



Northern Ireland Act 1998

1998 CHAPTER 47

PART IV

THE NORTHERN IRELAND ASSEMBLY

Proceedings etc.

45 Witnesses and documents: offences

- (1) Subject to subsection (9) of section 44, any person to whom a notice under subsection (7) of that section has been given who—
 - (a) refuses or fails to attend proceedings as required by the notice;
 - (b) refuses or fails, when attending proceedings as required by the notice, to answer any question relating to the matters specified in the notice;
 - (c) deliberately alters, suppresses, conceals or destroys any document which he is required to produce by the notice; or
 - (d) refuses or fails to produce any such document,is guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale or to imprisonment for a period not exceeding three months.
- (2) It is a defence for a person charged with an offence under subsection (1)(a), (b) or (d) to prove that he had a reasonable excuse for the refusal or failure.
- (3) Where an offence under this section which has been committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of—
 - (a) a director, manager, secretary or other similar officer of the body corporate; or
 - (b) any person who was purporting to act in any such capacity,he, as well as the body corporate, is guilty of that offence and liable to be proceeded against accordingly.
- (4) Proceedings for an offence under this section shall not be taken without the consent of the Director of Public Prosecutions for Northern Ireland.

Status: This is the original version (as it was originally enacted).

- (5) For the purposes of section 44 and this section, a person shall be taken to comply with a requirement to produce a document if he produces a copy of, or an extract of the relevant part of, the document.