

SCHEDULE

Enforcement

PART 1

Investigatory powers

Compensation for seizure and detention

7.—(1) Where the enforcement authority exercises any power under paragraph 5(1)(d) to seize and detain any relevant equipment, records or other information, 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 breach of any provision of these Regulations by that person; 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, in accordance with the Arbitration Act 1996⁽¹⁾;
- (b) in Scotland, in accordance with the Arbitration (Scotland) Act 2010⁽²⁾; and
- (c) in Northern Ireland, in accordance with the Arbitration Act 1996.

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