

SCHEDULE 3

Consequential amendments of other legislation

PART 2

Amendments of primary legislation

Freedom of Information (Scotland) Act 2002

22.—(1) Section 38 of the Freedom of Information (Scotland) Act 2002 (personal information)^{M1} 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”.

Commencement Information

I1 Sch. 3 para. 22 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(2)**

Marginal Citations

M1 2002 asp 13.

Changes to legislation:

There are currently no known outstanding effects for the The Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019, Paragraph 22.