
STATUTORY INSTRUMENTS

2010 No. 699

The Environment Agency (Inland Waterways) Order 2010

PART 4

PROVISIONS AS TO OFFENCES

Defence of due diligence

20.—(1) In proceedings for an offence under article 18(1)(d) it is a defence for the person charged to prove that that person charged took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.

(2) If in any case the defence provided under paragraph (1) involves the allegation that the commission of the offence was due to the act or default of another person, the person charged may not, without leave of the court, be entitled to rely on that defence unless, within a period ending 7 clear days before the hearing, the person charged has served on the prosecutor a notice in writing giving such information as was then in that person's possession, identifying, or assisting in the identification of, that other person.

Changes to legislation:

There are currently no known outstanding effects for the The Environment Agency (Inland Waterways) Order 2010, Section 20.