

*Status: Point in time view as at 19/05/2022.*

**Changes to legislation:** Youth Justice and Criminal Evidence Act 1999, SCHEDULE 3 is up to date with all changes known to be in force on or before 03 June 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 3

Section 59.

#### RESTRICTION ON USE OF ANSWERS ETC. OBTAINED UNDER COMPULSION

##### *Insurance Companies Act 1982 (c.50)*

1 The Insurance Companies Act 1982 is amended as follows.

##### **Commencement Information**

**I1** Sch. 3 wholly in force at 14.12.2000; Sch. 3 not in force at Royal Assent see s. 68(3); Sch. 3 in force at 14.4.2000 in relation to England and Wales and Northern Ireland by [S.I. 2000/1034](#), [arts. 2\(a\), 3](#); Sch. 3 in force at 1.1.2001 in relation to Scotland by [S.S.I. 2000/445](#), [art. 2](#)

2 In section 43A (general investigations into insurance companies), after subsection (5) (use of statements made under the section) add—

“(6) However, in criminal proceedings in which that person is charged with an offence to which this subsection applies—

- (a) no evidence relating to the statement may be adduced, and
- (b) no question relating to it may be asked,

by or on behalf of the prosecution, unless evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person.

(7) Subsection (6) above applies to any offence other than—

- (a) an offence under section 71(1)(b) or (3) below;
- (b) an offence under section 5 of the <sup>M1</sup>Perjury Act 1911 (false statements made otherwise than on oath);
- (c) an offence under section 44(2) of the <sup>M2</sup>Criminal Law (Consolidation) (Scotland) Act 1995 (false statements made otherwise than on oath); or
- (d) an offence under Article 10 of the <sup>M3</sup>Perjury (Northern Ireland) Order 1979 (false statements made otherwise than on oath).”

##### **Commencement Information**

**I2** Sch. 3 wholly in force at 14.12.2000; Sch. 3 not in force at Royal Assent see s. 68(3); Sch. 3 in force at 14.4.2000 in relation to England and Wales and Northern Ireland by [S.I. 2000/1034](#), [arts. 2\(a\), 3](#); Sch. 3 in force at 1.1.2001 in relation to Scotland by [S.S.I. 2000/445](#), [art. 2](#)

##### **Marginal Citations**

**M1** 1911 c. 6.

**M2** 1995 c. 39.

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**M3** S.I. 1979/1714 (N.I. 19).

3 In section 44 (obtaining information and documents from companies), after subsection (5) (use of statements made under the section) insert—

“(5A) However, in criminal proceedings in which that person is charged with an offence to which this subsection applies—

- (a) no evidence relating to the statement may be adduced, and
- (b) no question relating to it may be asked,

by or on behalf of the prosecution, unless evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person.

(5B) Subsection (5A) above applies to any offence other than—

- (a) an offence under section 71(1)(b), (3) or (4) below;
- (b) an offence under section 5 of the <sup>M4</sup>Perjury Act 1911 (false statements made otherwise than on oath);
- (c) an offence under section 44(2) of the <sup>M5</sup>Criminal Law (Consolidation) (Scotland) Act 1995 (false statements made otherwise than on oath); or
- (d) an offence under Article 10 of the <sup>M6</sup>Perjury (Northern Ireland) Order 1979 (false statements made otherwise than on oath).”

**Commencement Information**

**I3** Sch. 3 wholly in force at 14.12.2000; Sch. 3 not in force at Royal Assent see s. 68(3); Sch. 3 in force at 14.4.2000 in relation to England and Wales and Northern Ireland by S.I. 2000/1034, arts. 2(a), 3; Sch. 3 in force at 1.1.2001 in relation to Scotland by S.S.I. 2000/445, art. 2

**Marginal Citations**

- M4** 1911 c. 6.
- M5** 1995 c. 39.
- M6** S.I. 1979/1714 (N.I. 19).

*Companies Act 1985 (c.6)*

<sup>F14</sup> .....

**Textual Amendments**

**F1** Sch. 3 para. 4 repealed (1.10.2009) by The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009 (S.I. 2009/1941), art. 1(2), Sch. 2 (with art. 10)

<sup>F25</sup> .....

**Textual Amendments**

**F2** Sch. 3 para. 5 repealed (1.10.2009) by The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009 (S.I. 2009/1941), art. 1(2), Sch. 2 (with art. 10)

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F3  
6

#### Textual Amendments

**F3** Sch. 3 para. 6 repealed (6.4.2005) by Companies (Audit, Investigations and Community Enterprise) Act 2004 (c. 27), s. 65(1), **Sch. 8**; S.I. 2004/3322, art. 2(2), Sch. 2

#### *Insolvency Act 1986 (c.45)*

7 (1) Section 433 of the Insolvency Act 1986 (admissibility in evidence of statements of affairs etc.) is amended as follows.

(2) That section is renumbered as subsection (1) of that section.

(3) After that subsection insert—

“(2) However, in criminal proceedings in which any such person is charged with an offence to which this subsection applies—

- (a) no evidence relating to the statement may be adduced, and
- (b) no question relating to it may be asked,

by or on behalf of the prosecution, unless evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person.

(3) Subsection (2) applies to any offence other than—

- (a) an offence under section 22(6), 47(6), 48(8), 66(6), 67(8), 95(8), 98(6), 99(3)(a), 131(7), 192(2), 208(1)(a) or (d) or (2), 210, 235(5), 353(1), 354(1)(b) or (3) or 356(1) or (2)(a) or (b) or paragraph 4(3)(a) of Schedule 7;
- (b) an offence which is—
  - (i) created by rules made under this Act, and
  - (ii) designated for the purposes of this subsection by such rules or by regulations made by the Secretary of State;
- (c) an offence which is—
  - (i) created by regulations made under any such rules, and
  - (ii) designated for the purposes of this subsection by such regulations;
- (d) an offence under section 1, 2 or 5 of the <sup>M7</sup>Perjury Act 1911 (false statements made on oath or made otherwise than on oath); or
- (e) an offence under section 44(1) or (2) of the Criminal Law (Consolidation) (Scotland) Act 1995 (false statements made on oath or otherwise than on oath).

(4) Regulations under subsection (3)(b)(ii) shall be made by statutory instrument and, after being made, shall be laid before each House of Parliament.”

#### Commencement Information

**I4** Sch. 3 wholly in force at 14.12.2000; Sch. 3 not in force at Royal Assent see s. 68(3); Sch. 3 in force at 14.4.2000 in relation to England and Wales by S.I. 2000/1034, **arts. 2(a), 3**; Sch. 3 in force at 1.1.2001 in relation to Scotland by S.S.I. 2000/445, **art. 2**

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### Marginal Citations

**M7** 1911 c. 6.

### *Company Directors Disqualification Act 1986 (c.46)*

- 8 (1) Section 20 of the Company Directors Disqualification Act 1986 (admissibility in evidence of statements) is amended as follows.
- (2) That section is renumbered as subsection (1) of that section.
- (3) After that subsection insert—
- “(2) However, in criminal proceedings in which any such person is charged with an offence to which this subsection applies—
- (a) no evidence relating to the statement may be adduced, and
- (b) no question relating to it may be asked,
- by or on behalf of the prosecution, unless evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person.
- (3) Subsection (2) applies to any offence other than—
- (a) an offence which is—
- (i) created by rules made for the purposes of this Act under the Insolvency Act, and
- (ii) designated for the purposes of this subsection by such rules or by regulations made by the Secretary of State;
- (b) an offence which is—
- (i) created by regulations made under any such rules, and
- (ii) designated for the purposes of this subsection by such regulations;
- (c) an offence under section 5 of the <sup>M8</sup>Perjury Act 1911 (false statements made otherwise than on oath); or
- (d) an offence under section 44(2) of the <sup>M9</sup>Criminal Law (Consolidation) (Scotland) Act 1995 (false statements made otherwise than on oath).
- (4) Regulations under subsection (3)(a)(ii) shall be made by statutory instrument and, after being made, shall be laid before each House of Parliament.”

### Commencement Information

**I5** Sch. 3 wholly in force at 14.12.2000; Sch. 3 not in force at Royal Assent see s. 68(3); Sch. 3 in force at 14.4.2000 in relation to England and Wales by [S.I. 2000/1034](#), [arts. 2\(a\), 3](#); Sch. 3 in force at 1.1.2001 in relation to Scotland by [S.S.I. 2000/445](#), [art. 2](#)

### Marginal Citations

**M8** 1911 c. 6.

**M9** 1995 c. 39.

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*Building Societies Act 1986 (c.53)*

- 9 In section 57 of the Building Societies Act 1986 (use of answers given to inspectors conducting investigations into building societies), after subsection (5) (use of answers given to inspectors) insert—

“(5A) However, in criminal proceedings in which that person is charged with an offence to which this subsection applies—

- (a) no evidence relating to the answer may be adduced, and
- (b) no question relating to it may be asked,

by or on behalf of the prosecution, unless evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person.

(5B) Subsection (5A) above applies to any offence other than—

- (a) an offence under section 2 or 5 of the Perjury Act 1911 (false statements made on oath otherwise than in judicial proceedings or made otherwise than on oath);
- (b) an offence under section 44(1) or (2) of the Criminal Law (Consolidation) (Scotland) Act 1995 (false statements made on oath or otherwise than on oath); or
- (c) an offence under Article 7 or 10 of the <sup>M10</sup>Perjury (Northern Ireland) Order 1979 (false statements made on oath otherwise than in judicial proceedings or made otherwise than on oath).”

**Commencement Information**

**I6** Sch. 3 wholly in force at 14.12.2000; Sch. 3 not in force at Royal Assent see s. 68(3); Sch. 3 in force at 14.4.2000 in relation to England and Wales and Northern Ireland by [S.I. 2000/1034](#), [arts. 2\(a\), 3](#); Sch. 3 in force at 1.1.2001 in relation to Scotland by [S.S.I. 2000/445](#), [art. 2](#)

**Marginal Citations**

**M10** [S.I. 1979/1714 \(N.I. 19\)](#).

*Financial Services Act 1986 (c.60)*

- 10 The Financial Services Act 1986 is amended as follows.

**Commencement Information**

**I7** Sch. 3 wholly in force at 14.12.2000; Sch. 3 not in force at Royal Assent see s. 68(3); Sch. 3 in force at 14.4.2000 in relation to England and Wales and Northern Ireland by [S.I. 2000/1034](#), [arts. 2\(a\), 3](#); Sch. 3 in force at 1.1.2001 in relation to Scotland by [S.S.I. 2000/445](#), [art. 2](#)

- 11 In section 105 (powers of Secretary of State to investigate affairs of person carrying on investment business), after subsection (5) (use of statements made under the section) insert—

“(5A) However, in criminal proceedings in which that person is charged with an offence to which this subsection applies—

- (a) no evidence relating to the statement may be adduced, and

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(b) no question relating to it may be asked, by or on behalf of the prosecution, unless evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person.

(5B) Subsection (5A) above applies to any offence other than—

- (a) an offence under subsection (10) or section 200(1) below;
- (b) an offence under section 5 of the <sup>M11</sup>Perjury Act 1911 (false statements made otherwise than on oath);
- (c) an offence under section 44(2) of the <sup>M12</sup>Criminal Law (Consolidation) (Scotland) Act 1995 (false statements made otherwise than on oath); or
- (d) an offence under Article 10 of the <sup>M13</sup>Perjury (Northern Ireland) Order 1979 (false statements made otherwise than on oath).”

#### Commencement Information

**I8** Sch. 3 wholly in force at 14.12.2000; Sch. 3 not in force at Royal Assent see s. 68(3); Sch. 3 in force at 14.4.2000 in relation to England and Wales and Northern Ireland by [S.I. 2000/1034](#), [arts. 2\(a\), 3](#); Sch. 3 in force at 1.1.2001 in relation to Scotland by [S.S.I. 2000/445](#), [art. 2](#)

#### Marginal Citations

**M11** 1911 c. 6.  
**M12** 1995 c. 39.  
**M13** [S.I. 1979/1714 \(N.I. 19\)](#).

12 In section 177 (investigations into insider dealing), after subsection (6) (use of statements made under the section) insert—

“(6A) However, in criminal proceedings in which that person is charged with an offence to which this subsection applies—

- (a) no evidence relating to the statement may be adduced, and
- (b) no question relating to it may be asked,

by or on behalf of the prosecution, unless evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person.

(6B) Subsection (6A) above applies to any offence other than—

- (a) an offence under section 200(1) below;
- (b) an offence under section 2 or 5 of the Perjury Act 1911 (false statements made on oath otherwise than in judicial proceedings or made otherwise than on oath);
- (c) an offence under section 44(1) or (2) of the Criminal Law (Consolidation) (Scotland) Act 1995 (false statements made on oath or otherwise than on oath); or
- (d) an offence under Article 7 or 10 of the Perjury (Northern Ireland) Order 1979 (false statements made on oath otherwise than in judicial proceedings or made otherwise than on oath).”

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**Commencement Information**

**I9** Sch. 3 wholly in force at 14.12.2000; Sch. 3 not in force at Royal Assent see s. 68(3); Sch. 3 in force at 14.4.2000 in relation to England and Wales and Northern Ireland by S.I. 2000/1034, **arts. 2(a), 3**; Sch. 3 in force at 1.1.2001 in relation to Scotland by S.S.I. 2000/445, **art. 2**

*Companies (Northern Ireland) Order 1986 (N.I.6)*

<sup>F4</sup>13 .....

**Textual Amendments**

**F4** Sch. 3 paras. 13-15 repealed (1.10.2009) by The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009 (S.I. 2009/1941), art. 1(2), **Sch. 2** (with art. 10)

<sup>F4</sup>14 .....

**Textual Amendments**

**F4** Sch. 3 paras. 13-15 repealed (1.10.2009) by The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009 (S.I. 2009/1941), art. 1(2), **Sch. 2** (with art. 10)

<sup>F4</sup>15 .....

**Textual Amendments**

**F4** Sch. 3 paras. 13-15 repealed (1.10.2009) by The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009 (S.I. 2009/1941), art. 1(2), **Sch. 2** (with art. 10)

*Banking Act 1987 (c.22)*

16 The Banking Act 1987 is amended as follows.

**Commencement Information**

**I10** Sch. 3 wholly in force at 14.12.2000; Sch. 3 not in force at Royal Assent see s. 68(3); Sch. 3 in force at 14.4.2000 in relation to England and Wales and Northern Ireland by S.I. 2000/1034, **arts. 2(a), 3**; Sch. 3 in force at 1.1.2001 in relation to Scotland by S.S.I. 2000/445, **art. 2**

17 In section 39 (power of Financial Services Authority to obtain information etc. from authorised institutions), after subsection (12) (use of statements made under the section) insert—

“(12A) However, in criminal proceedings in which that person is charged with an offence to which this subsection applies—

- (a) no evidence relating to the statement may be adduced, and
- (b) no question relating to it may be asked,

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by or on behalf of the prosecution, unless evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person.

(12B) Subsection (12A) above applies to any offence other than—

- (a) an offence under subsection (11) above or section 94(1)(a) below;
- (b) an offence under section 5 of the <sup>M14</sup>Perjury Act 1911 (false statements made otherwise than on oath);
- (c) an offence under section 44(2) of <sup>M15</sup>the Criminal Law (Consolidation) (Scotland) Act 1995 (false statements made otherwise than on oath); or
- (d) an offence under Article 10 of the Perjury (Northern Ireland) Order 1979 (false statements made otherwise than on oath)."

#### Commencement Information

**I11** Sch. 3 wholly in force at 14.12.2000; Sch. 3 not in force at Royal Assent see s. 68(3); Sch. 3 in force at 14.4.2000 in relation to England and Wales and Northern Ireland by [S.I. 2000/1034](#), [arts. 2\(a\), 3](#); Sch. 3 in force at 1.1.2001 in relation to Scotland by [S.S.I. 2000/445](#), [art. 2](#)

#### Marginal Citations

**M14** [1911 c. 6](#).

**M15** [1995 c. 39](#).

18 In section 41 (investigations into authorised institutions by Financial Services Authority), after subsection (10) (use of statements made under the section) insert—

“(10A) However, in criminal proceedings in which that person is charged with an offence to which this subsection applies—

- (a) no evidence relating to the statement may be adduced, and
- (b) no question relating to it may be asked,

by or on behalf of the prosecution, unless evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person.

(10B) Subsection (10A) above applies to any offence other than—

- (a) an offence under subsection (9)(c) above or section 94(4) below;
- (b) an offence under section 5 of the <sup>M16</sup>Perjury Act 1911 (false statements made otherwise than on oath);
- (c) an offence under section 44(2) of the <sup>M17</sup>Criminal Law (Consolidation) (Scotland) Act 1995 (false statements made otherwise than on oath); or
- (d) an offence under Article 10 of the <sup>M18</sup>Perjury (Northern Ireland) Order 1979 (false statements made otherwise than on oath)."

#### Commencement Information

**I12** Sch. 3 wholly in force at 14.12.2000; Sch. 3 not in force at Royal Assent see s. 68(3); Sch. 3 in force at 14.4.2000 in relation to England and Wales and Northern Ireland by [S.I. 2000/1034](#), [arts. 2\(a\), 3](#); Sch. 3 in force at 1.1.2001 in relation to Scotland by [S.S.I. 2000/445](#), [art. 2](#)



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#### Marginal Citations

- M16** 1911 c. 6.  
**M17** 1995 c. 39.  
**M18** S.I. 1979/1714 (N.I. 19).

19 In section 42 (investigations by Financial Services Authority into suspected contraventions of sections 3 and 35), after subsection (5) (use of statements made under the section) insert—

“(5A) However, in criminal proceedings in which that person is charged with an offence to which this subsection applies—

- (a) no evidence relating to the statement may be adduced, and
- (b) no question relating to it may be asked,

by or on behalf of the prosecution, unless evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person.

(5B) Subsection (5A) above applies to any offence other than—

- (a) an offence under subsection (4) above or section 94(1)(a) below;
- (b) an offence under section 5 of the Perjury Act 1911 (false statements made otherwise than on oath);
- (c) an offence under section 44(2) of the Criminal Law (Consolidation) (Scotland) Act 1995 (false statements made otherwise than on oath); or
- (d) an offence under Article 10 of the Perjury (Northern Ireland) Order 1979 (false statements made otherwise than on oath).”

#### Commencement Information

- I13** Sch. 3 wholly in force at 14.12.2000; Sch. 3 not in force at Royal Assent see s. 68(3); Sch. 3 in force at 14.4.2000 in relation to England and Wales and Northern Ireland by [S.I. 2000/1034](#), **arts. 2(a), 3**; Sch. 3 in force at 1.1.2001 in relation to Scotland by [S.S.I. 2000/445](#), **art. 2**

#### *Criminal Justice Act 1987 (c.38)*

20 After subsection (8) of section 2 of the Criminal Justice Act 1987 (use of statements made in response to requirements imposed by the Director of the Serious Fraud Office) insert—

“(8AA) However, the statement may not be used against that person by virtue of paragraph (b) of subsection (8) unless evidence relating to it is adduced, or a question relating to it is asked, by or on behalf of that person in the proceedings arising out of the prosecution.”

#### Commencement Information

- I14** Sch. 3 wholly in force at 14.12.2000; Sch. 3 not in force at Royal Assent see s. 68(3); Sch. 3 in force at 14.4.2000 in relation to England and Wales and Northern Ireland by [S.I. 2000/1034](#), **arts. 2(a), 3**; Sch. 3 in force at 1.1.2001 in relation to Scotland by [S.S.I. 2000/445](#), **art. 2**

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*Companies Act 1989 (c.40)*

- 21 In section 83 (powers exercisable for purposes of assisting an overseas regulatory authority), after subsection (6) (use of statements made under the section) insert—
- “(6A) However, in criminal proceedings in which that person is charged with an offence to which this subsection applies—
- (a) no evidence relating to the statement may be adduced, and
  - (b) no question relating to it may be asked,
- by or on behalf of the prosecution, unless evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person.
- (6B) Subsection (6A) applies to any offence other than—
- (a) an offence under section 85;
  - (b) an offence under section 2 or 5 of the <sup>M19</sup>Perjury Act 1911 (false statements made on oath otherwise than in judicial proceedings or made otherwise than on oath);
  - (c) an offence under section 44(1) or (2) of the <sup>M20</sup>Criminal Law (Consolidation) (Scotland) Act 1995 (false statements made on oath or otherwise than on oath); or
  - (d) an offence under Article 7 or 10 of the <sup>M21</sup>Perjury (Northern Ireland) Order 1979 (false statements made on oath otherwise than in judicial proceedings or made otherwise than on oath).”

**Commencement Information**

**I15** Sch. 3 wholly in force at 14.12.2000; Sch. 3 not in force at Royal Assent see s. 68(3); Sch. 3 in force at 14.4.2000 in relation to England and Wales and Northern Ireland by [S.I. 2000/1034](#), [arts. 2\(a\)](#), 3; Sch. 3 in force at 1.1.2001 in relation to Scotland by [S.S.I. 2000/445](#), [art. 2](#)

**Marginal Citations**

**M19** 1911 c. 6.  
**M20** 1995 c. 39.  
**M21** [S.I. 1979/1714 \(N.I. 19\)](#).

*Companies (Northern Ireland) Order 1989 (N.I.18)*

<sup>F5</sup>22 .....

**Textual Amendments**

**F5** Sch. 3 para. 22 repealed (N.I.) (5.9.2003) by [The Company Directors Disqualification \(Northern Ireland\) Order 2002 \(S.I. 2002/3150\)](#), [art. 1\(2\)](#), [Sch. 4](#) (with [Sch. 2](#)); [S.R. 2003/345](#), [art. 3\(2\)](#) (subject to [S.R. 2003/346](#), [arts. 3-6](#))

*Insolvency (Northern Ireland) Order 1989 (N.I.19)*

- 23 (1) Article 375 of the <sup>M22</sup>Insolvency (Northern Ireland) Order 1989 (admissibility in evidence of statements of affairs etc.) is amended as follows.

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(2) That Article is renumbered as paragraph (1) of that Article.

(3) After that paragraph insert—

“(2) However, in criminal proceedings in which any such person is charged with an offence to which this paragraph applies—

- (a) no evidence relating to the statement may be adduced, and
- (b) no question relating to it may be asked,

by or on behalf of the prosecution, unless evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person.

(3) Paragraph (2) applies to any offence other than—

- (a) an offence under Article 34(6), 57(6), 58(8), 81(7), 84(5), 85(3)(a), 111(7), 162(2), 172(1)(a) or (d) or (2), 174, 199(5), 324(1), 325(1)(b) or (5) or 327(1) or (3)(a) or (b);
- (b) an offence which is—
  - (i) created by rules made under this Order, and
  - (ii) designated for the purposes of this paragraph by such rules or by regulations;
- (c) an offence which is—
  - (i) created by regulations made under any such rules, and
  - (ii) designated for the purposes of this paragraph by such regulations; or
- (d) an offence under Article 3, 7 or 10 of the <sup>M23</sup>Perjury (Northern Ireland) Order 1979 (false statements made on oath or made otherwise than on oath).

(4) Regulations under paragraph (3)(b)(ii) shall after being made be laid before the Assembly.”

**Marginal Citations**

**M22** S.I. 1989/2405.

**M23** S.I. 1979/1714 (N.I. 19).

*Friendly Societies Act 1992 (c.40)*

24 In section 67 of the Friendly Societies Act 1992 (supplementary provisions about inspections carried out at the behest of the Friendly Societies Commission), after subsection (5) (use of statements made under the section) insert—

“(5A) However, in criminal proceedings in which that person is charged with an offence to which this subsection applies—

- (a) no evidence relating to the statement may be adduced, and
- (b) no question relating to it may be asked,

by or on behalf of the prosecution, unless evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person.

(5B) Subsection (5A) above applies to any offence other than—

*Status: Point in time view as at 19/05/2022.*

**Changes to legislation:** *Youth Justice and Criminal Evidence Act 1999, SCHEDULE 3 is up to date with all changes known to be in force on or before 03 June 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)*

- (a) an offence under section 2 or 5 of the <sup>M24</sup>Perjury Act 1911 (false statements made on oath otherwise than in judicial proceedings or made otherwise than on oath);
- (b) an offence under section 44(1) or (2) of the <sup>M25</sup>Criminal Law (Consolidation) (Scotland) Act 1995 (false statements made on oath or otherwise than on oath); or
- (c) an offence under Article 7 or 10 of the Perjury (Northern Ireland) Order 1979 (false statements made on oath otherwise than in judicial proceedings or made otherwise than on oath)."

#### Commencement Information

**I16** Sch. 3 wholly in force at 14.12.2000; Sch. 3 not in force at Royal Assent see s. 68(3); Sch. 3 in force at 14.4.2000 in relation to England and Wales and Northern Ireland by [S.I. 2000/1034](#), **arts. 2(a), 3**; Sch. 3 in force at 1.1.2001 in relation to Scotland by [S.S.I. 2000/445](#), **art. 2**

#### Marginal Citations

**M24** [1911 c. 6](#).

**M25** [1995 c. 39](#).

#### *Criminal Law (Consolidation) (Scotland) Act 1995 (c.39)*

- 25 After subsection (5) of section 28 of the Criminal Law (Consolidation) (Scotland) Act 1995 (use of statements made in response to requirements imposed by a nominated officer) insert—

“(5A) However, the statement may not be used against that person by virtue of paragraph (b) of subsection (5) unless evidence relating to it is adduced, or a question relating to it is asked, by or on behalf of that person in the proceedings arising out of the prosecution.”

#### *Proceeds of Crime (Northern Ireland) Order 1996 (N.I.9)*

- 26 In paragraph 6 of Schedule 2 to the <sup>M26</sup>Proceeds of Crime (Northern Ireland) Order 1996 (admissibility of evidence), for sub-paragraph (b) substitute—

“(b) on his prosecution for some other offence where evidence relating to any such answer or information is adduced, or a question relating to it is asked, by or on behalf of that person; or”.

#### Marginal Citations

**M26** [S.I. 1996/1299](#).

**Status:**

Point in time view as at 19/05/2022.

**Changes to legislation:**

Youth Justice and Criminal Evidence Act 1999, SCHEDULE 3 is up to date with all changes known to be in force on or before 03 June 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.