
SCOTTISH STATUTORY INSTRUMENTS

2012 No. 321

**The Welfare of Animals at the Time of
Killing (Scotland) Regulations 2012**

PART 5

Enforcement

Power to inspect and seize

20.—(1) An authorised person who has entered premises for the purposes of enforcing the EU Regulation or these Regulations may for those purposes—

- (a) carry out any examination, investigation or test;
- (b) make any enquiries, observe any operation or process or take recordings or photographs;
- (c) inspect and search the premises;
- (d) take samples from any animal, carcase or part of a carcase and send them for laboratory testing;
- (e) seize and detain any carcase or part of a carcase for further examining, investigating or testing;
- (f) seize and detain any equipment or instrument for further examining, investigating or testing;
- (g) have access to, and inspect and check the data on, and operation of, any computer or any associated equipment;
- (h) seize any computer and associated equipment for the purpose of copying data (but only if the authorised person has a reasonable suspicion that an offence under these Regulations has been committed and provided that they are returned as soon as possible);
- (i) require the production of any document or record and inspect and take a copy of, or extract from, such document or record; and
- (j) require any person to provide such assistance, information, facilities or equipment as is reasonable.

(2) An authorised person must—

- (a) as soon as is reasonably practicable, provide to the person appearing to be responsible for any items that the authorised person seizes under paragraph (1) a written receipt identifying the items; and
- (b) as soon as is reasonably practicable after deciding that those items are no longer required, return them (apart from those to be used as evidence in court proceedings).

(3) Where an authorised person has seized items under paragraph (1) for use in evidence in court proceedings and—

- (a) it is subsequently decided that no proceedings are to be brought or that those items are no longer needed as evidence in the proceedings; or

(b) the proceedings are completed and no order in relation to those items has been made by the court,
the authorised person must return the items as soon as is reasonably practicable.