

STATUTORY INSTRUMENTS

2021 No. 534

The Air Navigation (Carbon Offsetting and Reduction Scheme for International Aviation) Order 2021

PART 5

Compliance monitoring

Warrants

48.—(1) A judge may by warrant authorise a Regulator [^{F1}or] an authorised person to exercise the power in article 47(1)(a), in accordance with the warrant, where satisfied that—

- (a) there are reasonable grounds for the exercise of the power^[F2,] and
- (b) one or more of the conditions in paragraph (2) are fulfilled in relation to the premises.

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

- (a) the exercise of the power by consent in relation to the premises has been refused^[F2,]
- (b) a refusal of consent to the exercise of the power is reasonably expected^[F2,]
- (c) the premises are unoccupied^[F2,]
- (d) the occupier is temporarily absent from the premises and the case is one of urgency^[F2,]
- (e) a request for admission to the premises would defeat the purpose of the entry.

(3) A warrant in accordance with this article continues to have effect until the purpose for which it was issued has been fulfilled.

(4) In paragraph (1), “judge” means—

- (a) [^{F3}in England and Wales,] a justice of the peace^[F2,]
- (b) in Northern Ireland, a lay magistrate^[F2,] or
- (c) in Scotland, a justice of the peace or sheriff.

Textual Amendments

- F1** Word in art. 48(1) substituted (9.11.2022) by [The Air Navigation \(Carbon Offsetting and Reduction Scheme for International Aviation\) \(Amendment\) Order 2022 \(S.I. 2022/1050\)](#), arts. 1, **24(2)**
- F2** Art. 48: comma substituted for semicolon (9.11.2022) by [The Air Navigation \(Carbon Offsetting and Reduction Scheme for International Aviation\) \(Amendment\) Order 2022 \(S.I. 2022/1050\)](#), arts. 1, **4**
- F3** Words in art. 48(4)(a) inserted (9.11.2022) by [The Air Navigation \(Carbon Offsetting and Reduction Scheme for International Aviation\) \(Amendment\) Order 2022 \(S.I. 2022/1050\)](#), arts. 1, **24(3)**

Commencement Information

- I1** Art. 48 in force at 26.5.2021, see [art. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Air Navigation (Carbon Offsetting and Reduction Scheme for International Aviation) Order 2021, Section 48.