
STATUTORY INSTRUMENTS

2019 No. 1084

The Child Support (Miscellaneous
Amendments) Regulations 2019

PART 4

Powers of entry and information

Amendments of the Child Support Act 1991

12. After section 15 insert—

“Inspectors: warrants authorising entry

15A.—(1) The appropriate court may issue a warrant authorising entry to premises if, on an application made by an inspector, the court is satisfied that—

- (a) any of the conditions in subsection (2) is met, and
- (b) each of the conditions in subsection (3) is met.

(2) The conditions referred to in subsection (1)(a) are—

- (a) that, having attempted to exercise the power conferred by section 15(4), an inspector has been refused entry to the premises,
- (b) that it is not practicable to communicate with any person entitled to grant entry to the premises, or
- (c) that entry to the premises is unlikely to be granted unless a warrant is produced.

(3) The conditions referred to in subsection (1)(b) are—

- (a) that the premises are liable to inspection under section 15 (see section 15(4A)),
- (b) that the premises are premises to which it is reasonable for an inspector to require entry in order to exercise the inspector’s functions under section 15,
- (c) that the premises are occupied, and
- (d) that the occupier has been given at least 21 days’ notice of intention to apply for a warrant.

(4) An application for a warrant must be supported—

- (a) in England and Wales, by an information in writing;
- (b) in Scotland, by evidence on oath.

(5) The warrant must specify the premises to which the warrant relates.

(6) A warrant authorises an inspector’s entry to the specified premises, at any reasonable time and either alone or accompanied by such persons as the inspector thinks fit, for the purpose of exercising the inspector’s functions under section 15.

(7) But a warrant does not authorise an inspector to enter those premises at any time when the occupier is temporarily absent.

(8) A warrant ceases to have effect at the end of the period of one month beginning with the day it is issued.

(9) An inspector entering premises under a warrant must, if so required, produce the warrant for inspection by an occupier of the premises.

(10) In this section—

“the appropriate court”—

(a) in relation to premises in England and Wales, means a magistrates’ court;

(b) in relation to premises in Scotland, means the sheriff or summary sheriff;

“inspector” means an inspector appointed under section 15;

“occupier” and “premises” have the same meanings as in section 15;

“warrant” means a warrant issued under this section.”.