



Public Health etc. (Scotland) Act 2008

2008 asp 5

PART 3

PUBLIC HEALTH INVESTIGATIONS

Investigators' powers

26 Entry to dwellinghouses

- (1) Where an investigator proposes, in the exercise of a power conferred by section 22, to enter a dwellinghouse, the conditions set out in subsections (2) and (3) must be satisfied.
- (2) The first condition is that the investigator has given 48 hours' notice of the proposed entry to a person who appears to be the occupier of the dwellinghouse.
- (3) The second condition is that—
 - (a) the person who appears to be the occupier of the dwellinghouse has consented; or
 - (b) entry is effected under the authority of a warrant issued in accordance with section 27.
- (4) In this Part, “dwellinghouse” means any premises or part of premises which are wholly or mainly occupied as a person’s dwelling.