

SCHEDULES

SCHEDULE 20

AMENDMENTS OF THE DATA PROTECTION ACT 1998 (C. 29)

PART 4

RESTRICTION ON USE OF INFORMATION

- 10 (1) Section 43 of that Act (information notices) is amended as follows.
- (2) In subsection (8), for “other than an offence under this Act,” substitute “, other than an offence under this Act or an offence within subsection (8A),”.
- (3) After that subsection insert—
- “(8A) The offences mentioned in subsection (8) are—
- (a) an offence under section 5 of the Perjury Act 1911 (false statements made otherwise than on oath),
 - (b) an offence under section 44(2) of the Criminal Law (Consolidation) (Scotland) Act 1995 (false statements made otherwise than on oath), or
 - (c) an offence under Article 10 of the Perjury (Northern Ireland) Order 1979 (false statutory declarations and other false unsworn statements).
- (8B) Any relevant statement provided by a person in response to a requirement under this section may not be used in evidence against that person on a prosecution for any offence under this Act (other than an offence under section 47) unless in the proceedings—
- (a) in giving evidence the person provides information inconsistent with it, and
 - (b) evidence relating to it is adduced, or a question relating to it is asked, by that person or on that person’s behalf.
- (8C) In subsection (8B) “relevant statement”, in relation to a requirement under this section, means—
- (a) an oral statement, or
 - (b) a written statement made for the purposes of the requirement.”