

SCHEDULES

SCHEDULE 3

PROVISIONS AS TO DESIGNATION ORDERS UNDER ARTICLES 12(2) AND 20(2)

PART I

ORDERS DESIGNATING NATIONAL PARKS

2.—(1) If no representations or objections are duly made, or if any so made are withdrawn, the Department shall make the order.

(2) If any representation or objection duly made is not withdrawn, the Department shall, before making the order, if the objection is made by a district council, cause a local inquiry to be held and in any other case either—

- (a) cause a local inquiry to be held, or
- (b) afford to any person by whom any representation or objection has been duly made and not withdrawn an opportunity of being heard by a person appointed by the Department for the purpose,

and after considering the report of the person appointed to hold the inquiry or to hear representations or objections, may make the order with or without modifications.

(3) Notwithstanding anything in sub-paragraph (2), the Department shall not make an order so as to affect land not affected by a draft order except after—

- (a) giving notice, by publication in the Belfast Gazette and in two newspapers circulating in the area to which the proposal relates, the proposal so to modify the draft order, specifying the time (not being less than 28 days) within which, and the manner in which, representations or objections with respect to the proposal may be made;
- (b) holding a local inquiry, or affording to any person by whom any representation or objection has been duly made and not withdrawn an opportunity of being heard by a person appointed by the Department for the purpose; and
- (c) considering the report of the person appointed to hold the inquiry or to hear representations or objections, as the case may be.

(4) If, as the result of any representations or objections considered, or inquiry or other hearing held, in connection with an order designating a National Park, the Department is of the opinion that the Ulster Countryside Committee, a district council or any other person ought to be consulted before the Department makes the order, the Department shall consult the said Committee, council or other person but, subject to the provisions of sub-paragraph (3), shall not be under any obligation to consult any other person, or to afford any opportunity for further representations or objections or to cause any further inquiry or other hearing to be held.

Changes to legislation:

There are currently no known outstanding effects for the The Nature Conservation and Amenity Lands (Northern Ireland) Order 1985, Paragraph 2.