

*Changes to legislation:* There are currently no known outstanding effects for the Human Fertilisation and Embryology Act 1990, Cross Heading: Execution of warrants. (See end of Document for details)

## SCHEDULES

### [<sup>F1</sup>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)

##### *Execution of warrants*

- 6 (1) Entry and search under a warrant under paragraph 5 is unlawful if any of sub-paragraphs (2) to (4) and (6) is not complied with.
- (2) Entry and search shall be at a reasonable time unless the person executing the warrant thinks that the purpose of the search may be frustrated on an entry at a reasonable time.
- (3) If the occupier of the premises to which the warrant relates is present when the person executing the warrant seeks to enter them, the person executing the warrant shall—
- (a) produce the warrant to the occupier, and
  - (b) give the occupier—
    - (i) a copy of the warrant, and
    - (ii) an appropriate statement.
- (4) If the occupier of the premises to which the warrant relates is not present when the person executing the warrant seeks to enter them, but some other person is present who appears to the person executing the warrant to be in charge of the premises, the person executing the warrant shall—
- (a) produce the warrant to that other person,
  - (b) give that other person—
    - (i) a copy of the warrant, and
    - (ii) an appropriate statement, and
  - (c) leave a copy of the warrant in a prominent place on the premises.
- (5) In sub-paragraphs (3)(b)(ii) and (4)(b)(ii), the references to an appropriate statement are to a statement in writing containing such information relating to the powers of the person executing the warrant and the rights and obligations of the person to whom the statement is given as may be prescribed by regulations made by the Secretary of State.
- (6) If the premises to which the warrant relates are unoccupied, the person executing the warrant shall leave a copy of it in a prominent place on the premises.

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- (7) Where the premises in relation to which a warrant under paragraph 5 is executed are unoccupied or the occupier is temporarily absent, the person executing the warrant shall when leaving the premises, leave them as effectively secured as the person found them.]

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