

*Status: Point in time view as at 27/06/2018.*

*Changes to legislation: Investigatory Powers Act 2016, Cross Heading: Proceedings for certain offences is up to date with all changes known to be in force on or before 22 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)*

## SCHEDULES

### SCHEDULE 3

#### EXCEPTIONS TO SECTION 56

##### *Proceedings for certain offences*

- 20 (1) Section 56(1) does not apply in relation to any proceedings for a relevant offence.
- (2) “Relevant offence” means—
- (a) an offence under any provision of this Act;
  - (b) an offence under section 1 of the Interception of Communications Act 1985;
  - (c) an offence under any provision of the Regulation of Investigatory Powers Act 2000;
  - (d) an offence under section 47 or 48 of the Wireless Telegraphy Act 2006;
  - (e) an offence under section 83 or 84 of the Postal Services Act 2000;
  - (f) an offence under section 4 of the Official Secrets Act 1989 relating to any such information, document or article as is mentioned in subsection (3)(a) or (c) of that section;
  - (g) an offence under section 1 or 2 of the Official Secrets Act 1911 relating to any sketch, plan, model, article, note, document or information which—
    - (i) incorporates, or relates to, the content of any intercepted communication or any secondary data obtained from a communication, or
    - (ii) tends to suggest that any interception-related conduct has or may have occurred or may be going to occur;
  - (h) an offence of perjury committed in the course of any relevant proceedings;
  - (i) an offence of attempting or conspiring to commit an offence falling within any of paragraphs (a) to (h);
  - (j) an offence under Part 2 of the Serious Crime Act 2007 in relation to an offence falling within any of those paragraphs;
  - (k) an offence of aiding, abetting, counselling or procuring the commission of an offence falling within any of those paragraphs;
  - (l) contempt of court committed in the course of, or in relation to, any relevant proceedings.
- (3) In this paragraph—
- “intercepted communication” and “interception-related conduct” have the same meaning as in section 56;
  - “relevant proceedings” means any proceedings mentioned in paragraphs 4 to 19.

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**Commencement Information**

**II** Sch. 3 para. 20 in force at 27.6.2018 by S.I. 2018/652, reg. 8(w)

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