



# The Environmental Protection (Single-use Plastic Products) (Wales) Act 2023

2023 asc 2

*Enforcement*

## 13 Power of inspection

- (1) An authorised officer of a local authority entering premises under or by virtue of section 9, 10 or 11 may do any of the following if the officer considers it necessary for the purpose of ascertaining whether an offence under section 5 has been committed—
  - (a) carry out inspections and examinations on the premises;
  - (b) require the production of anything on the premises, inspect it, and take and retain samples of or extracts from it for as long as the officer considers necessary for that purpose;
  - (c) take possession of anything on the premises, and retain it for as long as the officer considers necessary for that purpose;
  - (d) require any person to give information about, or afford facilities and assistance with respect to, matters within the person's control.
- (2) If an authorised officer of a local authority considers it necessary for the purpose of ascertaining whether an offence under section 5 has been committed, the officer may arrange for anything produced under subsection (1)(b) or anything that the officer has taken possession of under subsection (1)(c) to be analysed.
- (3) If by virtue of subsection (1)(c) the authorised officer of a local authority takes anything away from the premises, the officer must leave on the premises a statement—
  - (a) giving particulars of what has been taken and stating that the officer has taken possession of it, and
  - (b) identifying the person to whom a request for the return of the property may be made.
- (4) The powers conferred by this section include the power—
  - (a) to copy documents found on the premises;

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**Changes to legislation:** There are currently no known outstanding effects for the The Environmental Protection (Single-use Plastic Products) (Wales) Act 2023, Section 13. (See end of Document for details)

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- (b) to impose requirements as to how documents are provided (which may include requirements to provide legible copies of documents found on the premises that are stored electronically).
- (5) For this purpose, “documents” includes information recorded in any form; and references to documents found on the premises include—
- (a) documents stored on computers or other electronic devices on the premises, and
  - (b) documents stored elsewhere that can be accessed by computers or other electronic devices on the premises.
- (6) A person is not required by this section to answer any question or produce any document that the person would be entitled to refuse to answer or produce in or for the purposes of proceedings in a court in Wales or in England.
- (7) This section applies to a vehicle as if it were premises.

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**Commencement Information**

- I1** S. 13 not in force at Royal Assent, see [s. 22\(2\)](#)
- I2** [S. 13](#) in force at 30.10.2023 by [S.I. 2023/1149](#), [art. 2\(k\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Environmental Protection (Single-use Plastic Products) (Wales) Act 2023, Section 13.