



2011 CHAPTER 16

PART 5

GENERAL

Conditions for grant of warrant

46.—(1) This section is satisfied in relation to premises if any of the following four conditions is met.

(2) The first condition is that the whole of the premises is used as a private dwelling and the occupier has been informed of the decision to apply for a warrant.

(3) The second condition is that any part of the premises is not used as a private dwelling and that each of the following applies to the occupier of the premises—

- (a) the occupier has been informed of the decision to seek entry to the premises and of the reasons for that decision;
- (b) the occupier has failed to allow entry to the premises on being requested to do so by an inspector or a constable;
- (c) the occupier has been informed of the decision to apply for a warrant.

(4) The third condition is that—

- (a) the premises are unoccupied or the occupier is absent, and
- (b) notice of intention to apply for a warrant has been left in a conspicuous place on the premises.

(5) The fourth condition is that it is inappropriate to inform the occupier of the decision to apply for a warrant because—

- (a) it would defeat the object of entering the premises, or

(b) entry is required as a matter of urgency.