WELSH STATUTORY INSTRUMENTS

2005 No. 3368

The Feed (Hygiene and Enforcement) (Wales) Regulations 2005

PART 4

Administration and Enforcement Generally

Protection of authorised officers acting in good faith

34.—(1) An authorised officer is not personally liable in respect of any act done by him or her—

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

(b) within the scope of his or her employment,

if the officer did that act in the honest belief that his or her duty under these Regulations required or entitled the officer to do it.

(2) Nothing in paragraph (1) may be construed as relieving any enforcement authority of any liability in respect of the acts of their officers.

(3) Where an action has been brought against an authorised officer in respect of an act done by him or her—

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

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

the authority 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 the officer may have incurred if it is satisfied that the officer honestly believed that the act complained of was within the scope of his or her employment.

(4) An agricultural analyst is to be treated for the purposes of this regulation as being an authorised officer, whether or not his or her appointment is a whole-time one.