

## SCHEDULE 6

### OTHER CONTRACTUAL TERMS

#### PART 5

#### DATA PROTECTION, RECORDS, INFORMATION, NOTIFICATIONS AND RIGHTS OF ENTRY

##### Interpretation – general

**63.**—(1) For the purposes of this Part—

“electronic patient records” means records of the contractor’s attendance on its patients created by way of data entries on a computer and electronically held and controlled by the contractor;

“patient records” means records of the contractor’s attendance on and treatment of its patients created by way of electronic patient records or on forms supplied by the Health Board to the contractor;

“practice data” means data about a contractor’s practice and which may include any information or data about employees, sub-contractors, remuneration, finances, workloads, and contracts other than personal data within patient records.

(2) No provision of this Part is to be construed as creating a duty, obligation or right which is contrary to any duty, obligation or right created by <sup>[F1]</sup>—

- (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.]

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##### Textual Amendments

**F1** Words in sch. 6 para. 63(2) substituted (25.5.2018) by [Data Protection Act 2018 \(c. 12\), s. 212\(1\)](#), [Sch. 19 para. 425\(2\)](#) (with ss. 117, 209, 210); S.I. 2018/625, reg. 2(1)(g)

**Changes to legislation:**

There are currently no known outstanding effects for the The National Health Service (General Medical Services Contracts) (Scotland) Regulations 2018, Paragraph 63.