



# Mines and Quarries Act 1954

1954 CHAPTER 70 2 and 3 Eliz.2

## PART XIV

### OFFENCES, PENALTIES AND LEGAL PROCEEDINGS

#### 156 Defence available to person charged with offence not committed personally.

In any proceedings under this Act which, by virtue of subsection (1) <sup>F1</sup> . . . of section one hundred and fifty-two of this Act, are taken against a person in respect of the contravention by a person other than himself of—

- (a) a provision of the Act, of an order made thereunder or of regulations, being a provision which expressly imposes on that other person or on persons of a class to which, at the time of the contravention, he belonged, a duty or requirement or expressly prohibits him or persons of such a class or all persons from doing a specified act; or
- (b) a prohibition, restriction or requirement which by virtue of a notice served under or by virtue of this Act by an inspector is expressly imposed on that other person;
- [<sup>F2</sup>(c) a requirement or prohibition imposed by or under health and safety regulations which expressly apply to all mines <sup>F3</sup> . . . , any class of mine <sup>F3</sup> . . . or a particular mine <sup>F3</sup> . . . being a requirement expressly imposed on that person or on persons of a class to which, at the time of the contravention, he belonged or a prohibition expressly imposed on him or on persons of such class or on all persons from doing a specified act;]

it shall be a defence for the person charged to prove that he used all due diligence to secure compliance with the provision, prohibition, restriction or requirement, as the case may be.

#### Textual Amendments

- F1** Words in s. 156 omitted (1.1.2000) by S.I. 1999/2024, regs. 1(1), 47(1)(2), [Sch. 2 Pt. II](#)
- F2** [S. 156\(c\)](#) inserted by S.I. 1974/2013, [Sch. 2 para. 13](#)

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**Changes to legislation:** *There are currently no known outstanding effects for the Mines and Quarries Act 1954, Section 156. (See end of Document for details)*

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**F3** Words in s. 156(c) omitted (1.1.2000) by S.I. 1999/2024, regs. 1(1), 47(1)(2), **Sch. 2 Pt. II**

**Changes to legislation:**

There are currently no known outstanding effects for the Mines and Quarries Act 1954, Section 156.