

*Changes to legislation: There are currently no known outstanding effects for the Water Resources Act 1991, Paragraph 2. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 20

#### SUPPLEMENTAL PROVISIONS WITH RESPECT TO POWERS OF ENTRY

##### Modifications etc. (not altering text)

- C1 Sch. 20 applied (with modifications) (2.7.2009) by [Broads Authority Act 2009 \(c. i\), s. 17\(3\)](#) (with ss. 2(3), 16(3), 42, Sch. 6)
- C1 Sch. 20 applied (with modifications) (2.7.2009) by [Broads Authority Act 2009 \(c. i\), s. 24\(3\)](#) (with ss. 2(3), 16(3), 41(4), 42, Sch. 6)
- C1 Sch. 20 applied (with modifications) (W.) (1.12.2011) by [The Incidental Flooding and Coastal Erosion \(Wales\) Order 2011 \(S.I. 2011/2829\), arts. 1, 5\(3\)](#)
- C1 Sch. 20 applied (with modifications) (W.) (1.12.2011) by [The Incidental Flooding and Coastal Erosion \(Wales\) Order 2011 \(S.I. 2011/2829\), arts. 1, 6\(3\)](#)
- C1 Sch. 20 applied (with modifications) (E.) (1.12.2011) by [The Incidental Flooding and Coastal Erosion \(England\) Order 2011 \(S.I. 2011/2855\), arts. 1\(c\), 5\(3\)](#)
- C1 Sch. 20 applied (with modifications) (E.) (1.12.2011) by [The Incidental Flooding and Coastal Erosion \(England\) Order 2011 \(S.I. 2011/2855\), arts. 1\(c\), 6\(3\)](#)

##### *Warrant to exercise power*

- 2 (1) If it is shown to the satisfaction of a justice of the peace on sworn information in writing—
- (a) that there are reasonable grounds for the exercise in relation to any premises or vessel of a power conferred by sections 169 to 172 of this Act; and
  - (b) that one or more of the conditions specified in sub-paragraph (2) below is fulfilled in relation to those premises or that vessel,
- the justice may by warrant authorise the relevant authority to designate a person who shall be authorised to exercise the power in relation to those premises, or that vessel, in accordance with the warrant and, if need be, by force.
- (2) The conditions mentioned in sub-paragraph (1)(b) above are—
- (a) that the exercise of the power in relation to the premises or vessel has been refused;
  - (b) that such a refusal is reasonably apprehended;
  - (c) that the premises are unoccupied or the vessel is unoccupied;
  - (d) that the occupier is temporarily absent from the premises or vessel;
  - (e) that the case is one of urgency; or
  - (f) that an application for admission to the premises or vessel would defeat the object of the proposed entry.
- (3) A justice of the peace shall not issue a warrant under this Schedule by virtue only of being satisfied that the exercise of a power in relation to any premises or vessel has been refused, or that a refusal is reasonably apprehended, unless he is also satisfied—

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- (a) that notice of the intention to apply for the warrant has been given to the occupier of the premises or vessel; or
  - (b) that the giving of such a notice would defeat the object of the proposed entry.
- (4) For the purposes of the application of this Schedule to the powers conferred by section 171 of this Act in a case to which subsection (4) of that section applies, a justice of the peace shall not issue a warrant under this Schedule unless he is satisfied that the Secretary of State has given his authorisation for the purposes of that subsection in relation to that case.
- (5) Every warrant under this Schedule shall continue in force until the purposes for which the warrant was issued have been fulfilled.

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