STATUTORY INSTRUMENTS

2010 No. 740

The Detergents Regulations 2010

Protection of officers acting in good faith

19.—(1) An authorised officer who acts—

(a) in the execution or purported execution of these Regulations; and

(b) within the scope of the authorised officer's employment,

will not be personally liable for that act if it was done in the honest belief that the duty of an authorised officer under these Regulations required or entitled the authorised officer to so act.

(2) A person who enters premises with an authorised officer under regulation 17(b) will not be personally liable for any act that was done in the honest belief that a person accompanying an authorised officer under that regulation ("accompanying person") was required or entitled to so act.

(3) Nothing in paragraph (1) or (2) may be construed as relieving the Secretary of State (in the case of an authorised officer appointed by the Secretary of State), or the relevant enforcement authority (in the case of an authorised officer appointed by an enforcement authority designated in regulation 4) from any liability in respect of the acts of the authorised officer or accompanying person.

(4) If the Secretary of State or enforcement authority is satisfied that the authorised officer honestly believed that the act complained of was within the scope of the authorised officer's employment, the Secretary of State or enforcement authority may indemnify the authorised officer against the whole or part of any damages that the authorised officer has been ordered to pay, or any costs which may have been incurred, in any action brought against the authorised officer in respect of an act done—

(a) in the execution or purported execution of these Regulations; and

(b) outside the scope of the officer's employment.