
STATUTORY INSTRUMENTS

1989 No. 846

The Food (Northern Ireland) Order 1989

PART IV

PROCEDURE AND EVIDENCE

Legal proceedings and evidence

Contravention due to default of some other person

57.—(1) Where a contravention of any provision of this Order or of any regulation, order or byelaw made under it, for which any person is liable to a penalty was due to an act or default of any other person, then, whether or not a prosecution is brought against the first-mentioned person, that other person may be charged with and convicted of the contravention and shall be liable on conviction to the same punishment as might have been imposed on the first-mentioned person if he had been convicted of the contravention.

(2) Where a person who is charged with a contravention of this Order, or of any regulation, order or byelaw made under it, proves to the satisfaction of the court that he has used all due diligence to secure that the provision in question was complied with and that the contravention was due to the act or default of some other person, the first-mentioned person shall be acquitted of the contravention.