



Banking Act 2009

2009 CHAPTER 1

PART 1

SPECIAL RESOLUTION REGIME

[^{F1}CHAPTER 4

INFORMATION, INVESTIGATION AND ENFORCEMENT

Conduct of investigations

[^{F1}83ZI. Admissibility of statements made to investigators

- (1) A statement made to an investigator appointed under section 83ZC or 83ZD by a person in compliance with an information requirement is admissible in evidence in any proceedings, so long as it also complies with any requirements governing the admissibility of evidence in the circumstances in question.
- (2) But 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, the PRA or the FCA (as the case may be), 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 one under—
 - (a) section 83ZN(4),
 - (b) section 398 of the Financial Services and Markets Act 2000 (misleading FCA or PRA: residual cases),
 - (c) section 5 of the Perjury Act 1911 (false statements made otherwise than on oath),

Changes to legislation: Banking Act 2009, Section 83ZI is up to date with all changes known to be in force on or before 02 August 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) View outstanding changes

- (d) section 44(2) of the Criminal Law (Consolidation) (Scotland) Act 1995 (false statements made otherwise than on oath), or
 - (e) Article 10 of the Perjury (Northern Ireland) Order 1979.
- (4) “Information requirement” means a requirement imposed by an investigator under section 83ZG, 83ZH or 83ZJ.]

Textual Amendments

- F1** Pt. 1 Ch. 4 inserted (1.1.2015) by [The Bank Recovery and Resolution Order 2014 \(S.I. 2014/3329\)](#), arts. 1(2), 97

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 4(8A)(8B) inserted by [2012 c. 21 s. 96\(3\)](#)
- s. 8(2)(d) and word inserted by [2012 c. 21 s. 96\(4\)\(b\)](#)