
SCOTTISH STATUTORY INSTRUMENTS

2012 No. 199

The Bluetongue (Scotland) Order 2012

PART 6

Enforcement and offences

Powers of entry

27.—(1) A veterinary inspector, or an officer of the Scottish Ministers acting under the direction of a veterinary inspector, may, for a relevant purpose, at all reasonable hours, enter any premises (except premises used wholly or mainly as a private dwelling house), vehicle or vessel.

(2) A person entering premises, or a vehicle or vessel, under paragraph (1) must if required produce a duly authenticated document showing the person's authority to enter.

(3) Where paragraph (4) applies a justice of the peace, stipendiary magistrate or sheriff may by signed warrant permit a person mentioned in paragraph (1) to enter any premises, if necessary by reasonable force.

(4) This paragraph applies where the justice, stipendiary magistrate or sheriff is satisfied, on sworn information in writing, that—

- (a) there are reasonable grounds to enter those premises for a relevant purpose; and
- (b) any of the conditions in paragraph (5) is met.

(5) Those conditions are—

- (a) entry to the premises has been, or is likely to be, refused, and notice of intention to apply for a warrant has been given to the occupier;
- (b) asking for admission to the premises, or giving such notice, would defeat the object of entry;
- (c) entry is required urgently; or
- (d) the premises are unoccupied or the occupier is temporarily absent.

(6) A warrant is valid for a period (fixed by the person granting it) of no more than three months.

(7) A person entering 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.

(8) A person entering premises, or a vehicle or vessel, under this article may—

- (a) take a vehicle;
- (b) take any equipment the person considers necessary; and
- (c) be accompanied by—
 - (i) such other person as the person considers necessary; and
 - (ii) a representative of the European Commission acting for the purpose of enforcement of an EU obligation.