



Consumer Credit Act 2006

2006 CHAPTER 14

Powers and duties in relation to information

48 Entry to premises under warrant

After section 36C of the 1974 Act (inserted by section 47 of this Act) insert—

“36D Entry to premises under warrant

- (1) A justice of the peace may issue a warrant under this section if satisfied on information on oath given on behalf of the OFT that there are reasonable grounds for believing that the following conditions are satisfied.
- (2) Those conditions are—
 - (a) that there is on the premises specified in the warrant information or documents in relation to which a requirement could be imposed under section 36B; and
 - (b) that if such a requirement were to be imposed in relation to the information or documents—
 - (i) it would not be complied with; or
 - (ii) the information or documents would be tampered with.
- (3) A warrant under this section shall authorise an officer of an enforcement authority—
 - (a) to enter the premises specified in the warrant;
 - (b) to search the premises and to seize and detain any information or documents appearing to be information or documents specified in the warrant or information or documents of a description so specified;
 - (c) to take any other steps which may appear to be reasonably necessary for preserving such information or documents or preventing interference with them; and
 - (d) to use such force as may be reasonably necessary.

Status: This is the original version (as it was originally enacted).

- (4) An officer entering premises by virtue of this section may take such persons and equipment with him as he thinks necessary.
- (5) In the application of this section to Scotland—
 - (a) the reference to a justice of the peace includes a reference to a sheriff;
 - (b) for ‘information on oath’ there is substituted ‘evidence on oath’.
- (6) In the application of this section to Northern Ireland the reference to a justice of the peace shall be construed as a reference to a lay magistrate.”