Dock Work Regulation Act 1976 (c. 79)
SCHEDULE 2 – Procedure before making Extension Order under s. 4(6)
Document Generated: 2024-05-22

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SCHEDULES

SCHEDULE 2

Section 4(8).

PROCEDURE BEFORE MAKING EXTENSION ORDER UNDER S. 4(6)

1   Where the Secretary of State proposes to make an order extending or further extending a definable dock area, he shall refer the proposal to the Board and invite them to report to him with their opinion and advice on it.

2   He shall also publish the fact that he has referred the proposal, and the manner in which the area in question is proposed to be extended—

   (a)   in at least one national newspaper and at least one news paper circulating in and around the area proposed to be extended, and

   (b)   without prejudice to section 15(2) of this Act, in such other ways as he thinks most appropriate for bringing the proposal to the notice of the persons likely to be affected by an implementation of it.

3   The Secretary of State shall allow at least 60 days for representations to be made to him (by the Board and others) with regard to the proposal, and shall consider any representations that are made.

4   (1) For the purpose of determining whether to proceed with the proposal, the Secretary of State may cause a public inquiry to be held; and he shall cause such an inquiry to be held if it appears to him, from representations made by the Board and others, that there are objections to the proposal (other than objections appearing to him to be merely frivolous).

   (2) Any such inquiry shall be held by a person appointed by the Secretary of State from among persons appearing to him to be impartial as respects the subject matter of the inquiry; and the person so appointed shall report his findings to the Secretary of State, together with such recommendations (if any) as he thinks it right to make.

   (3) In relation to any inquiry held for the purposes of this paragraph, section 250(2) and (3) of the Local Government Act 1972 (power to require witnesses' attendance etc.) apply as they do in relation to a local inquiry held under section 250(1) of that Act.