



# Marine, &c, Broadcasting (Offences) Act 1967

## 1967 CHAPTER 41

### **7 Special defence available in proceedings for carrying goods or persons in contravention of section 4**

- (1) In any proceedings against a person for an offence under section 4 of this Act consisting in the carriage of goods or persons to or from a ship or aircraft it shall be a defence for him to prove—
  - (a) that the ship or aircraft was, or was believed to be, wrecked, stranded or in distress, and that the goods or persons carried were carried for the purpose of preserving the ship or aircraft, or its cargo or apparel, or saving the lives of persons on board of it; or
  - (b) that a person on board of the ship or aircraft was, or was believed to be, suffering from hurt, injury or illness, and that the goods or persons were carried for the purpose of securing that the necessary surgical or medical advice and attendance were rendered to him.
- (2) In any proceedings against a person for an offence under section 4 of this Act consisting in the carriage of goods or persons to or from an object other than a ship or aircraft it shall be a defence for him to prove—
  - (a) that the object was, or was believed to be, unsafe, and that the goods or persons carried were carried for the purpose of saving the lives of persons therein or thereon; or
  - (b) that a person therein or thereon was, or was believed to be, suffering from hurt, injury or illness, and that the goods or persons were carried for the purpose of securing that the necessary surgical or medical advice and attendance were rendered to him.
- (3) In any proceedings against a person for an offence under section 4 of this Act consisting in the carriage of a person to or from a ship or aircraft or to or from an object other than a ship or aircraft, it shall be a defence for him to prove that the person carried was visiting the ship, aircraft or object, as the case may be, for the purpose of exercising or performing any power or duty conferred or imposed on him by law.

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*Status: This is the original version (as it was originally enacted).*

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- (4) The references in subsections (1)(a) and (2)(a) above to persons' having been carried for the purpose of saving lives shall not be construed so as to exclude the persons whose lives it was the purpose to save and the references in subsections (1)(b) and (2)(b) above to persons' having been carried as therein mentioned shall not be construed so as to exclude the person who was, or was believed to be, suffering as so mentioned.