
STATUTORY RULES OF NORTHERN IRELAND

2002 No. 404

**The Forest Reproductive Material
Regulations (Northern Ireland) 2002**

PART VII

COMPLIANCE

Powers to inspect and take samples

27.—(1) Subject to paragraph (5), an authorised officer may, for the purposes set out in paragraph (4), and at all reasonable hours, enter and inspect any premises within the meaning of paragraph (5), and shall, if requested, produce documentary evidence of his authorisation by the Department so to enter and inspect.

(2) An authorised officer entering and inspecting premises in exercise of his powers under paragraph (1) may take with him such other persons, including representatives of the Commission of the European Communities, and such equipment or vehicles as he considers necessary for the purposes of entering and inspecting the premises, or for facilitating the checks required under Article 16(6) of the Directive.

(3) Any persons who have accompanied an authorised officer in entering and inspecting premises in accordance with paragraph (2) may, for the purposes of (2) and (4), whether or not accompanied by the authorised officer and on production if so requested of documentary evidence of their authorisation from the Commission of the European Communities or an authorised officer, remain on and from time to time re-enter the premises with such equipment or vehicles as the authorised officer considers necessary.

(4) The purposes for which an authorised officer may enter and inspect premises in accordance with paragraph (1) are as follows—

- (a) to check that the requirements of regulations 16(1), 17, 21 to 25 and 31 have been and are being met;
- (b) to observe and monitor practices as to production, and in particular as to separation, identification, propagation, mixing, production and labelling of forest reproductive material intended for marketing;
- (c) to check that the conditions on which any licence granted under regulation 18 have been and are being complied with;
- (d) to observe testing premises, practices and techniques which are used or which it is proposed be used for the assessment of seeds for purposes of regulations 19(2) and 20;
- (e) to examine records or other documents including those held in electronic form pursuant to regulation 26;
- (f) to examine any forest reproductive material or basic material on those premises and to take samples of such forest reproductive material and basic material as the authorised officer considers necessary; and

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- (g) to take such photographs of the premises or any material or other objects found there or of any activity carried on at the premises in connection with marketing of forest reproductive material or any relevant activity as the authorised officer considers necessary.
- (5) In this regulation, “premises” shall–
 - (a) mean premises which the authorised officer exercising the powers granted him under this regulation reasonably believes are used for collection, production, storage, trade, transportation, importation or marketing of forest reproductive material;
 - (b) exclude premises used wholly or mainly for domestic purposes; and
 - (c) include any vehicle or vessel.