



# Public Health etc. (Scotland) Act 2008

## 2008 asp 5

### PART 8

#### REGULATION OF PROVISION OF SUNBEDS

##### *Enforcement*

#### **103 Power to enter premises: entry to dwellinghouses**

- (1) Where an authorised officer proposes, in the exercise of the power conferred by section 102(1), to enter a dwellinghouse, the condition set out in subsection (2) must be satisfied.
- (2) The condition is that the authorised officer has obtained a warrant from the sheriff in the month preceding the date of entry.
- (3) The sheriff may issue a warrant only if satisfied by evidence on oath that there are reasonable grounds for suspecting that—
  - (a) an offence mentioned in section 102(1) has been, or is being, committed; and
  - (b) evidence of the commission of that offence may be found in the dwellinghouse.
- (4) In this section, “dwellinghouse” means any premises or part of premises which are wholly or mainly occupied as a person’s dwelling.