



Mineral Workings (Offshore Installations) Act 1971

1971 CHAPTER 61

11 Civil liability for breach of statutory duty.

- (1) This section has effect as respects—
 - (a) a duty imposed on any person by any provision of this Act, or
 - (b) a duty imposed on any person by any provision of regulations made under this Act which expressly applies the provisions of this section.
- (2) Breach of any such duty shall be actionable so far, and only so far, as it causes personal injury, and references in section 1 of the ^{M1}Fatal Accidents Act 1846, as it applies in England and Wales, and [^{F1}in Article 3(1) of the ^{M2}Fatal Accidents (Northern Ireland) Order 1977], to a wrongful act, neglect or default shall include references to any breach of a duty which is so actionable.
- (3) Subsection (2) above is without prejudice to any action which lies apart from the provisions of this Act.
- (4) Neither section 9(3) of this Act, nor any defences afforded by regulations made in pursuance of section 7(2)(b) of this Act, shall afford a defence in any civil proceedings, whether brought by virtue of this section or not.
- ^{F2}(5)
- ^{F2}(6)
- (7) In this section “personal injury” includes any disease and any impairment of a person’s physical or mental condition and includes any fatal injury.

Textual Amendments

- F1** Words substituted by [S.I. 1977/1251 \(N.I. 18\)](#), [Sch. 1 para. 6](#)
- F2** [S. 11\(5\)\(6\)](#) repealed (E.W.S.) (20.6.1995) and (N.I.) (9.10.1995) by [S.I. 1995/738](#), [reg. 22](#), [Sch. 1 Pt. I](#); [S.R. 1995/340](#), [reg. 22](#), [Sch. 1 Pt. I](#)

Changes to legislation: There are currently no known outstanding effects for the Mineral Workings (Offshore Installations) Act 1971, Section 11. (See end of Document for details)

Modifications etc. (not altering text)

C1 S. 11 applied by S.I. 1989/1029, **reg. 11**

C2 S. 11 amended (E. W.) by Fatal Accidents Act 1976 (c. 30), **Sch. 1 para. 2**

Marginal Citations

M1 1846 c. 93.

M2 1977/1251 (N.I. 18).

Changes to legislation:

There are currently no known outstanding effects for the Mineral Workings (Offshore Installations) Act 1971, Section 11.