



Enterprise Act 2002

2002 CHAPTER 40

PART 6

CARTEL OFFENCE

Criminal investigations by OFT

200 Authorisation of action in respect of property

- (1) Part 3 of the Police Act 1997 (c. 50) (authorisation of action in respect of property) is amended as follows.
- (2) In section 93 (authorisation to interfere with property etc.)—
 - (a) in subsection (1B), after “customs officer” there is inserted “or an officer of the Office of Fair Trading”;
 - (b) after subsection (2A) there is inserted—

“(2AA) Where the authorising officer is the chairman of the Office of Fair Trading, the only purpose falling within subsection (2)(a) is the purpose of preventing or detecting an offence under section 188 of the Enterprise Act 2002.”;
 - (c) in subsection (3), after paragraph (d) there is inserted “, or
 - (e) if the authorising officer is within subsection (5)(i), by an officer of the Office of Fair Trading.”;
 - (d) in subsection (5), after paragraph (h) there is inserted “; or
 - (i) the chairman of the Office of Fair Trading.”
- (3) In section 94 (authorisation given in absence of authorising officer) in subsection (2), after paragraph (f) there is inserted—

“(g) where the authorising officer is within paragraph (i) of that subsection, by an officer of the Office of Fair Trading designated by it for the purposes of this section.”