

STATUTORY INSTRUMENTS

2020 No. 1265

The Greenhouse Gas Emissions Trading Scheme Order 2020

PART 6

Monitoring compliance

Admissible evidence

42.—(1) An answer given by a person in compliance with article 40(1)(c)(ii) is admissible in evidence—

- (a) in England, Wales and Northern Ireland, against that person in any proceedings;
- (b) in Scotland, against that person in criminal proceedings.

(2) In criminal proceedings in which the person referred to in paragraph (1) is charged with an offence, no evidence relating to the person's answer may be adduced and no question relating to it may be asked by, or on behalf of, the prosecution unless evidence relating to it has been adduced by, or on behalf of, the person.

(3) Paragraph (2) does not apply to an offence under—

- (a) section 5 of the Perjury Act 1911 ^{M1};
- (b) section 44(2) of the Criminal Law (Consolidation) (Scotland) Act 1995 ^{M2}; or
- (c) article 10 of the Perjury (Northern Ireland) Order 1979 ^{M3}.

Commencement Information

II Art. 42 in force at 12.11.2020, see [art. 2\(1\)](#)

Marginal Citations

M1 1911 c. 6.

M2 1995 c. 39; section 44(2) was amended by section 200(2)(b) of the [Criminal Justice and Licensing \(Scotland\) Act 2010 \(asp 13\)](#).

M3 1979 No. 1714 (N.I. 19).

Changes to legislation:

There are currently no known outstanding effects for the The Greenhouse Gas Emissions Trading Scheme Order 2020, Section 42.