



# Mines Act (Northern Ireland) 1969

## 1969 CHAPTER 6

### PART XII

#### OFFENCES, PENALTIES AND LEGAL PROCEEDINGS

#### 134 Defence available to person charged with offence not committed personally.

In any proceedings under this Act which, by virtue of section 130(1), are taken against a person in respect of the contravention by a person other than himself of—

- (a) a provision of the Act, of an order made thereunder or of regulations, being a provision which expressly imposes on that other person or on persons of a class to which, at the time of the contravention, he belonged, a duty or requirement or expressly prohibits him or persons of such a class or all persons from doing a specified act; or
- (b) a prohibition, restriction or requirement which by virtue of a notice served under or by virtue of this Act by<sup>[F1]</sup> the Executive] or an inspector is expressly imposed on that other person; [<sup>F2</sup> or
- (c) a requirement or prohibition imposed by or under health and safety regulations which expressly apply to all mines, any class of mine or a particular mine being a requirement expressly imposed on that person or on persons of a class to which, at the time of the contravention, he belonged, or a prohibition expressly imposed on him or on persons of such class or on all persons from doing a specified act;]

it shall be a defence for the person charged to prove that he used all due diligence to secure compliance with the provision, prohibition, restriction or requirement, as the case may be.

**F1** SR 1999/150

**F2** SR 1980/333

**Status:**

Point in time view as at 01/01/2006.

**Changes to legislation:**

There are currently no known outstanding effects for the Mines Act (Northern Ireland) 1969, Section 134.