



2013 CHAPTER 10

Part 3

Marine protection

Byelaws

Byelaws: procedure

27.—(1) Subject to subsection (10), before making any byelaws under section 26, the Department must comply with subsections (2) to (6).

(2) The Department must place a copy of a draft of the byelaws in such place or places as the Department thinks is or are likely to be most convenient for the purpose of enabling the draft to be inspected by persons likely to be affected by the making of the byelaws.

(3) The Department must provide a copy of a draft of the byelaws to any person who requests one.

(4) The Department may charge a fee, not exceeding its costs, for providing a copy under subsection (3).

(5) The Department must publish notice of its proposal to make the byelaws.

(6) The notice under subsection (5) must—

(a) be published in such manner as the Department thinks is most likely to bring the proposal to the attention of any persons who are likely to be affected by the making of the byelaws;

(b) state where the copy or copies of the draft byelaws have been placed by the Department in accordance with subsection (2);

- (c) state the time within which representations about the byelaws must be made to the Department.
- (7) Byelaws made under section 26 do not have effect until they are confirmed by the Secretary of State; and byelaws which are confirmed come into operation—
 - (a) on such date as may be determined by the Secretary of State, or
 - (b) if no such date is determined, one month after the date on which they are confirmed.
- (8) As soon as is reasonably practicable after the confirmation of byelaws made under section 26, the Department must publish notice of the making of the byelaws.
- (9) The notice under subsection (8) must—
 - (a) be published in such manner as the Department thinks is most likely to bring the byelaws to the attention of any persons who are likely to be affected by the making of the byelaws;
 - (b) state that a copy of the byelaws may be inspected at the offices of the Department.
- (10) Nothing in this section applies where the Department thinks that there is an urgent need to protect an MCZ.