



International Carriage of Perishable Foodstuffs Act 1976

1976 CHAPTER 58

Enforcement

6 Powers of entry and inspection.

- (1) For the purpose of ascertaining whether regulations under this Act are being observed, the Secretary of State shall appoint such examiners as he considers necessary; and in this Act “examiner” means an examiner appointed under this section.
- (2) An examiner may—
 - (a) at any time, on production if so required of his authority, enter and inspect any transport equipment which he reasonably believes is being used for the international carriage of perishable foodstuffs and, in the case of a goods vehicle or any container carried by it, detain that vehicle or container during such time as is required for the inspection;
 - (b) on production if so required of his authority, at any time which is reasonable having regard to the circumstances of the case, enter any premises on which he has reason to believe transport equipment in respect of which a certificate of compliance [^{F1}or certification plate] is in force is kept, and enter and inspect that equipment and, in the case of a goods vehicle or any container carried by it, detain that vehicle or container during such time as is required for the inspection;
 - (c) at any time, on production if so required of his authority, require the driver of a goods vehicle being used for the international carriage of perishable foodstuffs to produce a certificate of compliance in respect of the vehicle or any container carried by it, and may detain that vehicle or container for the purpose of inspecting and copying the certificate.

[^{F2}(2A) Subsection (2)(c) above shall not apply in relation to any vehicle or container to which a valid certification plate is affixed in accordance with regulations under this Act; but an examiner may, at any time and on production if so required of his authority, detain

Changes to legislation: There are currently no known outstanding effects for the International Carriage of Perishable Foodstuffs Act 1976, Section 6. (See end of Document for details)

any such vehicle or container for the purpose of inspecting the plate and copying the particulars contained in it.]

- (3) Any person who wilfully obstructs an examiner in the performance of his duty under subsection (2)(a) or (b) above shall be guilty of an offence and liable on summary conviction to a fine not exceeding [^{F3}level 3 on the standard scale].
- (4) A driver of a goods vehicle who refuses or fails without reasonable excuse to comply with the requirement in subsection (2)(c) above shall be guilty of an offence and liable on summary conviction to a fine not exceeding [^{F3}level 3 on the standard scale].

Textual Amendments

- F1** Words inserted by S.I. 1983/1123, art. 3, **Sch. para. 3(a)**
- F2** S. 6(2A) inserted by S.I. 1983/1123, art. 3, **Sch. para. 3(b)**
- F3** Words substituted by virtue of (E.W.) Criminal Justice Act 1982 (c. 48, SIF 39:1), **ss. 38, 46**, (S.) Criminal Procedure (Scotland) Act 1975 (c. 21, SIF 39:1), **ss. 289F, 289G** and (N.I.) S.I. 1984/703 (N.I. 3), **arts. 5, 6**

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