

SCHEDULES

SCHEDULE 2

PROVISIONS AS TO CONTROL SCHEMES

PART IV

PROVISIONS AS TO THE VALIDITY OF CONTROL SCHEMES AND OF VARIATIONS AND REVOCATIONS OF SUCH SCHEMES

- 13 (1) Subject to sub-paragraphs (2) and (3) below, a control scheme or any variation or revocation of such a scheme shall not at any time be questioned in any proceedings whatsoever.
- (2) Any person aggrieved by a control scheme or by any variation or revocation of such a scheme may apply, within six weeks from the date of the first publication of the notice referred to in sub-paragraph (b) of paragraph 12 above, to the Court of Session for the purpose of questioning its validity on the ground that—
- (a) it is not within the powers of this Act; or
 - (b) any requirement of this Act has not been complied with.
- (3) Where any such application is duly made the Court may, where it is satisfied that—
- (a) the scheme or any variation or revocation of such a scheme is not within the powers of this Act; or
 - (b) the interests of the applicant have been substantially prejudiced by a failure to comply with any requirement of this Act,
- quash the scheme or any such variation or revocation, either generally or in so far as it affects the applicant.