

SCHEDULE 2

ESTUARY LIMITS ORDERS, ANNUAL CLOSE TIME ORDERS AND SALMON CONSERVATION ORDERS

Making of annual close time, estuary limits or salmon conservation order

12.—(1) If any representation or objection duly made is not withdrawn, the Scottish Ministers may, after considering it—

- (a) make an order;
- (b) dismiss the application; or
- (c) cause a local inquiry to be held.

(2) Where they decide to proceed under sub-paragraph (1)(c), the Scottish Ministers shall appoint a person to hold the inquiry and to report thereon to them.

(3) Notification of the time when and the place where the inquiry is to be held shall be sent to any person who has duly made and has not withdrawn representations about or objections to the proposals, and shall be published at least once in each of two successive weeks in a newspaper circulating in the district.

(4) The person appointed to hold the inquiry may administer oaths and examine witnesses on oath and may accept, in lieu of evidence on oath by any person, a statement in writing by that person.

(5) The Scottish Ministers may make orders as to the expenses incurred by them in relation to the inquiry (including such reasonable sum as they may determine for the services of the person appointed to hold the inquiry) and as to the expenses incurred by the parties to the inquiry and as to the parties by whom such expenses shall be paid.

(6) Any order of the Scottish Ministers under sub-paragraph (5) requiring any party to pay expenses may be enforced in like manner as an extract registered decree arbitral bearing a warrant for execution issued by the sheriff court of any sheriffdom in Scotland.