
STATUTORY INSTRUMENTS

2020 No. 1265

The Greenhouse Gas Emissions Trading Scheme Order 2020

PART 6

Monitoring compliance

Warrants

41.—(1) A judge may issue a warrant in relation to any premises for the purpose of article 40(1) (a) where satisfied that—

- (a) there are reasonable grounds for the exercise of the power in that sub-paragraph; and
- (b) one or more of the conditions in paragraph (2) are fulfilled in relation to the premises.

(2) The conditions referred to in paragraph (1)(b) are that—

- (a) the exercise of the power by consent in relation to the premises has been refused;
- (b) a refusal of consent to the exercise of the power is reasonably expected;
- (c) the premises are unoccupied;
- (d) the occupier is temporarily absent from the premises and the case is one of urgency; or
- (e) a request for admission to the premises would defeat the purpose of the entry.

(3) A warrant in accordance with this article continues to have effect until the purpose for which it was issued has been fulfilled.

(4) In paragraph (1), “judge” means—

- (a) in England or Wales, a justice of the peace;
- (b) in Northern Ireland, a lay magistrate;
- (c) in Scotland, a justice of the peace or sheriff.

Commencement Information

II Art. 41 in force at 12.11.2020, see [art. 2\(1\)](#)

Changes to legislation:

The Greenhouse Gas Emissions Trading Scheme Order 2020, Section 41 is up to date with all changes known to be in force on or before 23 March 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.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- art. 4A(4)(aa) inserted by [S.I. 2024/192 art. 5\(2\)\(c\)](#)
- art. 4A(5)(g) inserted by [S.I. 2024/192 art. 5\(3\)](#)