
STATUTORY RULES OF NORTHERN IRELAND

2020 No. 360

The Official Controls (Plant Protection Products) Regulations (Northern Ireland) 2020.

PART 4

Enforcement, penalties and appeal

General powers

12.—(1) An authorised person entering premises under regulation 9 or under a warrant issued under regulation 10 may—

- (a) search for any item, if necessary using reasonable force;
- (b) open or examine, or both, anything that is on, attached to or otherwise forms part of the premises, if necessary using reasonable force;
- (c) take with them any persons and equipment or materials they consider necessary for the enforcement of these Regulations or the Official Controls Regulation;
- (d) open any container, if necessary using reasonable force;
- (e) carry out any searches, inspections, measurements and tests;
- (f) take samples;
- (g) have access to, and inspect and copy any documents, books or records (in whatever form they are held) which the authorised person has reason to believe may be relevant in connection with the enforcement of these Regulations or the Official Controls Regulation and remove them to enable them to be copied;
- (h) photograph or copy anything which the authorised person has reasonable cause to believe may be relevant in connection with the enforcement of these Regulations or the Official Controls Regulation; and
- (i) seize any computers and associated equipment for the purpose of copying documents provided that they are returned as soon as practicable.

(2) Any person who accompanies an authorised person in accordance with sub-paragraph (1)(c) may perform any of the authorised person's functions but only under the supervision of the authorised person.

(3) Where an authorised person takes samples under sub-paragraph (1)(f), the authorised person may only take an amount that is reasonably needed for the performance of their functions under these Regulations or the Official Controls Regulation.

(4) Nothing in sub-paragraphs (1)(g), (h) or (i) shall be taken to compel the production by any person of a document which they would be entitled to refuse to produce on grounds of legal professional privilege or in proceedings in the High Court.

(5) An authorised person may require any person to give the authorised person information as to the formulation, effects or use of any substance.