

# **ENVIRONMENTAL PROTECTION (SINGLE-USE PLASTIC PRODUCTS) (WALES) ACT 2023**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### ***Enforcement***

#### ***Section 11 – Power of entry: other circumstances requiring warrant***

37. If access to premises that are not residential premises (dealt with under section 10) is required because there are reasonable grounds to believe that an offence under section 5 has been committed, and entry is necessary to ascertain whether or not such an offence has taken place, this section enables a justice of the peace to issue a warrant authorising an authorised officer to enter such premises, if needs be by force. The premises to which entry is being sought under this section must be used for business purposes, or for use both as a business and a residence.
38. In order for a warrant to be issued, one or more of the requirements set out in subsections (3) to (4) must be met. The requirements include that a request to enter the premises has been, or is likely to be, refused and notice of intention to apply for a warrant has been given; and that requesting to enter, or giving notice of an intention to apply for a warrant, is likely to defeat the purpose of the entry.
39. Any such warrant will be in force for the period of 28 days beginning with the date it was issued.