
STATUTORY INSTRUMENTS

2001 No. 2916

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

Powers to enter premises under a warrant

14.—(1) On an application made by the Director to the court in accordance with rules of court, a judge may issue a warrant if he is satisfied that—

- (a) there are reasonable grounds for suspecting that there are on any premises documents—
 - (i) the production of which has been required under regulation 12 or 13; and
 - (ii) which have not been produced as required;
- (b) there are reasonable grounds for suspecting that—
 - (i) there are on any premises documents which the Director has power under regulation 12 to require to be produced; and
 - (ii) if the documents were required to be produced, they would not be produced but would be concealed, removed, tampered with or destroyed; or
- (c) an investigating officer has attempted to enter premises in the exercise of his powers under regulation 13 but has been unable to do so and that there are reasonable grounds for suspecting that there are on the premises documents the production of which could have been required under that regulation.

(2) A warrant under this regulation shall authorise a named officer of the Director, and any other of his officers whom he has authorised in writing to accompany the named officer—

- (a) to enter the premises specified in the warrant, using such force as is reasonably necessary for the purpose;
- (b) to search the premises and take copies of, or extracts from, any document appearing to be of a kind in respect of which the application under paragraph (1) was granted (“the relevant kind”);
- (c) to take possession of any documents appearing to be of the relevant kind if—
 - (i) such action appears to be necessary for preserving the documents or preventing interference with them; or
 - (ii) it is not reasonably practicable to take copies of the documents on the premises;
- (d) to take any other steps which appear to be necessary for the purpose mentioned in subparagraph (c)(i);
- (e) to require any person to provide an explanation of any document appearing to be of the relevant kind or to state, to the best of his knowledge and belief, where it may be found;
- (f) to require any information which is held in a computer and is accessible from the premises and which the named 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.

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(3) If, in the case of a warrant under paragraph (1)(b), the judge is satisfied that it is reasonable to suspect that there are also on the premises other documents relating to the investigation concerned, the warrant shall also authorise action mentioned in paragraph (2) to be taken in relation to any such document.

(4) Any person entering premises by virtue of a warrant under this regulation may take with him such equipment as appears to him to be necessary.

(5) On leaving any premises which he has entered by virtue of a warrant under this regulation, the named officer must, if the premises are unoccupied or the occupier is temporarily absent, leave them as effectively secured as he found them.

(6) A warrant under this regulation continues in force until the end of the period of one month beginning with the day on which it is issued.

(7) Any document of which possession is taken under paragraph (2)(c) may be retained for a period of three months.

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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)