



# Marine and Coastal Access Act 2009

## 2009 CHAPTER 23

### PART 4

#### MARINE LICENSING

### CHAPTER 3

#### ENFORCEMENT

#### *Offences*

#### **87 Electronic communications: emergency works**

- (1) It is a defence for a person charged with an offence under section 85(1) in relation to any activity to prove that—
  - (a) for the purposes of paragraph 23 of the Electronic Communications Code (undertaker's works), the person is the operator or a relevant undertaker, and
  - (b) the activity was carried out for the purpose of executing emergency works, within the meaning of that Code.
- (2) In this section "the Electronic Communications Code" means the code set out in Schedule 2 to the [Telecommunications Act 1984 \(c. 12\)](#).