



Public Health (Wales) Act 2017

2017 anaw 2

PART 4

SPECIAL PROCEDURES

Enforcement

86 Warrant to enter other premises

- (1) A justice of the peace may exercise the power in subsection (2) if satisfied on sworn information in writing—
 - (a) that, for the purpose of the exercise of a local authority's functions under or by virtue of this Part, it is necessary to enter premises that are not used wholly or mainly as a dwelling, and
 - (b) that a requirement set out in one or more of subsections (3) to (6) is met.
- (2) The justice may issue a warrant authorising an authorised officer of the authority to enter the premises, if need be by force.
- (3) The requirement is that—
 - (a) a request to enter the premises has been, or is likely to be, refused, and
 - (b) notice of intention to apply for a warrant under this section has been given to the occupier or a person who reasonably appears to the local authority to be concerned in the management of the premises.
- (4) The requirement is that requesting to enter the premises, or the giving of notice of intention to apply for a warrant under this section, is likely to defeat the purpose of the entry.
- (5) The requirement is that the premises are unoccupied.
- (6) The requirement is that—
 - (a) the occupier of the premises is temporarily absent, and
 - (b) awaiting the occupier's return is likely to defeat the purpose of the entry.

Status: This is the original version (as it was originally enacted).

- (7) The warrant continues in force until the end of the period of 28 days beginning with the date on which it was issued.
- (8) This section applies to a vehicle as if it were premises.