



2011 CHAPTER 25

PART 5

ENFORCEMENT

Rights of entry for enforcement purposes

Right to enter under warrant

177.—(1) If it is shown to the satisfaction of a lay magistrate on a complaint on oath—

- (a) that there are reasonable grounds for entering any land for any of the purposes mentioned in section 176(1) or (2); and
- (b) that—
 - (i) admission to the land has been refused, or a refusal is reasonably apprehended; or
 - (ii) the case is one of urgency,

the lay magistrate may issue a warrant authorising any person duly authorised in writing by the council or, as the case may be, the Department to enter the land.

(2) For the purposes of subsection (1)(b)(i) admission to land shall be regarded as having been refused if no reply is received to a request for admission within a reasonable period.

(3) A warrant authorises entry on one occasion only and that entry must be—

- (a) within one month from the date of the issue of the warrant; and
- (b) at a reasonable time, unless the case is one of urgency.