
STATUTORY INSTRUMENTS

2019 No. 421

The Alternative Fuel Labelling and Greenhouse Gas Emissions (Miscellaneous Amendments) Regulations 2019

PART 3

Enforcement

Power of entry with warrant

11.—(1) A justice of the peace may, by signed warrant, permit the enforcement authority to enter any premises or land, if necessary by reasonable force, if the justice of the peace in England and Wales on sworn information in writing, in Northern Ireland on a complaint on oath, or in Scotland by evidence on oath, is satisfied—

- (a) that there are reasonable grounds to enter those premises or land for the purposes of investigating whether there has been a breach of any of the requirements of these Regulations, and
- (b) that any of the conditions in paragraph (3) is met.

(2) Reference to a justice of the peace—

- (a) in Scotland, includes a sheriff,
- (b) in Northern Ireland is a reference to a lay magistrate.

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

- (a) entry to the premises or land has been, or is likely to be, refused,
- (b) serving an inspection notice under regulation 9(2) would defeat the object of the entry,
- (c) entry is required urgently, or
- (d) the premises or land are unoccupied or the occupier is temporarily absent.

(4) A warrant granted under paragraph (1)—

- (a) is valid for one month beginning on the day of issue, and
- (b) must be produced on demand to the owner and any occupier of the premises or land.

(5) Where the enforcement authority enters premises or land under a warrant and those premises or land are unoccupied or from which the occupier is temporarily absent, the enforcement authority must—

- (a) leave a copy of the warrant at the premises or land, and
- (b) leave those premises or land as effectively secured against unauthorised entry as they were before entry.