



# Avon Weir Act 1992

## 1992 CHAPTER v

### PART VII

#### MISCELLANEOUS AND GENERAL

#### **63 Defence of due diligence**

- (1) In proceedings for an offence under the provisions of this Act mentioned in subsection (2) below it shall be a defence for the Corporation to prove that it took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.
- (2) The provisions referred to in subsection (1) above are the following:—
  - section 20 (Provision against danger to navigation); and
  - section 23 (Lights on tidal works).
- (3) If in any case the defence provided under subsection (1) above involves the allegation that the commission of the offence was due to the act or default of another person, the Corporation shall not, without leave of the court, be entitled to rely on that defence unless, not less than 7 clear days before the hearing, it has served on the prosecutor a notice in writing giving such information as was then in its possession, identifying, or assisting in the identification of, that other person.