

SCHEDULES

SCHEDULE 19

MINOR AND CONSEQUENTIAL AMENDMENTS

PART 2

AMENDMENTS OF OTHER LEGISLATION

INSPIRE Regulations 2009 (S.I. 2009/3157)

- 343 (1) Regulation 9 of the INSPIRE Regulations 2009 (public access to spatial data sets and spatial data services) is amended as follows.
- (2) In paragraph (2)—
- (a) omit “or” at the end of sub-paragraph (a),
 - (b) for sub-paragraph (b) substitute—
 - “(b) Article 21 of the GDPR (general processing: right to object to processing), or
 - (c) section 99 of the Data Protection Act 2018 (intelligence services processing: right to object to processing).”, and
 - (c) omit the words following sub-paragraph (b).
- (3) After paragraph (7) insert—
- “(8) In this regulation—
- “the data protection principles” means the principles set out in—
 - (a) Article 5(1) of the GDPR,
 - (b) section 34(1) of the Data Protection Act 2018, and
 - (c) section 85(1) of that Act;
 - “the GDPR” has the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section 3(10), (11) and (14) of that Act);
 - “personal data” has the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section 3(2) and (14) of that Act).
- (9) In determining for the purposes of this regulation whether the lawfulness principle in Article 5(1)(a) of the GDPR would be contravened by the disclosure of information, Article 6(1) of the GDPR (lawfulness) is to be read as if the second sub-paragraph (disapplying the legitimate interests gateway in relation to public authorities) were omitted.”