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STATUTORY RULES OF NORTHERN IRELAND

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**2020 No. 90**

**The Health Protection (Coronavirus, International  
Travel) Regulations (Northern Ireland) 2020**

**PART 4**

Information sharing

**Power to use and disclose information**

9.—(1) This regulation applies to a person (“P”) who holds information described in paragraph (2) (“relevant information”), including where P holds that information as a result of disclosure made in accordance with paragraph (4).

(2) The information referred to in paragraph (1) is—

- (a) Information provided on the Passenger Locator Form, or
- (b) DA information received for a purpose described in paragraph (4)(a)(i).

(3) P may only use relevant information where it is necessary—

- (a) for the purpose of carrying out a function under these Regulations,
- (b) for the purpose of—
  - (i) preventing danger to public health as a result of the spread of infection or contamination with coronavirus or coronavirus disease,
  - (ii) monitoring the spread of infection or contamination with coronavirus or coronavirus disease, or
  - (iii) giving effect to any international agreement or arrangement relating to the spread of infection or contamination with coronavirus or coronavirus disease.
- (c) for a purpose connected with, or otherwise incidental to, a purpose described in sub-paragraph (a) or (b).

(4) Subject to paragraph (6), P may only disclose relevant information to another person (the “recipient”) where it is necessary for the recipient to have the information —

- (a) for the purpose of carrying out a function of the recipient under—
  - (i) these Regulations, or
  - (ii) an enactment which, in England, Scotland, or Wales, has the effect of requiring the isolation or quarantine of persons who have been outside the common travel area, for any of the purposes described in sub-paragraph (b),
- (b) for the purpose of—
  - (i) preventing danger to public health as a result of the spread of infection or contamination with coronavirus or coronavirus disease,
  - (ii) monitoring the spread of infection or contamination with coronavirus or coronavirus disease, or

- (iii) giving effect to any international agreement or arrangement relating to the spread of infection or contamination with coronavirus or coronavirus disease, or
- (c) for a purpose connected with, or otherwise incidental to, a purpose described in subparagraph (a) or (b).
- (5) Subject to paragraph (7), disclosure which is authorised by this regulation does not breach—
  - (a) an obligation of confidence owed by the person making the disclosure, or
  - (b) any other restriction on the disclosure of information (however imposed).
- (6) This regulation does not limit the circumstances in which information may otherwise lawfully be disclosed under any other enactment or rule of law.
- (7) Nothing in this regulation authorises the use or disclosure of personal data where doing so contravenes the data protection legislation.
- (8) For the purposes of this regulation—
  - (a) “data protection legislation” and “personal data” have the same meanings as in section 3 of the Data Protection Act 2018<sup>(1)</sup>,
  - (b) “DA information” means information provided in accordance with, or as described in, an enactment which, in England, Scotland or Wales, has the effect of requiring the isolation or quarantine of persons who have been outside the common travel area, for any of the purposes described in paragraph (3)(b).

### **Self-incrimination**

- 10.**—(1) Information provided by a person in accordance with, or as described in, regulation 3 may be used in evidence against the person, subject to paragraphs (2) to (4).
- (2) In criminal proceedings against the person—
    - (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 the proceedings are for—
    - (a) an offence under these Regulations, or
    - (b) an offence under Article 10 the Perjury (Northern Ireland) Order 1979<sup>(2)</sup> (false statements made otherwise than on oath).
  - (4) 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.

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(1) 2018 c. 12

(2) S.I. 1979/1714 (N.I. 19)