



# Tobacco and Primary Medical Services (Scotland) Act 2010

2010 asp 3

## PART 1

[<sup>F1</sup>TOBACCO AND NICOTINE VAPOUR PRODUCTS ETC.]

## CHAPTER 3

ENFORCEMENT AND FIXED PENALTIES

*Powers of entry etc.*

### 28 Powers of entry etc.

- (1) For the purpose of carrying out a council's functions under this Part, a council officer is entitled to—
  - (a) enter any premises (other than premises used only as a private dwelling house),
  - (b) inspect and examine the premises,
  - (c) require the production of any book, document, data, record (in whatever form it is held) or product and inspect it, and take copies of or extracts from it,
  - (d) take possession of any book, document, data, record (in whatever form it is held) or product which is on the premises and retain it for as long as the officer considers necessary,
  - (e) require any person to give the officer such information, or afford the officer such facilities and assistance, as the officer considers necessary.
- (2) A person is not required by subsection (1) to answer any question or produce any document which the person would be entitled to refuse to answer or produce in proceedings in a court in Scotland.

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**Changes to legislation:** *There are currently no known outstanding effects for the Tobacco and Primary Medical Services (Scotland) Act 2010, Section 28. (See end of Document for details)*

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#### **Commencement Information**

**II** S. 28 in force at 1.4.2011 by [S.S.I. 2010/345](#), art. 2, [Sch.](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Tobacco and Primary Medical Services (Scotland) Act 2010, Section 28.