

Changes to legislation: There are currently no known outstanding effects for the
Salmon Act 1986, Cross Heading: Making of order. (See end of Document for details)

SCHEDULES

[^{F1}SCHEDULE 1

PROVISIONS AS RESPECTS THE MAKING OF DESIGNATION ORDERS

Textual Amendments

- F1** Sch. 1 repealed in part (1.4.2005) by [Salmon and Freshwater Fisheries \(Consolidation\) \(Scotland\) Act 2003 \(asp 15\)](#), s. 71(2), **sch. 4 Pt. 2** (with s. 71(3)(4)(6)); S.S.I. 2005/174, art. 2

Making of order

- 6 If no representations or objections are duly made, or if all so made are withdrawn, the Secretary of State may make a designation order.
- 7 (1) If any representation or objection duly made is not withdrawn, the Secretary of State may, after considering the same—
- (a) make a designation order;
 - (b) dismiss the application; or
 - (c) cause a local inquiry to be held.
- (2) The Secretary of State shall appoint a person to hold the inquiry and to report thereon to him.
- (3) Notification of the time when and the place where the inquiry is to be held shall be sent to any person who has duly made and has not withdrawn representations about or objections to the proposals, and shall be published at least once in each of two successive weeks in a newspaper circulating in the district or districts affected by the proposals.
- (4) The person appointed to hold the inquiry may administer oaths and examine witnesses on oath and may accept, in lieu of evidence on oath by any person, a statement in writing by that person.
- (5) The Secretary of State may make orders as to the expenses incurred by him in relation to the inquiry (including such reasonable sum as he may determine for the services of the person appointed to hold the inquiry) and as to the expenses incurred by the parties to the inquiry and as to the parties by whom such expenses shall be paid.
- (6) Any order of the Secretary of State under sub-paragraph (5) above requiring any party to pay expenses may be enforced in like manner as a recorded decree arbitral.
- 8 After considering the report of the person appointed to hold the inquiry in pursuance of paragraph 7 above and any representations or objections which were duly made, the Secretary of State may make a designation order.
- 9 The power to make a designation order shall be exercisable by statutory instrument.]

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