



Data Protection Act 2018

2018 CHAPTER 12

PART 7

SUPPLEMENTARY AND FINAL PROVISION

Rights of the data subject

185 Avoidance of certain contractual terms relating to health records

- (1) A term or condition of a contract is void in so far as it purports to require an individual to supply another person with a record which—
 - (a) consists of the information contained in a health record, and
 - (b) has been or is to be obtained by a data subject in the exercise of a data subject access right.
- (2) A term or condition of a contract is also void in so far as it purports to require an individual to produce such a record to another person.
- (3) The references in subsections (1) and (2) to a record include a part of a record and a copy of all or part of a record.
- (4) In this section, “data subject access right” means a right under—
 - (a) Article 15 of the GDPR (right of access by the data subject);
 - (b) Article 20 of the GDPR (right to data portability);
 - (c) section 45 of this Act (law enforcement processing: right of access by the data subject);
 - (d) section 94 of this Act (intelligence services processing: right of access by the data subject).