
DRAFT STATUTORY INSTRUMENTS

2015 No.

The Single Use Carrier Bags Charges (England) Order 2015

PART 3

Administrators and enforcement

Powers of enforcement

- 7.—(1) An administrator may, for the purpose of enforcing this Order—
- (a) enter a seller’s premises at any reasonable time;
 - (b) inspect a seller’s goods;
 - (c) make test purchases of a seller’s goods;
 - (d) require a seller to produce documents or to provide information;
 - (e) question a seller or officers or employees of a seller.
- (2) An administrator may only exercise the powers in paragraph (1)(d) or (e) if it reasonably believes that a breach has occurred.
- (3) An administrator seeking to exercise a power under paragraph (1) must produce evidence of identity and authority if requested by a person who is, or appears to be—
- (a) the seller, or an officer or employee of the seller;
 - (b) the owner or occupier of any premises in which the administrator seeks to exercise the power concerned.
- (4) Nothing in paragraph (1) compels the production of any document of which—
- (a) in England and Wales or Northern Ireland, that person would on grounds of legal professional privilege be entitled to withhold production on an order for discovery in an action in the County Court or High Court;
 - (b) in Scotland, that person would on grounds of confidentiality of communications be entitled to withhold production on an order for the production of documents in an action in the Court of Session.
- (5) In this article, “premises” means premises other than those used wholly or mainly as a private dwelling.