



Company Directors Disqualification Act 1986

1986 CHAPTER 46

Miscellaneous and general

20 Admissibility in evidence of statements.

^{F1}(1) In any proceedings (whether or not under this Act), any statement made in pursuance of a requirement imposed by or under sections ^{F2}5A, 6 to 10, 12C, 15 to 15C] or 19(c) of, or Schedule 1 to, this Act, or by or under rules made for the purposes of this Act under the Insolvency Act ^{F3}1986], may be used in evidence against any person making or concurring in making the statement.

^{F4}(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 which is—
 - (i) created by rules made for the purposes of this Act under the Insolvency Act ^{F5}1986], and
 - (ii) designated for the purposes of this subsection by such rules or by regulations made by the Secretary of State;
- (b) 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;
- (c) an offence under section 5 of the ^{M1}Perjury Act 1911 (false statements made otherwise than on oath); or
- (d) an offence under section 44(2) of the ^{M2}Criminal Law (Consolidation) (Scotland) Act 1995 (false statements made otherwise than on oath).

Changes to legislation: There are currently no known outstanding effects for the Company Directors Disqualification Act 1986, Section 20. (See end of Document for details)

- (4) Regulations under subsection (3)(a)(ii) shall be made by statutory instrument and, after being made, shall be laid before each House of Parliament.]

Textual Amendments

- F1** S. 20 renumbered as s. 20(1) (E.W.) (14.4.2000) and (S.) (1.1.2001) by 1999 c. 23, ss. 59, **Sch. 3 para. 8(2)** (with s. 63(2), **Sch. 7 paras. 3(3), 5(2)**); S.I. 2000/1034, **art. 2(a)** and S.S.I. 2000/445, **art. 2**
- F2** Words in s. 20(1) substituted (26.5.2015 for specified purposes, 1.10.2015 in so far as not already in force) by **Small Business, Enterprise and Employment Act 2015** (c. 26), s. 164(1), **Sch. 7 para. 15**; S.I. 2015/1329, reg. 3(c); S.I. 2015/1689, reg. 2(g)
- F3** Words in s. 20(1) inserted (1.10.2009) by **The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009** (S.I. 2009/1941), art. 2(1), **Sch. 1 para. 85(6)(a)** (with art. 10)
- F4** S. 20(2)-(4) inserted (E.W.) (14.4.2000) and (S.) (1.1.2001) by 1999 c. 23, ss. 59, **Sch. 3 para. 8(1)(3)** (with s. 63(2), **Sch. 7 paras. 3(3), 5(2)**); S.I. 2000/1034, **art. 2(a)** and S.S.I. 2000/445, **art. 2**
- F5** Words in s. 20(3)(a)(i) inserted (1.10.2009) by **The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009** (S.I. 2009/1941), art. 2(1), {**Sch. 1 para. 85(6)(a)**} (with art. 10)

Modifications etc. (not altering text)

- C1** Ss. 19(c), 20 extended (with modifications) by S.I. 1986/2142, **art. 6**
- C2** S. 20 extended (with modifications) (1.7.1989) by S.I. 1989/638, **regs. 20, 21**
- C3** S. 20 applied (1.12.1994) by S.I. 1994/2421, art. 16, **Sch. 8**
- C4** S. 20 applied (with modifications) by S.I. 1994/2421, art. 16, **Sch. 8** (as amended (E.W.) (8.12.2017) by **The Insolvency (Miscellaneous Amendments) Regulations 2017** (S.I. 2017/1119), reg. 1(1), **Sch. 2 paras. 4, 8**)

Marginal Citations

- M1** 1911 c. 6.
- M2** 1995 c. 39.

Changes to legislation:

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