

**286D. Self-incrimination in relation to direction or requirement under section 286A, 286B or 286C**

- (1) A person is not excused from complying with a direction or requirement imposed on the person under section 286A, 286B or 286C only on the ground that to do so might tend to incriminate the person.
- (2) Despite anything in this Ordinance, if—
  - (a) a person is required to—
    - (i) answer a question under section 286A or 286C; or
    - (ii) submit an affidavit under section 286B; and
  - (b) the answer or affidavit might tend to incriminate the person, the requirement and the question and answer, or affidavit, are not admissible in evidence against the person in criminal proceedings other than those specified in subsection (3).
- (3) The proceedings are those in which the person is charged with any of the following offences in respect of the answer or affidavit—
  - (a) an offence under section 349;
  - (b) an offence under Part V of the Crimes Ordinance (Cap. 200).
- (4) To avoid doubt, a question or answer not admissible under subsection (2) includes—
  - (a) a record of the question or answer contained in the notes of the examination taken down under section 286A(9) or 286C(4); and
  - (b) in the case of an examination under section 286C, a record of the question or answer contained in any notes of the examination taken under rule 62(1) of the Companies (Winding-up) Rules (Cap. 32 sub. leg. H).

*(Added 14 of 2016 s. 101)*