

Status: Point in time view as at 26/05/2021.

Changes to legislation: Consumer Rights Act 2015, Cross Heading: Enforcement of notice under paragraph 14 is up to date with all changes known to be in force on or before 30 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 5

INVESTIGATORY POWERS ETC.

Modifications etc. (not altering text)

- C1** Sch. 5 applied (with modifications) (8.12.2016) by [The Electromagnetic Compatibility Regulations 2016 \(S.I. 2016/1091\)](#), reg. 1, **Sch. 7 para. 3** (with regs. 74, 75(5))
- C1** Sch. 5 applied (with modifications) (26.12.2017) by [The Radio Equipment Regulations 2017 \(S.I. 2017/1206\)](#), reg. 1, **Sch. 10 para. 3** (with regs. 3-5, 77)

PART 3

POWERS IN RELATION TO THE PRODUCTION OF INFORMATION

Enforcement of notice under paragraph 14

- 16 (1) If a person fails to comply with a notice under paragraph 14, the enforcer or an officer of the enforcer may make an application under this paragraph to the court.
- (2) If it appears to the court that the person has failed to comply with the notice, it may make an order under this paragraph.
- (3) An order under this paragraph is an order requiring the person to do anything that the court thinks it is reasonable for the person to do, for any of the purposes for which the notice was given, to ensure that the notice is complied with.
- (4) An order under this paragraph may require the person to meet the costs or expenses of the application.
- (5) If the person is a company, partnership or unincorporated association, the court in acting under sub-paragraph (4) may require an official who is responsible for the failure to meet the costs or expenses.
- (6) In this paragraph—
- “the court” means—
 - (a) the High Court,
 - (b) in relation to England and Wales, the county court,
 - (c) in relation to Northern Ireland, a county court,
 - (d) the Court of Session, or
 - (e) the sheriff;
 - “official” means—
 - (a) in the case of a company, a director, manager, secretary or other similar officer,

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- (b) in the case of a limited liability partnership, a member,
- (c) in the case of a partnership other than a limited liability partnership, a partner, and
- (d) in the case of an unincorporated association, a person who is concerned in the management or control of its affairs.

Commencement Information

- I1** Sch. 5 para. 16 in force at 27.5.2015 for specified purposes by [S.I. 2015/1333](#), **art. 2(a)**
- I2** Sch. 5 para. 16 in force at 27.5.2015 for specified purposes for E. by [S.I. 2015/965](#), **art. 2(b)**
- I3** Sch. 5 para. 16 in force at 1.10.2015 in so far as not already in force by [S.I. 2015/1630](#), **art. 3(h)** (with [art. 8](#))

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