



London Olympic Games and Paralympic Games Act 2006

2006 CHAPTER 12

Advertising

22 Enforcement: power of entry

- (1) A constable or enforcement officer may—
 - (a) enter land or premises on which they reasonably believe a contravention of regulations under section 19 is occurring (whether by reason of advertising on that land or premises or by the use of that land or premises to cause an advertisement to appear elsewhere);
 - (b) remove, destroy, conceal or erase any infringing article;
 - (c) when entering land under paragraph (a), be accompanied by one or more persons for the purpose of taking action under paragraph (b);
 - (d) use, or authorise the use of, reasonable force for the purpose of taking action under this subsection.
- (2) The power to enter land or premises may be exercised only at a time that a constable or enforcement officer thinks reasonable having regard to the nature and circumstances of the contravention of regulations under section 19.
- (3) Before entering land or premises a constable or enforcement officer must take reasonable steps to—
 - (a) establish the identity of an owner, occupier or person responsible for the management of the land or premises or of any infringing article on the land or premises, and
 - (b) give any owner, occupier or responsible person identified under paragraph (a) such opportunity as seems reasonable to the constable or enforcement officer in the circumstances of the case to end the contravention of the regulations (whether by removing, destroying or concealing any infringing article or otherwise).

- (4) The power to enter premises may be exercised in relation to a dwelling only in accordance with a warrant issued by a justice of the peace; and a justice of the peace may issue a warrant only if satisfied on the application of a constable or enforcement officer that—
- (a) there are reasonable grounds to believe a contravention of regulations under section 19 is occurring in the dwelling or on land that can reasonably be entered only through the dwelling,
 - (b) the constable or enforcement officer has complied with subsection (3),
 - (c) the constable or enforcement officer has taken reasonable steps to give notice to persons likely to be interested of his intention to apply for a warrant, and
 - (d) that it is reasonable in the circumstances of the case to issue a warrant.
- (5) The power to remove an article may be exercised only if the constable or enforcement officer thinks it necessary for the purpose of—
- (a) ending the contravention of regulations under section 19,
 - (b) preventing a future contravention of the regulations,
 - (c) enabling the article to be used as evidence in proceedings for an offence under section 21, or
 - (d) enabling the article to be forfeited in accordance with section 143 of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6).
- (6) An article removed—
- (a) if removed by an enforcement officer, shall as soon as is reasonably practicable be delivered to a constable, and
 - (b) whether removed by or delivered to a constable, shall be treated as if acquired by the constable in the course of the investigation of an offence.
- (7) Having exercised a power under this section a constable or enforcement officer—
- (a) shall take reasonable steps to leave the land or premises secure, and
 - (b) shall comply with any provision of regulations under section 19 about informing specified persons of what the constable or enforcement officer has done.
- (8) Regulations under section 19 shall include provision enabling a person whose property is damaged in the course of the exercise or purported exercise of a power under this section (other than a person responsible for a contravention of the regulations or for the management of an infringing article) to obtain compensation from a police authority or the Olympic Delivery Authority; and the regulations may, in particular, include provision—
- (a) conferring jurisdiction on a court or tribunal;
 - (b) about appeals.
- (9) A police authority or the Olympic Delivery Authority may recover from a person responsible for the contravention of the regulations, as if it were a debt, the reasonable costs of taking action under this section.
- (10) In this section—
- “enforcement officer” means a person designated for the purposes of that subsection by the Olympic Delivery Authority (and paragraph 29(1)(a) to (d) of Schedule 1 shall apply to an enforcement officer whether or not he is a member of the Authority’s staff), and

- “infringing article” means—
- (a) an advertisement which contravenes regulations under section 19, and
 - (b) any other thing that constitutes a contravention of regulations under section 19 or is being used in connection with a contravention of the regulations.