



Landmines Act 1998

1998 CHAPTER 33

Offences relating to anti-personnel mines

6 Other defences to offences under section 2.

- (1) In proceedings for an offence under section 2(1) (a), (c), (d) or (e) relating to any object it is a defence for the accused to prove that, at the time of the conduct in question, he neither knew nor suspected, nor had reason to suspect, that it was a prohibited object.
- (2) In proceedings for an offence under section 2(1) (c), (d) or (e) relating to a component of an anti-personnel mine it is a defence for the accused to prove either—
 - (a) that, at the time of the conduct in question, there was no proposal to use the component as part of an anti-personnel mine; or
 - (b) that, at that time, he neither knew nor suspected, nor had reason to suspect, that there was any proposal to use the component as part of an anti-personnel mine.
- (3) In proceedings for an offence under section 2(1)(d) relating to any object it is a defence for the accused to prove—
 - (a) that (having come to know or suspect while the object was in his possession that it was a prohibited object) he took all reasonable steps, as soon as reasonably practicable after he first had that knowledge or suspicion, to inform the Secretary of State, or a constable, of his knowledge or suspicion; or
 - (b) that he did not have any knowledge or suspicion that the object was a prohibited object, nor any reason for such a suspicion, until he became aware of the Secretary of State's exercise in the case of that object of a power conferred on the Secretary of State by this Act.
- (4) In proceedings for an offence under section 2(2) it is a defence for the accused to prove that, at the time when he assisted, encouraged or induced the conduct in question, he neither knew nor suspected, nor had reason to suspect, that the conduct related, or might relate, to a prohibited object.

Changes to legislation:

There are currently no known outstanding effects for the Landmines Act 1998, Section 6.