

## SCHEDULES.

### FIRST SCHEDULE

Section 2.

#### TRANSITORY PROVISIONS

- 1 In the construction and for the purposes of any Act of Parliament, any judgment, decree, order, award, deed, contract, regulation, byelaw, or other document passed or made before the transfer to the Minister or Admiralty or Secretary of State from any other Government Department of any powers or duties by or under this Act, but so far only as may be necessary for the purpose of such transfer, the name of the Minister or Admiralty or Secretary of State shall be substituted for the name of the other Government Department.
- 2 Where anything has been commenced by or under the authority of any other Government Department before the transfer to the Minister or Admiralty or Secretary of State of any powers or duties by or under this Act, and such thing is in relation to the powers or duties so transferred, such thing may be carried on and completed by or under the authority of the Minister or Admiralty or Secretary of State.
- 3 Where at the time of the transfer of any powers or duties by or under this Act any legal proceeding is pending to which any Government Department is a party, and such proceeding has reference to the powers and duties transferred by or under this Act, the Minister or Admiralty or Secretary of State shall be substituted in such proceeding for the other Government Department, and such proceeding shall not abate by reason of the substitution.

### SECOND SCHEDULE

Sections 9 and 29.

- 1 (1) Before any Order under section 3 (1) (d) of this Act is made, or any draft Order in Council under section 9 of this Act is submitted to Parliament, notice shall be published in such manner as the Minister may think best adapted for informing persons affected of the proposal to make the Order or Order in Council, and of the place or places where copies of the draft Order or Order in Council may be obtained, and of the place or places where plans of any lands (including easements) proposed to be compulsorily acquired, and plans and sections of any works proposed to be constructed and books of reference to those plans may be inspected and of the time (which shall be not less than twenty-one days) within which any objection made with respect to the draft by or on behalf of persons affected must be sent to the Minister.
- (2) Every objection must be in writing, and states—
  - (a) the specific grounds of objection ; and
  - (b) the omissions, additions, or modifications asked for.
- (3) The Minister shall consider any objection made by or on behalf of any person, being in the case of a draft Order a person affected, and in the case of a draft Order in Council a person whose property will be injuriously affected by reason of the

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

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acquisition of the land or the construction of the proposed works, if the objection is sent to the Minister within the required time, and may, if thought fit, amend the draft, and shall then cause the amended draft to be dealt with in like manner as an original draft.

- (4) Where the Minister does not amend or withdraw a draft to which any objection has been made, then (unless the objection either is withdrawn or appears to him to be frivolous) he shall before making the Order or submitting the draft Order in Council to Parliament direct an inquiry to be held in the manner hereinafter provided, and may, after considering the report of the person who held the inquiry, make the Order or submit the draft Order in Council to Parliament either without modification or subject to such modification as he may think fit, or may refuse to make the Order or submit the draft Order in Council to Parliament.
- 2 (1) The Minister may appoint a competent and impartial person to hold an inquiry with regard to any draft and to report to him thereon.
- (2) The inquiry shall be held in public, and any person who being entitled to do so has duly made an objection, may appear at the inquiry either in person or by counsel, solicitor, or agent.
- (3) The witnesses on the inquiry may, if the person holding it thinks fit, be examined on oath.
- (4) Subject as aforesaid, the inquiry and all proceedings preliminary and incidental thereto shall be conducted in accordance with rules made by the Minister.
- (5) The fee to be paid to the person holding the inquiry shall be such as the Minister may direct.