
STATUTORY RULES OF NORTHERN IRELAND

2001 No. 199

Slaughter Premium Regulations (Northern Ireland) 2001

Part IV

Enforcement

Exercise of powers by authorised persons

13. An authorised person may at all reasonable hours and on producing, if so required, some duly authenticated document showing his authority, exercise the powers conferred by regulations 14 and 15 for the purposes of—

- (a) carrying out any specified control measure;
- (b) ascertaining whether an offence under regulation 18 has been or is being committed; or
- (c) ensuring that slaughter premium has been or will be granted only in accordance with—
 - (i) Community rules; and
 - (ii) the requirements of regulations 8 and 9.

Powers of entry and inspection

14.—(1) An authorised person may enter any land other than land used only as a dwelling, which is, or which he reasonably believes to be occupied by a claimant or used by him for keeping bovine animals.

(2) An authorised person who has entered any land by virtue of this regulation may—

- (a) inspect and verify the area of the land or any part thereof;
- (b) inspect any building, structure or equipment, including weighing equipment on the land;
- (c) inspect and count any bovine animals on the land and read their eartags or other identification marks;
- (d) inspect any carcase, or part of a carcase, of any bovine animal on the land;
- (e) carry out any other activity which is a specified control measure; and
- (f) inspect the land for the purpose of determining whether it has been overgrazed or whether unsuitable supplementary feeding methods have been used on it.

(3) An authorised person entering land by virtue of this regulation may take with him such other persons acting under his instructions as he considers necessary.

Powers in relation to documents

15. An authorised person may—

- (a) require a claimant or any officer, employee, servant or agent of a claimant to produce any claimant's document in his possession or under his control and to supply such additional

information in that person's possession or under his control relating to a claim as the authorised person may reasonably request;

- (b) examine any claimant's document referred to in sub-paragraph (a) and, where it is kept by means of a computer, have access to, and inspect and check the operation of, any computer and any associated apparatus or material which is or has been used in connection with that claimant's document;
- (c) make such copies of any claimant's document referred to in sub-paragraph (a) as he may think fit; and
- (d) seize and retain any claimant's document referred to in sub-paragraph (a) which he has reason to believe may be required as evidence in proceedings under these Regulations and, where any such claimant's document is kept by means of a computer, require it to be produced in a form in which it may be taken away.

Assistance to authorised persons

16. A claimant, any officer, employee, servant or agent of a claimant, and any person in charge of animals on land entered pursuant to regulation 14 shall render an authorised person such assistance as he may reasonably request so as to enable him to exercise any power conferred by regulation 14 or 15 and in particular, in relation to any bovine animal, shall arrange for the penning and securing of such animal if so requested.

Limits on powers of authorised persons

17. An authorised person may exercise the powers conferred by regulations 14 and 15, and act otherwise in matters arising under these Regulations, only where, and to the extent that, the Department is the relevant competent authority by virtue of the IACS Regulations.

Offences

18. It shall be an offence for a person—

- (a) without reasonable excuse to fail to comply with regulation 7;
- (b) intentionally to obstruct an authorised person in the exercise of a power conferred by regulation 14 or 15;
- (c) without reasonable excuse, to fail to comply with a requirement made under regulation 15 or a request made under regulation 16; or
- (d) knowingly or recklessly to make a statement or furnish any information which is false or misleading in a material particular where the statement is made or the information is furnished for the purpose of obtaining for himself or any other person the grant of a slaughter premium.

Penalties

19.—(1) A person guilty of an offence under regulation 18(a), (b) or (c) shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(2) A person guilty of an offence under regulation 18(d) shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.

Time limit for prosecutions

20.—(1) Proceedings for an offence under regulation 18 may, subject to paragraph (2), be commenced within the period of six months from the date on which evidence sufficient in the opinion of the prosecutor to warrant proceedings comes to his knowledge.

(2) No such proceedings shall be commenced by virtue of this regulation more than twelve months after the commission of the offence.

(3) For the purpose of this regulation, a certificate signed by or on behalf of the prosecutor and stating the date on which evidence sufficient in his opinion to warrant the proceedings came to his knowledge shall be conclusive evidence of that fact.

(4) A certificate stating that matter and purporting to be so signed shall be deemed to be so signed unless the contrary is proved.