
STATUTORY INSTRUMENTS

2001 No. 2916

**The EC Competition Law (Articles 84
and 85)Enforcement Regulations 2001**

Power to enter premises without a warrant

13.—(1) Any officer of the Director who is authorised in writing by the Director to do so (“an investigating officer”) may enter any premises in connection with an investigation under regulation 3.

(2) No investigating officer is to enter any premises in the exercise of his powers under this regulation unless he has given to the occupier of the premises a written notice which—

- (a) gives at least two working days’ notice of the intended entry;
- (b) indicates the subject matter and purpose of the investigation; and
- (c) indicates the nature of the offences created by regulations 22 to 24.

(3) Paragraph (2) does not apply—

- (a) if the Director has a reasonable suspicion that the premises are, or have been, occupied by—
 - (i) a party to an agreement which he is investigating under regulation 3; or
 - (ii) an undertaking the conduct of which he is investigating under regulation 3; or
- (b) if the investigating officer has taken all such steps as are reasonably practicable to give notice but has not been able to do so.

(4) In a case falling within paragraph (3), the power of entry conferred by paragraph (1) is to be exercised by the investigating officer on production of—

- (a) evidence of his authorisation; and
- (b) a document containing the information referred to in paragraph (2)(b) and (c).

(5) An investigating officer entering any premises under this regulation may—

- (a) take with him such equipment as appears to him to be necessary;
- (b) require any person on the premises—
 - (i) to produce any document which he considers relates to any matter relevant to the investigation; and
 - (ii) if the document is produced, to provide an explanation of it;
- (c) require any person to state, to the best of his knowledge and belief, where any such document is to be found;
- (d) take copies of, or extracts from, any document which is produced;
- (e) require any information which is held in a computer and is accessible from the premises and which the investigating officer considers relates to any matter relevant to the investigation, to be produced in a form—
 - (i) in which it can be taken away, and
 - (ii) in which it is visible and legible.

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The EC Competition Law (Articles 84 and 85) Enforcement Regulations 2001. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Regulations revoked by [S.I. 2007/1846 reg. 2Sch.](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 1 rule 18(1)(d) revoked by [S.I. 2003/1398 Sch. para. 41\(5\)\(a\)\(iii\)](#)
- Sch. 1 rule 18(2) revoked by [S.I. 2003/1398 Sch. para. 41\(5\)\(b\)](#)
- Sch. 1 rule 20 revoked by [S.I. 2003/1398 Sch. para. 41\(5\)\(c\)](#)
- Sch. 1 rule 18(1)(b) word inserted by [S.I. 2003/1398 Sch. para. 41\(5\)\(a\)\(i\)](#)
- Sch. 1 rule 21(1)(b)(i) word inserted by [S.I. 2003/1398 Sch. para. 41\(5\)\(d\)\(i\)](#)
- Sch. 1 rule 21(1)(b)(ii) word inserted by [S.I. 2003/1398 Sch. para. 41\(5\)\(e\)\(i\)](#)
- Sch. 1 rule 18(1)(c) word revoked by [S.I. 2003/1398 Sch. para. 41\(5\)\(a\)\(ii\)](#)
- Sch. 1 rule 21(1)(b)(i) words revoked by [S.I. 2003/1398 Sch. para. 41\(5\)\(d\)\(ii\)](#)
- Sch. 1 rule 21(1)(b)(ii) words revoked by [S.I. 2003/1398 Sch. para. 41\(5\)\(e\)\(ii\)](#)
- Sch. 1 rule 13(2) words substituted by [S.I. 2002/42 reg. 6](#)
- Sch. 2 para. 5(a)(b) substituted by [S.I. 2003/767 art. 3\(c\)\(ii\)](#)
- [reg. 4\(5\)-\(7\)](#) inserted by [S.I. 2002/42 reg. 3](#)
- [reg. 25\(3\)\(d\)\(iv\)](#) inserted by [S.I. 2002/42 reg. 5\(1\)](#)
- [reg. 25\(3A\)](#) inserted by [S.I. 2002/42 reg. 5\(2\)](#)

Commencement Orders yet to be applied to the The EC Competition Law (Articles 84 and 85) Enforcement Regulations 2001

Commencement Orders bringing legislation that affects this Instrument into force:

- [S.I. 2003/766 art. 2Sch.](#) commences (2002 c. 40)
- [S.I. 2003/1397 art. 2\(1\)Sch.](#) commences (2002 c. 40)