

WELSH STATUTORY INSTRUMENTS

2020 No. 1609

**The Health Protection (Coronavirus
Restrictions) (No. 5) (Wales) Regulations 2020**

PART 8

Offences and penalties

CHAPTER 3

Proceedings

Self-incrimination

55.—(1) Relevant information may be used in evidence against the person to whom the information relates in criminal proceedings.

(2) Where the information is used in proceedings other than for an offence under these Regulations or section 5 of the Perjury Act 1911 ^{M1} (false statements made otherwise than on oath)—

- (a) no evidence relating to the information may be adduced by or on behalf of the prosecution, and
- (b) no question relating to the information may be asked by or on behalf of the prosecution.

(3) Paragraph (2) does not apply if, in the proceedings—

- (a) evidence relating to the information is adduced by or on behalf of the person who provided it, or
- (b) a question relating to the information is asked by or on behalf of that person.

(4) In this regulation, “relevant information” means—

- (a) information which is relevant information for the purposes of regulation 14;
- (b) information, or the answer to a question, given in response to a requirement imposed under regulation 36(1);
- (c) anything contained in a document or electronic records produced in response to a requirement imposed under paragraph 8(1) of Schedule 8.

Commencement Information

II Reg. 55 in force at 20.12.2020, see [reg. 1\(3\)](#)

Marginal Citations

M1 1911 c. 6. Section 5 was amended by section 1(2) of the [Criminal Justice Act 1948](#) (c. 58).

Prosecutions

- 56.—(1) No proceedings for an offence under these Regulations may be brought other than by—
- (a) the Director of Public Prosecutions,
 - (b) any person designated by the Welsh Ministers, or
 - (c) in relation to proceedings for [^{F1}an offence mentioned in paragraph (1A)], a local authority.

[^{F2}(1A) The offences referred to in paragraph (1)(c) are—

- (a) an offence under regulation 42 ^{F3} ...;
 - (b) an offence under regulation 43(1) where the person carrying out a function under these Regulations is an enforcement officer designated by a local authority;
 - (c) an offence under regulation 43(2)(a)(i) or (b) where the enforcement officer giving the direction or compliance notice is a person designated by a local authority.]
- (2) A person designated by the Welsh Ministers under—
- (a) regulation 14 of the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020,
 - (b) regulation 22 of the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020,
 - (c) regulation 32 of the Health Protection (Coronavirus Restrictions) (No. 3) (Wales) Regulations 2020, or
 - (d) regulation 46 of the Health Protection (Coronavirus Restrictions) (No. 4) (Wales) Regulations 2020,

is to be treated as if designated under this regulation.

Textual Amendments

- F1** Words in reg. 56(1)(c) substituted (26.4.2021 immediately before the start of the day) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2021 \(S.I. 2021/502\)](#), regs. 1(2), **2(11)(a)**
- F2** Reg. 56(1A) inserted (26.4.2021 immediately before the start of the day) by [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2021 \(S.I. 2021/502\)](#), regs. 1(2), **2(11)(b)**
- F3** Words in reg. 56(1A)(a) omitted (28.3.2022) by virtue of [The Health Protection \(Coronavirus Restrictions\) \(No. 5\) \(Wales\) \(Amendment\) \(No. 8\) Regulations 2022 \(S.I. 2022/388\)](#), regs. 1(2), **2(24)** (with reg. 3)

Commencement Information

- I2** Reg. 56 in force at 20.12.2020, see [reg. 1\(3\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020, CHAPTER 3.