



Sea Fish Industry Act 1938

1938 CHAPTER 30

PART I

ORGANISATION OF WHITE FISH INDUSTRY

General and Supplementary Provisions

31 Form, publication, validity and commencement of orders confirming schemes

- (1) An order confirming a scheme under this Part of this Act shall set forth the scheme in a schedule to the order, and the scheme shall come into operation at the same time as the order confirming it.
- (2) As soon as may be after such an order as aforesaid has been made, the Ministers or the appropriate Minister, as the case may be, shall cause to be published in the Gazettes, and in such other manner as appears to them or him to be best adapted for informing persons affected, a notice stating that the order has been made and specifying the place where copies of the order may be obtained.

The reference in the preceding provisions of this subsection to the Gazettes shall, in relation to an order confirming a co-operative scheme applicable to an area wholly in England, be construed as a reference to the London Gazette, or, in relation to an order confirming a co-operative scheme applicable to an area wholly in Scotland, be construed as a reference to the Edinburgh Gazette.

- (3) The validity of such an order as aforesaid shall not be called in question except in proceedings duly begun during the period of six weeks from the beginning of the day on which notice of the order having been made is published in accordance with this section; and unless the final decision in proceedings duly begun during the said period is that the order is invalid, the order shall be conclusive evidence that the requirements of this Part of this Act have been complied with in relation to the making of the order, and that the order and the scheme confirmed thereby have been duly made and confirmed respectively and are within the powers conferred by this Part of this Act.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (4) Subject as hereinafter provided, such an order as aforesaid shall come into operation at the end of the period of six weeks from the beginning of the day on which notice of the making of the order is published in accordance with this section :

Provided that, if proceedings for the purpose of questioning the validity of such an order are duly begun within the period aforesaid, the court before which such proceedings are taken may, at any time before the end of the said period, direct that the order shall not come into operation before the final determination of the proceedings.