

**Summary of Differences in Consequences for Witnesses testifying before the Subcommittee upon being summoned or invited to attend**

<b>Consequences</b>	<b>Witness summoned under s. 9 of Cap.382</b>	<b>Witness invited to attend</b>
Attendance	Compulsory	Voluntary
Sworn/affirm	As required by the Subcommittee	Unlikely unless being compelled
Answering questions (including self-incriminating answers)	Compulsory unless excepted	Voluntary
Producing documents	Compulsory unless excepted	Voluntary
Statutory or legal secrecy obligations (e.g. s. 378 of Cap. 571, s. 120 of Cap. 155 and Banker's duty to customer)	Not restricted unless excepted	Compliance required
Privileges of witness under s. 14(1) of Cap. 382	Yes	None
Civil liability for defamation	Protected	Not protected under Cap. 382
Criminal liability for perjury	Yes	None if unsworn

Prepared by  
 Legal Service Division  
 Legislative Council Secretariat  
 24 November 2008