
Changes to legislation: There are currently no known outstanding effects for the Sunday Trading Act 1994, Cross Heading: Defence of due diligence. (See end of Document for details)

SCHEDULES

SCHEDULE 2

SUPPLEMENTARY PROVISIONS

PART I

GENERAL ENFORCEMENT PROVISIONS

Defence of due diligence

- 7 (1) In any proceedings for an offence under this Act it shall, subject to sub-paragraph (2) below, 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 the offence by himself or by a person under his control.
- (2) If in any case the defence provided by sub-paragraph (1) above involves the allegation that the commission of the offence was due to the act or default of another person, the person charged shall not, without leave of the court, be entitled to rely on that defence unless, at least seven clear 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.

Modifications etc. (not altering text)

- C1** Sch. 2 paras. 5, 6, 7 applied (9.12.2004) by [Christmas Day \(Trading\) Act 2004 \(c. 26\)](#), ss. [3\(4\)](#), [6\(3\)](#); S.I. [2004/3235](#), art. 2; S.I. [2004/3235](#), art. 2; S.I. [2004/3235](#), art. 2

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