

Status: Point in time view as at 01/04/2018.

Changes to legislation: Higher Education and Research Act 2017, Cross Heading: Self-incrimination 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 5

POWERS OF ENTRY AND SEARCH ETC

Self-incrimination

- 8 (1) An explanation or information provided by a person in response to a requirement under paragraph 6(1)(b) or (d) or (2)(b) may be used in evidence against the person, subject to sub-paragraphs (2) to (4).
- (2) In criminal proceedings against the person—
- (a) no evidence relating to the explanation or information may be adduced by or on behalf of the prosecution, and
 - (b) no question relating to it may be asked by or on behalf of the prosecution.
- (3) Sub-paragraph (2) does not apply if the proceedings are for—
- (a) an offence under paragraph 7 of this Schedule, or
 - (b) an offence under section 5 of the Perjury Act 1911 (false statements made otherwise than on oath).
- (4) Sub-paragraph (2) does not apply if, in the proceedings—
- (a) evidence relating to the explanation or information is adduced by or on behalf of the person who provided it, or
 - (b) a question relating to it is asked by or on behalf of that person.

Commencement Information

II Sch. 5 para. 8 in force at 1.4.2018 by S.I. 2018/241, reg. 2(r)

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