



Consumer Protection Act 1987

1987 CHAPTER 43

PART IV

ENFORCEMENT OF PARTS II AND III

30 Provisions supplemental to s. 29.

- (1) An officer seizing any goods ^{F1}... under section [^{F2}29(4)] above shall inform the following persons that the goods ^{F1}... have been so seized, that is to say—
 - (a) the person from whom they are seized; and
 - (b) in the case of imported goods seized on any premises under the control of the Commissioners of Customs and Excise, the importer of those goods (within the meaning of the ^{M1}Customs and Excise Management Act 1979).
- (2) If a justice of the peace—
 - (a) is satisfied by any written information on oath that there are reasonable grounds for believing either—
 - (i) that any ^{F3}... records which any officer has power to inspect under section [^{F4}29(4)] above are on any premises and that their inspection is likely to disclose evidence that there has been a contravention of any safety provision ^{F5}...; or
 - (ii) that such a contravention has taken place, is taking place or is about to take place on any premises; and
 - (b) is also satisfied by any such information either—
 - (i) that admission to the premises has been or is likely to be refused and that notice of intention to apply for a warrant under this subsection has been given to the occupier; or
 - (ii) that an application for admission, or the giving of such a notice, would defeat the object of the entry or that the premises are unoccupied or that the occupier is temporarily absent and it might defeat the object of the entry to await his return,

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the justice may by warrant under his hand, which shall continue in force for a period of one month, authorise any officer of an enforcement authority to enter the premises, if need be by force.

- (3) An officer entering any premises by virtue of^{F6} ... a warrant under subsection (2) above may take with him such other persons and such equipment as may appear to him necessary.
- (4) On leaving any premises which a person is authorised to enter by a warrant under subsection (2) above, that person shall, if the premises are unoccupied or the occupier is temporarily absent, leave the premises as effectively secured against trespassers as he found them.
- (5) If any person who is not an officer of an enforcement authority purports to act as such under section [F729(4)] above or this section he shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (6) Where any goods seized by an officer under section [F829(4)] above are submitted to a test, the officer shall inform the persons mentioned in subsection (1) above of the result of the test and, if—
 - (a) proceedings are brought for an offence in respect of a contravention in relation to the goods of any safety provision^{F9} . . . or for the forfeiture of the goods under section 16 or 17 above, or a suspension notice is served in respect of any goods; and
 - (b) the officer is requested to do so and it is practicable to comply with the request, the officer shall allow any person who is a party to the proceedings or, as the case may be, has an interest in the goods to which the notice relates to have the goods tested.
- (7) The Secretary of State may by regulations provide that any test of goods seized under section [F1029(4)] above by an officer of an enforcement authority shall—
 - (a) be carried out at the expense of the authority in a manner and by a person prescribed by or determined under the regulations; or
 - (b) be carried out either as mentioned in paragraph (a) above or by the authority in a manner prescribed by the regulations.
- (8) The power to make regulations under subsection (7) above shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament and shall include power—
 - (a) to make different provision for different cases; and
 - (b) to make such supplemental, consequential and transitional provision as the Secretary of State considers appropriate.
- (9) In the application of this section to Scotland, the reference in subsection (2) above to a justice of the peace shall include a reference to a sheriff and the references to written information on oath shall be construed as references to evidence on oath.
- (10) In the application of this section to Northern Ireland, the references in subsection (2) above to any information on oath shall be construed as references to any complaint on oath.

Textual Amendments

- F1** Words in s. 30(1) omitted (1.10.2015) by virtue of [Consumer Rights Act 2015 \(c. 15\)](#), s. 100(5), [Sch. 6 para. 41\(2\)\(b\)](#); [S.I. 2015/1630](#), art. 3(i) (with art. 8)

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- F2** Word in s. 30(1) substituted (1.10.2015) by Consumer Rights Act 2015 (c. 15), s. 100(5), **Sch. 6 para. 41(2)(a)**; S.I. 2015/1630, art. 3(i) (with art. 8)
- F3** Words in s. 30(2)(a)(i) omitted (1.10.2015) by virtue of Consumer Rights Act 2015 (c. 15), s. 100(5), **Sch. 6 para. 41(3)(a)**; S.I. 2015/1630, art. 3(i) (with art. 8)
- F4** Word in s. 30(2)(a)(i) substituted (1.10.2015) by Consumer Rights Act 2015 (c. 15), s. 100(5), **Sch. 6 para. 41(3)(b)**; S.I. 2015/1630, art. 3(i) (with art. 8)
- F5** Words in s. 30(2)(a)(i) repealed (26.5.2008) by The Consumer Protection from Unfair Trading Regulations 2008 (S.I. 2008/1277), reg. 30(3), **Sch. 4 Pt. 1** (with reg. 28(2)(3), Sch. 3 para. 6)
- F6** Words in s. 30(3) omitted (1.10.2015) by virtue of Consumer Rights Act 2015 (c. 15), s. 100(5), **Sch. 6 para. 41(4)**; S.I. 2015/1630, art. 3(i) (with art. 8)
- F7** Word in s. 30(5) substituted (1.10.2015) by Consumer Rights Act 2015 (c. 15), s. 100(5), **Sch. 6 para. 41(5)**; S.I. 2015/1630, art. 3(i) (with art. 8)
- F8** Word in s. 30(6) substituted (1.10.2015) by Consumer Rights Act 2015 (c. 15), s. 100(5), **Sch. 6 para. 41(5)**; S.I. 2015/1630, art. 3(i) (with art. 8)
- F9** Words in s. 30(6)(a) repealed (26.5.2008) by The Consumer Protection from Unfair Trading Regulations 2008 (S.I. 2008/1277), reg. 30(3), **Sch. 4 Pt. 1** (with reg. 28(2)(3), Sch. 3 para. 6)
- F10** Word in s. 30(7) substituted (1.10.2015) by Consumer Rights Act 2015 (c. 15), s. 100(5), **Sch. 6 para. 41(5)**; S.I. 2015/1630, art. 3(i) (with art. 8)

Modifications etc. (not altering text)

- C1** S. 30 applied (with modifications) (1.1.1993) by S.I. 1992/3073, reg. 28, **Sch. 6 para. 3(c)**.
S. 30 applied (with modifications) (1.7.1997) by S.I. 1997/831, reg. 19(1)-(4), **Sch. 15 para. 2** (b) (with Sch. 15 para. 7)
Ss. 28-35 applied (with modifications) (31.5.1998) by S.I. 1998/1165, **reg. 13(2)(a)** (which said S.I. was revoked (25.8.2003) by S.I. 2003/1941, **reg. 1(2)**)
Ss. 28-35 applied (with modifications) (26.4.1999) by S.I. 1999/1053, **reg. 16(3)(a)**
Ss. 28-35 applied (with modifications) (29.11.1999) by S.I. 1999/2001, reg. 24, **Sch. 8 para. 2(c)**
Ss. 28-35 applied (with modifications) (8.4.2000) by S.I. 2000/730, reg. 18(1), **Sch. 9 para. 1(2)**
Ss. 28-35 applied (with modifications) (15.5.2002) by S.I. 2002/1144, regs. 2(2), 16(1)-(3), Sch. 10 paras. 1, 3
Ss. 28-35 applied (with modifications) (25.8.2003) by S.I. 2003/1941, reg. 8, **Sch. IV para. 2(a)**
- C2** S. 30 applied (with modifications) (17.8.2015) by The Pyrotechnic Articles (Safety) Regulations 2015 (S.I. 2015/1553), reg. 1, **Sch. 7 paras. 1(h), 2**
- C3** S. 30 applied (with modifications) (8.12.2016) by The Electromagnetic Compatibility Regulations 2016 (S.I. 2016/1091), reg. 1, **Sch. 7 paras. 1, 2** (with regs. 74, 75(5))
- C4** S. 30 applied (with modifications) (8.12.2016) by The Pressure Equipment (Safety) Regulations 2016 (S.I. 2016/1105), reg. 1, **Sch. 7 paras. 1(h), 2** (with reg. 88)
- C5** S. 30 applied (with modifications) (8.12.2016) by The Simple Pressure Vessels (Safety) Regulations 2016 (S.I. 2016/1092), reg. 1, **Sch. 5 paras. 1(h), 2** (with reg. 3)
- C6** S. 30 applied (with modifications) (8.12.2016) by The Electrical Equipment (Safety) Regulations 2016 (S.I. 2016/1101), reg. 1, **Sch. 3 paras. 1, 2** (with reg. 3)
- C7** S. 30 applied (with modifications) (8.12.2016) by The Lifts Regulations 2016 (S.I. 2016/1093), reg. 1, **Sch. 7 paras. 1(g), 2** (with regs. 3-5)
- C8** S. 30 applied (with modifications) (3.8.2017) by The Recreational Craft Regulations 2017 (S.I. 2017/737), reg. 1, **Sch. 13 paras. 1(h), 2** (with reg. 89)
- C9** S. 30 applied (with modifications) (26.12.2017) by The Radio Equipment Regulations 2017 (S.I. 2017/1206), reg. 1, **Sch. 10 paras. 1, 2** (with regs. 3-5, 77)
- C10** S. 30 applied (with modifications) (21.4.2018) by The Gas Appliances (Enforcement) and Miscellaneous Amendments Regulations 2018 (S.I. 2018/389), reg. 1(1), **Sch. 1** (with reg. 2)
- C11** S. 30 applied (with modifications) (21.4.2018) by The Personal Protective Equipment (Enforcement) Regulations 2018 (S.I. 2018/390), reg. 1(1), **Sch. 1** (with reg. 2(1)-(3))
- C12** S. 30 applied (with modifications) (N.I.) (16.7.2021) by The Market Surveillance (Northern Ireland) Regulations 2021 (S.I. 2021/858), reg. 1(1), **Sch. 2 paras. 1, 2** (with reg. 3)

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- C13** S. 30(1)-(9) applied (E.W.S) (28.11.2003 for certain purposes , 15.7.2004 for certain futher purposes and otherwise prosp.) by Fireworks Act 2003 (c. 22), **ss. 12(2)(b)**, 18 (with s. 2(8)); S.I. 2003/3084, **art. 2**, Sch.; S.I. 2004/1831, **art. 2**, Sch.
- C14** S. 30(6)(7) applied (1.4.2003) by 2001 c. 16, ss. 70, 138(2), Sch. 2 Pt. 1 para. 3; S.I. 2003/708, **art. 2(k)**

Marginal Citations

- M1** 1979 c. 2.

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