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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2009 No.**

**The Licensing of Animal Dealers (Young Cats and Young Dogs) (Scotland) Regulations 2009**

**Powers of inspectors**

17.—(1) Any inspector may, on producing evidence of that inspector's authority, if so required, enter any premises except domestic premises at all reasonable times and inspect such premises and any animals found there for the purposes of preparing a report.

(2) An inspector may enter any premises except domestic premises at all reasonable times, on producing, if requested, evidence of that inspector's authority, for the purpose of ascertaining whether these Regulations or any animal dealing licence are being, or have been, complied with and, in particular, may—

- (a) inspect and copy any records (in whatever form they are held) kept under these Regulations or any animal dealing licence, or remove such records to enable them to be copied;
- (b) inspect and check the operation of any computer and any associated apparatus or material which is or has been in use in connection with the records;
- (c) for that purpose, require any person having charge of, or otherwise concerned with, the operation of the computer, apparatus or material to afford the inspector such assistance as the inspector may reasonably require (including providing the inspector with any necessary passwords);
- (d) where a record is kept by means of a computer, require the record to be produced in a form in which it may be taken away;
- (e) examine, or require the examination of, any young cat or young dog or any other animal kept on the premises; and
- (f) take on to the premises such persons to give the inspector such assistance and such equipment as the inspector considers necessary.

(3) If a sheriff or justice of the peace is satisfied by evidence on oath laid by any inspector that there are reasonable grounds for suspecting that an offence against these Regulations has been or is being committed at any domestic premises in the area of the licensing authority, the sheriff or justice may issue a warrant authorising any inspector to enter those premises, by reasonable force if need be, and inspect them and any animals or any thing found there.

(4) A warrant issued under paragraph (3) above—

- (a) may authorise persons to accompany the person who is executing the warrant; and
- (b) shall continue in force for the period of one month commencing with the date of issue.

(5) The power of entry conferred by the warrant may be exercised at all reasonable times and any person entering the premises in exercise of that power shall—

- (a) produce the warrant if so required; and
- (b) comply with such precautions (if any) as the sheriff or justice of the peace may specify to prevent the spread among animals of infectious or contagious diseases.

(6) If an inspector enters any unoccupied premises, the inspector must leave them as effectively secured against entry as the inspector found them.