
Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Consumer Rights Act 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 6

INVESTIGATORY POWERS: CONSEQUENTIAL AMENDMENTS

Criminal Justice and Police Act 2001 (c. 16)

61 The Criminal Justice and Police Act 2001 is amended as follows.

Annotations:

Commencement Information

I1 Sch. 6 para. 61 in force at 1.10.2015 by S.I. 2015/1630, art. 3(i) (with art. 8)

62 In section 57(1) (retention of seized items)—

- (a) omit paragraphs (d), (g) and (pa), and
- (b) after paragraph (r) insert—

“(s) paragraphs 28(7) and 29(8) of Schedule 5 to the Consumer Rights Act 2015”.

Annotations:

Commencement Information

I2 Sch. 6 para. 62 in force at 1.10.2015 by S.I. 2015/1630, art. 3(i) (with art. 8)

63 (1) Section 65 (meaning of legal privilege) is amended as follows.

- (2) Omit subsections (6) and (8A).
- (3) Before subsection (9) insert—

“(8B) An item which is, or is comprised in, property which has been seized in exercise or purported exercise of the power of seizure conferred by paragraph 27(1)(b) or 29(1) of Schedule 5 to the Consumer Rights Act 2015 shall be taken for the purposes of this Part to be an item subject to legal privilege if, and only if, the seizure of that item was in contravention of paragraph 27(6) or (as the case may be) 29(6) of that Schedule (privileged documents).”

(4) In subsection (9)—

- (a) omit paragraph (c),
- (b) at the end of paragraph (d) insert “ or ”, and
- (c) omit paragraph (f) and the “or” immediately preceding that paragraph.

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Annotations:

Commencement Information

I3 Sch. 6 para. 63 in force at 1.10.2015 by S.I. 2015/1630, art. 3(i) (with art. 8)

- 64 In section 66(4) (construction of references to a search)—
- (a) omit paragraphs (a), (c), (d), (e), (f), (g), (ma), (q), (r) and (s),
 - (b) in paragraph (h) for “29” substitute “ 29(4) ”,
 - (c) in paragraph (o) for “22” substitute “ 22(4) ”, and
 - (d) after paragraph (p) insert—
 - “(t) Part 4 of Schedule 5 to the Consumer Rights Act 2015”.

Annotations:

Commencement Information

I4 Sch. 6 para. 64 in force at 1.10.2015 by S.I. 2015/1630, art. 3(i) (with art. 8)

- 65 (1) Part 1 of Schedule 1 (powers to which section 50 applies) is amended as follows.
- (2) Omit—
- (a) paragraph 9,
 - (b) paragraph 16,
 - (c) paragraph 18,
 - (d) paragraph 19,
 - (e) paragraph 24,
 - (f) paragraph 36,
 - (g) paragraph 73BA,
 - (h) the first paragraph 73G,
 - (i) the second paragraph 73J,
 - (j) the second paragraph 73K,
 - (k) paragraph 73N, and
 - (l) paragraph 73O.
- (3) In paragraph 45 for “29(4), (5) and (6)” substitute “ 29(4) ”.
- (4) In the second paragraph 73G for “22(4) to (6)” substitute “ 22(4) ”.
- (5) After paragraph 73M insert—

“Consumer Rights Act 2015

73P Each of the powers of seizure conferred by paragraphs 27(1)(b), 28(1) and 29(1) of Schedule 5 to the Consumer Rights Act 2015.”

Annotations:

Commencement Information

I5 Sch. 6 para. 65 in force at 1.10.2015 by S.I. 2015/1630, art. 3(i) (with art. 8)

- 66 (1) Part 1 of Schedule 2 (application of enactments) is amended as follows.

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- (2) Omit paragraphs 1, 4B, 4C, 5, 7, 9B and 9C.
- (3) In paragraph 3 for “29” in each place substitute “ 29(4) ”.
- (4) In paragraph 4A—
 - (a) for “23” substitute “ 22(4) ”, and
 - (b) for “22” substitute “ 22(4) ”.
- (5) After paragraph 4A insert—
 - “4D Paragraph 39 of Schedule 5 to the Consumer Rights Act 2015 (notice of testing of goods) shall apply in relation to items seized under section 50 of this Act in reliance on the power of seizure conferred by paragraph 28(1) of that Schedule as it applies in relation to goods seized under that paragraph.

Access to seized items

- 4E Subject to section 61 of this Act, paragraph 38 of Schedule 5 to the Consumer Rights Act 2015 (access to seized goods and documents) shall apply in relation to items seized under section 50 of this Act in reliance on the power of seizure conferred by paragraph 28(1) or 29(1) of that Schedule as it applies in relation to things seized under Part 4 of that Schedule.”
- (6) In paragraph 8 for “29” in each place substitute “ 29(4) ”.
- (7) In paragraph 9A—
 - (a) for the first “22” substitute “ 22(4) ”, and
 - (b) for “products under regulations 22 of those Regulations.” substitute “ those items, as it applies to the seizure and detention of products under regulation 22(4) of those Regulations. ”
- (8) After paragraph 9A insert—
 - “9D Paragraph 41 of Schedule 5 to the Consumer Rights Act 2015 (compensation for seizure and detention) shall apply in relation to the seizure of items under section 50 of this Act in reliance on the power of seizure conferred by paragraph 28(1) or 29(1) of that Schedule, and the retention of those items, as it applies in relation to the seizure and detention of goods under Part 4 of that Schedule.”

Annotations:

Commencement Information

I6 Sch. 6 para. 66 in force at 1.10.2015 by S.I. 2015/1630, art. 3(i) (with art. 8)

Changes to legislation:

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SI 2015/1630, art. 4, 6 by [S.I. 2016/484 art. 2](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 48(3A) inserted by [S.I. 2017/99 reg. 3](#)
- s. 90(4)(e) and word inserted by [2017 c. 30 s. 105](#)