

SCHEDULES

FIRST SCHEDULE

PROCEDURE FOR MAKING ORDERS AND PROVISIONS AS TO THE VALIDITY OF ORDERS

PART III

Provisions with respect to the validity of Orders not confirmed by Parliament

- 6 After the making of an order the Minister shall publish in the London Gazette, and in such other manner as he thinks best adapted for informing persons affected, a notice stating that the order has been made, and naming a place where a copy thereof may be seen at all reasonable hours:

Provided that in the case of an order to which Part II of this Schedule applies the said notice shall not be published until the expiration of the period of twenty-eight days referred to in that Part, and the notice shall state whether or not the order is to be subject to special parliamentary procedure.

- 7 If any person aggrieved by an order desires to question its validity on the ground that it is not within the powers of this Act or that any requirement of this Act has not been complied with, he may, within six weeks after the date of the first publication of the said notice, make an application for the purpose to the High Court, and if any such application is duly made the court, if satisfied that the order is not within the powers of this Act or that the interests of the applicant have been substantially prejudiced by any requirement of this Act not having been complied with, may quash the order either generally or in so far as it affects the applicant; but except as aforesaid the order shall not at any time be questioned by prohibition or certiorari or in any proceedings whatsoever:

Provided that this paragraph shall not apply to an order which is confirmed by Act of Parliament under section six of the ^{M1}Statutory Orders (Special Procedure) Act 1945, and shall have effect in relation to any other order which is subject to special parliamentary procedure by virtue of Part II of this Schedule as if for the reference to the date of the publication of the notice there were substituted a reference to the date on which the order becomes operative under the said Act.

Marginal Citations

M1 1945 c. 18 (9 & 10 Geo. 6).

Changes to legislation:

There are currently no known outstanding effects for the Coast Protection Act 1949, Part III.