



# Companies Act 1985

## 1985 CHAPTER 6

### PART XIV

#### INVESTIGATION OF COMPANIES AND THEIR AFFAIRS ; REQUISITION OF DOCUMENTS

##### *Appointment and functions of inspectors*

#### **436 Obstruction of inspectors treated as contempt of court**

- (1) When inspectors are appointed under section 431 or 432 to investigate the affairs of a company, the following applies in the case of—
- (a) any officer or agent of the company.
  - (b) any officer or agent of another body corporate whose affairs are investigated under section 433, and
  - (c) any such person as is mentioned in section 434(2).

Section 434(4) applies with regard to references in this subsection to an officer or agent.

- (2) If that person—
- (a) refuses to produce any book or document which it is his duty under section 434 or 435 to produce, or
  - (b) refuses to attend before the inspectors when required to do so, or
  - (c) refuses to answer any question put to him by the inspectors with respect to the affairs of the company or other body corporate (as the case may be),
- the inspectors may certify the refusal in writing to the court.
- (3) The court may thereupon enquire into the case; and, after hearing any witnesses who may be produced against or on behalf of the alleged offender and after hearing any statement which may be offered in defence, the court may punish the offender in like manner as if he had been guilty of contempt of the court.