
SCOTTISH STATUTORY INSTRUMENTS

2005 No. 489

The Inverness Harbour Revision (Works) Order 2005

PART II

WORKS

Defence in relation to offences under articles 8, 10 and 11 of this Order

14.—(1) In any proceedings for an offence under articles 8, 10 and 11 of this Order, it shall be a defence for the Trustees to prove that they took all reasonable precautions and exercised all due diligence to avoid commission of such an offence.

(2) If in any case the defence made under paragraph (1) above involves an allegation that the commission of the offence was due to the act or default of another person, the Trustees shall not, without the leave of the court, be entitled to rely on that defence unless, within a period ending seven clear days before the hearing, they have served on the prosecution a notice in writing giving such information as was then in their possession identifying or assisting in the identification of that other person.