
STATUTORY INSTRUMENTS

1992 No. 3204

The Registered Homes (Northern Ireland) Order 1992

PART VI

MISCELLANEOUS AND SUPPLEMENTARY

Defences

35.—(1) In any proceedings for an offence under this Order, subject to paragraph (2), it shall be a defence for the person charged to prove—

- (a) that the commission of the offence was due to a mistake or to reliance on information supplied to him or to the act or default of another person, an accident or some other cause beyond his control; and
- (b) that he took all reasonable precautions and exercised all due diligence to avoid the commission of such an offence by himself or any person under his control.

(2) If in any such case the defence provided by paragraph (1) 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, within a period ending 7 days before the hearing, 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.

Regulations and orders

36.—(1) Regulations and orders made by the Department under this Order (other than an order under Article 1(2)) shall be subject to negative resolution.

(2) Regulations and orders made by the Department under this Order may contain such incidental, supplementary or transitional provisions as the Department considers appropriate.

Amendments

37. The statutory provisions set out in Schedule 1 shall have effect subject to the amendments specified in that Schedule.

Repeals

38. The statutory provisions set out in Schedule 2 are hereby repealed to the extent specified in the third column of that Schedule.