



2008 CHAPTER 12

PART 5

INFORMATION POWERS

Power to call for documents and search records

23.—(1) The Commission may by order—

- (a) require any person who has possession of any information which relates to any charity and is relevant to the discharge of the Commission's functions or of the functions of the official custodian to furnish that information to the Commission;
- (b) require any person who has custody or control of any document which relates to any charity and is relevant to the discharge of the Commission's functions or of the functions of the official custodian—
 - (i) to furnish the Commission with a copy of or extract from the document, or
 - (ii) (unless the document forms part of the records or other documents of a court or of a public or local authority) to transmit the document itself to the Commission for its inspection.

(2) Any member of staff of the Commission, if so authorised by it, shall be entitled without payment to inspect and take copies of or extracts from the records or other documents of any court, or of any public registry or office of records, for any purpose connected with the discharge of the functions of the Commission or of the official custodian.

(3) The Commission shall be entitled without payment to keep any copy or extract furnished to it under subsection (1), and where a document transmitted to the Commission under that subsection for it to inspect relates only to one or

more charities and is not held by any person entitled as trustee or otherwise to the custody of it, the Commission may keep it or may deliver it to the charity trustees or to any other person who may be so entitled.

(4) The rights conferred by subsection (2) shall, in relation to information recorded otherwise than in legible form, include the right to require the information to be made available in legible form for inspection or for a copy or extract to be made of or from it.

(5) In subsection (2) the reference to a member of the staff of the Commission includes the official custodian even if the official custodian is not a member of the staff of the Commission.