



Customs and Excise Management Act 1979

1979 CHAPTER 2

PART VII

CUSTOMS AND EXCISE CONTROL: SUPPLEMENTARY PROVISIONS

Additional provisions as to information

[^{F1}77A Information powers.

- (1) Every person who is concerned (in whatever capacity) in the importation or exportation of goods for which [^{F2}for that purpose an entry is required by regulation 5 of the Customs Controls on Importation of Goods Regulations 1991 or an entry or specification is required by or under this Act] shall—
 - (a) furnish to the Commissioners, within such time and in such form as they may reasonably require, such information relating to the goods or to the importation or exportation as the Commissioners may reasonably specify; and
 - (b) if so required by an officer, produce or cause to be produced for inspection by the officer—
 - (i) at the principal place of business of the person upon whom the demand is made or at such other place as the officer may reasonably require, and
 - (ii) at such time as the officer may reasonably require,
any documents relating to the goods or to the importation or exportation.
- (2) Where, by virtue of subsection (1) above, an officer has power to require the production of any documents from any such person as is referred to in that subsection, he shall have the like power to require production of the documents concerned from any other person who appears to the officer to be in possession of them; but where any such other person claims a lien on any document produced by him, the production shall be without prejudice to the lien.

Status: Point in time view as at 20/02/2010. This version of this provision has been superseded.

Changes to legislation: *Customs and Excise Management Act 1979, Section 77A is up to date with all changes known to be in force on or before 18 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) An officer may take copies of, or make extracts from, any document produced under subsection (1) or subsection (2) above.
- (4) If it appears to him to be necessary to do so, an officer may, at a reasonable time and for a reasonable period, remove any document produced under subsection (1) or subsection (2) above and shall, on request, provide a receipt for any document so removed; and where a lien is claimed on a document produced under subsection (2) above, the removal of the document under this subsection shall not be regarded as breaking the lien.
- (5) Where a document removed by an officer under subsection (4) above is reasonably required for the proper conduct of a business, the officer shall, as soon as practicable, provide a copy of the document, free of charge, to the person by whom it was produced or caused to be produced.
- (6) Where any documents removed under the powers conferred by this section are lost or damaged, the Commissioners shall be liable to compensate their owner for any expenses reasonably incurred by him in replacing or repairing the documents.
- (7) If any person fails to comply with a requirement under this section, he shall be liable on summary conviction to a penalty of level 3 on the standard scale.]

Textual Amendments

- F1** S. 77A inserted by [Finance Act 1987 \(c. 16, SIF 40:1\), s. 10](#)
F2 Words in s. 77A(1) substituted (1.1.1993) by [S.I. 1992/3095, reg. 10\(1\), Sch. 1 para.7.](#)

Modifications etc. (not altering text)

- C1** S. 77A applied by SI 2003/2764 art. 21(9) (as added (28.3.2005) by [The Export of Goods, Transfer of Technology and Provision of Technical Assistance \(Control\) \(Amendment\) Order 2005 \(S.I. 2005/468\), arts. 1, 5](#))
- C2** S. 77A applied (with modifications) by SI 2003/318 art. 11(5) (as added (28.3.2005) by [The Trade in Controlled Goods \(Embargoed Destinations\) \(Amendment\) Order 2005 \(S.I. 2005/445\), arts. 1, 3](#))
- C3** S. 77A applied (with modifications) by SI 2003/2765 art. 12(5) (as added (28.3.2005) by [The Trade in Goods \(Control\) \(Amendment\) Order 2005 \(S.I. 2005/443\), arts. 1, 4](#))
- C4** S. 77A applied (with modifications) (26.11.2005) by [The Export Control \(Uzbekistan\) Order 2005 \(S.I. 2005/3257\), arts. 1\(1\), 6\(4\)](#)
- C5** S. 77A applied (with modifications) (27.7.2006) by [The Export Control \(Liberia\) Order 2006 \(S.I. 2006/2065\), arts. 1\(1\), 7\(4\)](#)
- C6** S. 77A applied (with modifications) (30.7.2006) by [The Technical Assistance Control Regulations 2006 \(S.I. 2006/1719\), regs. 1\(1\), 6\(4\)](#)
- C7** S. 77A applied (with modifications) (11.10.2006) by [The Lebanon \(Technical Assistance, Financing and Financial Assistance\) \(Penalties and Licences\) Regulations 2006 \(S.I. 2006/2681\), regs. 1\(1\), 5\(4\)](#)
- C8** S. 77A applied (with modifications) (11.10.2006) by [The Burma \(Sale, Supply, Export, Technical Assistance, Financing and Financial Assistance\) \(Penalties and Licences\) Regulations 2006 \(S.I. 2006/2682\), art. 1\(1\), reg. 6\(4\)](#)
- C9** S. 77A restricted (3.5.1994) by [1994 c. 9, s. 20\(5\)\(b\)](#)
- C10** S. 77A applied (with modifications) (27.4.2007) by [The Export Control \(North Korea\) Order 2007 \(S.I. 2007/1334\), arts. 1\(1\), 7\(2\)](#)
- C11** S. 77A applied (with modifications) (26.5.2007) by [The Export Control \(Iran\) Order 2007 \(S.I. 2007/1526\), arts. 1\(1\), 6\(2\)](#)
- C12** S. 77A applied (with modifications) (23.4.2008) by [The Export Control \(Burma\) Order 2008 \(S.I. 2008/1098\), arts. 1\(1\), 11\(2\)](#)

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- C13** S. 77A applied (with modifications) (6.4.2009) by [The Export Control Order 2008 \(S.I. 2008/3231\)](#), arts. 1, [41\(2\)](#)
- C14** S. 77A applied (with modifications) (20.2.2010) by [The Export Control \(Guinea\) Order 2010 \(S.I. 2010/364\)](#), arts. 1(1), [7\(2\)](#)

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