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**Changes to legislation:** Data Protection Act 2018, Cross Heading: Nursing and Midwifery Order 2001 (S.I. 2002/253) is up to date with all changes known to be in force on or before 08 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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## SCHEDULES

### SCHEDULE 19

#### MINOR AND CONSEQUENTIAL AMENDMENTS

#### PART 2

##### AMENDMENTS OF OTHER LEGISLATION

###### *Nursing and Midwifery Order 2001 (S.I. 2002/253)*

- 279 The Nursing and Midwifery Order 2001 is amended as follows.
- 280 (1) Article 3 (the Nursing and Midwifery Council and its Committees) is amended as follows.
- (2) In paragraph (18), after “enactment” insert “ or the GDPR ”.
- (3) After paragraph (18) insert—
- “(19) In this paragraph, “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).”
- 281 (1) Article 25 (the Council's power to require disclosure of information) is amended as follows.
- (2) In paragraph (3), after “enactment” insert “ or the GDPR ”.
- (3) In paragraph (6)—
- (a) for “paragraph (5),” substitute “ paragraph (3)— ”, and
- (b) at the appropriate place insert—
- ““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).”
- 282 In article 39B (European professional card), after paragraph (2) insert—
- “(3) For the purposes of Schedule 2B, “the GDPR” means [Regulation \(EU\) 2016/679](#) of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation), read with Chapter 2 of Part 2 of the Data Protection Act 2018.”
- 283 In article 40(6) (Directive [2005/36/EC](#): designation of competent authority etc), at the appropriate place insert—
- ““the GDPR” means [Regulation \(EU\) 2016/679](#) of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such

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data (General Data Protection Regulation), read with Chapter 2 of Part 2 of the Data Protection Act 2018;”.

- 284 (1) Schedule 2B (Directive [2005/36/EC](#): European professional card) is amended as follows.
- (2) In paragraph 8(1) (access to data) for “Directive [95/46/EC](#)” substitute “ the GDPR ”.
- (3) In paragraph 9 (processing data), omit sub-paragraph (2) (deeming the Society to be the controller for the purposes of Directive [95/46/EC](#)).
- 285 (1) The table in Schedule 3 (functions of the Council under [Directive 2005/36](#)) is amended as follows.
- (2) In the entry for Article 56(2), in the second column, for “Directive [95/46/EC](#)” substitute “ the GDPR ”.
- (3) In the entry for Article 56a(4), in the second column, for “Directive [95/46/EC](#)” substitute “ the GDPR ”.
- 286 In Schedule 4 (interpretation), omit the definition of “Directive [95/46/EC](#)”.

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 204(1)(l) inserted by [S.I. 2024/374 Sch. 5 para. 7](#)
- Sch. 3 para. 8(1)(y) added by [2022 c. 18 \(N.I.\) Sch. 3 para. 78\(3\)](#)