
STATUTORY INSTRUMENTS

2015 No. 454

The Animal Feed (Hygiene, Sampling etc. and Enforcement) (England) Regulations 2015

PART 4

Duties of execution and enforcement

Duty to enforce

21. It is the duty of each feed authority within its area to execute and enforce the provisions of these Regulations and Regulation 183/2005.

Secretary of State's default powers and area of authorised officers' powers

22.—(1) If the Secretary of State considers that specified feed law other than the Act has been insufficiently enforced in the area of any enforcement authority he may appoint one or more persons to exercise in that area the powers exercisable by authorised officers appointed by the authority, and any expenses certified by him as having been incurred by him under this regulation in respect of that area must be repaid on demand by the authority in question.

(2) An authorised officer may not exercise powers under these Regulations in respect of any premises outside the area for which that officer is appointed except with the consent of the enforcement authority for the area in which those premises are situated.

Protection of authorised officers acting in good faith

23.—(1) An authorised officer is not personally liable in respect of any act done —

- (a) in the execution or purported execution of these Regulations; and
- (b) within the scope of the officer's employment,

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

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

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

- (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 ordered to be paid or any costs incurred if it is satisfied that the officer honestly believed that the act complained of was within the scope of the officer's employment.

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