
Changes to legislation: Data Protection Act 2018, Cross Heading: Representation of the People (Scotland) Regulations 2001 (S.I. 2001/497) is up to date with all changes known to be in force on or before 21 May 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

SCHEDULES

SCHEDULE 19

MINOR AND CONSEQUENTIAL AMENDMENTS

PART 2

AMENDMENTS OF OTHER LEGISLATION

Representation of the People (Scotland) Regulations 2001 (S.I. 2001/497)

- 265 The Representation of the People (Scotland) Regulations 2001 are amended as follows.
- 266 In regulation 3(1) (interpretation), at the appropriate places, insert—
- ““Article 89 GDPR purposes” means the purposes mentioned in Article 89(1) of the GDPR (archiving in the public interest, scientific or historical research and statistics);”;
- ““the data protection legislation” has the same meaning as in the Data Protection Act 2018 (see section 3 of that Act);”;
- ““the GDPR” means [Regulation \(EU\) 2016/679](#) of the European Parliament and of the Council of 27 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);”.
- 267 In regulation 26(3)(a) (applications for registration), for “the Data Protection Act 1998” substitute “the data protection legislation”.
- 268 In regulation 26A(2)(a) (application for alteration of register in respect of name under section 10ZD), for “the Data Protection Act 1998” substitute “the data protection legislation”.
- 269 In regulation 32ZA(3)(f) (annual canvass), for “the Data Protection Act 1998” substitute “the data protection legislation”.
- 270 In regulation 61(3) (records and lists kept under Schedule 4), for paragraph (a) (but not the final “or”) substitute—
- “(a) Article 89 GDPR purposes;”.
- 271 In regulation 61A (conditions on the use, supply and inspection of absent voter records or lists), for paragraph (a) (but not the final “or”) substitute—
- “(a) Article 89 GDPR purposes;”.
- 272 (1) Regulation 92(2) (interpretation of Part VI etc) is amended as follows.
- (2) After sub-paragraph (b) insert—

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“(ba) “relevant requirement” means the requirement under Article 89 of the GDPR, read with section 19 of the Data Protection Act 2018, that personal data processed for Article 89 GDPR purposes must be subject to appropriate safeguards.”

(3) Omit sub-paragraphs (c) and (d).

- 273 In regulation 95(3)(b)(i) (restriction on use of the full register), for “section 11(3) of the Data Protection Act 1998” substitute “ section 122(5) of the Data Protection Act 2018 ”.
- 274 In regulation 96(5) and (6) (supply of free copy of full register to the National Library of Scotland and the British Library and restrictions on use), for “research purposes in compliance with the relevant conditions” substitute “ Article 89 GDPR purposes in accordance with the relevant requirement ”.
- 275 In regulation 98(6) and (7) (supply of free copy of full register etc to Statistics Board and restrictions on use), for “research purposes in compliance with the relevant conditions” substitute “ Article 89 GDPR purposes in accordance with the relevant requirement ”.
- 276 In regulation 108A(9) and (10) (supply of full register to statutory library authorities and local authority archives services and restrictions on use), for “research purposes in compliance with the relevant conditions” substitute “ Article 89 GDPR purposes in accordance with the relevant requirement ”.
- 277 In regulation 119(2) (conditions on the use, supply and disclosure of documents open to public inspection), for sub-paragraph (i) (but not the final “or”) substitute—
 “(i) Article 89 GDPR purposes;”.

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\(3\)](#)