

Changes to legislation: There are currently no known outstanding effects for the Human Fertilisation and Embryology Act 1990, Cross Heading: Entry and search in connection with suspected offence. (See end of Document for details)

SCHEDULES

[^{F1}SCHEDULE 3B

INSPECTION, ENTRY, SEARCH AND SEIZURE

Textual Amendments

- F1** Sch. 3B inserted (1.10.2009) by [Human Fertilisation and Embryology Act 2008 \(c. 22\)](#), s. 68(2), [Sch. 5](#); [S.I. 2009/2232](#), art. 2(x)

Entry and search in connection with suspected offence

- 5 (1) If a justice of the peace is satisfied on sworn information or, in Northern Ireland, on a complaint on oath that there are reasonable grounds for believing—
- (a) that an offence under this Act is being, or has been committed on any premises, and
 - (b) that any of the conditions in sub-paragraph (2) is met in relation to the premises,
- the justice of the peace may by signed warrant authorise a duly authorised person, together with any constables, to enter the premises, if need be by force, and search them.
- (2) The conditions referred to are—
- (a) that entry to the premises has been, or is likely to be, refused and notice of the intention to apply for a warrant under this paragraph has been given to the occupier;
 - (b) that the premises are unoccupied;
 - (c) that the occupier is temporarily absent;
 - (d) that an application for admission to the premises or the giving of notice of the intention to apply for a warrant under this paragraph would defeat the object of entry.
- (3) A warrant under this paragraph shall continue in force until the end of the period of 31 days beginning with the day on which it is issued.
- (4) In relation to Scotland—
- (a) any reference in sub-paragraph (1) to a justice of the peace includes a reference to a sheriff, and
 - (b) the reference in that sub-paragraph to “on sworn information” is to be read as a reference to “by evidence on oath”.]

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