
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2016 No.

The Aberdeen Harbour Revision Order 2016

PART 3

HARBOUR REGULATION

Confirmation of byelaws

17.—(1) Byelaws made by the Board 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 Board to the Ministers, notice of the intention to apply for confirmation and of 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;
- (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 Board shall send a copy of the notice to the Chief Executive of Aberdeen City Council and to the Ministers.

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

(5) The Board shall supply a copy of the byelaws or of part of the byelaws to a person on payment of such reasonable charge as the Board may determine.

(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 Board 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 Board 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 Board shall—

- (a) keep a copy of confirmed byelaws open to public inspection at all reasonable hours, without payment, at the Board's principal office; and
- (b) provide a copy of the byelaws to any person on payment of such reasonable charge as the Board may determine.