
STATUTORY INSTRUMENTS

1991 No. 2843

The Animals, Meat and Meat Products (Examination for Residues and Maximum limits) Regulations 1991

Defence available to person charged with an offence

23. –

(1) In any proceedings for an offence under these Regulations it shall be a defence for the person charged to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of such an offence by himself or by a person under his control.

(2) If in any case the defence provided by paragraph (1) above involves the allegation that the commission of the offence was due to the act or default of another person, or to reliance on information supplied by another person, the person charged shall not, without leave of the court, be entitled to rely on that defence unless–

- (a) at least seven clear days before the hearing; and
- (b) where he has previously appeared before a court in connection with the alleged offence, within one month of his first appearance,

he has served on the prosecutor a notice in writing giving such information identifying or assisting in the identification of that other person as was then in his possession.

(3) In paragraph (2) above any reference to appearing before a court shall be construed as including a reference to being brought before a court.