
STATUTORY INSTRUMENTS

2006 No. 14

The Food Hygiene (England) Regulations 2006

PART 4

MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

Protection of officers acting in good faith

25.—(1) An officer of an enforcement authority is not personally liable in respect of any act done by him —

- (a) in the execution or purported execution of the Hygiene Regulations; and
- (b) within the scope of his employment,

if he did that act in the honest belief that his duty under the Hygiene Regulations required or entitled him to do it.

(2) Nothing in paragraph (1) shall 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 officer of an enforcement authority in respect of an act done by him —

- (a) in the execution or purported execution of the Hygiene Regulations; but
- (b) outside the scope of his employment,

the authority may indemnify him against the whole or a part of any damages which he has been ordered to pay or any costs which he may have incurred if they are satisfied that he honestly believed that the act complained of was within the scope of his employment.

(4) A public analyst appointed by a food authority shall be treated for the purposes of this regulation as being an officer of the authority, whether or not his appointment is a whole-time one.