

Status: Point in time view as at 25/08/2000.

Changes to legislation: Youth Justice and Criminal Evidence Act 1999, Cross Heading: Insolvency Act 1986 (c.45) is up to date with all changes known to be in force on or before 08 July 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

RESTRICTION ON USE OF ANSWERS ETC. OBTAINED UNDER COMPULSION

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 ^{M1}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.”

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Commencement Information

- II** 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

- M1** [1911 c. 6.](#)

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