
STATUTORY RULES OF NORTHERN IRELAND

2006 No. 321

**The Ozone Depleting Substances (Qualifications)
Regulations (Northern Ireland) 2006**

Powers of an authorised person

8.—(1) An authorised person may, on production (if so required) of his authority, exercise any of the powers specified in paragraph (2) for the purpose of enforcing these Regulations.

(2) The powers referred to in paragraph (1) , are—

- (a) at any reasonable time to enter premises, other than premises used wholly or mainly for residential purposes, which he has reason to believe it is necessary for him to enter;
- (b) on entering any premises by virtue of sub-paragraph (a), to take with him any other person whose presence appears to him to be required in connection with the exercise by him of any power under this regulation, including, if he has reasonable cause to apprehend any serious obstruction in the execution of his duty, a constable;
- (c) to carry out such inquiries and to make such examination as may be necessary;
- (d) to require any person whom he reasonably believes can give any information relevant to any examination or investigation under sub-paragraph (c)—
 - (i) to answer (in the absence of anyone other than someone nominated by that person to be present and anyone whom the authorised person may allow to be present) such questions as the authorised person thinks fit to ask; and
 - (ii) to sign a declaration of the truth of his answers;
- (e) to require the production of, or where the information is recorded in computerised form, the furnishing of extracts from, any records which it is necessary for him to see for the purposes of any examination or investigation under sub-paragraph (c) and to inspect and take copies of, or of any entry in, the records; and
- (f) to require any person to afford him such facilities and assistance with respect to any matters or things within that person's control or in relation to which that person has responsibilities as are necessary to enable the authorised person to exercise any of the powers conferred on him by this regulation.

(3) No answer given by a person in pursuance of a requirement imposed under paragraph (2)(d) is admissible in evidence against that person in any proceedings.

(4) Nothing in this regulation shall be taken to compel the production by any person of a document in respect of which he would, on grounds of legal professional privilege, be entitled to withhold production of on an order for disclosure and inspection in an action in the High Court.