

SCHEDULE 5

CAMPAIGN RULES: INVESTIGATORY POWERS OF THE ELECTORAL COMMISSION

Inspection warrants

- 2 (1) This paragraph applies in relation to an organisation or individual that is a permitted participant.
- (2) A sheriff or a justice of the peace may, on the application of the Electoral Commission, issue an inspection warrant in relation to any premises occupied by an organisation or individual to whom this paragraph applies if satisfied that—
- (a) there are reasonable grounds for believing that on those premises there are documents relating to the income and expenditure of the organisation or individual,
 - (b) the Commission need to inspect the documents for the purposes of carrying out their functions under section 12 and schedule 4 (other than their investigatory functions), and
 - (c) permission to inspect the documents on the premises has been requested by the Commission and has been unreasonably refused.
- (3) An inspection warrant is a warrant authorising a member of the Commission’s staff—
- (a) at any reasonable time to enter the premises specified in the warrant, and
 - (b) having entered the premises, to inspect any documents within sub-paragraph (2)(a).
- (4) An inspection warrant also authorises the person who executes the warrant to be accompanied by any other persons who the Commission consider are needed to assist in executing it.
- (5) The person executing an inspection warrant must, if required to do so, produce—
- (a) the warrant, and
 - (b) documentary evidence that the person is a member of the Commission’s staff,
- for inspection by the occupier of the premises that are specified in the warrant or by anyone acting on the occupier’s behalf.
- (6) An inspection warrant continues in force until the end of the period of one month beginning with the day on which it is issued.
- (7) An inspection warrant may not be used for the purposes of carrying out investigatory functions.
- (8) In this paragraph, “investigatory functions” means functions of investigating—
- (a) suspected campaign offences, or
 - (b) suspected contraventions of restrictions or requirements imposed by schedule 4.