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WELSH STATUTORY INSTRUMENTS

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**2020 No. 574**

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

**PART 5**

Information sharing

**Use and disclosure of information**

- 17.**—(1) In this regulation and regulation 18, “relevant information” means—
- (a) Welsh passenger information;
  - (b) other UK passenger information.
- (2) For the purposes of this regulation—
- (a) “Welsh passenger information” means—
    - (i) passenger information provided to the Secretary of State for the purpose of regulation 4 or 5;
    - (ii) information provided to the Secretary of State in a notification given under regulation 7(5)(b), 8(4) or 10(6);
  - (b) “other UK passenger information” means information provided to a person under provision in Regulations made as respects England, Scotland or Northern Ireland (as the case may be) that is equivalent to provision mentioned in sub-paragraph (a).
- (3) In this regulation, any reference to the holder of information is a reference to—
- (a) the Secretary of State;
  - (b) a person to whom the information was disclosed under paragraph (4) or (5).
- (4) The holder of Welsh passenger information may disclose it to another person (the “recipient”) in circumstances 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) Regulations made as respects England, Scotland or Northern Ireland (as the case may be) that are equivalent to 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,
    - (ii) monitoring the spread of infection or contamination with coronavirus, or
    - (iii) giving effect to any international agreement or arrangement relating to the spread of infection or contamination with coronavirus;
  - (c) for a purpose connected with, or otherwise incidental to, a purpose described in sub-paragraph (a) or (b).

- (5) The holder of other UK passenger information may disclose it to another person (the “recipient”) in circumstances where it is necessary for the recipient to have the information—
- (a) for the purpose of carrying out a function of the recipient under these Regulations;
  - (b) for the purpose of—
    - (i) preventing danger to public health in Wales as a result of the spread of infection or contamination with coronavirus,
    - (ii) monitoring the spread of infection or contamination with coronavirus in Wales, or
    - (iii) giving effect in Wales to any international agreement or arrangement relating to the spread of infection or contamination with coronavirus;
  - (c) for a purpose connected with, or otherwise incidental to, a purpose described in subparagraph (a) or (b).
- (6) A holder of relevant information may not use the information otherwise than—
- (a) for the purpose of carrying out a function of the holder under these Regulations;
  - (b) in the case of Welsh passenger information, for a purpose described in paragraph (4)(b);
  - (c) in the case of other UK passenger information, for a purpose described in paragraph (5)(b);
  - (d) for a purpose connected with, or otherwise incidental to, a purpose described in subparagraph (a), (b) or (c).
- (7) Despite paragraphs (4), (5) and (6), this regulation does not limit the circumstances in which information may otherwise lawfully be disclosed or used under any other enactment or rule of law.
- (8) 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).
- (9) Nothing in this regulation authorises the disclosure of personal data where doing so contravenes the data protection legislation.
- (10) In paragraph (8), “data protection legislation” and “personal data” have the same meanings as in section 3 of the Data Protection Act 2018(1).

### **Self-incrimination**

- 18.**—(1) Relevant information may be used in evidence against the person to whom the information relates in criminal proceedings.
- (2) Where the information is used in proceedings other than for an offence under these Regulations or section 5 of the Perjury Act 1911(2) (false statements made otherwise than on oath)—
- (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, 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) 1911 c. 6. Section 5 was amended by section 1(2) of the Criminal Justice Act 1948 (c. 58).