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STATUTORY INSTRUMENTS

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**2017 No. 897**

**The Alternative Fuels Infrastructure Regulations 2017**

**Power of entry with warrant**

**10.**—(1) A justice of the peace may, by signed warrant, permit the enforcement authority to enter any premises or land, if necessary by reasonable force, if the justice of the peace in England and Wales on sworn information in writing, in Northern Ireland on a complaint on oath, or in Scotland by evidence on oath, is satisfied—

- (a) that there are reasonable grounds to enter those premises or land for the purposes of investigating whether there has been a breach of any of the requirements of these Regulations; and
  - (b) that any of the conditions in paragraph (3) is met.
- (2) Reference to a justice of the peace—
- (a) in Scotland, includes a sheriff;
  - (b) in Northern Ireland is a reference to a lay magistrate.
- (3) The conditions referred to in paragraph (1)(b) are that—
- (a) entry to the premises or land has been, or is likely to be, refused;
  - (b) serving a notice under regulation 8 would defeat the object of the entry;
  - (c) entry is required urgently; or
  - (d) the premises or land are unoccupied or the occupier is temporarily absent.
- (4) A warrant granted under paragraph (1)—
- (a) is valid for one month beginning on the day of issue; and
  - (b) must be produced on demand.

(5) Where the enforcement authority enters premises or land under this power and those premises or land are unoccupied or from which the occupier is temporarily absent, the enforcement authority must leave those premises or land as effectively secured against unauthorised entry as they were before entry.