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*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

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## 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 2 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 purposes of ascertaining whether such an offence has been committed.
- (2) If such an officer has reasonable grounds for believing that any documents may be required as evidence in proceedings for such an offence, he may seize and detain them and shall, if he does so, inform the person from whom they are seized.
- (3) 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.
- (4) Nothing in this paragraph requires a person to produce, or authorises the taking from a person of, a document which he could not be compelled to produce in civil proceedings before the High Court or (in Scotland) the Court of Session.
- 4 (1) A person who—
- (a) intentionally obstructs an officer of an enforcement authority acting in pursuance of this Schedule,
  - (b) without reasonable excuse fails to comply with a requirement made of him by such an officer under paragraph 3(1) above, or
  - (c) without reasonable excuse fails to give an officer of an enforcement authority acting in pursuance of this Schedule any other assistance or information which the officer has reasonably required of him for the purpose of the performance of the officer's functions under this Schedule,
- is guilty of an offence.
- (2) A person guilty of an offence under sub-paragraph (1) above is liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (3) If a person, in giving information to an officer of an enforcement authority who is acting in pursuance of this Schedule—
- (a) makes a statement which he knows is false in a material particular, or
  - (b) recklessly makes a statement which is false in a material particular,
- he is guilty of an offence.
- (4) A person guilty of an offence under sub-paragraph (3) above is liable—
- (a) on summary conviction, to a fine not exceeding the statutory maximum, and
  - (b) on conviction on indictment, to a fine.