
STATUTORY INSTRUMENTS

2008 No. 2164

**The Batteries and Accumulators (Placing
on the Market) Regulations 2008**

PART 4

Miscellaneous

Restrictions on enforcement powers and use of certain evidence under them

- 23.**—(1) Nothing in these Regulations shall be taken as—
- (a) requiring a person to produce any document which that person would be entitled to refuse to produce in any proceedings in any court on the grounds that it is the subject of legal professional privilege or, in Scotland, that it contains a confidential communication made by or to an advocate or solicitor in that capacity; or
 - (b) authorising a person to take possession of any document which is in the possession of a person who would be so entitled.
- (2) A statement by a person in response to a requirement imposed by virtue of regulation 10 may only be used in evidence against that person—
- (a) on a prosecution for an offence under regulation 15(3)(b); or
 - (b) on a prosecution for some other offence where in giving evidence that person makes a statement inconsistent with it.
- (3) But the statement may not be used against that person by virtue of paragraph (2)(b) unless evidence relating to it is adduced, or a question relating to it is asked, by or on behalf of that person in the proceedings arising out of the prosecution.

Amendment of the Enterprise Act 2002 (Part 9 Restrictions on Disclosure of Information) (Specification) Order 2004

- 24.** Schedule 1 to the Enterprise Act 2002 (Part 9 Restrictions on Disclosure of Information) (Specification) Order 2004(1) is amended by the addition, at the end, of the following entry—
- “The Batteries and Accumulators (Placing on the Market) Regulations 2008.”.

Revocations

- 25.** Schedule 2 (revocations) shall have effect.