



Mines and Quarries Act 1954

1954 CHAPTER 70 2 and 3 Eliz.2

PART XIV

OFFENCES, PENALTIES AND LEGAL PROCEEDINGS

157 Persons not to be under liability for contraventions which it was impracticable to avoid or prevent.

It shall be a defence in any legal proceedings to recover damages and in any prosecution, in so far as the proceedings or prosecution are or is based on an allegation of a contravention, in relation to a mine ^{F1}. . . , of—

- (a) a provision of this Act, of an order made thereunder or of regulations (not being a provision which expressly provides that a person is to be guilty of an offence); or
- (b) a direction, prohibition, restriction, or requirement given or imposed by a notice served under or by virtue of this Act by an inspector; or
- (c) a condition attached to an exemption, consent, approval or authority granted or given under or by virtue of this Act by [^{F2}the Health and Safety Executive] or an inspector;
- [^{F3}(d) a requirement or prohibition imposed by or under such health and safety regulations as are mentioned in subsection (1)(d) or (2)(d) of section 152 of this Act;]

to prove that it was impracticable to avoid or prevent the contravention.

Textual Amendments

- F1** Words in s. 157 omitted (1.1.2000) by S.I. 1999/2024, regs. 1(1), 47(1)(2), **Sch. 2 Pt. II**
- F2** Words substituted by virtue of S.I. 1974/2013, **Sch. 2 para. 3**
- F3** S. 157(d) inserted by S.I. 1974/2013, **Sch. 2 para. 14**

Modifications etc. (not altering text)

- C1** S. 157 excluded (1.4.1989 and 1.4.1994) by S.I. 1988/1729, **regs. 1(1)(a)(b), 11**, restricted by S.I. 1988/1930, **regs. 3, 15**, excluded by S.I. 1989/635, **reg. 28**

Changes to legislation: There are currently no known outstanding effects for the
Mines and Quarries Act 1954, Section 157. (See end of Document for details)

- C2** [S. 157](#) excluded (1.4.1993 except in so far as those regulations apply to mines of tin or tin ore and 1.1.1996 in so far as they do apply to mines of tin or tin ore) by [S.I. 1993/302](#), **regs. 1, 21**.
- C3** [S. 157](#) restricted (1.10.1993) by [S.I. 1993/1897](#), **reg. 39**.
- C4** [S. 157](#) excluded (1.4.1993) by 1993/208, reg. 40(2).
- C5** [S. 157](#) excluded (1.1.1994) by 1993/2331, reg. 7.
[S. 157](#) excluded (26.10.1995) by [S.I. 1995/2005](#), **reg. 9**
[S. 157](#) excluded (28.12.1995) by [S.I. 1995/2870](#), **reg. 29**
[S. 157](#) excluded (1.12.1999) by [S.I. 1999/2463](#), **reg. 16**

Changes to legislation:

There are currently no known outstanding effects for the Mines and Quarries Act 1954, Section 157.