
STATUTORY RULES OF NORTHERN IRELAND

2009 No. 427

The Official Feed and Food Controls
Regulations (Northern Ireland) 2009

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 that officer —

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

if that act was done in the honest belief that a duty under the Official Control Regulations required or entitled the officer to do it.

(2) Paragraph (1) shall not be construed as relieving any relevant body of any liability in respect of the acts of its officers.

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

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

the body may indemnify the officer against the whole or a part of any damages which the officer has been ordered to pay or any costs which may have been incurred by the officer if it is satisfied that the officer honestly believed that the act complained of was within the scope of the employment.

(4) In so far as a district council is a relevant body for the purposes of this regulation, a public analyst appointed by a district council shall be treated for the purposes of this regulation as being an officer of the district council, whether or not the 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 21; or
- (c) a relevant enforcement authority.