



Public Health etc. (Scotland) Act 2008

2008 asp 5

PART 3

PUBLIC HEALTH INVESTIGATIONS

Investigators' powers

22 Powers relating to entry to premises

- (1) The powers referred to in section 21(4)(a) are—
- (a) subject to section 26, to enter at any reasonable time any premises which the investigator has reason to believe it is necessary to enter;
 - (b) on entering any premises by virtue of paragraph (a), to take—
 - (i) any other person authorised by the investigator and, if the investigator has reasonable cause to expect any serious obstruction in obtaining access, a constable; and
 - (ii) any equipment or materials required for any purpose for which the power of entry is being exercised;
 - (c) as regards any premises which the investigator may enter by virtue of paragraph (a), to direct that—
 - (i) those premises (or any part of them) are; or
 - (ii) any thing in or on them is,to be left undisturbed (whether generally or in particular respects) for so long as the investigator considers appropriate.
- (2) An investigator who enters any unoccupied premises in the exercise of a power conferred by virtue of subsection (1)(a) must leave the premises as effectively secured against unauthorised entry as the investigator found them.

Commencement Information

II S. 22 in force at 1.10.2009 by S.S.I. 2009/319, art. 2(a), Sch. 1

Changes to legislation:

There are currently no known outstanding effects for the Public Health etc. (Scotland) Act 2008, Section 22.