

**Changes to legislation:** Data Protection Act 2018, Cross Heading: Self incrimination is up to date with all changes known to be in force on or before 15 April 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) View outstanding changes

## SCHEDULES

### SCHEDULE 2

#### EXEMPTIONS ETC FROM THE [F1UK GDPR]

##### Textual Amendments

- F1** Words in Sch. 2 heading substituted (31.12.2020) by The Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 (S.I. 2019/419), reg. 1(2), **Sch. 2 para. 92(2)** (with reg. 5); 2020 c. 1, Sch. 5 para. 1(1)

### PART 4

#### RESTRICTIONS [F1AS DESCRIBED IN] ARTICLE 23(1): RESTRICTIONS OF RULES IN ARTICLES 13 TO 15

##### Textual Amendments

- F1** Words in Sch. 2 Pt. 4 heading substituted (31.12.2020) by The Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 (S.I. 2019/419), reg. 1(2), **Sch. 2 para. 92(15)** (with reg. 5); 2020 c. 1, Sch. 5 para. 1(1)

#### *Self incrimination*

- 20 (1) A person need not comply with the listed GDPR provisions to the extent that compliance would, by revealing evidence of the commission of an offence, expose the person to proceedings for that offence.
- (2) The reference to an offence in sub-paragraph (1) does not include an offence under—
- (a) this Act,
  - (b) section 5 of the Perjury Act 1911 (false statements made otherwise than on oath),
  - (c) section 44(2) of the Criminal Law (Consolidation) (Scotland) Act 1995 (false statements made otherwise than on oath), or
  - (d) Article 10 of the Perjury (Northern Ireland) Order 1979 (S.I. 1979/1714 (N.I. 19)) (false statutory declarations and other false unsworn statements).
- (3) Information disclosed by any person in compliance with Article 15 of the [F1UK GDPR] is not admissible against the person in proceedings for an offence under this Act.

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#### Textual Amendments

- F1** Words in [Sch. 2 para. 20\(3\)](#) substituted (31.12.2020) by [The Data Protection, Privacy and Electronic Communications \(Amendments etc\) \(EU Exit\) Regulations 2019 \(S.I. 2019/419\)](#), reg. 1(2), [Sch. 2 para. 92\(18\)](#) (with reg. 5); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 3 para. 8(1)(y) added by [2022 c. 18 \(N.I.\) Sch. 3 para. 78\(3\)](#)