
STATUTORY INSTRUMENTS

2010 No. 1900

The Ryde Pier Harbour Revision Order 2010

Byelaws

3.—(1) In addition to the power to make byelaws conferred on the Company by section 83 of the Act of 1847, as incorporated with the Act of 1877, the Company may make byelaws for the good rule and government of the pier.

(2) Byelaws made under this article, or under the existing pier enactments, may be expressed to be applicable to all or any part of the pier.

(3) Section 236(3) to (8), section 237 and section 238 of the Local Government Act 1972⁽¹⁾ are to apply to all byelaws made by the Company, whether made under this article or under the existing pier enactments.

(4) In its application to byelaws made by the Company under this article or under the existing pier enactments, section 236(7) of the Local Government Act 1972 is, subject to paragraph (6), to be construed as if it had been amended by the insertion of the words “with or without modifications” after the word “confirm” in the second place where that word occurs.

(5) The confirming authority for the purposes of this article and of section 236 of the Local Government Act 1972 in its application to byelaws made by the Company is the Secretary of State.

(6) The Secretary of State, if proposing to make a modification and thinking that modification to be substantial –

- (a) must inform the Company and require it to take any steps the Secretary of State thinks necessary for informing persons likely to be concerned by that modification; and
- (b) must not confirm the byelaws until there has elapsed such a period as the Secretary of State thinks reasonable for the Company and other persons who have been informed of the proposed modification to consider and comment upon it.

(7) Byelaws made by the Company under this article, or under the existing pier enactments, may contain provisions imposing upon a person offending against any such byelaw a fine on summary conviction not exceeding level 3 on the standard scale.

(8) Byelaws made under this article, or under the existing pier enactments, may provide that, in proceedings for an offence against such a byelaw, it is a defence for the person charged to prove that that person took all reasonable precaution and exercised due diligence to avoid the commission of the offence.

(1) 1972 c.70, to which there are no amendments relevant to this Order.