

Status: Point in time view as at 06/04/2023.

Changes to legislation: Building Safety Act 2022, Paragraph 3 is up to date with all changes known to be in force on or before 29 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 2

AUTHORISED OFFICERS: INVESTIGATORY POWERS

Entry to domestic premises (with warrant)

- 3 (1) A justice of the peace may issue a warrant in respect of domestic premises specified in the warrant if satisfied, on an information in writing made by an authorised officer, that—
- (a) it is necessary for an authorised officer to enter the premises for a relevant purpose, and
 - (b) one of the following conditions is met—
 - (i) that entry to the premises for the relevant purpose has been, or is likely to be, refused;
 - (ii) that no person entitled to grant entry to the premises can be found;
 - (iii) that requesting entry may frustrate or seriously prejudice the purpose of entry.
- (2) The warrant—
- (a) authorises any authorised officer to enter the premises at any time (subject to [sub-paragraph \(3\)](#)) for the purposes specified in the warrant, and
 - (b) confers such additional powers as may be specified in the warrant.
- (3) The warrant may limit the times at which the power of entry may be exercised.
- (4) For this purpose “additional powers” means—
- (a) the power to enter by force (if necessary);
 - (b) the powers under [sub-paragraphs \(2\) to \(5\)](#) of [paragraph 1](#).
- (5) An additional power may be specified in the warrant only if the justice of the peace is satisfied that it is necessary to confer the power.

Commencement Information

- I1** Sch. 2 para. 3 in force at Royal Assent for specified purposes, see [s. 170\(2\)\(a\)](#)
- I2** Sch. 2 para. 3 in force at 6.4.2023 in so far as not already in force by S.I. 2023/362, [reg. 3\(1\)\(g\)](#)

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