
STATUTORY INSTRUMENTS

2015 No. 610

The Plant Health (England) Order 2015

PART 6

Measures to control the landing of relevant material and prevent the spread of plant pests

Right of entry conferred by a warrant issued by a justice of the peace

38.—(1) A justice of the peace may by signed warrant permit an inspector to enter premises under article 31, 33 or 37, if necessary by reasonable force, if the justice, on sworn information in writing, is satisfied that—

- (a) there are reasonable grounds to enter those premises; and
- (b) any of the conditions in paragraph (2) are met.

(2) The conditions are that—

- (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 notice of the intention to apply for a warrant, would defeat the object of the entry;
- (c) entry is required urgently;
- (d) the premises are unoccupied or the occupier is temporarily absent.

(3) A warrant is valid for one month.

(4) An inspector who enters any unoccupied premises must leave them as effectively secured against unauthorised entry as they were before entry.