

## SCHEDULES

### SCHEDULE 2

#### POWERS OF ENTRY, INSPECTION AND SEARCH: SUPPLEMENTARY

##### *Safeguards etc. in connection with powers of entry conferred by warrant*

- 3 (1) A warrant may be executed by any inspector.
- (2) A warrant may authorise persons to accompany any inspector who is executing it.
- (3) A person authorised under sub-paragraph (2) has the same powers as the inspector whom he accompanies in respect of the execution of the warrant, but may exercise those powers only in the company, and under the supervision, of an inspector.
- (4) Execution of a warrant must be within three months from the date of its issue.
- (5) Execution of a warrant must be at a reasonable hour unless it appears to the inspector executing it that the purpose of entry may be frustrated on an entry at a reasonable hour.
- (6) Where the occupier of premises which are to be entered under a warrant is present at the time when an inspector seeks to execute it, the inspector shall—
- (a) identify himself to the occupier and shall produce to him documentary evidence that he is an inspector,
  - (b) produce the warrant to him, and
  - (c) supply him with a copy of it.
- (7) Where—
- (a) the occupier of premises which are to be entered under a warrant is not present when an inspector seeks to execute it, but
  - (b) some other person who appears to the inspector to be in charge of the premises is present,
- sub-paragraph (6) shall have effect as if any reference to the occupier were a reference to that other person.
- (8) If there is no person present who appears to the inspector to be in charge of the premises, he shall leave a copy of the warrant in a prominent place on the premises.
- (9) A warrant which—
- (a) has been executed, or
  - (b) has not been executed within the time authorised for its execution,
- shall be returned to the designated officer for the local justice area in which the justice of the peace who issued the warrant was acting when he issued it.
- (10) A warrant which is returned under sub-paragraph (9) shall be retained by the officer to whom it is returned for 12 months from its return.

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*Status: This is the original version (as it was originally enacted).*

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- (11) If during the period for which a warrant is to be retained the occupier of the premises to which it relates asks to inspect it, he shall be allowed to do so.