
STATUTORY INSTRUMENTS

2006 No. 1327

**The Sea Fishing (Restriction on Days at Sea)
(Monitoring, Inspection and Surveillance) Order 2006**

PART 4

Enforcement

Warrants to enter premises

26.—(1) If a justice of the peace on sworn information in writing is satisfied that the circumstances in paragraph (2) apply, he may issue a warrant authorising a British sea-fishery officer to enter any premises, if necessary using reasonable force, and to take with him such persons as appear to be necessary.

(2) The circumstances are that—

- (a) there are reasonable grounds to believe that any documents or other items which a British sea-fishery officer has power under article 25 to inspect are on the premises;
- (b) the inspection of such documents or other items is likely to disclose evidence of the commission of an offence under this Order or any equivalent provision; and
- (c) either—
 - (i) 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;
 - (ii) an application for entry, or the giving of notice, would defeat the object of the entry;
 - (iii) the premises are unoccupied; or
 - (iv) the occupier is temporarily absent and it might defeat the object of the entry to await his return.