



# Food Act 1984

## 1984 CHAPTER 30

### PART VII

#### GENERAL AND SUPPLEMENTAL

##### *Protection*

#### **116 Officer acting in good faith.**

- (1) An officer of a council is not personally liable in respect of any act done by him—
  - (a) in the execution or purported execution of this Act, and
  - (b) within the scope of his employment,if he did that act in the honest belief that his duty under this Act required or entitled him to do it.
- (2) Nothing in subsection (1) shall be construed as relieving a council from any liability in respect of the acts of their officers.
- (3) Where—
  - (a) an action has been brought against an officer of a council in respect of an act done by him in the execution or purported execution of this Act, and
  - (b) the circumstances are such that he is not legally entitled to require the council to indemnify him,the council may, nevertheless, indemnify him against the whole or a part of any damages and costs which he may have been ordered to pay or may have incurred, if they are satisfied—
  - (i) that he honestly believed that the act complained of was within the scope of his employment; and
  - (ii) that his duty under this Act required or entitled him to do it.
- (4) A public analyst appointed by a food and drugs authority shall for the purposes of this section be treated as being an officer of the authority whether or not he is employed whole-time.

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*Changes to legislation: There are currently no known outstanding effects for the  
Food Act 1984, Cross Heading: Protection. (See end of Document for details)*

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**117 Liability to rates no disqualification.**

A judge of any court or a justice of the peace shall not be disqualified from acting in cases arising under this Act by reason only of his being as one of several ratepayers, or as one of any other class of persons, liable in common with the others to contribute to, or be benefited by, any rate or fund out of which any expenses of a council are to be defrayed.

**Changes to legislation:**

There are currently no known outstanding effects for the Food Act 1984, Cross Heading: Protection.