
STATUTORY INSTRUMENTS

2007 No. 3538

The Environmental Permitting
(England and Wales) Regulations 2007

PART 4

Enforcement and offences

Defence: acts done in an emergency

40. It is a defence for a person charged with an offence under regulation 38(1)(a), (b) or (c) to prove that the acts alleged to constitute the contravention were done in an emergency in order to avoid danger to human health in a case where—

- (a) he took all such steps as were reasonably practicable in the circumstances for minimising pollution; and
- (b) particulars of the acts were furnished to the regulator as soon as reasonably practicable after they were done.