



Food and Environment Protection Act 1985

1985 CHAPTER 48

PART I

CONTAMINATION OF FOOD

Investigation and enforcement

3 Authorisation of investigating officers and enforcement officers.

- (1) [^{F1}A designating authority] may authorise—
- (a) persons (in this Act referred to as “investigating officers”) to conduct investigations for the purpose of determining—
 - (i) whether any of the powers conferred by this Part of this Act should be exercised ; and
 - (ii) the manner in which any such power should be exercised ;
 - (b) persons (in this Act referred to as “enforcement officers”) to enforce—
 - (i) emergency orders ; and
 - (ii) directions under section 2 above.
- (2) [^{F1}A designating authority] may authorise an investigating officer or an enforcement officer who is not an officer of his department to perform any [^{F2}the designating authority’s] functions under this Part of this Act which he could perform if it were an officer of the department ; and an officer performing such functions in pursuance of such an authorisation is to be treated in relation to their performance as if he were an officer of the department.
- (3) An authorisation under subsection (1) or (2) above may be given subject to such limitations as may be specified in the instrument containing it ; and this Act shall be construed, in reference to a person whose authorisation has been given subject to limitations, as subject to those limitations.

Changes to legislation: There are currently no known outstanding effects for the Food and Environment Protection Act 1985, Section 3. (See end of Document for details)

- (4) The functions of an investigating officer and of an enforcement officer may also be performed by a British sea-fishery officer, and accordingly any reference to an investigating officer or an enforcement officer in the following provisions of this Act includes a reference to a British sea-fishery officer.

Textual Amendments

- F1** Words in s. 3 substituted (30.6.1999) by [S.I. 1999/1756, art. 2, Sch. para. 10\(6\)](#) (with [art. 8](#)); [S.I. 1998/3178](#)
- F2** Words in s. 3 substituted (30.6.1999) by [S.I. 1999/1756, art. 2, Sch. para. 10\(6\)](#) (with [art. 8](#)); [S.I. 1998/3178](#)

Modifications etc. (not altering text)

- C1** S. 3(1)(2) functions made exercisable concurrently or jointly with the Welsh Ministers by 2006 c. 32, Sch. 3A para. 1 (as inserted (1.4.2018) by [Wales Act 2017 \(c. 4\), s. 71\(4\)](#), [Sch. 4 para. 1](#) (with [Sch. 7 paras. 1, 6](#)); [S.I. 2017/1179, reg. 3\(p\)](#))

Changes to legislation:

There are currently no known outstanding effects for the Food and Environment Protection Act 1985, Section 3.