “(14) of that Act);”;
- (c) at the appropriate place insert—
  - ““the UK GDPR” has the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section 3(10) and (14) of that Act);”.
- (4) In paragraph (1E), for “GDPR” (in both places) substitute “UK GDPR”.

#### **Register of Judgments, Orders and Fines Regulations 2005**

**62.** In regulation 3 of the Register of Judgments, Orders and Fines Regulations 2005 (interpretation)(**37**)—

- (a) in the definition of “the data protection principles”, for “GDPR” substitute “UK GDPR”;
- (b) omit the definition of “the GDPR”;
- (c) at the appropriate place insert—
  - ““the UK GDPR” has the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section 3(10) and (14) of that Act);”.

#### **National Assembly for Wales (Representation of the People) Order 2007**

**63.**—(1) Paragraph 14 of Schedule 1 to the National Assembly for Wales (Representation of the People) Order 2007 (absent voting at Assembly elections: conditions on the use, supply and inspection of absent vote records or lists)(**38**) is amended as follows.

- (2) In sub-paragraph (1)(a), for “GDPR” substitute “UK GDPR”.
- (3) For sub-paragraph (2) substitute—
  - “(2) In this paragraph, “the UK GDPR” has the meaning given in section 3(10) of the Data Protection Act 2018.”.

#### **National Assembly for Wales Commission (Crown Status) Order 2007**

**64.** In article 5 of the National Assembly for Wales Commission (Crown Status) Order 2007 (Data Protection Act 2018)(**39**)—

- (a) in paragraph (2)(a), (d) and (e), for “GDPR” substitute “UK GDPR”;
- (b) omit paragraph (5).

#### **Representation of the People (Absent Voting at Local Elections) (Scotland) Regulations 2007**

**65.**—(1) Regulation 18 of the Representation of the People (Absent Voting at Local Elections) (Scotland) Regulations 2007 (conditions on the supply and inspection of absent voter records or lists)(**40**) is amended as follows.

- (2) In paragraph (1)(a), for “GDPR” substitute “UK GDPR”.
- (3) For paragraph (2) substitute—
  - “(2) In this regulation, “the UK GDPR” has the meaning given in section 3(10) of the Data Protection Act 2018.”.

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(37) [S.I. 2005/3595](#).

(38) [S.I. 2007/236](#).

(39) [S.I. 2007/1118](#).

(40) [S.S.I. 2007/170](#).

### **Representation of the People (Post-Local Government Elections Supply and Inspection of Documents) (Scotland) Regulations 2007**

66.—(1) Regulation 5 of the Representation of the People (Post-Local Government Elections Supply and Inspection of Documents) (Scotland) Regulations 2007 (conditions on the use, supply and disclosure of documents open to public inspection)([41](#)) is amended as follows.

(2) In paragraph (2)(i), for “GDPR” substitute “UK GDPR”.

(3) For paragraph (4) substitute—

“(4) In this regulation, “the UK GDPR” has the meaning given in section 3(10) of the Data Protection Act 2018.”.

### **Education (Pupil Records and Reporting) (Transitional) Regulations (Northern Ireland) 2007**

67. The Education (Pupil Records and Reporting) (Transitional) Regulations (Northern Ireland) 2007([42](#)) are amended as follows.

68. In regulation 2 (interpretation)—

(a) omit the definition of “the GDPR”;

(b) at the appropriate place insert—

““the UK GDPR” has the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section 3(10) and (14) of that Act);”.

69. In regulation 10(2) (duties of Boards of Governors), for “GDPR” substitute “UK GDPR”.

### **Representation of the People (Northern Ireland) Regulations 2008**

70.—(1) Regulation 118 of the Representation of the People (Northern Ireland) Regulations 2008 (conditions on the use, supply and disclosure of documents open to public inspection)([43](#)) is amended as follows.

(2) In paragraph (2), for “GDPR” substitute “UK GDPR”.

(3) For paragraph (4) substitute—

“(4) In this regulation, “the UK GDPR” has the meaning given in section 3(10) of the Data Protection Act 2018.”.

### **Controlled Drugs (Supervision of Management and Use) (Wales) Regulations 2008**

71. The Controlled Drugs (Supervision of Management and Use) (Wales) Regulations 2008([44](#)) are amended as follows.

72.—(1) Regulation 2(1) (interpretation) is amended as follows.

(2) In the English language text—

(a) omit the words from ““the GDPR”” to “(14) of that Act);”;

(b) at the appropriate place insert—

““the UK GDPR” (“*GDPR y DU*”) has the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section 3(10) and (14) of that Act);”.

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[\(41\)](#) S.S.I. 2007/264.

[\(42\)](#) S.R. (N.I.) 2007 No. 43.

[\(43\)](#) S.I. 2008/1741.

[\(44\)](#) S.I. 2008/3239 (W.286).

(3) In the Welsh language text—

- (a) omit the words from “mae i “y GDPR”” to “(14) o’r Ddeddf honno);”;
- (b) at the appropriate place insert—

““mae i “GDPR y DU” yr un ystyr ag a roddir i honno yn Rhannau 5 i 7 o’r Ddeddf Diogelu Data 2018 (gweler adran 3(10) a (14) o’r Ddeddf honno);”.

**73.** In regulation 25(7) (duty to co-operate by disclosing information as regards relevant persons)

- (a) in the English language text, for “GDPR” substitute “UK GDPR”;
- (b) in the Welsh language text, for “neu’r GDPR” substitute “neu GDPR y DU”.

**74.** In regulation 26(6) (responsible bodies requesting additional information be disclosed about relevant persons) —

- (a) in the English language text, for “GDPR” substitute “UK GDPR”;
- (b) in the Welsh language text, for “neu’r GDPR” substitute “neu GDPR y DU”.

**75.** In regulation 29(3) (occurrence reports) —

- (a) in the English language text, for “GDPR” substitute “UK GDPR”;
- (b) in the Welsh language text, for “neu’r GDPR” substitute “neu GDPR y DU”.

### **Energy Order 2003 (Supply of Information) Regulations (Northern Ireland) 2008**

**76.**—(1) Regulation 5 of the Energy Order 2003 (Supply of Information) Regulations (Northern Ireland) 2008 (information whose disclosure would be affected by the application of other legislation)(**45**) is amended as follows.

(2) In paragraph (3B)(a), for “GDPR” substitute “UK GDPR”.

(3) In paragraph (5)—

- (a) in the definition of “data protection principles”, for “GDPR” substitute “UK GDPR”;
- (b) omit the definition of “the GDPR”;
- (c) at the appropriate place insert—

““the UK GDPR” has the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section 3(10) and (14) of that Act);”.

### **INSPIRE Regulations 2009**

**77.**—(1) Regulation 9 of the INSPIRE Regulations 2009 (public access to spatial data sets and spatial data services)(**46**) is amended as follows.

(2) In paragraph (2)(b), for “GDPR” substitute “UK GDPR”.

(3) In paragraph (8)—

- (a) in the definition of “data protection principles”, for “GDPR” substitute “UK GDPR”;
- (b) omit the definition of “the GDPR”;
- (c) at the appropriate place insert—

““the UK GDPR” has the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section 3(10) and (14) of that Act);”.

(4) In paragraph (9), for “GDPR” (in both places) substitute “UK GDPR”.

(45) S.R. (N.I.) 2008 No. 3.

(46) S.I. 2009/3157.

## **INSPIRE (Scotland) Regulations 2009**

**78.**—(1) Regulation 10 of the INSPIRE (Scotland) Regulations 2009 (public access to spatial data sets and spatial data services)(**47**) is amended as follows.

(2) In paragraph (2)(b), for “GDPR” substitute “UK GDPR”.

(3) In paragraph (7)—

(a) in the definition of “data protection principles”, for “GDPR” substitute “UK GDPR”;

(b) omit the definition of “the GDPR”;

(c) at the appropriate place insert—

““the UK GDPR” has the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section 3(10) and (14) of that Act);”.

(4) In paragraph (8), for “GDPR” (in both places) substitute “UK GDPR”.

## **Controlled Drugs (Supervision of Management and Use) Regulations (Northern Ireland) 2009**

**79.** The Controlled Drugs (Supervision of Management and Use) Regulations (Northern Ireland) 2009(**48**) are amended as follows.

**80.** In regulation 2(2) (interpretation)—

(a) omit the words from ““the GDPR”” to “(14) of that Act);”;

(b) at the appropriate place insert—

““the UK GDPR” has the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section 3(10) and (14) of that Act);”.

**81.** In regulation 25(7) (duty to co-operate by disclosing information as regards relevant persons), for “GDPR” substitute “UK GDPR”.

**82.** In regulation 26(6) (responsible bodies requesting additional information be disclosed about relevant persons), for “GDPR” substitute “UK GDPR”.

**83.** In regulation 29(3) (occurrence reports), for “GDPR” substitute “UK GDPR”.

## **Pharmacy Order 2010**

**84.** The Pharmacy Order 2010(**49**) is amended as follows.

**85.** In article 3(1) (interpretation), at the appropriate place insert—

““the UK GDPR” has the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section 3(10) and (14) of that Act);”.

**86.** In article 9(5) (inspection and enforcement), for “and references to Schedule 2 to the Data Protection Act 2018 have” substitute “has”.

**87.**—(1) Article 49 (disclosure of information: general) is amended as follows.

(2) In paragraph (2)(a), for “GDPR” substitute “UK GDPR”.

(3) Omit paragraph (6).

**88.**—(1) Article 55 (professional performance assessments) is amended as follows.

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(**47**) [S.S.I. 2009/440](#).

(**48**) [S.R. \(N.I.\) 2009 No. 225](#).

(**49**) [S.I. 2010/231](#).

- (2) In paragraph (5)(a), for “GDPR” substitute “UK GDPR”.
- (3) Omit paragraph (9).

### **Local Elections (Northern Ireland) Order 2010**

**89.** In paragraph 1(1) of Schedule 3 to the Local Elections (Northern Ireland) Order 2010 (access to marked registers and other documents open to public inspection after an election)(**50**)—

- (a) in the definition of “Article 89 GDPR purposes”, for “the GDPR” substitute “the UK GDPR”;
- (b) omit the definition of “the GDPR”;
- (c) at the appropriate place insert—
 

““the UK GDPR” has the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section 3(10) and (14) of that Act);”.

### **Pupil Information (Wales) Regulations 2011**

**90.** Regulation 5 of the Pupil Information (Wales) Regulations 2011 (duties of head teacher - educational records)(**51**) is amended as follows.

**91.**—(1) In paragraph (5)(a) and (b) —

- (a) in the English language text, for “GDPR” substitute “UK GDPR”;
- (b) in the Welsh language text, for “neu’r GDPR” substitute “neu GDPR y DU”.

(2) For paragraph (6)—

- (a) in the English language text substitute—
 

“(6) In this regulation, “the UK GDPR” (“*GDPR y DU*”) has the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section 3(10) and (14) of that Act).”;
- (b) in the Welsh language text substitute—
 

“(6) Yn y rheoliad hwn mae i “GDPR y DU” yr un ystyr ag a roddir i honno yn Rhannau 5 i 7 o’r Ddeddf Diogelu Data 2018 (gweler adran 3(10) a (14) o’r Ddeddf honno).”.

### **Police and Crime Commissioner Elections Order 2012**

**92.** The Police and Crime Commissioner Elections Order 2012(**52**) is amended as follows.

**93.**—(1) Schedule 2 (absent voting in Police and Crime Commissioner elections) is amended as follows.

(2) In paragraph 20 (absent voter lists: supply of copies etc)—

- (a) in sub-paragraph (8)(a), for “GDPR” substitute “UK GDPR”;
- (b) for sub-paragraph (11) substitute—

“(11) In this paragraph, “the UK GDPR” has the meaning given in section 3(10) of the Data Protection Act 2018.”.

(3) In paragraph 24 (restriction on use of absent voter records or lists or the information contained in them)—

- (a) in sub-paragraph (3)(a), for “GDPR” substitute “UK GDPR”;

(50) [S.I. 2010/2977](#).

(51) [S.I. 2011/1942 \(W.209\)](#).

(52) [S.I. 2012/1917](#).



(b) for sub-paragraph (4) substitute—

“(4) In this paragraph, “the UK GDPR” has the meaning given in section 3(10) of the Data Protection Act 2018.”.

**94.**—(1) Schedule 10 (access to marked registers and other documents open to public inspection after an election) is amended as follows.

(2) In paragraph 5 (restriction on use of absent voter records or lists or the information contained in them)—

(a) in sub-paragraph (3)(a), for “GDPR” substitute “UK GDPR”;

(b) for sub-paragraph (5) substitute—

“(5) In this paragraph, “the UK GDPR” has the meaning given in section 3(10) of the Data Protection Act 2018.”.

### **Neighbourhood Planning (Referendums) Regulations 2012**

**95.** In paragraph 29(1) of Schedule 6 to the Neighbourhood Planning (Referendums) Regulations 2012 (interpretation of Part 8)(**53**)—

(a) in the definition of “Article 89 GDPR purposes”, for “the GDPR” substitute “the UK GDPR”;

(b) omit the definition of “the GDPR”;

(c) in the definition of “relevant requirement”, for “the GDPR” substitute “the UK GDPR”;

(d) at the appropriate place insert—

““the UK GDPR” has the meaning given in section 3(10) of the Data Protection Act 2018;”.

### **Controlled Drugs (Supervision of Management and Use) Regulations 2013**

**96.**—(1) Regulation 20 of the Controlled Drugs (Supervision of Management and Use) Regulations 2013 (information management)(**54**) is amended as follows.

(2) In paragraph (5), for “GDPR” (in both places) substitute “UK GDPR”.

(3) For paragraph (7) substitute—

“(7) In this regulation, “personal data” and “the UK GDPR” have the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section 3(2), (10) and (14) of that Act).”.

### **Small and Medium Sized Business (Credit Information) Regulations 2015**

**97.**—(1) Regulation 15 of the Small and Medium Sized Business (Credit Information) Regulations 2015 (access to and correction of information for individuals and small firms)(**55**) is amended as follows.

(2) In paragraph (1), for “GDPR” substitute “UK GDPR”.

(3) Omit paragraph (4).

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(53) [S.I. 2012/2031](#).

(54) [S.I. 2013/373](#).

(55) [S.I. 2015/1945](#).

**Scottish Parliament (Elections etc) Order 2015**

**98.** The Scottish Parliament (Elections etc) Order 2015<sup>(56)</sup> is amended as follows.

**99.**—(1) Schedule 3 (absent voting) is amended as follows.

(2) In paragraph 16 (absent voting lists: supply of copies etc)—

(a) in sub-paragraph (4)(a), for “GDPR” substitute “UK GDPR”;

(b) for sub-paragraph (11) substitute—

“(11) In this paragraph, “the UK GDPR” has the meaning given in section 3(10) of the Data Protection Act 2018.”

(3) In paragraph 20 (restriction on use of absent voting lists)—

(a) in sub-paragraph (3)(a), for “GDPR” substitute “UK GDPR”;

(b) for sub-paragraph (4) substitute—

“(4) In this paragraph, “the UK GDPR” has the meaning given in section 3(10) of the Data Protection Act 2018.”

**100.** In Schedule 8 (access to marked registers and other documents open to public inspection after an election), in paragraph 5 (restriction on use of documents)—

(a) in sub-paragraph (3)(a), for “GDPR” substitute “UK GDPR”;

(b) for sub-paragraph (5) substitute—

“(5) In this paragraph, “the UK GDPR” has the meaning given in section 3(10) of the Data Protection Act 2018.”

**Electronic Identification and Trust Services for Electronic Transactions Regulations 2016**

**101.** In Schedule 2 to the Electronic Identification and Trust Services for Electronic Transactions Regulations 2016 (Information Commissioner’s enforcement powers)<sup>(57)</sup>, in paragraph 16(a) and (b) (modification of section 159 of the Data Protection Act 2018), for “GDPR” substitute “UK GDPR”.

**Court Files Privileged Access Rules (Northern Ireland) 2016**

**102.** The Court Files Privileged Access Rules (Northern Ireland) 2016<sup>(58)</sup> are amended as follows.

**103.** In rule 2 (interpretation), at the appropriate place insert—

““the UK GDPR” has the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section 3(10) and (14) of that Act);”.

**104.** In rule 5(a) (information that may be released), for “GDPR” substitute “UK GDPR”.

**105.** In rule 7(2)(a) (provision of information), for “GDPR” substitute “UK GDPR”.

**Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017**

**106.** The Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017<sup>(59)</sup> are amended as follows.

<sup>(56)</sup> S.S.I. 2015/425.

<sup>(57)</sup> S.I. 2016/696.

<sup>(58)</sup> S.R. (N.I.) 2016 No. 123.

<sup>(59)</sup> S.I. 2017/692.

**107.** In regulation 3(1) (interpretation)—

(a) omit the words from ““the GDPR” to “(14) of that Act);”;

(b) at the appropriate place insert—

““the UK GDPR” has the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section 3(10) and (14) of that Act);”.

**108.** In regulation 16(8)(b) (risk assessment by the Treasury and Home Office), for “GDPR” substitute “UK GDPR”.

**109.** In regulation 17(9)(b) (risk assessment by supervisory authorities), for “GDPR” substitute “UK GDPR”.

**110.** In regulation 41 (data protection), in paragraphs (3)(a), (6), (7), (8) and (9), for “GDPR” substitute “UK GDPR”.

## PART 4

### Modification

#### References to the GDPR

**111.**—(1) Legislation described in sub-paragraph (2) has effect on and after exit 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 exit day;

(b) primary legislation passed or made on or before exit 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.

## PART 5

### Supplementary

#### **Interpretation of references to enactments**

**112.** Nothing in Parts 2 to 4 of this Schedule is to be read as implying anything about whether references to an enactment or statutory provision (whether in Acts or instruments amended by those Parts of this Schedule or elsewhere) include the UK GDPR or other retained direct EU legislation.