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STATUTORY RULES OF NORTHERN IRELAND

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**2017 No. 119**

**The Marketing of Fruit Plant and Propagating  
Material Regulations (Northern Ireland) 2017**

**PART 5**

**Enforcement**

**Powers of Entry**

17.—(1) For the purposes of enforcing these Regulations, an inspector, on producing a duly authenticated authorisation, may enter any premises (except premises used wholly or mainly as a private dwelling house) at any reasonable hour by giving reasonable notice.

(2) But the requirement to give notice is not necessary—

- (a) where reasonable efforts to agree an appointment have failed;
- (b) where an inspector has reasonable suspicion of a failure to comply with these Regulations;  
or
- (c) in an emergency.

(3) A lay magistrate may, by warrant, authorise an inspector to enter any premises, if necessary using reasonable force, if the lay magistrate is satisfied on complaint on oath—

- (a) that there are reasonable grounds to enter the premises; and
- (b) that any of the conditions in paragraph (4) are met.

(4) The conditions are—

- (a) that entry to the premises has been, or is likely to be, refused, and notice of the intention to apply for a warrant has been given to the occupier;
- (b) that asking for admission to the premises, or giving notice, would defeat the object of the entry;
- (c) that entry is required urgently; or
- (d) that the premises are unoccupied or the occupier is temporarily absent.

(5) A warrant is valid for 3 months.

(6) An inspector entering any premises may be accompanied by such other persons (up to a maximum of 4 persons) and such materials and equipment (including vehicles) as the inspector considers necessary for the purposes of this regulation.

(7) An inspector entering any premises which are unoccupied or from which the occupier is temporarily absent must leave them as effectively secured against unauthorised entry as they were before entry.