

ORDER IN COUNCIL

**XIII
2010**

ratifying a Projet de Loi

ENTITLED

The Statements Obtained Under Compulsion (Restriction of Use) (Bailiwick of Guernsey) Law, 2009

(Registered on the Records of the Island of Guernsey
on the 5th August, 2010.)



2010

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

5th day of August, 2010 before Sir Geoffrey Rowland, Bailiff; present:- Stephen Edward Francis Le Poidevin, David Osmond Le Conte, John Ferguson, Stephen Murray Jones, Peter Sean Trueman Girard, Niall David McCathie, Esquires, and Margaret Ann Spaargaren, Jurats.

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated 21st July, 2010, approving and ratifying a Projet de Loi entitled “The Statements Obtained Under Compulsion (Restriction of Use) (Bailiwick of Guernsey) Law, 2009”, THE COURT, after the reading of the said Order in Council and after having heard Crown Advocate Robert Titterington, Contrôle Délégué thereon, ORDERED: -

1. That the said Order in Council be registered on the records of this Island;
and
2. That an extract of this present Act, together with a copy of the said Order in Council be sent by Her Majesty’s Greffier to the Greffier of the Court of Alderney and to the SÉNÉSCHAL of Sark for registration on the records of those Islands respectively.



At the Court at Buckingham Palace

THE 21st DAY OF JULY 2010

PRESENT,

THE QUEEN'S MOST EXCELLENT MAJESTY
IN COUNCIL

The following report from the Committee of Council for the Affairs of Jersey and Guernsey was today read at the Board:

"In accordance with Your Majesty's General Order of Reference of 22nd February 1952 the Committee have considered a Petition of the States of Guernsey:

"That, in pursuance of their Resolution of 27th May 2009, the States of Deliberation at a meeting on 24th June 2009 approved a Projet de Loi entitled the Statements Obtained Under Compulsion (Restriction of Use) (Bailiwick of Guernsey) Law, 2009 and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction to it. That the States of the Island of Alderney at a meeting held on 23rd September 2009 considered the Projet de Loi when a Resolution was passed agreeing to the application to Alderney. That the Chief Pleas of the Island of Sark at a meeting held on 8th July 2009 considered the Projet de Loi when a Resolution was passed agreeing to the application to Sark. That the Projet de Loi is as set forth in the attached Schedule. The Petition most humbly prays that Your Majesty might be graciously pleased to sanction the Statements Obtained Under Compulsion (Restriction of Use) (Bailiwick of Guernsey) Law, 2009, and to order that it shall have force of law in the Bailiwick of Guernsey.

"The Committee have considered the Projet de Loi and have agreed to report that it may be advisable for Your Majesty to approve and ratify it".

Her Majesty, having taken the report into consideration, was pleased, by and with the advice of Her Privy Council, to approve and ratify the Projet de Loi (a copy of which is annexed to this Order) and to order that it, together with this Order, shall have the force of law in the Bailiwick of Guernsey and shall be entered on the Register of the Island of Guernsey and observed accordingly.

Her Majesty's Officers in the Bailiwick of Guernsey, and all others whom it may concern, are therefore to take notice of Her Majesty's Order and to proceed accordingly.

Judith Simpson

PROJET DE LOI

ENTITLED

The Statements Obtained Under Compulsion (Restriction of Use) (Bailiwick of Guernsey) Law, 2009

THE STATES, in pursuance of their Resolution of the 27th May, 2009^a has approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Bailiwick of Guernsey.

Amendment of provisions relating to the use of statements obtained under compulsion.

1. In the statutes listed in Column 1 of the Schedule, the provisions listed in Column 2 are replaced by the provisions detailed in Column 3.

Amendment of the Schedule.

2. The Schedule may be amended by Ordinance of the States where –

- (a) a provision in a statute provides that a statement obtained under compulsion may be used in evidence and the proposed amendment limits the use of such statements, or
- (b) a provision in a statute provides that a statement obtained under compulsion may not be used in evidence in proceedings and the proposed amendment permits the use of such statements –

^a Article IV of Billet d'État No. XIII of 2009.

- (i) in proceedings other than criminal proceedings,
- (ii) in proceedings for making a false statement,
- (iii) in proceedings for perjury,
- (iv) in proceedings for perverting the course of justice,
- (v) in proceedings for contempt of court.

Interpretation.

3. (1) In this Law, unless the context requires otherwise -

"**States**" means, in relation to each statute, whichever of the States of Deliberation, States of Alderney or Chief Pleas of Sark approved the statute in order for it to have effect,

"**statute**" means Laws and Ordinances which apply in any one or more of the Islands in the Bailiwick of Guernsey.

- (2) Any reference in this Law to an enactment is a reference thereto as from time to time amended, re-enacted (with or without modification), extended or applied.

- (3) The provisions of the Interpretation (Guernsey) Law, 1948^b apply to the interpretation of this Law throughout the Bailiwick.

^b Ordres en Conseil Vol. XIII, p. 355.

General provisions as to subordinate legislation.

4. (1) An Ordinance under this Law -
 - (a) may be amended or repealed by a subsequent Ordinance hereunder, and
 - (b) may contain such consequential, incidental, supplementary, transitional and savings provisions as may appear to be necessary or expedient including, without limitation, provisions repealing, amending or modifying any enactment (whether passed before or after the commencement of this Law).
- (2) Any power conferred by this Law to make any Ordinance, may be exercised -
 - (a) in relation to all cases to which the power extends, or in relation to all those cases subject to specified exceptions, or in relation to any specified cases or classes of cases,
 - (b) so as to make, as respects the cases in relation to which it is exercised -
 - (i) the full provision to which the power extends, or any lesser provision (whether by way of exception or otherwise),
 - (ii) the same provision for all cases, or different provision for different cases or classes of cases, or different provision for the same case or class of

case for different purposes,

- (iii) any such provision either unconditionally or subject to any prescribed conditions.

Citation.

5. This Law may be cited as the Statements Obtained Under Compulsion (Restriction of Use) (Bailiwick of Guernsey) Law, 2009.

K.H. TOUGH,
Her Majesty's Greffier.

SCHEDULE

Section 1

Title of Statute (Column 1)	Provision to be replaced (Column 2)	New provision (Column 3)
Avian Influenza (Precautionary Measures) and Miscellaneous Provisions (Amendment) Ordinance 2006 ^c ,	Section 23(5)	<p>23(5) A statement made by a person in response to a requirement imposed by or under this section –</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except –</p> <p style="padding-left: 40px;">(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p style="padding-left: 40px;">(ii) in proceedings for –</p> <p style="padding-left: 80px;">(A) an offence under subsection (2),</p> <p style="padding-left: 80px;">(B) some other offence where, in giving</p>

^c Ordinance No. XXXIV of 2006

		<p>evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
Banking Supervision (Bailiwick of Guernsey) Law, 1994 ^d	Section 25(13) and (13A)	<p>25(13) A statement made by a person in response to a requirement imposed by or under any provision of this section –</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except –</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for –</p>

^d Order in Council No. XIII of 1994; amended by No's. XVII and XXI of 2002, No. XVI of 2003; No. XVI of 2008; No. IV of 2009; Ordinance No. XXXIII of 2003 and Statutory Instrument No.1 of 2008.

		<p>(A) an offence under subsection (12) or section 47(1)(b) (but only in relation to a requirement imposed by or under this section),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
	Section 26A(6) and (7)	<p>26A(6) A statement made by a person in response to a requirement imposed under a warrant granted under section 26 –</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except –</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p>

		<p>(ii) in proceedings for –</p> <p>(A) an offence under subsection (5) or section 47(1)(b) (but only in relation to a requirement imposed by or under this section),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
	Section 27(9) and (9A)	<p>27(9) A statement made by a person in response to a requirement imposed by or under any provision of this section –</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except –</p> <p>(i) where evidence relating to it is</p>

		<p>adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for –</p> <p>(A) an offence under subsection (8) or section 47(1)(b) (but only in relation to a requirement imposed by or under this section),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
	Section 28(4) and (4A)	<p>28(4) A statement made by a person in response to a requirement imposed by or under any provision of this section –</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in</p>

		<p>criminal proceedings except -</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for –</p> <p>(A) an offence under subsection (3) or section 47(1)(b) (but only in relation to a requirement imposed by or under this section),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
	<p>Section 29(6) and (7)</p>	<p>29(6) A statement made by a person in response to a requirement imposed by or under any provision of this section –</p> <p>(a) may be used in evidence against him in</p>

		<p>proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except -</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for -</p> <p>(A) an offence under subsection (5) or section 47(1)(b) (but only in relation to a requirement imposed by or under this section),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
Companies (Alderney) Law,	Section 149(2)	149(2) A statement made by a person in compliance with a requirement made of him by an inspector for

1994 ^e		<p>the purposes of an investigation under this Part of this Law -</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except -</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for –</p> <p>(A) an offence under subsection (1),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
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^e Order in Council No. XXXIV of 1994, as amended by No. XV of 2002.

Companies (Guernsey) Law, 2008 ^f	Section 264(3)	<p>264(3) A statement made by a person in response to a requirement under this section -</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except -</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for –</p> <p>(A) an offence under section 266,</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p>

^f Order in Council No. VIII of 2008.

		(D) perverting the course of justice.
	Section 265(4)	<p>265(4) A statement made by a person in response to a requirement under this section –</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except –</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for –</p> <p>(A) an offence under section 266,</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>

Company Securities (Insider Dealing) (Bailiwick of Guernsey) Law, 1996 ^g	Section 10(8)	<p>10(8) A statement made by a person in compliance with a requirement imposed under this section -</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except -</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for –</p> <p>(A) an offence under section 16(1) or 17(1),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p>

^g Order in Council No. III of 1996; amended by No. XVI of 2001 and by Ordinance XXXIII of 2003.

		(D) perverting the course of justice.
	Section 11(4)	<p>11(4) A statement made by a person in compliance with a requirement imposed under this section –</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except –</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for –</p> <p>(A) an offence under section 16(1) or 17(1),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p>

		(D) perverting the course of justice.
Conditions of Employment (Guernsey) Law, 1985 ^h	Section 10A(10)	<p>10A(10) A statement made by a person in compliance with a requirement imposed under this section -</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except -</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for -</p> <p>(A) an offence under subsection (4),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p>

^h Ordres en Conseil Vol. XXIX, p. 42; amended by No. I of 1992; No. XXIII of 1994; Ordinance XXXIII of 2003; and Ordinance XXXI of 2005.

		<p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
<p>Criminal Justice (Fraud Investigation) (Bailiwick of Guernsey) Law, 1991ⁱ</p>	<p>Section 1(7)</p>	<p>1(7) A statement by a person in response to a requirement imposed by virtue of this section –</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except –</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for –</p> <p>(A) an offence under subsection (12),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the</p>

ⁱ Order in Council No. III of 1991; amended by Order in Council No. II of 2003 and Ordinance No. XXXIII of 2003.

		<p>inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
Criminal Justice (Proceeds of Crime) Law, 1999 ^j	Section 48E	<p>48E. A statement made by a financial services business in response to a customer information order –</p> <p>(a) may be used in evidence against it in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against it in criminal proceedings except –</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that financial services business, or</p> <p>(ii) in proceedings –</p> <p>(A) under Part I,</p>

^j Order in Council No. VIII of 1999, as amended by Orders in Council Nos. II of 2005, and XV of 2007; Ordinances Nos. XXVIII of 1999, XII of 2002, XXXIII of 2003, XLVII of 2007, XXXVII of 2008; and, G.S.I. Nos 27 of 2002, 33 of 2007, 48 of 2008 and 73 of 2008.

		<p>(B) for an offence under section 48D(1) or (3),</p> <p>(C) for some other offence where, in giving evidence, the financial services business makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(D) for perjury, or</p> <p>(E) for perverting the course of justice.</p>
	Section 48K	<p>48K. A statement made by a financial services business in response to an account monitoring order –</p> <p>(a) may be used in evidence against it in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against it in criminal proceedings except –</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that financial services business, or</p> <p>(ii) in proceedings –</p>

		<p>(A) under Part I,</p> <p>(B) for an offence under section 48J(1) or (3),</p> <p>(C) for some other offence where, in giving evidence, the financial services business makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(D) for perjury, or</p> <p>(E) for perverting the course of justice.</p>
	Section 49B(5)	<p>49B(5) A statement made by a person in response to a requirement under this section –</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except –</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p>

		<p>(ii) in proceedings for –</p> <p>(A) an offence under subsection (7) or (8),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
	Section 49C(6)	<p>49C(6) A statement made by a person in response to a requirement imposed by or under a warrant under this section –</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except –</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p>

		<p>(ii) in proceedings for –</p> <p>(A) an offence under subsection (8) or (9),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
Drug Trafficking (Bailiwick of Guernsey) Law, 2000 ^k	Section 67E	<p>67E. A statement made by a financial services business in response to a customer information order –</p> <p>(a) may be used in evidence against it in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against it in criminal proceedings except –</p> <p>(i) where evidence relating to the statement is adduced, or a question relating to it</p>

^k Order in Council No. VII of 2000; No. II of 2005; No. XVII of 2007; No. XVI of 2007; No. XVII of 2008; Ordinance No. XXXIII of 2003; and No. XXXVIII of 2008.

		<p>is asked, in the proceedings by or on behalf of that financial services business, or</p> <p>(ii) in proceedings –</p> <p>(A) under Part I,</p> <p>(B) for an offence under section 67D(1) or (3),</p> <p>(C) for some other offence where, in giving evidence, the financial services business makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(D) for perjury, or</p> <p>(E) for perverting the course of justice.</p>
	Section 67K	<p>67K A statement made by a financial services business in response to an account monitoring order –</p> <p>(a) may be used in evidence against it in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against it in criminal proceedings except –</p>

		<p>(i) where evidence relating to the statement is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that financial services business, or</p> <p>(ii) in proceedings –</p> <p>(A) under Part I,</p> <p>(B) for an offence under section 67J(1) or (3),</p> <p>(C) for some other offence where, in giving evidence, the financial services business makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(D) for perjury, or</p> <p>(E) for perverting the course of justice.</p>
Duty on Share Transfers	Section 11(5)	11(5) A statement made by a person in compliance with a requirement of the Clerk under subsection (1)

(Alderney) Law, 1994 ¹		<p>–</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except –</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for –</p> <p>(A) an offence under section 12(1),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
Environmental	Section	60(2) A statement made by a person in response to a

¹ Order in Council No. II of 1994.

<p>Pollution (Guernsey) Law, 2004^m</p>	<p>60(2)</p>	<p>requirement imposed by or under this Law –</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except –</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for –</p> <p>(A) an offence under subsection 67(3),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
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^m Order in Council No. XIII of 2004.

<p>False Documents and Domicile etc (Bailiwick of Guernsey) Law, 1998ⁿ</p>	<p>Section 6(4)</p>	<p>6(4) A statement made by a person in compliance with a requirement imposed under this section –</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except –</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for –</p> <p>(A) an offence under section 7(1),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
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ⁿ Order in Council No. V of 1998.

Financial Services Commission (Site Visits) (Bailiwick of Guernsey) Ordinance ^o , 2008	Section 8	<p>8. A statement made by a person in response to a requirement under section 1, 2, 3, or 5, or imposed by or under a warrant under section 6 –</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except –</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for –</p> <p>(A) an offence under section 9,</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p>

^o Ordinance No.II of 2008.

		(D) perverting the course of justice.
Forfeiture of Money etc, in Civil Proceedings (Bailiwick of Guernsey) Law, 2007 ^P	Section 32	<p>32. A statement made by a bank in response to a customer information order –</p> <p>(a) may be used in evidence against the bank in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against the bank in criminal proceedings except –</p> <p>(i) where evidence relating to the statement is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that bank, or</p> <p>(ii) in proceedings for –</p> <p>(A) an offence under section 31(1) or (3),</p> <p>(B) some other offence where, in giving evidence, the bank makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p>

^P Order in Council No. XVII of 2008; amended by No. XXX of 2008.

		<p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
	Section 38	<p>38. A statement made by a bank in response to an account monitoring order –</p> <p>(a) may be used in evidence against the bank in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against the bank in criminal proceedings except –</p> <p>(i) where evidence relating to the statement is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for –</p> <p>(A) an offence under section 37(1) or (3),</p> <p>(B) some other offence where, in giving evidence the bank makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p>

		(D) perverting the course of justice.
	Section 44	<p>44. A statement made by a person in response to a requirement imposed on him under a disclosure order –</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except –</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for –</p> <p>(A) an offence under section 43(1) or (3),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p>

		<p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
Income Tax (Guernsey) Law ^q	Section 75M(4)	<p>75M(4) A statement made by a person in response to a requirement described in subsection (1) –</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except –</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p>

^q Ordres en Conseil Vol. XXV, p. 124; Vol. XXVI, pp. 146, 200 and 292; Vol. XXVII, pp. 84, 118, 200, 333 and 565; Vol. XXVIII, pp. 184, 278, 353 and 409; Vol. XXIX, p. 214; Vol. XXXI, pp. 406 and 473; Vol. XXXII, p. 307; No. IV of 1991; No. VI of 1992; No's. IV and VIII of 1993; No. XXV of 1994; No's. III and VII of 1995; No. V of 1996; No's. IV and XXII of 1997; No's. II and VI of 1999; No. IV of 2000; No's. VI and XVII of 2001; No's. VII and XXI of 2002; No's. IV, XVIII and XXVI of 2003; No's. XII and XVI of 2004; No's. V, VI and XVII of 2005; No's. II and VII of 2006; No. XXI of 2007; No. XXVI of 2008; (with effect from the 1st January, 2008) the Income Tax (Zero 10) (Guernsey) Law, 2007 and the Income Tax (Zero 10) (Guernsey) (No. 2) Law, 2007; (with effect from the 1st January, 2009) section 6 of the Income Tax (Guernsey) (Amendment) Law, 2008; and (with effect from the 28th January, 2009) by the Income Tax (Miscellaneous Provisions) (Guernsey) (Amendment) Law, 2009. Also amended by Ordinance No. XXXIII of 2003 and by the Administrator of Income Tax (Guernsey) (Transfer of Functions) Ordinance, 2009 and Order in Council No. XXI of 2002.

		<p>(ii) in proceedings for –</p> <p>(A) an offence under section 75L(3),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice,</p> <p>and for the purposes of this subsection proceedings under this Law in respect of the enforcement of a penalty or surcharge are not criminal proceedings.</p>
Insurance Business (Bailiwick of Guernsey) Law, 2002 ^r ,	Section 68(10)	<p>68(10) A statement made by a person in response to a requirement imposed by or under this section –</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except –</p>

^r Order in Council No. XXI of 2002; amended by Ordinance No. XXXIII of 2003; Ordinance No. XII of 2008; Ordinance No. L of 2008; G.S.I. No. 33 of 2004 and No. 4 of 2008.

		<p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for –</p> <p>(A) an offence under subsection (9) or section 87(1),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
	Section 69(7)	<p>69(7) A statement made by a person in response to a requirement imposed by or under this section –</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except –</p>

		<p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for –</p> <p>(A) an offence under subsection (6) or section 87(1),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
	Section 70(4)	<p>70(4) A statement made by a person in response to a requirement imposed by or under this section –</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except –</p>

		<p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for –</p> <p>(A) an offence under subsection (3) or section 87(1),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
	Section 72(7)	<p>72(7) A statement made by a person in response to a requirement imposed under a warrant granted under section 71 –</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in</p>

		<p>criminal proceedings except -</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for –</p> <p>(A) an offence under subsection (6) or section 87(1),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
Insurance Managers and Insurance Intermediaries (Bailiwick of Guernsey) Law,	Section 45(10)	<p>45(10) A statement made by a person in response to a requirement imposed by or under this section –</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in</p>

2002 ^s ,		<p>criminal proceedings except -</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for –</p> <p>(A) an offence under subsection (9) or section 64(1),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
	Section 46(7)	<p>46(7) A statement made by a person in response to a requirement imposed by or under this section –</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p>

^s Order in Council No. XXII of 2002 amended by Ordinance No. XXXIII of 2003; Ordinance No. XIII of 2008 and G.S.I. No. 2 of 2008.

		<p>(b) may not be used in evidence against him in criminal proceedings except -</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for –</p> <p>(A) an offence under subsection (6) or section 64(1),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
	Section 47(4)	<p>47(4) A statement made by a person in response to a requirement imposed by or under this section –</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p>

		<p>(b) may not be used in evidence against him in criminal proceedings except -</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for –</p> <p>(A) an offence under subsection (3) or section 64(1),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
	Section 49(7)	<p>49(7) A statement made by a person in response to a requirement imposed under a warrant granted under section 48 –</p> <p>(a) may be used in evidence against him in</p>

		<p>proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except -</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for -</p> <p>(A) an offence under subsection (6) or section 64(1),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
Land Planning and Development	Section 85(7)	85(7) A statement made by a person in response to a requirement imposed by or under this Law -

(Guernsey) Law, 2005 ^t		<p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except -</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for -</p> <p>(A) an offence under section 91,</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
Merchant	Section	249(11) An answer given by a person in response to a

^t Order in Council No. XVI of 2005 amended by Ordinances No.XXI, XXII, XXIII, XXIV, XXV, XXVI, XXVII, XXVIII, XIX and XXX of 2007.

Shipping (Bailiwick of Guernsey) Law, 2002 ^u	249(11)	<p>requirement under subsection (2)(i) –</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except –</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for –</p> <p>(A) an offence under subsection 250(1)(c),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
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^u Order in Council No. VIII of 2004, amended by Ordinance XXXIII of 2003.

<p>Minimum Wage (Guernsey) Law, 2009</p>	<p>Section 13(6) and (7)</p>	<p>13(6) A statement made by a person in response to a requirement imposed by or under any provision of this section –</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except –</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for –</p> <p>(A) an offence under section 21(5) or (6),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
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Protection of Investors (Bailiwick of Guernsey) Law, 1987 ^v ,	Section 27 (7) and (7A)	<p>27(7) A statement made by a person in response to a requirement imposed by or under this section –</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except –</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for –</p> <p>(A) an offence under section 38(2)(c) or 38(6),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p>
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^v Ordres en Conseil Vol. XXX, p. 281 amended by Vol. XXX, p. 243; Vol. XXXI, p. 278; Vol. XXXII, p. 324; No. XIII of 1994; No. XII of 1995; No. II of 1997; No. XVII of 2002; No's XV and XXXII of 2003 and No. XVIII of 2008. Also amended by Recueil d'Ordonnances Tome XXIV, p. 324; Tome XXVI, p. 333; Ordinance X and XX of 1998; Ordinance XXXIII of 2003; and Ordinance XXXI of 2008

		<p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
	<p>Section 27E (7) and (7A)</p>	<p>27E (7) A statement made by a person in response to a requirement imposed by or under this section –</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except –</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for –</p> <p>(A) an offence under subsection (6) or section 38(2)(d),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p>

		<p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
	Section 41L(7)	<p>41L(7) A statement by a person in response to a requirement imposed by virtue of this section –</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except –</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for –</p> <p>(A) an offence under subsection (11),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p>

		<p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
Public Trustee (Bailiwick of Guernsey) Law, 2002 ^w	Section 15(5)	<p>15(5) A statement made by a person in response to a requirement imposed by or under this section –</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except –</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for –</p> <p>(A) an offence under subsection (4) or section 19(1),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the</p>

^w Order in Council No. III of 2003, amended by No. III of 2008; amended by Ordinance Nos. XXXIII of 2003 and No. XVIII of 2004.

		<p>inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
	<p>Section 17(5)</p>	<p>17(5) A statement made by a person in response to a requirement imposed under a warrant granted under section 16 –</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except –</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for –</p> <p>(A) an offence under subsection (4) or section 19(1),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to</p>

		<p>the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
<p>Registration of Non-regulated Financial Services Businesses (Bailiwick of Guernsey) Law, 2008^x,</p>	<p>Section 18(10) and (10A)</p>	<p>18(10) A statement made by a person in response to a requirement imposed by or under this section –</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except –</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for –</p> <p>(A) an offence under subsection (9) or section 32(1) (but only in relation to a requirement imposed by or under this section),</p>

^x Order in Council No. of XV of 2008; amended by Ordinance No. XXXII of 2008) and G.S.I. No. 75 of 2008.

		<p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
	Section 19(7) and (7A)	<p>19(7) A statement made by a person in response to a requirement imposed by or under this section –</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except –</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for –</p> <p>(A) an offence under subsection (6) or section 32(1) (but only in relation to a</p>

		<p>requirement imposed by or under this section),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
	Section 20(4) and (4A)	<p>20(4) A statement made by a person in response to a requirement imposed by or under this section –</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except –</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for –</p>

		<p>(A) an offence under subsection (3) or section 32(1) (but only in relation to a requirement imposed by or under this section),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
	Section 22(7) and (8)	<p>22(7) A statement made by a person in response to a requirement imposed under a warrant granted under section 21 –</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except –</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p>

		<p>(ii) in proceedings for –</p> <p>(A) an offence under subsection (6) or section 32(1) (but only in relation to a requirement imposed by or under this section),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
Registration of Fiduciaries, Administration Businesses and Company Directors etc (Bailiwick of	Section 23(13)	<p>23(13) A statement made by a person in response to a requirement imposed by or under this section –</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in</p>

Guernsey) Law, 2000 ^y		<p>criminal proceedings except -</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for –</p> <p>(A) an offence under subsection (12) or section 46(1),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
	Section 24(7)	<p>24(7) A statement made by a person in response to a requirement imposed by or under this section –</p> <p>(a) may be used in evidence against him in</p>

^y Order in Council No. I of 2001 amended by No. XIV of 2003; No. XVI of 2007; No. VIII of 2008; No. XXV of 2008; Ordinance No. XXXIII of 2003 and G.S.I. No. 3 of 2008.

		<p>proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except -</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for -</p> <p>(A) an offence under subsection (6) or section 46(1),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
	Section 25(4)	<p>25(4) A statement made by a person in response to a requirement imposed by or under any provision of this section -</p>

		<p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except -</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for -</p> <p>(A) an offence under subsection (3) or section 46(1),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
	Section 27(7)	27(7) A statement made by a person in response to a requirement imposed under a warrant granted under section 26 -

		<p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except -</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for -</p> <p>(A) an offence under subsection (6) or 46(1),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
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Renewable Energy (Alderney) Ordinance, 2008 ^z	Section 23(7) and 23(8)	<p>23(7) A statement made by a person in response to a requirement imposed by or under this section –</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except –</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for –</p> <p>(A) an offence under subsection (6),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
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^z Ordinance of the States of Alderney No. XIV of 2008

	Section 24(5) and 24(6)	<p>24(5) A statement made by a person in response to a requirement imposed by or under this section –</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except –</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for –</p> <p>(A) an offence under subsection (4),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
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	Section 26(6) and 26(7)	<p>26(6) A statement made by a person in response to a requirement imposed under a warrant granted under section 25 –</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except –</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for –</p> <p>(A) an offence under subsection (5),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
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<p>Taxation of Real Property (Guernsey and Alderney) Ordinance, 2007^{aa}</p>	<p>Section 17(6)</p>	<p>17(6) A statement made by a person in response to a requirement imposed by or under this section –</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except –</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for –</p> <p>(A) an offence under subsection (5) or section 50(1),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p>
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^{aa} Ordinance No. XXXIII of 2007; amended by No. XXXVI of 2007; No. X of 2008; G.S.I. 2008 No. 54; and the Property Tax (Rates) (Guernsey and Alderney) Ordinance, 2008.

		<p>(D) perverting the course of justice,</p> <p>and, for the avoidance of doubt, proceedings for the recovery of property tax and any penalty or interest in respect thereof are not criminal proceedings.</p>
	<p>Section 20(4)</p>	<p>20(4) A statement made by a person in response to a requirement imposed under a warrant granted under section 19 –</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except –</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for –</p> <p>(A) an offence under subsection (3) or section 50(1),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the</p>

		<p>inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice,</p> <p>and, for the avoidance of doubt, proceedings for the recovery of property tax and any penalty or interest in respect thereof are not criminal proceedings.</p>
<p>Terrorism and Crime (Bailiwick of Guernsey) Law, 2002^{bb}</p>	<p>Schedule.5 paragraph 6(3)</p>	<p>6(3) A statement by a person in response to a requirement imposed under this paragraph –</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except –</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for –</p> <p>(A) an offence under subparagraph (4),</p>

^{bb} Order in Council No. XVI of 2002; amended by Order in Council No. XIII of 2006 and by Ordinances XXXIII of 2003 and XLVI of 2007.

		<p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
Transfrontier Shipment of Waste (Alderney) Ordinance, 2002 ^{cc}	The proviso in the final paragraph of Section 11(9)	<p>(10) However, a statement made by a person to an officer of customs and excise in response to a requirement imposed under section 9(3)(i) or (ii) –</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except –</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for –</p>

^{cc} Ordinance of the States of Alderney No. II of 2002.

		<p>(A) an offence under paragraph (b) or (c) of subsection (9),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
Transfrontier Shipment of Waste Ordinance, 2002 ^{dd}	The proviso in the final paragraph of Section 11(9)	<p>(10) However, a statement made by a person to an officer of customs and excise in response to a requirement imposed under section 9(3)(i) or (ii) –</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except –</p> <p>(i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p>

^{dd} Ordinance No. I of 2002.

		<p>(ii) in proceedings for –</p> <p>(A) an offence under paragraph (b) or (c) of subsection (9),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
Transfrontier Shipment of Waste (Sark) Ordinance, 2001 ^{ee}	The proviso in the final paragraph of Section 11(9)	<p>(10) However, a statement made by a person to an officer of customs and excise in response to a requirement imposed under section 9(3)(i) or (ii) –</p> <p>(a) may be used in evidence against him in proceedings other than criminal proceedings, and</p> <p>(b) may not be used in evidence against him in criminal proceedings except –</p> <p>(i) where evidence relating to it is</p>

^{ee}Folio 120 of the Chief Pleas of Sark made on 6th May 2001.

		<p>adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or</p> <p>(ii) in proceedings for –</p> <p>(A) an offence under paragraph (b) or (c) of subsection (9),</p> <p>(B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,</p> <p>(C) perjury, or</p> <p>(D) perverting the course of justice.</p>
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