
STATUTORY INSTRUMENTS

2018 No. 437

**The Sea Fish (Marketing Standards) (England and
Wales and Northern Ireland) Regulations 2018**

Power to enter premises

5.—(1) Where an authorised officer has reasonable suspicion of a contravention of a relevant provision in, or in connection with, any premises, the officer may, at a reasonable hour, enter those premises for the purpose of enforcing that provision.

(2) But an authorised officer must not enter any premises under paragraph (1) unless notice of the officer's intention to do so has been served on the occupier a reasonable period in advance.

(3) The requirement to serve notice does not apply—

- (a) where the requirement has been waived;
- (b) where reasonable efforts to agree an appointment have failed;
- (c) where an inspector reasonably believes that serving notice would defeat the object of the entry; or
- (d) in an emergency where entry is required urgently.

(4) Paragraph (1) does not apply in relation to any premises which are used wholly or mainly as a private dwelling house unless a right of entry is conferred by a warrant granted under regulation 6.

(5) An authorised officer must, if requested to do so, produce a duly authenticated document showing the authority of that officer.

(6) An authorised officer who enters any premises which are unoccupied, or from which the occupier is temporarily absent, or who enters any premises by force, must leave them as effectively secured against unauthorised entry as they were before entry.

(7) An authorised officer may—

- (a) be accompanied by such other persons as the authorised officer considers necessary; and
- (b) bring onto the premises such equipment as the authorised officer considers necessary.

(8) A person who is brought by an authorised officer to provide assistance may exercise any powers conferred on the officer by these Regulations, but only under the supervision or direction of the officer.

Commencement Information

II [Reg. 5](#) in force at 30.4.2018, see [reg. 1\(2\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Sea Fish (Marketing Standards) (England and Wales and Northern Ireland) Regulations 2018, Section 5.