
STATUTORY INSTRUMENTS

2015 No. 1390

The Poole Harbour (Works) Revision Order 2015

PART 2

WORKS

Defence of due diligence

15.—(1) In proceedings for an offence under article 10, 13 or 14 it shall be a defence for the Commissioners to prove that they took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.

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