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WELSH STATUTORY INSTRUMENTS

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**2014 No. 3223**

**The Common Agricultural Policy (Integrated Administration and Control System and Enforcement and Cross Compliance) (Wales) Regulations 2014**

**PART 2**

**INTEGRATED ADMINISTRATION AND CONTROL SYSTEM AND ENFORCEMENT**

**Powers of entry**

7.—(1) An authorised person may exercise any of the powers specified in this regulation and regulations 8 and 9 for the purpose of—

- (a) enforcing—
  - (i) the European Regulations except Chapters III and IV of Title V of the Horizontal Regulation; or
  - (ii) these Regulations;
- (b) providing a control report in accordance with Article 54(1) of the Horizontal Regulation;
- (c) determining whether there has been a non-compliance.

(2) An authorised person, on producing, if so required, a duly authenticated document showing that person's authority, may at any reasonable hour enter any land or premises other than premises used wholly or mainly as a private dwelling.

(3) Paragraph (2) does not affect any right of entry conferred by a warrant issued in accordance with paragraph (4).

(4) A justice of the peace may by signed warrant permit an authorised person to enter any land or premises, if necessary by reasonable force, if the justice, sworn on information in writing, is satisfied that—

- (a) there are reasonable grounds for an authorised person to enter the land or premises for any purpose mentioned in paragraph (1); and
  - (b) one of the conditions in paragraph (5) is met.
- (5) The conditions are that—
- (a) entry to the land or premises has been refused, or is likely to be refused, and—
    - (i) notice of the intention to apply for a warrant has been served on the occupier, or
    - (ii) no such notice has been served on the occupier because serving such a notice would interfere with the purpose or effectiveness of the entry;
  - (b) entry is required urgently; or
  - (c) the premises are unoccupied or the occupier is temporarily absent.

- (6) A warrant is valid for three months.
- (7) An authorised person entering any land or premises by virtue of this regulation may be accompanied by—
  - (a) any representative of the European Commission; and
  - (b) such other persons as the authorised person considers necessary for any purpose mentioned in paragraph (1).
- (8) An authorised person who enters any unoccupied premises must leave them as effectively secured as they were before entry.