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WELSH STATUTORY INSTRUMENTS

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**2014 No. 3222**

**The Rural Development Programmes (Wales) Regulations 2014**

**Powers of entry**

7.—(1) An authorised person may, at all reasonable times and on production, if so required, of their authority to do so, enter any premises other than premises which are used wholly or mainly as a private dwelling—

- (a) to which an approved operation relates, or
- (b) on which the authorised person has reasonable grounds to believe that documents relating to an approved operation are retained,

for any of the purposes mentioned in paragraph (2).

(2) Those purposes are—

- (a) verifying the accuracy of any information provided by a beneficiary relating to the approved operation;
- (b) ascertaining whether any financial assistance is payable or recoverable or the amount of such financial assistance that is payable or recoverable;
- (c) ascertaining whether an offence under these Regulations has been or is being committed;
- (d) otherwise ascertaining whether EU assistance is being efficiently and correctly used;
- (e) providing a control report pursuant to Article 54(1) of Regulation (EU) No 1306/2013 of the European Parliament and of the Council of 17 December 2013<sup>(1)</sup>; and
- (f) determining whether there has been non-compliance with these Regulations or the EU legislation.

(3) Paragraph (1) does not affect any right of entry conferred by a warrant issued in accordance with paragraph (4).

(4) A justice of the peace may by signed warrant permit an authorised person to enter any premises (including premises which are used wholly or mainly as a private dwelling), if necessary by reasonable force, if the justice, on sworn information in writing, is satisfied that—

- (a) there are reasonable grounds for an authorised person to enter the premises for any purpose mentioned in paragraph (2); and
- (b) one of the conditions in paragraph (5) is met.

(5) The conditions are that—

- (a) entry to the premises has been refused, or is likely to be refused without a warrant, and
  - (i) notice of the intention to apply for a warrant has been served on the occupier, or
  - (ii) no such notice has been served on the occupier because serving such a notice would interfere with the purpose or effectiveness of the entry;
- (b) entry is required urgently; or
- (c) the premises are unoccupied or the occupier is temporarily absent.

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<sup>(1)</sup> OJ No L 347, 20.12.2013, p. 549.

(6) A warrant is valid for three months.

(7) An authorised person entering any premises by virtue of this regulation may be accompanied by such other persons as the authorised person considers necessary for any purpose mentioned in paragraph (2).

(8) An authorised person who enters any unoccupied premises must leave them as effectively secured as they were before entry.