

Changes to legislation: Energy Act 2013, Cross Heading: Power of entry is up to date with all changes known to be in force on or before 02 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 8

INSPECTORS

Modifications etc. (not altering text)

- C1** Sch. 8 modified (1.4.2014) by [The Energy Act 2013 \(Office for Nuclear Regulation\) \(Consequential Amendments, Transitional Provisions and Savings\) Order 2014 \(S.I. 2014/469\)](#), art. 1(2), Sch. 1 para. 5(2)**Sch. 1 para. 5(3)(b)** (with Sch. 1 paras. 6, 4)

PART 3

OTHER POWERS EXERCISABLE BY INSPECTOR IF AUTHORISED BY INSTRUMENT OF APPOINTMENT

Power of entry

- 8 (1) An inspector may, if authorised, enter any premises which the inspector has reason to believe it is necessary for the inspector to enter for the relevant purpose—
- (a) at any reasonable time, or
 - (b) at any time, in a situation—
 - (i) which in the inspector's opinion is or may be dangerous, or
 - (ii) in which, in the inspector's opinion, delay would or might be prejudicial to the nuclear security purposes.
- (2) In relation to domestic premises, the power may be exercised only—
- (a) in accordance with a warrant issued by a justice of the peace, or
 - (b) in a situation which in the inspector's opinion is or may be dangerous.
- (3) A justice of the peace may issue a warrant under sub-paragraph (2)(a) only if satisfied, on the application of the inspector,—
- (a) that—
 - (i) there are reasonable grounds to believe that a contravention of a relevant statutory provision is occurring on the premises, or
 - (ii) the inspector has been refused consent to enter the premises for the relevant purpose or there are reasonable grounds to believe that such consent will be refused, and
 - (b) that it is reasonable in the circumstances to issue a warrant to the inspector.
- (4) The reference to premises in sub-paragraph (1) includes any ship outside the United Kingdom or its territorial sea.
- (5) For the purposes of this paragraph, “domestic premises” means premises used wholly or mainly as a private dwelling.

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Commencement Information

II [Sch. 8 para. 8](#) in force at 1.4.2014 by [S.I. 2014/251](#), **art. 4**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 68(4) inserted by [2023 c. 52 s. 302\(4\)](#)