Clean Air Act 1993

1993 CHAPTER 11

PART VII

MISCELLANEOUS AND GENERAL

Administration and enforcement

57 Provisions supplementary to section 56.

(1) A person authorised to enter upon any land or vessel in pursuance of section 56 shall, if so required, produce evidence of his authority before he enters upon the land or vessel.

(2) A person so authorised may take with him on to the land or vessel in question such other persons and such equipment as may be necessary.

(3) Admission to any land or vessel used for residential purposes and admission with heavy equipment to any other land or vessel shall not, except in an emergency or in a case where the land or vessel is unoccupied, be demanded as of right in pursuance of section 56(1) unless notice of the intended entry has been served on the occupier not less than seven days before the demand.

(4) A person who, in the exercise of powers conferred on him by virtue of section 56 or this section, enters upon any land or vessel which is unoccupied or of which the occupier is temporarily absent shall leave the land or vessel as effectually secured against unauthorised entry as he found it.

(5) It shall be the duty of a local authority to make full compensation to any person who has sustained damage by reason of—

(a) the exercise by a person authorised by the authority of any of the powers conferred on the person so authorised by virtue of section 56 or this section; or

(b) the failure of a person so authorised to perform the duty imposed on him by subsection (4),

Changes to legislation: *Clean Air Act 1993, Section 57 is up to date with all changes known to be in force on or before 03 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

except where the damage is attributable to the default of the person who sustained it; and any dispute as to a person's entitlement to compensation in pursuance of this subsection or as to the amount of the compensation shall be determined by arbitration.

(6) A person who wilfully obstructs another person acting in the exercise of any powers conferred on the other person by virtue of section 56 or this section shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(7) In section 56 and this section any reference to an emergency is a reference to a case where a person requiring entry to any land or vessel has reasonable cause to believe that circumstances exist which are likely to endanger life or health and that immediate entry to the land or vessel is necessary to verify the existence of those circumstances or to ascertain their cause or to effect a remedy.

Modifications etc. (not altering text)

C1 S. 57 applied (with modifications) (1.10.1994) by S.I. 1994/2249, **reg. 3(4)**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 16(4A)(4B) inserted by S.I. 2023/908 reg. 16
- s. 19E-19H and cross-heading inserted by 2024 asc 2 s. 19(2)
- s. 20(5D)-(5F) inserted by 2021 c. 30 Sch. 12 para. 10(2)
- s. 21(4A)-(4D) inserted by 2021 c. 30 Sch. 12 para. 11(2)
- s. 28B inserted by 2024 asc 2 s. 20
- s. 63(2A) inserted by 2024 asc 2 Sch. 1 para. 20(b)
- Sch. 1 para. 1A1B inserted by 2024 asc 2 Sch. 1 para. 21(a)
- Sch. 1 para. 6B inserted by 2024 asc 2 Sch. 1 para. 21(c)
- Sch. 1A para. 3(5) inserted by 2024 asc 2 Sch. 1 para. 4(c)
- Sch. 1A para. 4(7) inserted by 2024 asc 2 Sch. 1 para. 5(d)
- Sch. 5 para. 12A12B inserted by 2024 asc 2 Sch. 1 para. 22(a)