
STATUTORY INSTRUMENTS

2010 No. 1813

**The Revenue and Customs (Complaints
and Misconduct) Regulations 2010**

PART 7

PROVISION OF INFORMATION

Written notices

56.—(1) If during the course of an investigation of a complaint or matter which falls to be determined under these Regulations it appears to the person investigating that there is an indication that the person whose conduct is in question may have—

- (a) committed a criminal offence, or
- (b) behaved in a manner which would justify the bringing of disciplinary proceedings,

the person investigating the complaint or matter must give a notification to the person whose conduct is in question that complies with paragraph (2) .

(2) The notification must—

- (a) provide sufficient details of the complaint or matter in question so that the person whose conduct is in question may make representations to the person investigating the complaint or matter;
- (b) give the information about the effect of regulation 57 (duty to consider submissions from the person whose conduct is in question);
- (c) set out the time limits for providing the person investigating the complaint or matter with relevant statements and relevant documents for the purposes of regulation 57(2);
- (d) give such information that may be set out in guidance.

(3) Paragraphs (1) and (2) do not apply for so long as the person investigating the complaint or the matter considers that giving the notification might prejudice—

- (a) the investigation, or
- (b) any other investigation (including, in particular, a criminal investigation).

(4) In this regulation and regulations 57 and 58, the person whose conduct is in question—

- (a) in relation to an investigation of a complaint, means the person in respect of whom it appears to the person investigating that there is the indication mentioned in paragraph (1);
- (b) in relation to an investigation of a recordable conduct matter, means the person to whose conduct the investigation relates.

(5) In this regulation—

- (a) “relevant document” means—
 - (i) a document relating to any complaint or matter under investigation, and

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- (ii) includes such a document containing suggestions as to lines of inquiry to be pursued or witness to be interviewed;
- (b) “relevant statement” means an oral or written statement relating to any complaint or matter under investigation.