
STATUTORY INSTRUMENTS

2012 No. 1867

The Ipswich Barrier Order 2012

PART 7

MISCELLANEOUS AND GENERAL

Defence of due diligence

51.—(1) In proceedings for an offence under Part 3 (provisions relating to tidal works), it is a defence for the Agency to prove that it 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 Agency must not, without leave of the court, be entitled to rely on that defence unless, not less than 7 clear days before the hearing, it has served on the prosecutor a notice in writing giving such information as was then in its possession, identifying or assisting in the identification of, that other person.

Commencement Information

II Art. 51 in force at 7.8.2012, see [art. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Ipswich Barrier Order 2012, Section 51.