



# Water Act 1945

## 1945 CHAPTER 42

### PART V

#### GENERAL.

#### 48 Entry of premises.

- (1) Where any right of entry is conferred by any of the foregoing provisions of this Act, the following provisions of this section shall apply.
- (2) Admission to any premises, not being a factory within the meaning of the Factories Act, 1937, or a place in which persons are employed otherwise than in domestic service, shall not be demanded as of right unless twenty-four hours' notice of the intended entry has been given to the occupier.
- (3) If it is shown to the satisfaction of a justice of the peace on sworn information in writing—
  - (a) that admission to any premises which any person is entitled to enter by virtue of such a right of entry has been refused to that person, or that refusal is apprehended, or that the premises are unoccupied or the occupier is temporarily absent, or that the case is one of urgency, or that an application for admission would defeat the object of the entry; and
  - (b) that there is reasonable ground for entry into the premises for any purpose for which the right of entry is exercisable;

the justice may by warrant under his hand authorise that person to enter the premises if need be by force:

Provided that such a warrant shall not be issued unless the justice is satisfied either that notice of the intention to apply for a warrant has been given to the occupier, or that the premises are unoccupied, or that the occupier is temporarily absent, or that the case is one of urgency, or that the giving of such notice would defeat the object of the entry.

- (4) Any person entitled to enter any premises by virtue of such a right of entry, or of a warrant issued under this section, may take with him such other persons as may be necessary, and on leaving any unoccupied premises which he has entered by virtue of

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*Status: This is the original version (as it was originally enacted).*

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such a warrant shall leave them as effectually secured against trespassers as he found them.

- (5) Every warrant granted under this section shall continue in force until the purpose for which the entry is necessary has been satisfied.
- (6) If any person who, in compliance with any of the foregoing provisions of this Act or with a warrant issued thereunder, is admitted into any premises discloses to any person any information obtained by him there with regard to any manufacturing process or trade secret, he shall, unless such disclosure was made in the performance of his duty, be liable in respect of each offence—
  - (a) on summary conviction, to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding three months or to both such fine and such imprisonment;
  - (b) on conviction on indictment, to a fine not exceeding two hundred pounds or to imprisonment for a term not exceeding three months or to both such fine and such imprisonment.
- (7) Any person who wilfully obstructs any person upon whom a right of entry has been conferred by any of the foregoing provisions of this Act or by a warrant issued under this section shall, in respect of each offence, be liable on summary conviction to a fine not exceeding five pounds.
- (8) This section, except subsection (6) thereof, shall not apply to any right conferred by section seven of this Act.