

---

*Status: Prospective version(s) available.*  
*Status: This is the original version (as it was originally enacted).*

---

## SCHEDULE 2 SCOTTISH PUBS CODE ADJUDICATOR

### PART 2

#### POWERS

#### CHAPTER 1

##### POWER TO REQUIRE INFORMATION

###### *Imposition of requirement*

- 4 (1) The adjudicator may, for a purpose mentioned in sub-paragraph (2), require a person to provide information that is in the person's possession or control.
- (2) The purposes referred to in sub-paragraph (1) are—
- (a) investigating a pub-owning business's compliance with the code,
  - (b) monitoring whether the requirement to comply with a direction given under section 9(2)(a) has been fulfilled,
  - (c) exercising functions in relation to the offer of a market rent only lease.
- (3) A requirement under this paragraph to provide information may, in particular, be a requirement to—
- (a) provide documents,
  - (b) provide information verbally.
- (4) A requirement under this paragraph is imposed on a person by giving the person written notice—
- (a) specifying—
    - (i) the information the person is required to provide, and
    - (ii) the way in which the person is required to provide it, and
  - (b) explaining that failing to comply with the requirement or providing false information in response to it may be an offence under this Chapter.
- (5) For the purpose of sub-paragraph (4)(a)(ii), specifying the way in which a person is required to provide information includes specifying—
- (a) to whom it is to be provided,
  - (b) where it is to be provided,
  - (c) when, or the time by which, it is to be provided,
  - (d) the form and manner in which it is to be provided.
- (6) If an individual is required to attend a particular place under this paragraph, the adjudicator must offer to pay any necessary travelling expenses.
- (7) A person may not be required under this paragraph to do anything that the person could not be compelled to do in proceedings before the Court of Session.