

SCHEDULE

ENFORCEMENT

Powers of officers of enforcement authority

- 3 (1) If a duly authorised officer of an enforcement authority has reasonable grounds for suspecting that an offence under section 1 of this Act has been committed, he may—
- (a) require a person carrying on or employed in a business to produce any book or document relating to the business, and take copies of it or any entry in it, or
 - (b) require such a person to produce in a visible and legible documentary form any information so relating which is contained in a computer, and take copies of it,
- for the purpose of ascertaining whether such an offence has been committed.
- (2) Such an officer may inspect any goods for the purpose of ascertaining whether such an offence has been committed.
- (3) If such an officer has reasonable grounds for believing that any documents or goods may be required as evidence in proceedings for such an offence, he may seize and detain them.
- (4) An officer seizing any documents or goods in the exercise of his power under subparagraph (3) above shall inform the person from whom they are seized.
- (5) The powers of an officer under this paragraph may be exercised by him only at a reasonable hour and on production (if required) of his credentials.
- (6) Nothing in this paragraph—
- (a) requires a person to produce a document if he would be entitled to refuse to produce it in proceedings in a court on the ground that it is the subject of legal professional privilege or, in Scotland, that it contains a confidential communication made by or to an advocate or a solicitor in that capacity, or
 - (b) authorises the taking possession of a document which is in the possession of a person who would be so entitled.