



# Mines and Quarries Act 1954

1954 CHAPTER 70

## 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 or quarry, 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 the Minister or an inspector;

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