
STATUTORY INSTRUMENTS

1981 No. 231

Weights and Measures (Northern Ireland) Order 1981

PART VII

MISCELLANEOUS AND SUPPLEMENTAL PROVISIONS

General powers of inspection and entry

41.—(1) Subject to the production, if so requested, of his credentials, an inspector may at all reasonable times—

- (a) inspect and test any weighing or measuring equipment which is, or which he has reasonable cause to believe to be, used for trade or in the possession of any person or upon any premises for such use;^{F1} or which has been, or which he has reasonable cause to believe to have been, passed by an approved verifier, or by a person purporting to act as such a verifier, as fit for such use.]
- (b) inspect any goods to which any of the provisions of this Order or any instrument made under it for the time being applies or which he has reasonable cause to believe to be such goods;
- (c) enter any premises at which he has reasonable cause to believe there to be any such equipment or goods as aforesaid, not being premises used only as a private dwelling-house.

(2) Subject to the production, if so requested, of his credentials, an inspector may seize and detain—

- (a) any article which he has reasonable cause to believe is liable to be forfeited under this Order, and
- (b) any document or goods which the inspector has reason to believe may be required as evidence in proceedings for an offence under this Order.

(3) Where a justice of the peace is satisfied by complaint in writing and on oath—

- (a) that there is reasonable ground to believe that any such equipment, goods, articles or documents as are mentioned in paragraph (1) or (2) are on any premises, or that any offence under this Order or any instrument made under it has been, is being or is about to be committed on any premises; and
- (b) either—
 - (i) that admission to the premises has been refused, or a refusal is apprehended, and that notice of the intention to apply for a warrant has been given to the occupier; or
 - (ii) that an application for admission, or the giving of such a notice, would defeat the object of the entry, or that the case is one of urgency, or that the premises are unoccupied or that the occupier is temporarily absent,

he may issue a warrant under his hand, which shall continue in force for a period of seven days commencing with the date of issue of the warrant, authorising an inspector to enter the premises, if need be by force.

Status: Point in time view as at 11/07/2013. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Weights and Measures (Northern Ireland) Order 1981, Section 41. (See end of Document for details)

(4) An inspector entering any premises by virtue of this Article may take with him such other persons and such equipment as he considers necessary.

(5) An inspector who leaves premises which he has entered by virtue of paragraph (3) and which are unoccupied or from which the occupier is temporarily absent shall leave the premises as effectively secured against trespassers as he found them.

(6) If any inspector or other person who enters any premises by virtue of this Article discloses to any person any information with regard to any secret manufacturing process or trade secret obtained by him in the premises, he shall, unless the disclosure was made in the performance of his duty, be guilty of an offence.

F1 2000 c. 5(NI)

Status:

Point in time view as at 11/07/2013. This version of this provision has been superseded.

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