

SCHEDULE 2
INQUIRIES: SUPPLEMENTARY PROVISION AS TO EVIDENCE

Obstruction and contempt

- 4 (1) Sub-paragraph (3) applies where any person to whom notice has been given under paragraph 1—
- (a) refuses or fails, without reasonable excuse, to comply with any requirement specified in the notice,
 - (b) refuses or fails, without reasonable excuse, when attending to give evidence as required by the notice—
 - (i) to take an oath on being required to do so under paragraph 3(b), or
 - (ii) to answer any question relevant to any matter specified in the notice,or
 - (c) deliberately alters, suppresses, conceals or destroys any document which the person is required by the notice to produce.
- (2) Sub-paragraph (3) also applies where the Commission considers that any such person as is mentioned in sub-paragraph (1) is likely to do any of the things specified in paragraphs (a) to (c) of that sub-paragraph.
- (3) Where this sub-paragraph applies, the Commission may report the matter to the Court of Session.
- (4) On such a report, the Court may, after hearing any evidence or representations on the matter, (either or both)—
- (a) make such order for enforcement as it sees fit,
 - (b) deal with the matter as if it were a contempt of the Court.