
Changes to legislation: There are currently no known outstanding effects for the Consumer Rights Act 2015, Cross Heading: Power to require the production of documents. (See end of Document for details)

SCHEDULES

SCHEDULE 5

INVESTIGATORY POWERS ETC.

Modifications etc. (not altering text)

- C1** Sch. 5 applied (with modifications) (8.12.2016) by [The Electromagnetic Compatibility Regulations 2016 \(S.I. 2016/1091\)](#), reg. 1, **Sch. 7 para. 3** (with regs. 74, 75(5))
- C1** Sch. 5 applied (with modifications) (26.12.2017) by [The Radio Equipment Regulations 2017 \(S.I. 2017/1206\)](#), reg. 1, **Sch. 10 para. 3** (with regs. 3-5, 77)
- C1** [Sch. 5](#): power to amend conferred (1.7.2022) by [Health and Care Act 2022 \(c. 31\)](#), **ss. 180(3)(a)**, 186(6); [S.I. 2022/734](#), reg. 2(a), [Sch.](#) (with regs. 13, 29, 30)

PART 4

FURTHER POWERS EXERCISABLE BY DOMESTIC ENFORCERS AND [F1SCHEDULE 13 ENFORCERS]

Textual Amendments

- F1** Words in Sch. 5 Pt. 4 heading substituted (31.12.2020) by [The Consumer Protection \(Enforcement\) \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/203\)](#), regs. 1, **4(7)** (with reg. 9) (as amended by [S.I. 2020/1347](#), regs. 1(3), 3(8)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Power to require the production of documents

- 27 (1) The officer may, at any reasonable time—
- (a) require a trader occupying the premises, or a person on the premises acting on behalf of such a trader, to produce any documents relating to the trader's business to which the trader has access, and
 - (b) take copies of, or of any entry in, any such document.
- (2) The power in sub-paragraph (1) is available regardless of whether—
- (a) the purpose for which the documents are required relates to the trader or some other person, or
 - (b) the proceedings referred to in paragraph 19(3)(b) or 20(4)(b) could be taken against the trader or some other person.
- (3) That power includes power to require the person to give an explanation of the documents.
- (4) Where a document required to be produced under sub-paragraph (1) contains information recorded electronically, the power in that sub-paragraph includes power

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to require the production of a copy of the document in a form in which it can easily be taken away and in which it is visible and legible.

- (5) This paragraph does not permit an officer to require a person to create a document other than as described in sub-paragraph (4).
- (6) This paragraph does not permit an officer to require a person to produce any document which the person would be entitled to refuse to produce—
- (a) in proceedings in the High Court on the grounds of legal professional privilege, or
 - (b) in proceedings in the Court of Session on the grounds of confidentiality of communications.
- (7) In sub-paragraph (6) “communications” means—
- (a) communications between a professional legal adviser and the adviser's client, or
 - (b) communications made in connection with or in contemplation of legal proceedings or for the purposes of those proceedings.
- (8) In this paragraph “trader” has the same meaning as in Part 1 of this Act.

Commencement Information

- I1** Sch. 5 para. 27 in force at 27.5.2015 for specified purposes for E. by [S.I. 2015/965](#), [art. 2\(b\)](#)
- I2** Sch. 5 para. 27 in force at 27.5.2015 for specified purposes by [S.I. 2015/1333](#), [art. 2\(a\)](#)
- I3** Sch. 5 para. 27 in force at 1.10.2015 in so far as not already in force by [S.I. 2015/1630](#), [art. 3\(h\)](#) (with [art. 8](#))

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