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*Status: This version of this provision is prospective.*

*Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Merchant Shipping and Fishing Vessels (Manual Handling Operations) Regulations 1998. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)*

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## STATUTORY INSTRUMENTS

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# 1998 No. 2857

## The Merchant Shipping and Fishing Vessels (Manual Handling Operations) Regulations 1998

PROSPECTIVE

### Onus of proving what is reasonably practicable

9. In any proceedings for an offence under any of these Regulations consisting of a failure to comply with a duty or requirement to do something so far as is reasonably practicable, it shall be for the defendant to prove that it was not reasonably practicable to do more than was in fact done to satisfy the duty or requirement.

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#### Commencement Information

**11** Reg. 9 in force at 31.12.1998, see [reg. 1\(1\)](#)

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**Changes and effects yet to be applied to :**

- reg. 9 coming into force by [S.I. 1998/2857 reg. 1\(1\)](#)