

SCHEDULE 1

Regulation 5

Application to the Crown etc

Crown application

1.—(1) The Crown is not criminally liable as a result of any provision of these Regulations.

(2) Sub-paragraph (1) does not affect the application of any provision of these Regulations in relation to persons in the public service of the Crown.

2. The Crown is not liable for any penalty under any provision of these Regulations.

3.—(1) Nothing in these Regulations affects Her Majesty in her private capacity.

(2) Sub-paragraph (1) is to be interpreted as if section 38(3) of the Crown Proceedings Act 1947⁽¹⁾ (interpretation of references in that Act to Her Majesty in her private capacity) were contained in these Regulations.

Entry to Crown premises

4.—(1) Regulation 16 does not apply in relation to land which is occupied by a government department, or otherwise for purposes of the Crown, unless the matter being investigated is conducted by the Crown or a person in the public service of the Crown.

(2) In sub-paragraph (1) “conduct” includes suspected conduct.

5.—(1) If the Secretary of State for Northern Ireland considers that in the interests of national security the power of entry that may be conferred by a warrant under regulation 16 must not be used in relation to particular Crown premises, the Secretary of State for Northern Ireland may certify that those powers must not be used in relation to those premises.

(2) In sub-paragraph (1) “Crown premises” means premises held by or used by or on behalf of the Crown.

(1) 1947 c. 44 (10 & 11 Geo 6).