

SCHEDULE 1

Regulation 8(2)

Powers of inspectors

Powers of entry

1.—(1) An inspector may, on producing a duly authenticated authorisation (if so required), enter any premises at any reasonable hour for the purpose of ensuring that the provisions of these Regulations are being, or have been, complied with.

(2) Admission to any premises used only as a private dwelling house may not be demanded as of right unless 24 hours' notice of the intended entry has been given to the occupier, or the entry is in accordance with a warrant granted under this paragraph.

(3) If a lay magistrate, on sworn information in writing, is satisfied that there are reasonable grounds for entry onto any premises for the purposes of the enforcement of these Regulations, and either—

- (a) admission has been refused, or a refusal is expected, and (in either case) that notice to apply for a warrant has been given to the occupier;
- (b) asking for admission, or the giving of such a notice, would defeat the object of the entry;
- (c) the case is one of urgency; or
- (d) the premises are unoccupied or the occupier is temporarily absent,

the magistrate may by signed warrant authorise the inspector to enter the premises, if need be, by reasonable force.

(4) A warrant under this paragraph is valid for one month.

(5) If an inspector enters any unoccupied premises, the inspector must leave them as effectively secured against unauthorised entry as the inspector found them.

(6) In this paragraph—

“premises” includes any place, vehicle, trailer, container, stall, moveable structure, vessel or aircraft;

“vessel” means every description of vessel (whether with or without means of propulsion of any kind), and includes anything constructed or used to carry persons, goods or plant or machinery by water, or constructed to be propelled or moved on or in water.

Commencement Information

II Sch. 1 para. 1 in operation at 8.12.2008, see [reg. 1\(1\)](#)

Powers of an inspector

2.—(1) An inspector entering premises under paragraph 1 may—

- (a) take onto those premises any person, equipment or materials that the inspector considers necessary for the enforcement of these Regulations;
- (b) open any container;
- (c) carry out any searches, inspections, measurements and tests;
- (d) take samples;
- (e) have access to, and inspect and copy any books, documents or records (in whatever form they are held) relating to these Regulations and remove them to enable them to be copied;

Changes to legislation: There are currently no known outstanding effects for the The Pesticides (Maximum Residue Levels) Regulations (Northern Ireland) 2008, SCHEDULE 1. (See end of Document for details)

- (f) photograph or copy anything whose production the inspector has power to require under sub-paragraph (e);
 - (g) photograph anything which the inspector has reasonable cause to believe may be relevant in connection with the enforcement of these Regulations;
 - (h) seize any computers and associated equipment for the purpose of copying documents provided that they are returned as soon as practicable.
- (2) Any person who accompanies an inspector in accordance with this paragraph may perform any of the inspector's functions but only under the supervision of that inspector.

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Commencement Information

I2 Sch. 1 para. 2 in operation at 8.12.2008, see [reg. 1\(1\)](#)

Power of an inspector to use reasonable force

3. An inspector may use reasonable force, if necessary, in the performance of functions under these Regulations.

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Commencement Information

I3 Sch. 1 para. 3 in operation at 8.12.2008, see [reg. 1\(1\)](#)

Seizure or disposal of products

4. If any product to which Regulation 396/2005 applies contains a quantity of pesticide residue greater than that permitted under that Regulation, an inspector may—
- (a) seize or dispose of the consignment containing that product, or any part of it, or require the owner or person appearing to be in charge of it to dispose of it; or
 - (b) direct the owner or any person appearing to be in charge of it to take such remedial action as appears to the inspector to be necessary.

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Commencement Information

I4 Sch. 1 para. 4 in operation at 8.12.2008, see [reg. 1\(1\)](#)

Information notice

5. An inspector may, by notice served on any person, require that person to provide such information as is specified in the notice in such form and within such period following service of the notice or at such time as is so specified.

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Commencement Information

I5 Sch. 1 para. 5 in operation at 8.12.2008, see [reg. 1\(1\)](#)

Enforcement and prohibition notices

6.—(1) An inspector may serve a notice on any person who contravenes, or who the inspector has reasonable grounds to suspect may contravene, these Regulations—

- (a) requiring that person to act in accordance with these Regulations; or
- (b) prohibiting that person from acting in contravention of these Regulations.

(2) The notice must give reasons for serving it and, if appropriate, specify what action should be taken and give time limits.

Commencement Information

I6 Sch. 1 para. 6 in operation at 8.12.2008, see [reg. 1\(1\)](#)

Compliance with notices

7.—(1) It is an offence for any person on whom a notice is served under these Regulations to fail to comply with the provisions of that notice.

(2) Such a notice must be complied with at the expense of the person on whom it is served and, if it is not complied with, an inspector may arrange for it to be complied with at the expense of that person.

Commencement Information

I7 Sch. 1 para. 7 in operation at 8.12.2008, see [reg. 1\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Pesticides (Maximum Residue Levels) Regulations (Northern Ireland) 2008, SCHEDULE 1.