
SCOTTISH STATUTORY INSTRUMENTS

2019 No. 310

The Bovine Viral Diarrhoea (Scotland) Order 2019

PART 4

Final provisions

Powers of entry

41.—(1) An inspector may, on producing a duly authenticated authorisation if requested, enter any premises (except premises used wholly as a private dwelling house) at any reasonable hour for the purpose of enforcing this Order.

(2) A justice of the peace, summary sheriff or sheriff may, by signed warrant, permit an inspector to enter any premises as mentioned in paragraph (1), if necessary by reasonable force, if satisfied, on sworn information in writing, that—

- (a) there are reasonable grounds to enter those premises for the purpose of enforcing this Order, and
 - (b) any of the conditions in paragraph (3) are met.
- (3) The conditions referred to in paragraph (2)(b) are—
- (a) entry to the premises has been, or is likely to be, refused, and notice of intention to apply for a warrant has been given to the occupier,
 - (b) asking for admission to the premises, or giving such notice, would defeat the object of entry,
 - (c) entry is required urgently, or
 - (d) the premises are unoccupied or the occupier is temporarily absent.
- (4) A warrant may be granted for a period of up to 3 months.

Commencement Information

II Art. 41 in force at 1.12.2019, see **art. 1(1)**

Changes to legislation:

There are currently no known outstanding effects for the The Bovine Viral Diarrhoea (Scotland) Order 2019, Section 41.