

Changes to legislation: There are currently no known outstanding effects for the Consumer Rights Act 2015, Cross Heading: Power to break open container etc. (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)
- C1** Sch. 5: power to amend conferred (1.7.2022) by [Health and Care Act 2022 \(c. 31\)](#), ss. **180(3)(a)**, 186(6); [S.I. 2022/734](#), reg. 2(a), Sch. (with regs. 13, 29, 30)

PART 4

FURTHER POWERS EXERCISABLE BY DOMESTIC ENFORCERS AND [F1SCHEDULE 13 ENFORCERS]

Textual Amendments

- F1** Words in Sch. 5 Pt. 4 heading substituted (31.12.2020) by [The Consumer Protection \(Enforcement\) \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/203\)](#), regs. 1, **4(7)** (with reg. 9) (as amended by [S.I. 2020/1347](#), regs. 1(3), 3(8)); 2020 c. 1, Sch. 5 para. 1(1)

Power to break open container etc

- 31 (1) The officer may, for the purpose of exercising any of the powers in paragraphs 28 to [F130A], require a person with authority to do so to—
- (a) break open any container,
 - (b) open any vending machine, or
 - (c) access any electronic device in which information may be stored or from which it may be accessed.
- (2) Where a requirement under sub-paragraph (1) has not been complied with, the officer may, for the purpose of exercising any of the powers in paragraphs 28 to [F230A]—
- (a) break open the container,
 - (b) open the vending machine, or
 - (c) access the electronic device.
- (3) Sub-paragraph (1) or (2) applies if and to the extent that the exercise of the power in that sub-paragraph is reasonably necessary for the purposes for which that power may be exercised.

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(4) In this paragraph “container” means anything in which goods may be stored.

Textual Amendments

- F1** Word in Sch. 5 para. 31(1) substituted (26.5.2021) by [Medicines and Medical Devices Act 2021 \(c. 3\)](#), [ss. 41\(2\)\(e\)\(i\)](#), 50(3); [S.I. 2021/610](#), [reg. 2\(c\)](#) (with [reg. 3](#))
- F2** Word in Sch. 5 para. 31(2) substituted (26.5.2021) by [Medicines and Medical Devices Act 2021 \(c. 3\)](#), [ss. 41\(2\)\(e\)\(ii\)](#), 50(3); [S.I. 2021/610](#), [reg. 2\(c\)](#) (with [reg. 3](#))

Modifications etc. (not altering text)

- C1** Sch. 5 para. 31 applied (25.8.2020) by [Birmingham Commonwealth Games Act 2020 \(c. 10\)](#), s. 33, [Sch. 3 para. 4](#) (with [Sch. 3 para. 8](#))

Commencement Information

- I1** Sch. 5 para. 31 in force at 27.5.2015 for specified purposes for E. by [S.I. 2015/965](#), [art. 2\(b\)](#)
- I2** Sch. 5 para. 31 in force at 27.5.2015 for specified purposes by [S.I. 2015/1333](#), [art. 2\(a\)](#)
- I3** Sch. 5 para. 31 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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