

SCHEDULES

SCHEDULE 5

INVESTIGATORY POWERS ETC.

PART 3

POWERS IN RELATION TO THE PRODUCTION OF INFORMATION

Enforcement of notice under paragraph 14

- 16 (1) If a person fails to comply with a notice under paragraph 14, the enforcer or an officer of the enforcer may make an application under this paragraph to the court.
- (2) If it appears to the court that the person has failed to comply with the notice, it may make an order under this paragraph.
- (3) An order under this paragraph is an order requiring the person to do anything that the court thinks it is reasonable for the person to do, for any of the purposes for which the notice was given, to ensure that the notice is complied with.
- (4) An order under this paragraph may require the person to meet the costs or expenses of the application.
- (5) If the person is a company, partnership or unincorporated association, the court in acting under sub-paragraph (4) may require an official who is responsible for the failure to meet the costs or expenses.
- (6) In this paragraph—
- “the court” means—
- (a) the High Court,
 - (b) in relation to England and Wales, the county court,
 - (c) in relation to Northern Ireland, a county court,
 - (d) the Court of Session, or
 - (e) the sheriff;
- “official” means—
- (a) in the case of a company, a director, manager, secretary or other similar officer,
 - (b) in the case of a limited liability partnership, a member,
 - (c) in the case of a partnership other than a limited liability partnership, a partner, and
 - (d) in the case of an unincorporated association, a person who is concerned in the management or control of its affairs.