

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Radioactive Substances Act 1960 (repealed 27.8.1993), SECOND SCHEDULE. (See end of Document for details)*

## SCHEDULES

### SECOND SCHEDULE

Section 12.

#### EXERCISE OF RIGHTS OF ENTRY AND INSPECTION

- 1 A person entering upon any premises in the exercise of any power conferred by this Act shall, if so required, produce written evidence of his authority before entering thereon.
- 2 Where it is shown to the satisfaction of a justice of the peace, on sworn information in writing, that admission to premises specified in the information is reasonably required by a person for the purpose of exercising a power conferred by this Act in respect thereof, the justice, subject to the next following paragraph, may by warrant under his hand authorise that person to enter upon the premises.
- 3 A justice of the peace shall not grant a warrant under the last preceding paragraph in respect of any premises unless he is satisfied—
  - (a) that admission to the premises, for the purpose of exercising the power in question, was sought after not less than seven days' notice of the intended entry had been given to the occupier; or
  - (b) that admission to the premises for that purpose was sought in a case of emergency and was refused by or on behalf of the occupier; or
  - (c) that the premises are unoccupied; or
  - (d) that an application for admission to the premises would defeat the object of the entry:

Provided that, in relation to premises to which subsection (2) of section twelve of this Act applies, the reference in sub-paragraph (a) of this paragraph to seven days shall be construed as a reference to twenty-four hours.
- 4 Every warrant granted under this Schedule shall continue in force until the purpose for which the entry is required has been satisfied.
- 5 Any person who, in the exercise of a power conferred by this Act, enters any premises which are unoccupied, or premises of which the occupier is temporarily absent, shall leave the premises as effectually secured against trespassers as he found them.
- 6 Before a person carries out any test on any premises, in the exercise of any power conferred by this Act, he shall consult with such persons having duties on the

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premises as may appear to him appropriate in order to secure that the carrying out of the test does not create any danger.

- 7 Any power of entry conferred by this Act shall, if exercised under the authority of a warrant granted under this Schedule, or in a case of emergency, but not in any other case, include power to enter, if need be, by force.
- 8 Any power of entry, or of carrying out tests or inspections, or of obtaining or taking away samples, conferred on any person by this Act may be exercised by him either alone or together with any other persons.
- 9 In this Schedule any reference to a case of emergency shall be construed in accordance with subsection (9) of section twelve of this Act.

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