
STATUTORY INSTRUMENTS

2012 No. 2629

The African Horse Sickness (England) Regulations 2012

PART 8

Inspection, enforcement and miscellaneous provisions

Powers of inspectors

29.—(1) An inspector may, on producing a duly authenticated authorisation if requested, enter any premises, vehicle, vessel or trailer (except any premises used wholly or mainly as a private dwelling house) at any reasonable hour for the purpose of executing or enforcing these Regulations.

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

- (a) that there are reasonable grounds to enter those premises for the purpose of executing or enforcing these Regulations; and
- (b) that any of the conditions in paragraph (3) are met.

(3) 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.

(4) A warrant is valid for three months.

(5) 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.

(6) An inspector entering any premises, vehicle, vessel or trailer may—

- (a) inspect any horse or thing there;
- (b) take samples;
- (c) seize and destroy any equipment or genetic material;
- (d) detain or isolate any animal or thing;
- (e) mark or microchip for identification purposes any animal or thing;
- (f) carry out any inquiries, examinations and tests;
- (g) undertake surveillance for vectors and implement vector control measures (including the introduction of any sentinel horse);
- (h) have access to, inspect and copy any documents or records (in whatever form they are held) relevant to these Regulations, and remove them to enable them to be copied;

- (i) inspect and check the operation of any computer and any associated apparatus or material that is or has been in use in connection with records;
- (j) require by notice served on the occupier of the premises—
 - (i) any animal to be marked or microchipped for identification purposes;
 - (ii) any animal or thing (including a vehicle or trailer) to be moved to a specified destination or to be moved to or kept in a particular part of the premises;
 - (iii) the undertaking of surveillance for the presence of insects;
 - (iv) the implementation of such vector control measures as the inspector considers practical and necessary;
 - (v) horses to be retained for use as sentinel horses or sentinel horses to be introduced onto those premises.

(7) Where an inspector has entered any premises, vehicle, vessel or trailer and it is not reasonably practicable to determine whether documents on those premises are relevant to these Regulations, the inspector may seize them to ascertain whether or not they are relevant.

(8) The inspector may—

- (a) take any necessary equipment, sentinel horse or vehicle on to the premises;
- (b) be accompanied by—
 - (i) such other persons as the inspector considers necessary, ^{F1}...
 - ^{F1}(ii)

(9) Any power or obligation to take a sample and test it includes a power to—

- (a) re-test the sample, and
- (b) take further samples (from the animals or carcasses subject to that power or, in the case of environmental samples, take further environmental samples) and test and re-test those samples.

(10) In this regulation, a sentinel horse is a horse used for surveillance for African horse sickness virus which does not have antibodies to that virus when introduced to or retained at the premises for that purpose.

Textual Amendments

F1 [Reg. 29\(8\)\(b\)\(ii\)](#) and word omitted (31.12.2020) by virtue of [The Exotic Disease \(Amendment\) \(England\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1406\)](#), regs. 1, **11**; 2020 c. 1, Sch. 5 para. 1(1)

Commencement Information

I1 [Reg. 29](#) in force at 21.11.2012, see [reg. 1\(c\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The African Horse Sickness (England) Regulations 2012, Section 29.