
STATUTORY INSTRUMENTS

1992 No. 234

**The Radioactive Material (Road
Transport) (Northern Ireland) Order 1992**

Powers of entry

7.—(1) An inspector shall, on producing, if so required, some duly authenticated document showing his authority, have a right at all reasonable hours—

- (a) to enter any vehicle used to transport radioactive packages for the purpose of ascertaining—
 - (i) whether the vehicle, or any radioactive package which is being transported by it, fails to comply with any regulations under Article 4;
 - (ii) whether the vehicle, or any radioactive package which is or was being transported by it, has been involved in an accident; and
 - (iii) whether any radioactive package which was being transported by the vehicle, or any radioactive material which was contained in such a package, has been lost or stolen; and
- (b) in the case of an inspector appointed under Article 9, to enter any premises for the purpose of ascertaining whether there is on the premises any vehicle used for transporting radioactive packages, or any radioactive package or packaging component which fails to comply with regulations under Article 4.

(2) If a justice of the peace, on sworn information in writing, is satisfied that there are reasonable grounds for entering any vehicle or premises for any such purpose as is mentioned in paragraph (1) and either—

- (a) that admission to the vehicle or premises has been refused, or a refusal is apprehended, and (in the case of premises) that notice of the intention to apply for the warrant has been given to the occupier; or
- (b) that an application for admission, or the giving of such a notice, would defeat the object of the entry, or that the case is one of urgency, or (in the case of premises) that they are unoccupied or the occupier temporarily absent,

he may by warrant signed by him authorise the inspector to enter and search the vehicle or premises, using reasonable force if need be.

(3) A warrant granted under this Article shall continue in force until executed.

(4) An inspector who enters any vehicle or premises by virtue of this Article, or of a warrant issued under it, may seize anything which he has reasonable grounds for believing is evidence in relation to an offence under Article 4(4).

(5) Any person who intentionally obstructs any person exercising any power conferred by this Article, or by a warrant issued under it, shall be guilty of an offence.

(6) If any person who enters any vehicle or premises by virtue of this Article, or of a warrant issued under it, discloses any information thereby obtained with respect to any manufacturing process or trade secret, he shall, unless the disclosure was made in the performance of his duty, be guilty of an offence.

Changes to legislation:

There are currently no known outstanding effects for the The Radioactive Material (Road Transport) (Northern Ireland) Order 1992, Section 7.