
DRAFT STATUTORY INSTRUMENTS

2015 No.

**The Keeping and Introduction of Fish (England
and River Esk Catchment Area) Regulations 2015**

PART 4

ENFORCEMENT AND ADMINISTRATION

Powers of entry

11.—(1) An officer of the Agency may, on producing a duly authenticated authorisation if required, enter any premises (except any premises used wholly as a private dwelling house) at any reasonable hour—

- (a) where the officer has reason to suspect that an offence under these Regulations has been, or is about to be, committed; or
- (b) for the purposes of exercising the powers conferred by regulation 7(1)(b) or regulation 8(3), or for investigating whether any of those powers are exercisable.

(2) The officer may be accompanied by such other persons, and may use any such vehicles, vessels or equipment as the officer considers necessary.

(3) An officer may enter any premises (or any part of premises) which are a private dwelling only if a justice of the peace has issued a warrant authorising the officer to do so.

(4) If a justice of the peace, on sworn information in writing, is satisfied that there are reasonable grounds for entry into any premises for the purposes described in paragraph (1), and either—

- (a) admission has been refused, or a refusal is expected, and (in either case) notice to apply for a warrant has been given to the occupier,
- (b) asking for admission for giving such notice would defeat the object of the entry,
- (c) the case is one of urgency, or
- (d) the premises are unoccupied or the occupier is temporarily absent,

the justice may by signed warrant authorise the officer to enter the premises, if need be by reasonable force.

(5) A warrant under this regulation is valid for one month.

(6) An officer who enters any unoccupied premises must leave them as effectively secured against unauthorised entry as they were before entry.