



Sea Fish Industry Act 1938

1938 CHAPTER 30

PART V

SEA FISHERIES

58 Amendments of Part III of 31 and 32 Vict. c. 45

- (1) The provisions of sections thirty-two and thirty-three of the Sea Fisheries Act, 1868, as amended by the Sea Fisheries Act, 1884, (which sections require the making of an inquiry with respect to any proposed order under Part III of that Act for the establishment or improvement, or the maintenance and regulation, of an oyster, mussel and cockle fishery) shall apply in relation to any such proposed order as aforesaid only in a case where an objection with respect to the proposed order, being an objection which the Minister of Agriculture and Fisheries considers to be neither frivolous nor irrelevant, has been duly made to the said Minister and has not been withdrawn; but the said Minister may, in any case, cause any such inquiry as he thinks fit to be held with respect to any such proposed order.
- (2) In section thirty-four of the Sea Fisheries Act, 1868, for the words " proceed to consider the objections " or representations that have been made respecting the " proposed order and also the report of the inspector, and " thereupon they shall" there shall be substituted the words " after considering the objections or representations, if any, that have been made with respect to " the proposed order, and also the report of the person " by whom any inquiry with respect thereto has been " held."
- (3) The following section shall be substituted for section thirty-seven of the Sea Fisheries Act, 1868 :—
 - (1) As soon as may be after the making of an order under this Part of this Act, the promoters shall cause to be published in such manner as the Minister of Agriculture and Fisheries thinks sufficient for giving information to all parties interested, and shall, in such manner as the said Minister may direct or approve, give to the persons to whom notices are required to be given under section thirty-five of this Act, a notice stating that the order will become final and come into operation unless within such period, not being less than thirty

Status: This is the original version (as it was originally enacted).

days, as may be specified in the notice, a memorial praying that the order shall not become law without confirmation by Parliament is presented to the said Minister by some person affected by the order.

- (2) If no such memorial has been presented within the period aforesaid, or if every such memorial so presented has been withdrawn, the order shall thereupon come into operation; but if such a memorial has been so presented and has not been withdrawn, the order shall have no effect until confirmed by Parliament.”