

Production and inspection of books or documents when offence suspected

794. (1) This section applies if, on an application to the District Court by a person specified in subsection (3), there is shown to be reasonable cause to believe that—

(a) a person has, while an officer of a company, committed an offence in connection with the management of the company's affairs; and

(b) evidence of the commission of the offence is to be found in—

(i) any books or documents of or under the control of the company; or

(ii) any documents of a person carrying on the business of banking in so far as they relate to the company's affairs.

(2) In any case to which this section applies, the District Court may make an order—

(a) authorising any person named in the order to inspect the books or documents referred to in subsection (1)(b)(i) or (ii), as the case may be, or any of them for the purpose of investigating and obtaining evidence of the offence; or

(b) in the case of books or documents referred to in subsection (1)(b)(i), requiring the secretary of the company or any other officer of the company who is named in the order to produce the books or documents or any of them to a person named in the order at the place named in the order.

(3) The District Court may make the order only on the application of—

(a) the Director of Public Prosecutions;

(b) the Director; or

(c) a Superintendent of the Garda Síochána.