
DRAFT STATUTORY INSTRUMENTS

2020 No.

The Greenhouse Gas Emissions Trading Scheme Order 2020

PART 6

Monitoring compliance

Warrants

41.—(1) A judge may issue a warrant in relation to any premises for the purpose of article 40(1) (a) where satisfied that—

- (a) there are reasonable grounds for the exercise of the power in that sub-paragraph; and
- (b) one or more of the conditions in paragraph (2) are fulfilled in relation to the premises.

(2) The conditions referred to in paragraph (1)(b) are that—

- (a) the exercise of the power by consent in relation to the premises has been refused;
- (b) a refusal of consent to the exercise of the power is reasonably expected;
- (c) the premises are unoccupied;
- (d) the occupier is temporarily absent from the premises and the case is one of urgency; or
- (e) a request for admission to the premises would defeat the purpose of the entry.

(3) A warrant in accordance with this article continues to have effect until the purpose for which it was issued has been fulfilled.

(4) In paragraph (1), “judge” means—

- (a) in England or Wales, a justice of the peace;
- (b) in Northern Ireland, a lay magistrate;
- (c) in Scotland, a justice of the peace or sheriff.