
STATUTORY INSTRUMENTS

2013 No. 233

**The Timber and Timber Products
(Placing on the Market) Regulations 2013**

PART 3

Enforcement

Powers of entry

7.—(1) An inspector may, on serving reasonable notice, enter premises at any reasonable hour, except premises used wholly or mainly as a private dwelling house, for the purpose of enforcing the Timber Regulation and the Implementing Regulation.

(2) The requirement to serve notice does not apply—

- (a) where reasonable efforts to agree an appointment have failed;
- (b) where an inspector reasonably believes that serving a notice would defeat the object of the entry;
- (c) where an inspector has a reasonable suspicion that an offence has been committed under regulation 4; or
- (d) in an emergency.

(3) An inspector must, if requested, produce a duly authenticated authorisation document.

(4) Paragraph (1) does not affect any right of entry conferred by a warrant issued in accordance with paragraph (5).

(5) A justice of the peace may by signed warrant permit an inspector to enter premises, if necessary by reasonable force, if the justice, on sworn information in writing, is satisfied that—

- (a) there are reasonable grounds for an inspector to enter those premises for the purpose of enforcing the Timber Regulation and the Implementing Regulation; and
- (b) one of the conditions in paragraph (6) is met.

(6) The conditions are that—

- (a) entry to the premises has been refused, or is likely to be refused without a warrant, and notice of the intention to apply for a warrant has been served on the occupier;
- (b) asking for admission to the premises, or serving such a notice, would defeat the object of the entry;
- (c) entry is required urgently; or
- (d) the premises are unoccupied or the occupier is temporarily absent.

(7) But the power in paragraph (5) does not extend to premises used wholly or mainly as a private dwelling house.

(8) A warrant is valid for three months.

(9) An inspector entering premises under this regulation may—

- (a) be accompanied by—
 - (i) such other persons as the inspector considers necessary,
 - ^{F1}(ii) any representative of the European Commission;] and
- (b) bring on to the premises such equipment as the inspector considers necessary.

(10) An inspector entering any premises which are unoccupied or from which the occupier is temporarily absent must leave them as effectively secured against unauthorised entry as they were before entry.

(11) An inspector may require a vehicle, vessel, aircraft or hovercraft that the inspector has reasonable grounds to believe is transporting timber to stop to allow the inspector to exercise the powers conferred by these Regulations.

(12) In this regulation—

- (a) in Scotland, a reference to a justice of the peace means a sheriff, and the reference to sworn information in writing is a reference to evidence on oath; and
- (b) in Northern Ireland, a reference to a justice of the peace is a reference to a lay magistrate, and the reference to sworn information in writing is a reference to a sworn complaint in writing.

F1 Reg. 7(9)(a)(ii) omitted (E.W.S.) (31.12.2020) by virtue of [The Timber and Timber Products and FLEGT \(EU Exit\) Regulations 2018 \(S.I. 2018/1025\)](#), regs. 1(1), **3(3)** (as amended by [S.I. 2020/1315](#), regs. 1(2), 2(2)); 2020 c. 1, Sch. 5 para. 1(1)

Commencement Information

II Reg. 7 in force at 3.3.2013, see [reg. 1\(2\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Timber and Timber Products (Placing on the Market) Regulations 2013, Section 7.