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WELSH STATUTORY INSTRUMENTS

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**2001 No. 496**

**The Tir Mynydd (Wales) Regulations 2001**

**PART IV—  
ENFORCEMENT**

**Powers of authorised persons**

**16.**—(1) An authorised person may at all reasonable hours, and on producing, if so required, some duly authenticated document showing his or her authority, exercise the powers specified in this regulation for the purposes of—

- (a) carrying out any specified control measures;
- (b) ascertain whether an offence under regulation 18 has been or is being committed; or
- (c) ensuring that Tir Mynydd payments are paid in proper cases only.

(2) An authorised person may enter any land, other than land used only as a dwelling, which is, or which such person reasonably believes to be, occupied by a claimant or used by the claimant for grazing suckler cows or ewes for which a claim for Tir Mynydd payment has been made.

(3) An authorised person who has entered any land by virtue of this regulation may:—

- (a) inspect and verify the total area of that land, or any part of it;
- (b) inspect and count any animals on that land and read their ear tags or other identification marks;
- (c) carry out any other activity which is a specified control measure; and
- (d) inspect that land for the purposes of determining whether it has been over-grazed.

(4) An authorised person entering any land by virtue of this regulation may take with him or her such persons acting under the authorised person's instructions as are considered necessary.

(5) An authorised person may:—

- (a) require a claimant or any employee, servant or agent of a claimant to produce any document or other record in his or her possession or control and supply such additional information in that person's possession or control relating to a claim for a Tir Mynydd payment as the authorised person may reasonably request;
- (b) inspect any document or other record referred to in sub paragraph (a) and, where any such record is kept by means of a computer, have access to, and inspect and check the operation of, any computer and any associated apparatus or material which is or has been used in connection with that record;
- (c) make such copies of any document or other record referred to in sub-paragraph (a) as the authorised person thinks fit; and
- (d) seize and retain any document or other record referred to in sub-paragraph (a) which the authorised person has reason to believe may be required as evidence in proceedings under these regulations or in proceedings for the recovery of any payment made and, where any

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such record is kept by means of a computer, require it to be produced in a form that makes it possible for it to be taken away.