

SCHEDULES

SCHEDULE 15

POWERS OF ENTRY AND INSPECTION

Matters exempt from inspection and seizure: privileged communications

- 11 (1) The powers of inspection and seizure conferred by a warrant issued under this Schedule are not exercisable in respect of a communication which is made—
- (a) between a professional legal adviser and the adviser's client, and
 - (b) in connection with the giving of legal advice to the client with respect to obligations, liabilities or rights under the data protection legislation.
- (2) The powers of inspection and seizure conferred by a warrant issued under this Schedule are not exercisable in respect of a communication which is made—
- (a) between a professional legal adviser and the adviser's client or between such an adviser or client and another person,
 - (b) in connection with or in contemplation of proceedings under or arising out of the data protection legislation, and
 - (c) for the purposes of such proceedings.
- (3) Sub-paragraphs (1) and (2) do not prevent the exercise of powers conferred by a warrant issued under this Schedule in respect of—
- (a) anything in the possession of a person other than the professional legal adviser or the adviser's client, or
 - (b) anything held with the intention of furthering a criminal purpose.
- (4) The references to a communication in sub-paragraphs (1) and (2) include—
- (a) a copy or other record of the communication, and
 - (b) anything enclosed with or referred to in the communication if made as described in sub-paragraph (1)(b) or in sub-paragraph (2)(b) and (c).
- (5) In sub-paragraphs (1) to (3), the references to the client of a professional legal adviser include a person acting on behalf of such a client.