

Power of inspection: tax deduction from payments to certain subcontractors. FA70 s17A; FA92 s235 904.—(1)  
In this section—

“authorised officer” means an officer of the Revenue Commissioners authorised by them in writing to exercise the powers conferred by this section;

“principal”, “relevant contract”, “relevant operations” and “subcontractor” have the same meanings respectively as in Chapter 2 of Part 18;

“records” means those records required to be kept—

(a) under section 531 and regulations made under that section,

and

(b) under section 886.

(2) An authorised officer may at all reasonable times enter any premises or place where the authorised officer has reason to believe that—

(a) any relevant operations are or have been carried on,

(b) any person is making or has made payments to a subcontractor in connection with the performance by the subcontractor of a relevant contract in relation to which that person is the principal,

(c) any person is or has been in receipt of such payments, or

(d) records are or may be kept,

and the authorised officer may—

(i) require any principal or subcontractor, or any employee of, or any other person providing bookkeeping, clerical or other administrative services to, any principal or subcontractor, who is on that premises or in that place to produce any records which the authorised officer requires for the purpose of his or her enquiry,

(ii) if the authorised officer has reason to believe that any of the records he or she has required to be produced to him or her under this subsection have not been so produced, search on those premises or in that place for those records, and

(iii) examine, make copies of, take extracts from, remove and retain any records for a reasonable period for their further examination or for the purpose of any legal proceedings instituted by an officer of the Revenue Commissioners or for the purposes of any criminal proceedings.

(3) An authorised officer may require any principal or subcontractor, or any employee of, or any other person providing bookkeeping, clerical or other administrative services to, any principal or subcontractor, to give the authorised officer all reasonable assistance, including providing information and explanations and furnishing documents required by the authorised officer.

(4) An authorised officer when exercising or performing his or her powers or duties under this section shall on request produce his or her authorisation for the purposes of this section.

(5) A person who does not comply with the requirements of an authorised officer in the exercise or performance of the authorised officer's powers or duties under this section shall be liable to a penalty of £1,000.

(6) The records referred to in this section shall be retained for a period of 6 years after the end of the year to which they refer or for such shorter period as the Revenue Commissioners may authorise in writing.