

## STATUTORY INSTRUMENTS

# 2002 No. 3150

## The Company Directors Disqualification (Northern Ireland) Order 2002

### *Miscellaneous and general*

#### **Admissibility in evidence of statements**

**23.**—(1) In any proceedings (whether or not under this Order), any statement made in pursuance of a requirement imposed by or under Articles [F<sup>1</sup>8A to 14, 17A] or 19 [F<sup>2</sup>to 19C] or Schedule 1 or by or under rules made for the purposes of this Order under [F<sup>3</sup>the Insolvency (Northern Ireland) Order 1989], may be used in evidence against any person making or concurring in making the statement.

(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 which is—
  - (i) created by rules made for the purposes of this Order under [F<sup>4</sup>the Insolvency (Northern Ireland) Order 1989], and
  - (ii) designated for the purposes of this paragraph by such rules or by regulations;
- (b) 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
- (c) an offence under Article 10 of the Perjury (Northern Ireland) Order 1979 (NI 19) (false statements made otherwise than on oath).

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

**F1** Words in art. 23(1) substituted (1.10.2015) by [Small Business, Enterprise and Employment Act 2015](#) (c. 26), s. 164(1), [Sch. 8 para. 9\(14\)\(a\)](#); S.I. 2015/1689, reg. 2(h)

**F2** Words in art. 23(1) inserted (1.10.2015) by [Small Business, Enterprise and Employment Act 2015](#) (c. 26), s. 164(1), [Sch. 8 para. 9\(14\)\(b\)](#); S.I. 2015/1689, reg. 2(h)

**F3** Words in art. 23(1) substituted (1.10.2009) by [Companies Act 2006 \(Consequential Amendments, Transitional Provisions and Savings\) Order 2009](#) (S.I. 2009/1941), art. 2(1), [Sch. 1 para. 209](#) (with art. 10)

**F4** Words in art. 23(3)(a)(i) substituted (1.10.2009) by [Companies Act 2006 \(Consequential Amendments, Transitional Provisions and Savings\) Order 2009](#) (S.I. 2009/1941), art. 2(1), [Sch. 1 para. 209](#) (with art. 10)

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**Changes to legislation:** There are currently no known outstanding effects for the The Company  
Directors Disqualification (Northern Ireland) Order 2002, Section 23. (See end of Document for details)

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**Modifications etc. (not altering text)**

**C1** Art. 23 applied by S.I. 1989/638, **reg. 20(2)** (as inserted (1.10.2009) by [European Economic Interest Grouping \(Amendment\) Regulations 2009 \(S.I. 2009/2399\)](#)), {reg. 21(4)} (with reg. 2))

**Changes to legislation:**

There are currently no known outstanding effects for the The Company Directors Disqualification (Northern Ireland) Order 2002, Section 23.