

Changes to legislation: *The Waste and Contaminated Land (Northern Ireland) Order 1997, Paragraph 2 is up to date with all changes known to be in force on or before 25 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

SCHEDULES

SCHEDULE 4

SUPPLEMENTAL PROVISIONS WITH RESPECT TO POWERS OF ENTRY

Modifications etc. (not altering text)

- C1** Sch. 4 applied (with modifications) (1.4.2018) by [The Control of Mercury \(Enforcement\) Regulations 2017 \(S.I. 2017/1200\)](#), regs. 2(2), **21(3)** (with reg. 1(2))

Issue of warrants

- 2.—(1) If it is shown to the satisfaction of a justice of the peace on complaint on oath—
- (a) that there are reasonable grounds for the exercise in relation to any premises of a relevant power; and
 - (b) that one or more of the conditions specified in sub-paragraph (2) is fulfilled in relation to those premises,

the justice may by warrant authorise an authorised person to exercise the power in relation to those premises, in accordance with the warrant and, if need be, by force.

- (2) The conditions mentioned in sub-paragraph (1)(b) are—
- (a) that the exercise of the power in relation to the premises has been refused;
 - (b) that such a refusal is reasonably apprehended;
 - (c) that the premises are unoccupied;
 - (d) that the occupier is temporarily absent from the premises and the case is one of urgency; or
 - (e) that an application for admission to the premises would defeat the object of the proposed entry.

- (3) ^{F1}

(4) Every warrant under this Schedule shall continue in force until the purposes for which the warrant was issued have been fulfilled.

- F1** Sch. 4 para. 2(3) repealed (17.10.2011) by [Waste and Contaminated Land \(Amendment\) Act \(Northern Ireland\) 2011 \(c. 5\)](#), ss. 11(2), 12(1), **Sch. 2**; S.R. 2011/312, **art. 2**, Sch.

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Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- art. 58(1A) inserted by [2011 c. 5 \(N.I.\) s. 8\(3\)](#)
- art. 70(2A)-(2C) inserted by [2011 c. 5 \(N.I.\) s. 9](#)