
SCOTTISH STATUTORY INSTRUMENTS

2021 No. 118

The Eyemouth Harbour Revision Order 2021

PART 4

Harbour Regulation

Confirmation of byelaws

23.—(1) Byelaws made by the Trustees under this Order shall not come into operation until they have been confirmed by the Ministers.

(2) Not later than one month before an application for confirmation of byelaws is made by the Trustees to the Ministers, notice of the intention to apply for confirmation and details of the Trustees' website where the byelaws can be viewed or, as the case may be, the place at which and time during which a copy of the byelaws shall be open to inspection shall be published as follows—

- (a) once in the Edinburgh Gazette, and
- (b) once in each of two successive weeks in a newspaper circulating in the area in which the harbour is situated.

(3) Not later than the first date on which the notice under paragraph (2) is published, the Trustees shall send a copy of the notice to the Chief Executive of the Scottish Borders Council and to the Ministers.

(4) For a period of at least one month before application is made for confirmation of byelaws, the Trustees shall either keep a copy of the byelaws on their website or keep a copy of them open to public inspection, without payment, at its principal office at all reasonable hours.

(5) The Trustees shall supply a copy of the byelaws or of part of the byelaws to a person on request.

(6) During the period of one month beginning with the last date of publication of any notice required by paragraph (2), any person may make, in writing to the Ministers, any objection to or representation about the byelaws to which the notice relates.

(7) The Ministers may confirm the byelaws (with or without modifications) or may refuse to confirm them.

(8) Where the Ministers propose to make a modification that appears to them to substantially affect the character of the byelaws, they shall inform the Trustees and require them to take any steps the Ministers consider necessary for informing persons likely to be concerned with the modification.

(9) For the purposes of paragraph (8), the Ministers shall give the Trustees and any person who is to be informed of a proposed modification the opportunity to make representations in writing about that proposed modification during a period determined by the Ministers and the Ministers shall take such representations into account before making a decision under paragraph (7).

(10) The Trustees shall—

- (a) either keep a copy of the confirmed byelaws on their website or keep a copy of them open to public inspection at all reasonable hours, without payment, at the Trustees' principal office (and at the office of the harbour master), and

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(b) provide a copy of the byelaws to a person on request.