



Radioactive Substances Act 1948

1948 CHAPTER 37 11 and 12 Geo 6

7 Power of entry and inspection.

- (1) Any person authorised by the appropriate Minister to act under this section shall, on producing, if so required, a duly authenticated document showing his authority, have a right to enter at all reasonable hours any premises (other than premises wholly or mainly used for residential purposes) ^{F1} . . . for the purpose of ascertaining whether there has been committed, or is being committed, in or in connection with the premises, ^{F1} . . . an offence under any provision of this Act ^{F2} . . .
- (2) If it is shown to the satisfaction of a justice of the peace on sworn information in writing by a person authorised as aforesaid—
 - (a) that the exercise of the right conferred by the preceding subsection has been refused or, in the case of premises wholly or mainly used for residential purposes, that a request for admission has been refused, or that the case is one of urgency or that an application or request for admission would defeat the object of the entry; and
 - (b) that there are reasonable grounds for suspecting that an offence under any provision of this Act ^{F2} . . . has been or is being committed in or in connection with the premises, ^{F1} . . . in question;the justice may by warrant under his hand authorise that person and any other person named in the warrant and any constable to enter and search any premises, ^{F1} . . . if need be by force.
- (3) Every warrant granted under this section shall continue in force until the purpose for which it was granted has been satisfied.
- (4) If any person wilfully obstructs any person exercising powers under this section, he shall be guilty of an offence.
- (5) If any person discloses any information obtained by means of the exercise of powers under this section, being information with regard to any manufacturing process or trade secret, he shall, unless such disclosure was made in accordance with the directions of the appropriate Minister or for the purpose of proceedings for an offence under this Act or any report of those proceedings, be guilty of an offence.

Changes to legislation: There are currently no known outstanding effects for the Radioactive Substances Act 1948, Section 7. (See end of Document for details)

- (6) In this section the expression “the appropriate Minister” means, in relation to the exercise of powers for enforcing any section of this Act, the appropriate Minister within the meaning of that section.

Textual Amendments

- F1** Words in s. 7(1)(2) repealed (E.W.S.) (27.8.1991) by [Radioactive Material \(Road Transport\) Act 1991 \(c. 27, SIF:8\)](#), ss. 2(6), 9(3), [Sch.](#) and (N.I.) (12.4.1992) by [S.I. 1992/234 \(N.I. 2\)](#), art. 10, [Sch.](#)
- F2** Words in s. 7(1)(2)(b) repealed (27.8.1993) by [1993 c. 12, ss. 50, 51\(2\)](#), [Sch. 6](#), Pts.I, II (with ss. 42, 46)

Modifications etc. (not altering text)

- C1** In S. 7(4) by [S.I. 1984/703 \(N.I. 3\)](#), art. 7(2), [Sch. 3](#) it is provided that the Act shall have effect as if the maximum fine that may be imposed on conviction of any offence mentioned in section 7(4) (obstruction of inspectors) were a fine not exceeding £500 instead of a fine not exceeding £100 (as amended by art. 9 of [S.I. 1984/703 \(N.I. 3\)](#)) and by virtue of art. 5 of [S.I. 1984/703](#) it is provided that a reference to level 4 on the standard scale shall be substituted for such reference to £500

Changes to legislation:

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