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STATUTORY RULES OF NORTHERN IRELAND

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**2001 No. 271**

**The Beef Labelling (Enforcement)  
Regulations (Northern Ireland) 2001**

**Defence of due diligence**

**11.**—(1) In any proceedings for an offence under any provision of these Regulations it shall, subject to paragraph (2), be a defence for the person charged to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence by himself or by a person under his control.

(2) If in any case the defence provided by paragraph (1) involves the allegation that the commission of the offence was due to an act or default of another person, or to reliance on information supplied by another person, the person charged shall not, without leave of the court, be entitled to rely on that defence unless—

- (a) at least seven clear days before the hearing; and
- (b) where he has previously appeared before a court in connection with the alleged offence, within one month of his first such appearance;

he has 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 his possession.

(3) In paragraph (2) any reference to appearing before a court shall be construed as including a reference to being brought before a court.