

**PUBLIC
PROSECUTION
SERVICE**

Director

UNDERTAKING:

This is an undertaking in respect of any person who provides evidence to the Independent Public Inquiry into the Non Domestic Renewable Heat Incentive (RHI) Scheme ('the Inquiry') relating to its Terms of Reference.

1. No evidence a person may give before the Inquiry, will be used in evidence against that person in any criminal proceedings or be relied upon for the purpose of deciding whether to bring such proceedings against that person.
2. For the purpose of this undertaking, "evidence" includes oral evidence, any written statement drafted for or made by that person, including any statement made preparatory to giving evidence to the Inquiry or during the course of his or her testimony to the Inquiry, and any document or information produced solely by that person to or for the Inquiry.
3. It is further undertaken that in any criminal proceedings brought against any person who provides evidence, as defined above, to the Inquiry, no reliance will be placed upon evidence which is obtained during an investigation as a result of the provision by that person of evidence to the Inquiry.
4. This undertaking does not preclude the use of documents, information and/or evidence identified independently of the evidence provided by that person to the Inquiry.
5. This undertaking does not apply to:
 - (a) A prosecution where the person is charged with giving false evidence in the course of the Inquiry or having conspired with or procured others to do so.
 - (b) Proceedings where the person is charged with any offence contrary to section 35 of the Inquiries Act 2005 or having conspired with or procured others to commit such an offence.

Barra McGrory QC
Director of Public Prosecutions
23 May 2017

