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STATUTORY RULES OF NORTHERN IRELAND

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**2001 No. 435**

**Environmental Impact Assessment (Uncultivated Land and Semi-Natural Areas) Regulations (Northern Ireland) 2001**

**Powers of entry and default powers**

**25.**—(1) Any person duly authorised in writing by the Department may, at any reasonable time, enter and inspect any land for the purpose of—

- (a) ascertaining whether an offence under regulation 19, 20, 21, 23 or 24 has been committed on or in connection with that land;
- (b) serving a stop notice under regulation 22 or a reinstatement notice under regulation 24 in respect of that land; or
- (c) exercising any functions under Schedule 3,

if there are reasonable grounds for entering for the purpose in question.

(2) Any person duly authorised in writing by the Department who has reasonable grounds for suspecting that a person has committed an offence under regulation 21, may enter any premises, other than premises used only as a dwelling, which are, or which such person has reasonable cause to believe to be, occupied by, or in the possession of, the person believed to be responsible for committing the offence, and may inspect and take copies of any records which he has reasonable cause to believe are relevant to the suspected offence.

(3) If any measures required by a reinstatement notice or by notice served in accordance with paragraph 5 of Schedule 3 have not been taken within the period specified in the notice any person duly authorised in writing by the Department may, at any reasonable time,—

- (a) enter the land to which the notice relates and take those measures; and
- (b) recover from the person in default the expenses reasonably incurred by him in doing so.

(4) A person authorised under paragraph (1), (2) or (3) to enter any land or premises shall, if so requested, produce evidence of his authority before so entering.

(5) A person authorised under paragraph (1), (2) or (3) to enter any land or premises may take with him such other persons and such equipment as he considers necessary.

(6) Any person in occupation or possession of land or premises entered by a person authorised under paragraph (1), (2) or (3) shall give to that person such assistance as the authorised person may reasonably request so as to enable him to exercise any power conferred upon him by this regulation.

(7) A person who intentionally obstructs or impedes any person acting in the exercise of the powers conferred by this regulation or who fails without reasonable excuse to comply with a request made under paragraph (6) shall be guilty of an offence and be liable on summary conviction to a fine not exceeding level 5 on the standard scale.