



# North Yorkshire County Council Act 1991

## 1991 CHAPTER xiv

### PART IV

#### MISCELLANEOUS AND GENERAL

#### **8 Powers of entry, inspection and examination**

- (1) A proper officer of the council, on producing if so required a duly authenticated document showing his authority, or any constable may—
  - (a) subject to subsection (2) below, enter and inspect any premises if he has reasonable cause to believe that they are being, have been or are intended to be, used for or in connection with an occasional sale, within the meaning of section 6 of this Act, for the purpose of ascertaining whether there is or has been, in, or in connection with, the premises a contravention of that section;
  - (b) at all reasonable times enter any premises for the purpose of serving a notice under subsection (5) of the said section 6;
  - (c) at all reasonable times enter and inspect any premises registered under section 7 of this Act and inspect any book kept in pursuance of that section and may do all such things as are reasonably necessary for the purpose of ascertaining whether there is, or has been, in, or in connection with, the premises, a contravention of that section; or
  - (d) subject to subsection (2) below, enter and inspect any premises not registered under the said section 7, if he has reasonable cause to believe they are being used for, or in connection with, the business of a dealer in second-hand goods, for the purposes of ascertaining whether in connection with such premises there is a contravention of that section.
- (2) The powers of subsection (1) (a) or (d) above may be exercised in respect of premises only on the grant of a warrant by a justice of the peace.
- (3) A justice may grant a warrant under subsection (2) above only if he is satisfied either—
  - (a) that notice of intention to apply for a warrant has been given to the occupier of the premises; or

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*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

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- (b) that the case is one of urgency, or the occupier is temporarily absent, or that the giving of notice of intention to apply for a warrant would defeat the object of entry.
- (4) A warrant under this section shall authorise entry, if need be, by force but shall cease to have effect at the end of a period of seven days beginning with the day on which it is granted.