

## SCHEDULES

### SCHEDULE 4

Offences, penalties, enforcement and other matters

#### PART 3

Enforcement and other matters

##### **Compensation for seizure and detention**

**13.**—(1) Where an officer exercises any power under paragraph 10 to seize and detain any relevant products or records, the enforcement authority is liable to pay compensation to any person having an interest in the item seized and detained in respect of any loss or damage caused by the exercise of the power if—

- (a) there has been no contravention of any provision of these Regulations, and
- (b) the exercise of the power is not attributable to any neglect or default by that person.

(2) Any disputed question as to the right to, or the amount of, any compensation payable under this paragraph must be determined by arbitration—

- (a) in England and Wales or Northern Ireland, in accordance with the Arbitration Act 1996<sup>(1)</sup>,  
or
- (b) in Scotland, in accordance with the Arbitration (Scotland) Act 2010<sup>(2)</sup>.

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(1) 1996 c.23.  
(2) 2010 asp 1.