FEATURED

Utility Warrants Of Entry

Warrant Of Entry By Gas & Electricity Companies

PUBLISHED ON *October 12, 2017October 12, 2017 by Warren BellLeave a comment*
This site came about from personal experience. It was when I was confronted with British Gas applying for a warrant of entry to fit a prepayment meter for a debt. After many hours of research, I discovered that all the utility companies are committing fraud in courts every day.

I put a series of post onto a facebook thread, knowing it would get lost, I decided to put them somewhere permanent. I wanted to share the information so that if you find yourself at the hands of these corporate bullies you are able to stand up to them.



CATEGORIES UNCATEGORIZED • TAGS COURT, ELECTRIC, ENTRY, GAS, MAGISTRATES, UTILITIES, UTILITY, WARRANT, WATER

TRADING TRUSTS AND STRAW TRUSTEES

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Introduction
The attractive combination of limited liability1 and taxation advantages2 resulted in an explosion in popularity in the 1970s of the trading trust, using a straw corporate trustee, to carry on a business enterprise.

The legal treatment of the resulting entity throws together principles from diverse areas and the solution to a specific problem may cause an incompatibility of a principle from one of the areas with a principle from another.

The resolution may cause the principle from one of those areas to be inapplicable, though it might normally be applied in less complex situations.

The appointment of a nominee limited liability company with a paid-up capital of $2 which then becomes insolvent, juxtaposes various principles of equity and in particular, those drawn from fiduciary obligations, the law of trusts, priorities, and what has been described in this context as the 'invidious' use of subrogation,3 with rules drawn from company law and the law of insolvency, to produce what has been thought by some to be a 'commercial monstrosity'.4

Whilst much has been written already upon various aspects of this vexed area,5 in addition to considering recent developments, this paper attempts to re-examine comprehensively the diverse rules and their implications for the respective parties and to identify those aspects which either remain in doubt or whose resolution under existing rules is questionable. Read More Click Here >-> (https://utilitywarrantsofentry.files.wordpress.com/2018/03/trading-trusts-and-straw-trustees.pdf)

CATEGORIES LAW & LEGISLATION

The Law

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The Gas (Prepayment Meter) Regulations 2006 Click Here (http://www.legislation.gov.uk/uksi/2006/2011/pdfs/uksi_20062011_en.pdf)

The Gas Act 1986 – Billing Disputes Click Here (https://www.legislation.gov.uk/ukpga/1986/44/section/15A)

Magistrates' Courts Act 1980 1980 c. 43Part II Civil debt Section 58 Click Here (https://www.legislation.gov.uk/ukpga/1980/43/section/58)

Magistrates' Courts Act 1980: 1980 c. 43Part IV Evidence generally Section 98 Click Here (https://www.legislation.gov.uk/ukpga/1980/43/section/98)

Magistrates' Courts Act 1980: 1980 c. 43Part IV OffencesSection 107 Click Here (https://www.legislation.gov.uk/ukpga/1980/43/section/107)

Magistrates' Courts Act 1980: 1980 c. 43Part V Case statedSection 111 Click Here (https://www.legislation.gov.uk/ukpga/1980/43/section/111)

Powers of Entry Bill Click Here (https://publications.parliament.uk/pa/ld200708/ldbills/071/2008071.pdf)

CATEGORIES LAW & LEGISLATION • TAGS ACTS, ELECTRIC, ELECTRICITY, GAS, LAW, LAWS, LEGISLATION, STATUTES

Warrant of Entry Application

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As we drill down into these warrant of entry applications we can see massive fraud occurring in these venues hired for the day. If we look at the wording of the letter from British Gas, we can see that this is not a summons from a court. It is their letter. telling us they will apply for a legal warrant of entry. (See Image)
Look at the Magistrates Court Act 1980 (See Image) only a justice of the peace can issue a summons. This letter is not a summons. There is no information laid before the justices. When you phone the Magistrates Court they deny any knowledge of the application.
So, what jurisdiction are these venues operating under?
The gas agent will apply for the warrant of entry under health and safety to gain entry to fit a prepayment meter. There is no body of words that permits entry to fit a prepayment meter. The fitting of a prepayment meter is by consent only.
In Rights of Entry (Gas and Electricity Boards) Act 1954
You are here: 1954 c. 21 (Regnal. 2_and_3_Eliz_2)Section 2 http://www.legislation.gov.uk/ukpga/Eliz2/2-3/21/section/2 (https://l.facebook.com/l.php?u=http%3A%2F%2Fwww.legislation.gov.uk%2Fukpga%2FEliz2%2F2-3%2F21%2Fsection%2F2&h=ATNRu9VJQoPFgceCOa3K6XgbJpM3QSQm_pJChKG82gWLRW9QNtJgtVOKVdHP7YCetotqQn2dzIux8mAYXm2cNFJU5H447sKGWodzhzAqZUJFm91QnM16z82tEVYAHG8XfhmtGXWEnhDZslXcR9R_HvREafxNuum0RRdU7JwDoAAVDz7pZ

QP0c_ulLEYBT6IEwkkEhjDT8vDQFdaxg2CujLWJ1fNWXphzLxYgxZYxD97Z4FkT4YCupCzOuPh_fYxe9juWYEa3569AzC5eKVMLXkR8)
the justice **shall not grant a warrant** under this section in respect of the right of entry in question unless he is satisfied (b)that admission to the premises for that purpose was sought in a case of emergency and was refused by or on behalf of the occupier; **IN CASE OF AN EMERGENCY**.

Read this, http://www.legislation.gov.uk/uksi/1996/2535/made/data.xht… (https://l.facebook.com/l.php?u=http%3A%2F%2Fwww.legislation.gov.uk%2Fuksi%2F1996%2F2535%2Fmade%2Fdata.xht%3Fwrap%3Dtrue&h=ATNOL_ilgArOOR7lBxsTzICVlIUbn2AuLOBAh0KT3KanJl0oC3ZJ2bytuYF4mXh5tMG-cv39Bo6CMxWwb8mZaCujTONdEZ_7jG70J7is6Z_XTPK7ByqmiKY1henDz0-Y1_71UdUznnhbOJVzFZaWvYzTP3NpofGvOXsZfZ1Pt3Q0sTG5Aix5SK9bE-biAgvXdMyxuSc5m0EfeglmHVq0lq-nAPApJniaTLLE516YW0R5iC809LF7elTbzoAeD73Y5BFt4sjmNO017n4Y1knnV626)
In order for a warrant to be issued, the more recent 1980 Magistrates Courts Act, (which therefore has precedence over the outdated Right of Entry act 1954, is clear that there has had to have been a hearing, to which the court has an obligation by law to invite you to in order to give you the opportunity to defend yourself (i.e have a fair trial).
Therefore, if the court hasn't actually summoned you for a hearing then there is no official hearing.
Even if there was a hearing, the court is obliged to inform the defendant (us) that the claimant/creditor (Utility company) has been successful in their claim. All correspondence from the Utility companies are not official court documentation and thus are fraudulent when impersonating the courts.
Rights of Entry act, in combination with the Electricity act 1989, 'if there is any **genuine dispute** between the consumer and the utility company, **a warrant of entry CANNOT be issued.**
No one in the court is sitting under their judicial oath.

NOTICE TO AGENT IS NOTICE TO PRINCIPLE NOTICE TO PRINCIPAL IS NOTICE TO AGENT

I have received a letter from British Gas. It states 'We'll apply for a legal warrant of entry at Poole Magistrates, The Law Courts, Park Road Poole Dorset BH15 2NS on the 19th October 2017 at 15.00.

So that I may remain in honour I require the following. Under CPR rule Sec 31.14 I am entitled to full disclosure. I now order Poole Magistrates Court to provide the following and comply with the CPR Rule 31.14

1. The Magistrates Courts Act 1980 Issue of summons to accused or warrant for his arrest. Information has to be laid before a justice of the peace. The Magistrates Court Act is clear that only a Court can summon a person to a hearing? On information being laid before a justice of the peace that a person has, or is suspected of having, committed an offence, the

justice may issue—
(a) a summons directed to that person requiring him to appear before a magistrates' court to answer the information.

2. What information was laid before a Justice Of The Peace?

2. Is the letter from British Gas a Summons to appear for the purposes of the Magistrates Court Act 1980?

3. I require the name of the law society member from British Gas who laid the information, claim/complaint before a Justice Of The Peace.

4. I require the name of the justice of the peace, Clerk of the court who heard the information, claim/complaint and allowed it to proceed.

5. I require the unique case number of the information laid, claim/complaint.

6. Was the information laid, claim/complaint in Poole Magistrates Court heard by a Justice Of The Peace, with a clerk of the court who is a member of the Law Society under oath of penalty or perjury considered the application and issued the order?

7. Provide me with the name of the Justice Of The Peace, and/or legally trained, Law Society, clerk who will hear the application on the 19th October 2017

8. Will the Justice Of The Peace and Clerk be sitting on their Oath, which swears to support the Coronation Oath to uphold "the laws and usages of the realm"?

9. Will the Justice of The Peace, Clerk of the court be sitting "judicially", or acting as a corporate "administrative officer"?

10. Why I not provided with full disclosure of the information being laid with the Justice Of The Peace?

11. Is the application in Poole Magistrates Court a lawful and/or legally convened court?

12. Is it correct that In order for any warrant to be issued, the more recent 1980 Magistrates Courts Act, (which therefore has precedence over the outdated Right of Entry act 1954, is clear that there has to have been a hearing, to which the court has an obligation by law to invite you to in order to give you the opportunity to defend yourself?

13. If I have never been summoned, by a court, to any hearing is a warrant of entry made by a court is a dereliction of duty? the justices, the clerk has not followed the correct, legal court process and failed in their duty?

14. Does all the above breach my Article 6 Human Rights to a fair Trial?

15. Does this breach my Article 8 Human Rights? – Right to a private and family life. Everyone has the right to respect for his or her private and family life, home and correspondence.

16. Is it correct that warrants issued under this old Right of Entry Act are issued illegally, as the Magistrates Courts Act 1980, takes precedence over the 1954 Gas Act?

17. Where in the Gas Act 1954 is the body of words that allows a Warrant of Entry to fit a prepayment meter? I point you to Sec 2 http://www.legislation.gov.uk/ukpga/Eliz2/2-3/21/section/2 (https://l.facebook.com/l.php?u=http%3A%2F%2Fwww.legislation.gov.uk%2Fukpga%2FEliz2%2F2-3%2F21%2Fsection%2F2&h=ATNPXLlLt85_xPSRVd8Z6h_0Fg22xegPQYuJ8qRXxyujGpo7WT6dV6Zm2pK6jd9UjPlYCJ-Hqk3Alu3rWZUjEJLXc3is2G5vcLnuqxdVobMMuWsu3QGIBs2zZpEEFmmIFwQwRp_TEhEBYDCdK-ZU89tJrRA1UaR8SGjEXWXQCS0ctESBejbGJAl--uiZbDOGWYcijnoXqiGii82YhVh5vFV6tmmowADJ48gc0apWfDP9h9UuLl4lxcFoEgnV7ULPLFVX-RcxSDOtWSz6J0HKvBkWrgQKSag)

18. In The Gas act 1954 Sec 2.2b (2) If, in a case to which the preceding subsection applies, the relevant enactment does not require notice of an intended entry to be given to the occupier of the premises, the justice shall not grant a warrant under this section in respect of the right of entry in question unless he is satisfied—
(a) that admission to the premises for the purpose specified in the information was sought by a person lawfully requiring entry in the exercise of that right, and was so sought after not less than twenty-four hours' notice of the intended entry had been given to the occupier; or
(b) that admission to the premises for that purpose was sought in a case of emergency and was refused by or on behalf of the occupier;

19. Where in The Gas Safety (Rights of Entry) Regulations 1996 is the body of words that allows a warrant of entry to a prepayment meter? http://www.legislation.gov.uk/uksi/1996/2535/made/data.xht… (https://l.facebook.com/l.php?u=http%3A%2F%2Fwww.legislation.gov.uk%2Fuksi%2F1996%2F2535%2Fmade%2Fdata.xht%3Fwrap%3Dtrue&h=ATNaBJ_Nmv1kbe_C1ID4KuDFELKFBw7FxQgwuwfN1pjZDC2cxoQQaO3fOL_UowbXin7PNglS6xMkameTz17Bq2AmojskxsW2iuTfrUG3mje9MLyreBgK4IQnECkrw9_AL9ae7sREuoM2NRdGsI-qTOfexuQfw2ddFnmI0YuZUVkzkFTInqwZzIvH-Ju7xxf1AZ8oAIyzdsJ-5ERrT1eZh6iv-MQ2CApIJehKt1wm3JD7Ukk5oc9rgU86Eml_foiST53zIRbgPwPZJa-EJX0T-N25)

20. Gas and Electricity Boards) Act 1954 Section 2 states that the only reasonably required entry would be for a safety issue or criminal act such as abstraction (theft) of gas. There is no mention of anything such as the changing of meters and the act by omission validates this as not being a reasonable cause for a warrant of entry.

21. This is confirmed by section 3 of the Gas Act which states: to a case of emergency are references to a case in which a person lawfully requiring entry to the premises in question, in the exercise of a right of entry to which this Act applies, has reasonable cause to believe that circumstances exist which are likely to endanger life or property, and that immediate entry to the premises is necessary to verify the existence of those circumstances or to ascertain their cause or to effect a remedy.

22. A warrant under (Gas and Electricity Boards) Act 1954 Section 2 requires individual consent, and PROOF from British Gas Trading that an emergency situation exists which warrants their entry as life or property are likely to be endangered.

23. There is an up to date and valid gas safety certificate in place and would be produced for the court to witness.

24. If the gas agent claims that it is to replace a meter or get a meter reading then neither are safety issues. I will require the magistrate to dismiss the warrant as fraudulent on the grounds of self incrimination and perjury and will lay information before the court of charges of perjury against the gas agent.

CATEGORIES WARRANT OF ENTRY APPLICATION • TAGS APPLICATION, APPLY, COURT, ELECTRIC, ENTRY, GAS, UTILITY, WARRANT

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