
STATUTORY INSTRUMENTS

2011 No. 2292

**The Alien and Locally Absent Species in
Aquaculture (England and Wales) Regulations 2011**

PART 3

Enforcement, penalties and appeals

Entry and inspection of land and premises

12.—(1) For the purposes of enforcing these Regulations and Council Regulation 708/2007, an inspector has power, on producing a duly authenticated authorisation if required, to enter any land or premises (except any premises used wholly or mainly as a private dwelling house) at any reasonable hour by giving reasonable notice.

(2) But the requirement to give notice is not necessary—

- (a) where reasonable efforts to agree an appointment have failed;
- (b) where an inspector has reasonable suspicion of a failure to comply with these Regulations or Council Regulation 708/2007; or
- (c) in an emergency.

(3) A justice of the peace may by signed warrant permit an inspector to enter any land or premises, if necessary by reasonable force, if the justice, on sworn information in writing, is satisfied—

- (a) that there are reasonable grounds to enter that land or premises for the purpose of enforcing these Regulations and Council Regulation 708/2007; and
- (b) that any of the conditions in paragraph (4) are met.

(4) The conditions are—

- (a) entry to the premises has been, or is likely to be, refused, and notice of the intention to apply for a warrant has been given to the occupier;
- (b) asking for admission to the premises, or giving such a notice, would defeat the object of the entry;
- (c) entry is required urgently; or
- (d) the premises are unoccupied or the occupier is temporarily absent.

(5) A warrant is valid for three months.

[^{F1}(6) An inspector entering any land or premises under this regulation may be accompanied by such person, and may enter together with such equipment or vehicle, as the inspector considers necessary for the purposes of this regulation.]

(7) An inspector entering any premises which are unoccupied or from which the occupier is temporarily absent must leave them as effectively secured against unauthorised entry as they were before entry.

Changes to legislation: *There are currently no known outstanding effects for the The Alien and Locally Absent Species in Aquaculture (England and Wales) Regulations 2011, Section 12. (See end of Document for details)*

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Textual Amendments

- F1** Reg. 12(6) substituted (31.12.2020) by [The Aquatic Animal Health and Alien Species in Aquaculture \(Amendment\) \(England and Wales\) \(EU Exit\) Regulations 2019 \(S.I. 2019/452\)](#), regs. 1, **3(3)**; 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation:

There are currently no known outstanding effects for the The Alien and Locally Absent Species in Aquaculture (England and Wales) Regulations 2011, Section 12.