

SCHEDULES

FIRST SCHEDULE

PROCEDURE FOR MAKING ORDERS AND PROVISIONS AS TO THE VALIDITY OF ORDERS

PART I

GENERAL PROVISIONS

- 1 Before making an order the Minister shall prepare a draft order and shall cause notice of the intention to make the order and of the place where copies of the draft order may be inspected, and of the time (not being less than twenty-eight days) within which, and the manner in which, objections to the draft order may be made, to be published in the London Gazette and in such other manner as he may think best adapted for informing persons affected, and to be served—
- (a) on the council of every county, county borough or county district wholly or partly included in the area affected by the order;
 - (b) on any sea defence commissioners, coast protection board, river board or other drainage authority, harbour authority, fishery board, local fisheries committee, conservancy authority or navigation authority known to the Minister to be exercising jurisdiction within that area;
 - (c) on any local highway authority known to him to be responsible for the maintenance of any highway in the area; and
 - (d) on the British Transport Commission, if the area contains any railway, canal or inland navigation vested in that Commission.
- 2 —Before making an order the Minister shall consider any objections which may be duly made to the draft order and may in any case cause a local inquiry to be held with respect to any objections to the draft order.
- 3 (1) In the case of an order which by virtue of the provisions of this Act is required to be made jointly by the Ministers concerned, references in the foregoing paragraphs to the Minister shall be construed as references to the Ministers concerned.
- (2) Where, in the case of an order not falling within the last foregoing sub-paragraph, objection to the draft order is duly made by a body mentioned in paragraphs (b) to (d) of paragraph 1 of this Schedule, the last foregoing paragraph shall have effect as if it required the objection to be considered, and authorised a local inquiry to be promoted, by the Ministers concerned instead of by the Minister.
- 4 In this Part of this Schedule the expression " the area affected by the order "—
- (a) in the case of an order providing for the constitution of a coast protection board, means the area for which the board will be the coast protection authority;
 - (b) in the case of an order varying the constitution of a coast protection board, but not altering the area for which the board is the coast protection authority, means that area;

Status: This is the original version (as it was originally enacted).

- (c) in the case of an order altering the area of a coast protection board, means that area and any other area proposed by the order to be included in the area of the board; and
- (d) in the case of an order repealing or amending any provision of a local Act, means any area in relation to which any power or duty conferred or imposed by that provision is exercisable;

and the expression " the Ministers concerned" has the meaning assigned to it by subsection (8) of section two of this Act and the power of determination conferred on the Treasury by that subsection shall apply accordingly.