
STATUTORY INSTRUMENTS

2014 No. 195

The Olive Oil (Marketing Standards) Regulations 2014

PART 2

Enforcement

Powers of entry

6.—(1) An authorised officer may, on giving reasonable notice, enter any premises at any reasonable hour for the purposes of executing and enforcing these Regulations and the EU Regulations, including for the purposes of—

- (a) complying with a verification request made under Article 8(2) of Commission Implementing Regulation (EU) No 29/2012; and
- (b) carrying out the conformity checks required by Article 2a of Commission Regulation (EEC) No 2568/91.

(2) But paragraph (1) does not apply in relation to premises used wholly or mainly as a private dwelling house.

(3) The requirement in paragraph (1) to give notice does not apply—

- (a) where reasonable efforts to agree an appointment have failed;
- (b) where an authorised officer reasonably believes that giving notice would defeat the object of the entry; or
- (c) where an authorised officer has a reasonable suspicion of a breach of these Regulations or the EU Regulations.

(4) An authorised officer must, if requested to do so, produce a duly authenticated authorisation document.

(5) A justice of the peace may by signed warrant permit an authorised officer to enter premises, except any premises used wholly or mainly as a private dwelling house, if necessary by reasonable force, if the justice, on sworn information in writing (or, in Scotland, by evidence on oath, or, in Northern Ireland, on a sworn complaint in writing) is satisfied—

- (a) that there are reasonable grounds to enter those premises for the purpose of enforcing these Regulations or the EU Regulations; and
- (b) that any condition in paragraph (6) is met.

(6) For the purposes of paragraph (5), the conditions are—

- (a) entry to the premises has been, or is likely to be, refused and notice of the intention to apply for a warrant has been given to the occupier;
- (b) asking for admission to the premises, or giving such a notice, would defeat the object of the entry;
- (c) entry is required urgently; or
- (d) the premises are unoccupied or the occupier is temporarily absent.

- (7) A warrant is valid for three months.
- (8) An authorised officer entering any premises which are unoccupied or from which the occupier is temporarily absent must leave them as effectively secured against unauthorised entry as they were before entry.
- (9) An authorised officer may—
 - (a) be accompanied by—
 - (i) such other persons as the authorised officer considers necessary;
 - (ii) any representative of the European Commission; and
 - (b) bring on to the premises such equipment as the authorised officer considers necessary.
- (10) In this regulation, a reference to a justice of the peace—
 - (i) in Scotland includes a sheriff; and
 - (ii) in Northern Ireland is a reference to a lay magistrate.
- (11) In this regulation “premises” includes any place and any vehicle, vessel, aircraft, hovercraft, trailer, container, tent, stall or movable structure.