

ACT 514
OCCUPATIONAL SAFETY AND HEALTH ACT 1994
PART XI - ENFORCEMENT AND INVESTIGATION

Section 45. Power to examine witnesses.

(1) An officer making an investigation under section 39 or 44 may examine orally any person who appears to him to be acquainted with the facts and circumstances of the case.

(2) The person referred to in subsection (1) shall be legally bound to answer all questions relating to the case put to him by the officer:

Provided that the person may refuse to answer any question if the officer fails or refuses on demand to produce to him the certificate of authorization issued by the Director General to the officer under subsection 7(1):

Provided further that the person may refuse to answer any question the answer to which would have a tendency to expose him to a criminal charge or penalty or forfeiture.

(3) A person making a statement under this section shall be legally bound to state the truth whether or not the statement is made wholly or partly in answer to questions.

(4) An officer obtaining information from a person shall first inform the person of the provisions of subsections (2) and (3).

(5) A statement made by a person under this section shall, whenever possible, be reduced into writing and signed by him or affixed with his thumb print, as the case may be, after it has been read to him in the language in which he made it and after he has been given an opportunity to make any correction he may wish.

(6) Where an officer uses the assistance of an interpreter, any inquiry or requisition to a person made on behalf of the officer by the interpreter shall, for all purposes, be deemed to have been actually made by the officer, and any answer thereto made to the interpreter shall be deemed to have been actually made to the officer.