

APPENDIX B

108 Evidence not admissible

- (1) Information is not admissible as evidence (if given by a party) in legal proceedings if it was obtained or received by the party—
 - (a) from the Ombudsman, the Director, the Chief Commissioner of Police or a public body in the course of or as a result of—
 - (i) a disclosure under Part 2; or
 - (ii) the investigation of a disclosed matter under this Act; or
 - (b) from any person who obtained it in that way.
- (2) Subsection (1) does not apply to—
 - (a) proceedings in relation to an offence against section 18, 60 or 106 of this Act or section 19 of the **Evidence Act 1958**;
 - (b) proceedings under section 19 or 20 of this Act; or
 - (c) a criminal or disciplinary proceeding taken against a member of the police force as a result of an investigation of a disclosed matter by the Chief Commissioner of Police under Part 7; or
 - (d) proceedings for contempt of the Director under section 61H.
- (3) Nothing in this section affects the operation of section 90.