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STATUTORY RULES OF NORTHERN IRELAND

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**2005 No. 574**

**The Official Feed and Food Controls  
Regulations (Northern Ireland) 2005**

**PART 5**

**ENFORCEMENT AND SUPPLEMENTARY PROVISIONS**

**Protection of officers acting in good faith**

**45.**—(1) An officer of a relevant body is not personally liable in respect of any act done by him—

- (a) in the execution or purported execution of the Official Controls Regulations; and
- (b) within the scope of his employment,

if he did that act in the honest belief that his duty under the Official Controls Regulations required or entitled him to do it.

(2) Nothing in paragraph (1) shall be construed as relieving any relevant body of any liability in respect of the acts of their officers.

(3) Where an action has been brought against an officer of a relevant body in respect of an act done by him—

- (a) in the execution or purported execution of the Official Controls Regulations; but
- (b) outside the scope of his employment,

the body may indemnify him against the whole or a part of any damages which he has been ordered to pay or any costs which he may have incurred if they are satisfied that he honestly believed that the act complained of was within the scope of his employment.

(4) In so far as a district council is a relevant body for the purposes of this regulation, public analyst appointed by a district council shall be treated for the purposes of section 48 of the Local Government Act (Northern Ireland) 1972<sup>(1)</sup> as being an officer of the council, whether or not his appointment is a whole-time one.

(5) In this regulation “relevant body” means a body acting as—

- (a) a competent authority;
- (b) an enforcement authority as defined in regulation 22; or
- (c) a relevant enforcement authority.

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<sup>(1)</sup> 1972 c. 9 (N.I.)