

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Statutory Orders (Special Procedure) Act 1945. (See end of Document for details)*

## SCHEDULES

### FIRST SCHEDULE

#### PRELIMINARY PROCEEDINGS

##### Modifications etc. (not altering text)

**C1** Sch. 1 modified by [Atomic Energy Act 1946 \(c. 80\), s. 7 \(3\)](#)

- 1 Before the order is made or confirmed, the following notice shall be given by advertisement in the London Gazette and, in the case of an order relating to a particular area, in at least one newspaper circulating in that area, that is to say—
- (a) in the case of an order to be made on the application of any person, notice of the purport of the application shall be given by the applicant;
  - (b) in the case of an order to be confirmed on the application of any person, notice of the order as submitted for confirmation shall be given by the applicant;
  - (c) in the case of an order to be made otherwise than on the application of any person, notice of the order as proposed to be made shall be given by the authority empowered to make it.
- 2 Every such notice shall specify the time, not being less than twenty-eight days, within which and the manner in which objections may be made to the application or to the order, as the case may be.
- 3 If any such objection as aforesaid is duly made and is not withdrawn, the authority empowered to make or confirm the order shall take the objection into consideration, and shall cause a local inquiry to be held unless they are satisfied that in the special circumstances of the case the holding of such an inquiry is unnecessary.
- 4 Notice of any such inquiry as aforesaid shall be given in such manner as the authority empowered to make or confirm the order may direct, and all persons interested shall be permitted to attend the inquiry and make objections; and the provisions of [<sup>F1</sup>subsections (2) to (5) of the <sup>M1</sup>Local Government Act 1972] (which relate to evidence and costs) shall apply in relation to any such inquiry as if for any reference therein to the department there were substituted a reference to the authority empowered to make or confirm the order.

##### Textual Amendments

**F1** Words substituted by virtue of [Local Government Act 1972 \(c. 70\), s. 272 \(2\)](#)

##### Marginal Citations

**M1** [1972 c. 70.](#)

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- 5 For the purposes of paragraph 1 of this Schedule, a notice shall be sufficient notice of an order if it sets out the purport of the order and specifies a place where copies thereof may be inspected free of charge at all reasonable hours.

## SECOND SCHEDULE

Section 8.

### ENACTMENTS CONFERRING POWER TO MAKE ORDERS IN THE CASE OF WHICH SPECIAL PARLIAMENTARY PROCEDURE IS SUBSTITUTED BY THIS ACT FOR PROVISIONAL ORDER PROCEDURE.

#### **Modifications etc. (not altering text)**

- C2** The text of Sch. 2 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

<b>Enactment.</b>	<b>Amendment.</b>
The M2 Water Act, 1945.	
Subsection (5) of section nine. Subsection (4) of section ten. Subsection (3) of section thirty-two. Subsection (2) of section thirty-three.	For the words “provisional only and not have effect until they are confirmed by Parliament” wherever those words occur, there shall be substituted the words “subject to special parliamentary procedure”.
Subsections (2) and (5) of section twelve. Subsection (7) of section twenty-four. Subsections (6) and (7) of section twenty-six.	For the words “provisional only and not have effect until it is confirmed by Parliament” wherever those words occur, there shall be substituted the words “subject to special parliamentary procedure”.
Section fourteen.	In subsection (2), for the words “provisional only and shall not have effect until they are confirmed by Parliament” there shall be substituted the words “subject to special parliamentary procedure”.
First Schedule	In paragraphs 8, 17, and 23, for the words “provisional only and not have effect until it is confirmed by Parliament” wherever those words occur, there shall be substituted the words “subject to special parliamentary procedure”.  In paragraphs 9 and 18, for the words “notification and confirmation”, in both places where those words occur, there shall be substituted the words “and notification”, and after the word “Schedule”, in both places where that word occurs, there shall be inserted the words “including any costs

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## Second Schedule

incurred in relation to any such order under the Statutory Orders (Special Procedure) Act, 1945”.

In paragraph 24, for the words “and the confirmation of orders thereunder” there shall be substituted the words “including any costs incurred in relation to any such order under the Statutory Orders (Special Procedure) Act, 1945”.

At the end of the Schedule there shall be added the following paragraph:— “  
11. The provisions of paragraphs 8 to 10 of this Schedule shall not apply to an order which is confirmed by Act of Parliament under section six of the Statutory Orders (Special Procedure) Act, 1945, but except as aforesaid those provisions shall have effect in relation to an order to which that Act applies as if in paragraph 8 for the reference to the publication of the notice of confirmation of the order there were substituted a reference to the date on which the order becomes operative under that Act and as if in paragraph 9 the words from “and shall become operative” to the end of the paragraph were omitted. ”

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### Modifications etc. (not altering text)

- C3** The entries in Sch. 2 relating to the Water Act 1945 repealed (E.W.) by [Water Act 1989 \(c. 15, SIF 130\)](#), [ss. 58 \(7\)](#), 101 (1), 141 (6), 160 (1) (2) (4), 189 (4)–(10), 190, 193 (1), Sch. 26 paras. 3 (1) (2), 17, 40 (4), 41 (1), 57 (6), 58, Sch. 27 Pt. I. Residue repealed by [Town and Country Planning Act 1947 \(c. 51\)](#), [Sch. 9 Pt. II](#), [Town and Country Planning \(Scotland\) Act 1947 \(c. 53\)](#), [Sch. 9 Pt. II](#), [Statute Law Revision Act 1953 \(2 & 3 Eliz. 2 c. 5\)](#), [New Town Act 1965 \(c. 59\)](#), [Sch. 12](#) and [New Towns \(Scotland\) Act 1968 \(c. 16\)](#), [Sch. 11](#)

### Marginal Citations

- M2** 8 & 9 Geo. 6. c. 42.

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