



Consumer Credit Act 1974

1974 CHAPTER 39

PART XI

ENFORCEMENT OF ACT

162 Powers of entry and inspection.

- (1) A duly authorised officer of an enforcement authority, at all reasonable hours and on production, if required, of his credentials, may—
- (a) in order to ascertain whether a breach of any provision of or under this Act has been committed, inspect any goods and enter any premises (other than premises used only as a dwelling);
 - (b) if he has reasonable cause to suspect that a breach of any provision of or under this Act has been committed, in order to ascertain whether it has been committed, require any person—
 - (i) carrying on, or employed in connection with, a business to produce any ^{F1} . . . documents relating to it; or
 - (ii) having control of any information relating to a business [^{F2}to provide him with that information;]
 - ^{F3} . . . ;
 - (c) if he has reasonable cause to believe that a breach of any provision of or under this Act has been committed, seize and detain any goods in order to ascertain (by testing or otherwise) whether such a breach has been committed;
 - (d) seize and detain any goods, ^{F4} . . . or documents which he has reason to believe may be required as evidence in proceedings for an offence under this Act;
 - (e) for the purpose of exercising his powers under this subsection to seize goods, ^{F4} . . . or documents, but only if and to the extent that it is reasonably necessary for securing that the provisions of this Act and of any regulations made under it are duly observed, require any person having authority to do so to break open any container and, if that person does not comply, break it open himself.
- (2) An officer seizing goods, ^{F4} . . . or documents in exercise of his powers under this section shall not do so without informing the person he seizes them from.

Status: Point in time view as at 26/07/2013. This version of this provision has been superseded.

Changes to legislation: Consumer Credit Act 1974, Section 162 is up to date with all changes known to be in force on or before 07 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (3) If a justice of the peace, on sworn information in writing, or, in Scotland, a sheriff or a magistrate or justice of the peace, on evidence on oath,—
 - (a) is satisfied that there is reasonable ground to believe either—
 - (i) that any goods,^{F4} . . . or documents which a duly authorised officer has power to inspect under this section are on any premises and their inspection is likely to disclose evidence of a breach of any provision of or under this Act; or
 - (ii) that a breach of any provision of or under this Act has been, is being or is about to be committed on any premises; and
 - (b) is also satisfied either—
 - (i) that admission to the premises has been or is likely to be refused and that notice of intention to apply for a warrant under this subsection has been given to the occupier; or
 - (ii) that an application for admission, or the giving of such a notice, would defeat the object of the entry or that the premises are unoccupied or that the occupier is temporarily absent and it might defeat the object of the entry to wait for his return,

the justice or, as the case may be, the sheriff or magistrate may by warrant under his hand, which shall continue in force for a period of one month, authorise an officer of an enforcement authority to enter the premises (by force if need be).

(4) An officer entering premises by virtue of this section may take such other persons and equipment with him as he thinks necessary; and on leaving premises entered by virtue of a warrant under subsection (3) shall, if they are unoccupied or the occupier is temporarily absent, leave them as effectively secured against tres-passers as he found them.

^{F5}(5)

(6) A person who is not a duly authorised officer of an enforcement authority, but purports to act as such under this section, commits an offence.

(7)^{F6}

^{F7}(8)

Textual Amendments

- F1** Words in s. 162(1)(b)(i) repealed (6.4.2008) by [Consumer Credit Act 2006 \(c. 14\)](#), ss. 70, 71(2), [Sch. 4](#); S.I. 2007/3300, [art. 3\(2\)](#), [Sch. 2](#)
- F2** Words in s. 162(1)(b)(ii) substituted (6.4.2008) by [Consumer Credit Act 2006 \(c. 14\)](#), ss. {51(2)}, 71(2); S.I. 2007/3300, [art. 3\(2\)](#), [Sch. 2](#)
- F3** Words in s. 162(1)(b) repealed (6.4.2008) by [Consumer Credit Act 2006 \(c. 14\)](#), ss. 70, 71(2), [Sch. 4](#); S.I. 2007/3300, [art. 3\(2\)](#), [Sch. 2](#)
- F4** Word in s. 162(1)(d)(e)(2)(3) repealed (6.4.2008) by [Consumer Credit Act 2006 \(c. 14\)](#), ss. 70, 71(2), [Sch. 4](#); S.I. 2007/3300, [art. 3\(2\)](#), [Sch. 2](#)
- F5** S. 162(5) omitted (26.7.2013 for specified purposes) by virtue of [The Financial Services and Markets Act 2000 \(Regulated Activities\) \(Amendment\) \(No.2\) Order 2013 \(S.I. 2013/1881\)](#), arts. 1(2)(6), [20\(49\)](#)
- F6** S. 162(7) repealed (6.4.2008) by [Consumer Credit Act 2006 \(c. 14\)](#), ss. 70, 71(2), [Sch. 4](#); S.I. 2007/3300, [art. 3\(2\)](#), [Sch. 2](#)

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- F7** S. 162(8) omitted (26.7.2013 for specified purposes) by virtue of [The Financial Services and Markets Act 2000 \(Regulated Activities\) \(Amendment\) \(No.2\) Order 2013 \(S.I. 2013/1881\)](#), arts. 1(2)(6), **20(49)**

Modifications etc. (not altering text)

- C1** S. 162 applied (with modifications) (26.7.2013 for specified purposes) by [The Financial Services Act 2012 \(Consumer Credit\) Order 2013 \(S.I. 2013/1882\)](#), arts. 1(1), **8(2)**
- C2** S. 162(1)(c)(d): powers of seizure extended (1.4.2003) by [2001 c. 16, ss. 50, 52-54, 68, 138, Sch. 1 Pt. 1 para. 19; S.I. 2003/708](#), **art. 2**

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