
WELSH STATUTORY INSTRUMENTS

2017 No. 565

**The Environmental Impact Assessment
(Agriculture) (Wales) Regulations 2017**

PART 4

Enforcement

Powers of entry and default powers

29.—(1) A person authorised by the Welsh Ministers may, at any time, enter and inspect any land for the purpose of—

- (a) ascertaining whether regulation 4 or 8 has been breached;
- (b) ascertaining whether an offence under these Regulations has been committed in connection with that land;
- (c) serving a stop or remediation notice in respect of that land; or
- (d) exercising a function listed in Schedule 4.

(2) A person authorised by the Welsh Ministers who has reasonable grounds to suspect that a person has committed an offence under regulation 23 may—

- (a) enter any premises which are, or which are believed to be, occupied by, or in the possession of, the person believed to be responsible for committing an offence; and
- (b) take copies of any records relevant to the commission of the suspected offence.

(3) But paragraph (2) does not apply to any premises used solely as a private dwelling.

(4) If any measures required by a remediation notice or by notice served under paragraph 5 of Schedule 4 have not been completed within the period specified in the notice—

- (a) a person authorised by the Welsh Ministers may at a reasonable time, enter the land to which the notice relates and complete the measures; and
- (b) recover all expenses reasonably incurred in doing so from the person named in the notice.

(5) For the purposes of ascertaining whether an offence has been committed on or in connection with the land, a person acting in accordance with paragraph (1) may remove—

- (a) samples of soil;
- (b) plant specimens; or
- (c) samples taken from plant specimens.

(6) A person authorised to enter land or premises under this regulation must produce evidence of their authority to enter the land or premises, if requested to do so.

(7) A person authorised to enter land or premises under this regulation may take with them such other persons or equipment as they consider necessary.

(8) A person in occupation or possession of land or premises entered by a person authorised under this regulation must provide such assistance as that authorised person reasonably requests so as to enable them to exercise any power conferred on them by this regulation.

(9) It is an offence for a person to—

(a) intentionally obstruct or impede a person acting in exercise of a power conferred under this regulation; or

(b) fail to comply, without reasonable excuse, with a request made under paragraph (8).

(10) A person guilty of an offence under paragraph (9) is liable on summary conviction to a fine.

Commencement Information

II Reg. 29 in force at 16.5.2017, see [reg. 1\(3\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Environmental Impact Assessment (Agriculture) (Wales) Regulations 2017, Section 29.