

SCHEDULE 3

Consequential amendments of other legislation

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.