

STATUTORY INSTRUMENTS

2019 No. 1517

The Official Controls (Plant Health and Genetically Modified Organisms) (England) Regulations 2019

PART 9

General powers of plant health inspectors and enforcement

Failure to comply with a notice

31.—(1) If a person fails to comply with a notice served on that person under these Regulations, a plant health inspector may enter any affected premises at all reasonable times to take or cause to be taken any steps that the plant health inspector considers necessary to ensure compliance with the notice or to remedy the consequences of the failure to carry them out.

(2) A plant health inspector acting under paragraph (1) must, if requested to do so, show evidence of authority to act.

[^{F1}(3) Paragraph (1) does not apply—

- (a) to any premises which are used wholly or mainly as a private dwelling unless 24 hours' notice has been given to the occupier; or
- (b) in relation to any notice served under Schedule 4A.]

(4) A plant health inspector may be accompanied by such ^{F2}... persons ^{F3}... and bring onto the premises such equipment and vehicles as the inspector considers necessary.

(5) A person accompanying a plant health inspector under paragraph (4) may—

- (a) remain on the premises and from time to time re-enter the premises without a plant health inspector;
- (b) bring onto the premises any equipment or vehicles that the person considers necessary; and
- (c) carry out work on the premises in a manner directed by a plant health inspector.

Textual Amendments

- F1** Reg. 31(3) substituted (29.10.2020) by [The Official Controls \(Plant Health and Genetically Modified Organisms\) \(England\) \(Amendment\) \(No. 4\) Regulations 2020 \(S.I. 2020/1089\)](#), regs. 1, **2(2)**
- F2** Word in reg. 31(4) omitted (31.12.2020) by virtue of [The Plant Health \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1482\)](#), regs. 1(2)(b), **13(4)(a)**
- F3** Words in reg. 31(4) omitted (31.12.2020) by virtue of [The Plant Health \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1482\)](#), regs. 1(2)(b), **13(4)(b)**

Commencement Information

- I1** Reg. 31 in force at 14.1.2020, see [reg. 1\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Official Controls (Plant Health and Genetically Modified Organisms) (England) Regulations 2019, Section 31.