



Prevention of Damage by Pests Act 1949

1949 CHAPTER 55 12 13 and 14 Geo 6

PART III

SUPPLEMENTAL

22 Powers of entry.

- (1) Any person duly authorised in writing by a local authority for the purposes of Part I of this Act, or by a person empowered by the Minister to exercise functions of a local authority under that Part, may, at any reasonable time, enter upon any land—
 - (a) for the purpose of carrying out any inspection required by the said Part I to be carried out by the local authority;
 - (b) for the purpose of ascertaining whether there is or has been, on or in connection with the land, any failure to comply with any requirement of the said Part I or of any notice served thereunder;
 - (c) for the purpose of taking any steps authorised by section five or section six of this Act to be taken by the local authority on or in relation to the land.
- (2) Any person duly authorised in writing by the Minister, or by a local authority to whom functions of the Minister under Part II of this Act are delegated, may, at any reasonable time, enter upon any land—
 - (a) for the purpose of ascertaining whether there is or has been, on or in connection with the land or any vehicle thereon, any failure to comply with any requirement of the said Part II or of any directions given thereunder;
 - (b) for the purpose of taking any steps authorised to be taken on or in relation to the land under the said Part II by a person named in an order made by the Minister or by that authority thereunder,

and where any such person has entered on any premises for the purposes specified in paragraph (a) of this subsection, he may take samples of any food found on those premises.

- (3) Any person authorised under this section to enter upon any land shall, if so required, produce evidence of his authority before so entering, and shall not demand admission

Changes to legislation: *Prevention of Damage by Pests Act 1949, Section 22 is up to date with all changes known to be in force on or before 27 April 2023. 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*

as of right to any land which is occupied unless twenty-four hours' notice of the intended entry has been given to the occupier.

- (4) Any person who wilfully [^{F1}obstructs the exercise of powers conferred by this section or by section five, subsection (1) of section six or subsection (1) of section sixteen of this Act] shall be liable on summary conviction to a fine not exceeding in the case of a first offence [^{F2}five pounds][^{F2}level 1 on the standard scale], and in the case of a second or any subsequent offence [^{F3}twenty pounds][^{F3}level 1 on the standard scale].
- (5) If any person who, in compliance with the provisions of this section, is admitted into a factory, workshop or work place, discloses to any person any information obtained by him therein as to any manufacturing process or trade secret, he shall, unless the disclosure is made in the course of performing his duty in connection with the purpose for which he was authorised to enter the premises, be liable on summary conviction to a fine not exceeding [^{F4}level 3 on the standard scale] or to imprisonment for a term not exceeding three months.
- (6) If any land is damaged in the exercise of a power of entry conferred under this section, compensation in respect of that damage may be recovered by any person interested in the land from the local authority on whose behalf the entry was effected, or from the Minister, as the case may be.

Textual Amendments

- F1** Words substituted by [Pests Act 1954 \(c. 68\), s. 5\(3\)](#)
- F2** “level 1 on the standard scale” substituted (S.) for “five pounds” by virtue of [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\), ss. 289E–289G](#)
- F3** “level 1 on the standard scale” substituted (S.) for “twenty pounds” by virtue of [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\), ss. 289E–289G](#)
- F4** Words substituted by virtue of (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\), ss. 38, 46](#) and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\), ss. 289F, 289G](#)

Modifications etc. (not altering text)

- C1** [S. 22\(4\): Criminal Justice Act 1982 \(c. 48, SIF 39:1\), ss. 35](#) (in relation to liability on first and subsequent convictions), [38](#) (increase of fines) and [46](#) (substitution of references to levels on the standard scale) apply (E.W.)

Changes to legislation:

Prevention of Damage by Pests Act 1949, Section 22 is up to date with all changes known to be in force on or before 27 April 2023. 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.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 22(5) words repealed by [2003 c. 44 Sch. 37 Pt. 9](#)