

*Status: Point in time view as at 30/11/2005.*

*Changes to legislation: Freedom of Information Act 2000, Cross Heading: Matters exempt from inspection and seizure is up to date with all changes known to be in force on or before 27 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)*

## SCHEDULES

### SCHEDULE 3

#### POWERS OF ENTRY AND INSPECTION

##### Modifications etc. (not altering text)

- C1** [Sch. 3](#) applied (with modifications) (31.12.2009) by [The INSPIRE Regulations 2009 \(S.I. 2009/3157\)](#), {reg. 11(1)-(3)(9)}

##### *Matters exempt from inspection and seizure*

- 8 The powers of inspection and seizure conferred by a warrant issued under this Schedule shall not be exercisable in respect of information which is exempt information by virtue of section 23(1) or 24(1).

##### Commencement Information

- II** [Sch. 3 para. 8](#) wholly in force at 1.1.2005; [Sch. 3 para. 8](#) not in force at Royal Assent, see [s. 87\(3\)](#); [Sch. 3 para. 8](#) in force for certain purposes at 30.11.2002 by [S.I. 2002/2812](#), [art. 2\(d\)\(e\)](#); [Sch. 3 para. 8](#) in force for certain further purposes at 1.1.2005 by [S.I. 2004/1909](#), [art. 2](#) and otherwise in force at 1.1.2005 by [S.I. 2004/3122](#), [art. 2](#)

- 9 (1) Subject to the provisions of this paragraph, the powers of inspection and seizure conferred by a warrant issued under this Schedule shall not be exercisable in respect of—
- any communication between a professional legal adviser and his client in connection with the giving of legal advice to the client with respect to his obligations, liabilities or rights under this Act, or
  - any communication between a professional legal adviser and his client, or between such an adviser or his client and any other person, made in connection with or in contemplation of proceedings under or arising out of this Act (including proceedings before the Tribunal) and for the purposes of such proceedings.
- (2) Sub-paragraph (1) applies also to—
- any copy or other record of any such communication as is there mentioned, and
  - any document or article enclosed with or referred to in any such communication if made in connection with the giving of any advice or, as the case may be, in connection with or in contemplation of and for the purposes of such proceedings as are there mentioned.
- (3) This paragraph does not apply to anything in the possession of any person other than the professional legal adviser or his client or to anything held with the intention of furthering a criminal purpose.

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- (4) In this paragraph references to the client of a professional legal adviser include references to any person representing such a client.

**Commencement Information**

- I2** Sch. 3 para. 9 wholly in force at 1.1.2005; Sch. 3 para. 9 not in force at Royal Assent, see s. 87(3); Sch. 3 para. 9 in force for certain purposes at 30.11.2002 by S.I. 2002/2812, art. 2(d)(e); Sch. 3 para. 9 in force for certain further purposes at 1.1.2005 by S.I. 2004/1909, art. 2 and otherwise in force at 1.1.2005 by S.I. 2004/3122, art. 2

- 10 If the person in occupation of any premises in respect of which a warrant is issued under this Schedule objects to the inspection or seizure under the warrant of any material on the grounds that it consists partly of matters in respect of which those powers are not exercisable, he shall, if the person executing the warrant so requests, furnish that person with a copy of so much of the material in relation to which the powers are exercisable.

**Commencement Information**

- I3** Sch. 3 para. 10 wholly in force at 1.1.2005; Sch. 3 para. 10 not in force at Royal Assent, see s. 87(3); Sch. 3 para. 10 in force for certain purposes at 30.11.2002 by S.I. 2002/2812, art. 2(d)(e); Sch. 3 para. 10 in force for certain further purposes at 1.1.2005 by S.I. 2004/1909, art. 2 and otherwise in force at 1.1.2005 by S.I. 2004/3122, art. 2

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