



Medway Council Act 2001

2001 CHAPTER iv

PART 4

MISCELLANEOUS AND GENERAL

15 Powers of entry, inspection and examination

- (1) An authorised officer, on producing if so required a duly authenticated document showing his authority, or any constable may—
 - (a) at all reasonable times enter and inspect any premises registered under section 5 (Registration of dealers in second-hand goods) of this Act and inspect or take copies of any record kept in pursuance of section 6 (Information to be kept by registered dealers in second-hand goods) of this Act and may do all such things as are reasonably necessary for the purpose of ascertaining whether there is, or has been, in or in connection with, the premises, a contravention of that section;
 - (b) subject to subsection (2) below, at all reasonable times enter and inspect any premises situated in the borough and not registered under the said section 5 (other than premises used solely as a private dwelling-house), if he has reasonable cause to believe they are being used for, or in connection with, the business of a dealer in second-hand goods, for the purposes of ascertaining whether in connection with such premises there is a contravention of that section;
 - (c) subject to subsection (2) below, enter and inspect any premises situated in the borough (other than premises used solely as a private dwelling-house) if he has reasonable cause to believe that they are being, have been or are intended to be, used for or in connection with an occasional sale or the carrying out of squat trading, for the purpose of ascertaining whether there is or has been, in, or in connection with, the premises a contravention of any provision of Part 3 (Occasional sales and squat trading) of this Act;
 - (d) at all reasonable times enter any premises situated in the borough for the purpose of serving a notice under subsection (3) or (5) of section 11 (Notice of occasional sales and squat trading) of this Act; or

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (e) at all reasonable times enter any premises situated in the borough for the purpose of inspecting or taking copies of any record kept in pursuance of section 12 (Information to be kept by holder of certain occasional sales) of this Act.
- (2) The powers of—
- (a) paragraphs (a) and (e) of subsection (1) above in respect of premises used as a private dwelling-house; and
 - (b) paragraphs (b) and (c) of subsection (1) above in respect of any premises to which those paragraphs apply;
- may be exercised only on the grant of a warrant by a justice of the peace.
- (3) A justice may grant a warrant under subsection (2) above only if he is satisfied either—
- (a) that notice of intention to apply for a warrant has been given to the occupier of the premises; or
 - (b) that the case is one of urgency, or the occupier is temporarily absent, or that the giving of a notice of intention to apply for a warrant would defeat the object of the entry.
- (4) A warrant under this section shall authorise entry, if need be, by force but shall cease to have effect at the end of the period of 7 days beginning with the day on which it is granted.