

Changes to legislation: There are currently no known outstanding effects for the Food and Environment Protection Act 1985, Cross Heading: Power to question. (See end of Document for details)

SCHEDULES

SCHEDULE 2

OFFICERS AND THEIR POWERS

Modifications etc. (not altering text)

- C1 Sch. 2 applied (E.W.) (with modifications) (1.2.2000) by S.I. 1999/3483, reg. 4(6) Sch. 2 applied (1.2.2000) by S.I. 2000/22, art. 4(5)
- C1 Sch. 2 applied (with modifications) (E.W.) (22.12.2005) by Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) (England and Wales) Regulations 2005 (S.I. 2005/3286), regs. 1(1), 3(6)
- C1 Sch. 2 applied (with modifications) (S.) (22.12.2005) by Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) (Scotland) Regulations 2005 (S.S.I. 2005/599), regs. 1(1), 3(6)
- C1 Sch. 2 applied (30.6.2006) by Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) Regulations (Northern Ireland) 2006 (S.R. 2006/220), regs. 1, 3(6)
- C1 Sch. 2 applied (E.W.) (1.10.2006) by Natural Environment and Rural Communities Act 2006 (c. 16), ss. 44(4), 107(3)(b); S.I. 2006/2541, art. 2 (with Sch.)

^{F1} Power to question

Textual Amendments

- F1 Sch. 2 para. 2A inserted (9.9.1998) by 1998 c. 26, ss. 2(2), 3(b)

- 2A (1) If an officer is carrying out functions conferred by Part III of this Act, he may require a person whom he has reasonable cause to believe is able to give information which will assist him in carrying out those functions—
- (a) to answer such questions as the officer thinks it appropriate to ask; and
 - (b) to sign a declaration of the truth of his answers.
- (2) Any person to whom questions are put under this paragraph may nominate a person to be with him when he gives his answers.
- (3) When a person answers any such questions the only other persons who may be present (apart from the questioner) are—
- (a) the person (if any) nominated under sub-paragraph (2); and
 - (b) any person authorised by the officer to be present.
- (4) A person is not to be excused from complying with a requirement under sub-paragraph (1) on the ground that to do so might incriminate him or his spouse^{F2} or civil partner] of an offence; but a statement or admission made in complying is not admissible in evidence against either of them in proceedings for any offence.]

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Textual Amendments

- F2** Words in Sch. 2 para. 2A(4) inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 263(10)(b), [Sch. 27 para. 109](#); S.I. 2005/3175, art. 2(2)

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