
WELSH STATUTORY INSTRUMENTS

2009 No. 1551

**The Marketing of Fresh Horticultural
Produce (Wales) Regulations 2009**

PART 3

Powers of authorised officers

Powers of entry

7.—(1) An authorised officer may enter any premises at any reasonable hour for the purposes of the enforcement of these Regulations.

(2) An authorised officer must, if requested to do so, produce a duly authenticated authorisation document.

(3) An authorised officer may—

(a) be accompanied by—

(i) such other persons as the authorised officer considers necessary;

^{F1}(ii)

(b) bring on to the premises such equipment as the authorised officer considers necessary.

(4) If a justice of the peace, on sworn information in writing, is satisfied that there are reasonable grounds for entry into any premises for the purposes of enforcing these Regulations, and either—

(a) admission to an authorised officer has been refused, or a refusal is expected, and (in either case) that notice of the intention to apply for a warrant has been given to the occupier; or

(b) that an application for admission to the premises, or the giving of such a notice, would defeat the object of the entry, or

(c) that the premises are unoccupied or the occupier is temporarily absent; or

(d) that the case is one of urgency,

the justice may by signed warrant authorise the authorised officer to enter the premises, if need be by reasonable force.

(5) A warrant under this regulation is valid for three months.

(6) An authorised officer who enters by virtue of this regulation 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.

(7) It is an offence for a person who has obtained confidential information in the course of acting for the purposes of the enforcement of these Regulations to disclose the confidential information obtained, whether it was obtained on premises entered under or by virtue of these Regulations or otherwise, unless the disclosure is made in the performance of that person's duty or in accordance with section 17(2) of the Anti-terrorism, Crime and Security Act 2001 ^{M1}.

Changes to legislation: There are currently no known outstanding effects for the The Marketing of Fresh Horticultural Produce (Wales) Regulations 2009, Section 7. (See end of Document for details)

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Textual Amendments

F1 Reg. 7(3)(a)(ii) omitted (31.12.2020) by virtue of The Food (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019 (S.I. 2019/732), regs. 1(2), 2(6); 2020 c. 1, Sch. 5 para. 1(1)

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Marginal Citations

M1 2001 c. 24.

Changes to legislation:

There are currently no known outstanding effects for the The Marketing of Fresh Horticultural Produce (Wales) Regulations 2009, Section 7.