

SCHEDULE 1

Amendments of the UK GDPR

Chapter 1 (general provisions)

6.—(1) Article 4 is amended as follows.

(2) Before paragraph (1) insert—

“(A1) ‘the 2018 Act’ means the Data Protection Act 2018;

(A2) ‘domestic law’ means the law of the United Kingdom or of a part of the United Kingdom;

(A3) ‘the Commissioner’ means the Information Commissioner (see section 114 of the 2018 Act);”.

(3) In paragraph (7), for “; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law” substitute “(but see section 6 of the 2018 Act)”.

(4) In paragraph (9), for “Union or Member State law” substitute “domestic law”.

(5) After paragraph (10) insert—

“(10A) ‘public authority’ and ‘public body’ are to be interpreted in accordance with section 7 of the 2018 Act and provision made under that section;”.

(6) Omit paragraph (16).

(7) In paragraph (17), for “the Union” substitute “the United Kingdom”.

(8) In paragraph (20), for “on the territory of a Member State” substitute “in the United Kingdom”.

(9) Omit paragraph (21).

(10) After paragraph (21) insert—

“(21A) ‘foreign designated authority’ means an authority designated for the purposes of Article 13 of the Data Protection Convention (as defined in section 3 of the 2018 Act) by a party, other than the United Kingdom, which is bound by that Convention;”.

(11) Omit paragraphs (22), (23) and (24).

(12) In paragraph (25), at the end insert “as it has effect immediately before exit day”.

(13) After paragraph (26) insert—

“(27) ‘third country’ means a country or territory outside the United Kingdom;

(28) references to a fundamental right or fundamental freedom (however expressed) are to a fundamental right or fundamental freedom which continues to form part of domestic law on and after exit day by virtue of section 4 of the European Union (Withdrawal) Act 2018, as the right or freedom is amended or otherwise modified by domestic law from time to time on or after exit day.”.