

SCHEDULES

SCHEDULE 4

RIGHTS OF ENTRY

PART II

OTHER RIGHTS OF ENTRY AND RELATED POWERS

Notice of Entry

6.—(1) Without prejudice to any power exercisable by virtue of a warrant under this Part of this Schedule, no person shall make an entry into any premises by virtue of any right or power to which this Part of this Schedule applies except—

- (a) in an emergency; or
- (b) at a reasonable time and after the required notice of the intended entry has been given to the occupier of the premises.

(2) For the purposes of this paragraph the required notice is—

- (a) in the case of the rights and powers conferred by virtue of any of Articles 114(4), 124(2) and (3), 125(7) and (8) and 231(1)(c) and (3), 24 hours' notice; and
- (b) in any other case, 7 days' notice.

(3) For the purposes of the application of this Part of this Schedule to any right or power conferred by Article 229, the reference in sub-paragraph (1) to an emergency—

- (a) in relation to any entry to premises for the purposes of, or for purposes connected with, the exercise or proposed exercise of any power in relation to a street, includes a reference to any circumstances requiring the carrying out of emergency works within the meaning of Article 6 of the [Street Works \(Northern Ireland\) Order 1995 \(NI 19\)](#); and
- (b) in relation to any other entry to premises, includes a reference to any danger to property and to any interruption of a supply of water provided to any premises by any person and to any interruption of the provision of sewerage services to any premises.

(4) For the purposes of the application of this Part of this Schedule to the rights and other powers conferred by Article 233, sub-paragraph (1) shall have effect as if the power in an emergency to make an entry to any premises otherwise than at a reasonable time and after the required notice were omitted.