



# Telecommunications Act 1984

## 1984 CHAPTER 12

### PART III

#### OTHER FUNCTIONS OF DIRECTOR

#### **53 Power to require information etc.**

- (1) The Director may, for any relevant purpose, by notice in writing signed by him—
- (a) require any person to produce, at a time and place specified in the notice, to the Director or to any person appointed by him for the purpose, any documents which are specified or described in the notice and are in that person's custody or under his control; or
  - (b) require any person carrying on any business to furnish to the Director such estimates, returns or other information as may be specified or described in the notice, and specify the time, the manner and the form in which any such estimates, returns or information are to be furnished;

but no person shall be compelled for any such purpose to produce any documents which he could not be compelled to produce in his civil proceedings before the court or, in complying with any requirement for the furnishing of information, to give any information which he could not be compelled to give in evidence in such proceedings.

- (2) A person who refuses or, without reasonable excuse, fails to do anything duly required of him by a notice under subsection (1) above shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (3) A person who—
- (a) intentionally alters, suppresses or destroys any document which he has been required by any such notice to produce; or
  - (b) in furnishing any estimate, return or other information required of him under any such notice, makes any statement which he knows to be false in a material particular, or recklessly makes any statement which is false in a material particular,
- shall be guilty of an offence.

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*Status: This is the original version (as it was originally enacted).*

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- (4) A person guilty of an offence under subsection (3) above shall be liable—
- (a) on summary conviction, to a fine not exceeding the statutory maximum;
  - (b) on conviction on indictment, to a fine.
- (5) If a person makes default in complying with a notice under subsection (1) of this section, the court may, on the application of the Director, make such order as the court thinks fit for requiring the default to be made good; and any such order may provide that all the costs or expenses of and incidental to the application shall be borne by the person in default or by any officers of a company or other association who are responsible for its default.
- (6) In this section—
- " the court " has the same meaning as in section 18 above ; " relevant purpose " means any purpose connected with—
  - (a) the investigation of any offence under section 5, 28 or 29 above or any proceedings for any such offence; or
  - (b) the exercise of the Director's functions under section 16 or 49 above.