

Status: Point in time view as at 13/04/2015.

Changes to legislation: Youth Justice and Criminal Evidence Act 1999, Cross Heading: Insurance Companies Act 1982 (c.50) is up to date with all changes known to be in force on or before 01 September 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

Insurance Companies Act 1982 (c.50)

1 The Insurance Companies Act 1982 is amended as follows.

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 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 ^{M1}Perjury Act 1911 (false statements made otherwise than on oath);
- (c) an offence under section 44(2) of the ^{M2}Criminal Law (Consolidation) (Scotland) Act 1995 (false statements made otherwise than on oath); or
- (d) an offence under Article 10 of the ^{M3}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 ^{M4}Perjury Act 1911 (false statements made otherwise than on oath);
- (c) an offence under section 44(2) of the ^{M5}Criminal Law (Consolidation) (Scotland) Act 1995 (false statements made otherwise than on oath); or
- (d) an offence under Article 10 of the ^{M6}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 \(N.I. 19\)](#).

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