

SCHEDULE

Enforcement

PART 1

Investigatory powers

Enforcement of information notice

2.—(1) If a person fails to comply with a notice served under paragraph 1, the enforcement authority 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—

(a) “official” means—

- (i) in the case of a company, a director, manager, secretary or other similar officer;
- (ii) in the case of a limited liability partnership, a member;
- (iii) in the case of a partnership other than a limited liability partnership, a partner; and
- (iv) in the case of an unincorporated association, a person who is concerned in the management or control of its affairs.

(b) “the court” means—

- (i) in relation to England and Wales, the High Court or the County Court;
- (ii) in relation to Scotland, the Court of Session or the sheriff;
- (iii) in relation to Northern Ireland, the County Court.