

SCHEDULE 4

Powers of entry in misuse of aid examinations

PART 5

General

Privileged communication

17.—(1) A person is not required under this Schedule to produce or disclose a privileged communication.

(2) In this paragraph, “privileged communication” means a communication—

(a) that is—

(i) between a professional legal adviser and the adviser’s client; or

(ii) made in connection with, or in contemplation of, legal proceedings and for the purposes of those legal proceedings; and

(b) which in proceedings in the court would be protected from disclosure on grounds of legal professional privilege.

(3) In application of this paragraph to Scotland, references to legal professional privilege are to be read as references to confidentiality of communications.