



Interception of Communications Act 1985

1985 CHAPTER 56

9 Exclusion of evidence

- (1) In any proceedings before any court or tribunal no evidence shall be adduced and no question in cross-examination shall be asked which (in either case) tends to suggest—
 - (a) that an offence under section 1 above has been or is to be committed by any of the persons mentioned in subsection (2) below ; or
 - (b) that a warrant has been or is to be issued to any of those persons.
- (2) The persons referred to in subsection (1) above are—
 - (a) any person holding office under the Crown ;
 - (b) the Post Office and any person engaged in the business of the Post Office; and
 - (c) any public telecommunications operator and any person engaged in the running of a public telecommunication system.
- (3) Subsection (1) above does not apply—
 - (a) in relation to proceedings for a relevant offence or proceedings before the Tribunal; or
 - (b) where the evidence is adduced or the question in cross examination is asked for the purpose of establishing the fairness or unfairness of a dismissal on grounds of an offence under section 1 above or of conduct from which such an offence might be inferred;and paragraph (a) of that subsection does not apply where a person has been convicted of the offence under that section.
- (4) In this section " relevant offence " means—
 - (a) an offence under section 1 above or under section 45 of the Telegraph Act 1863, section 20 of the Telegraph Act 1868, section 58 of the Post Office Act 1953 or section 45 of the 1984 Act;
 - (b) an offence under section 1 or 2 of the Official Secrets Act 1911 relating to any sketch, plan, model, article, note, document or information which tends to suggest as mentioned in subsection (1) above ;
 - (c) perjury committed in the course of proceedings for a relevant offence;

Status: This is the original version (as it was originally enacted).

- (d) attempting or conspiring to commit, or aiding, abetting counselling or procuring the commission of, an offence falling within any of the preceding paragraphs; and
- (e) contempt of court committed in the course of, or in relation to, proceedings for a relevant offence.