



Mines Act (Northern Ireland) 1969

1969 CHAPTER 6

PART XII

OFFENCES, PENALTIES AND LEGAL PROCEEDINGS

135 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, 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^[F1] the Executive] or 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^[F1] the Executive]; ^[F2] or
- (d) a requirement or prohibition imposed by or under such health and safety regulations as are mentioned in subsection (1)(d) of section 130 of this Act;]

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

F1 SR 1999/150

F2 SR 1980/333

Status:

Point in time view as at 01/02/2017.

Changes to legislation:

There are currently no known outstanding effects for the Mines Act (Northern Ireland) 1969, Section 135.