



Private Legislation Procedure (Scotland) Act 1936

1936 CHAPTER 52 26 Geo 5 and 1 Edw 8

Appointment of and Inquiry by Commissioners

3 When inquiry by Commissioners to be directed.

- (1) If the Chairmen report that the Provisional Order may proceed, or if a report against a part only of the Order is made by the Chairmen, upon due proof to the satisfaction of the examiner of compliance with the general orders hereinafter mentioned, the Secretary of State shall take the petition for a Provisional Order into consideration, and subject to the report against any part of the Order (if any), shall, if there is opposition, or in any case in which he thinks inquiry necessary, direct an inquiry as to the propriety of assenting to the prayer of the petition, subject as aforesaid, to be held by Commissioners from time to time appointed in terms of this Act.
- (2) If the examiner under this Act shall find that the general orders have not been complied with, the petitioners may, in the prescribed manner and within the prescribed time, apply to the Chairmen to dispense with any general order which has not been complied with, and the decision of the Chairmen shall be final; provided that if any conditions are attached to any dispensation with compliance with any general order, the Provisional Order shall not be proceeded with until the examiner shall have reported that such conditions have been satisfied.

Modifications etc. (not altering text)

C1 Ss. 3–6 applied by Acts listed in Chronological Table of the Statutes

Changes to legislation:

There are currently no known outstanding effects for the Private Legislation Procedure (Scotland) Act 1936, Section 3.