
STATUTORY INSTRUMENTS

1994 No. 1440

The Wells Harbour Revision Order 1994

PART II

MANAGEMENT OF THE UNDERTAKING

Confirmation of byelaws and fines thereunder

- (a) **11.** (1) (a) All byelaws made by the Commissioners under this Order shall be subject to the provisions contained in subsections (3) to (8) of section 236 and in section 238 of the Local Government Act 1972⁽¹⁾ and those sections shall for the purposes of this article be construed as if the Commissioners were a local authority within the meaning of the said Act of 1972 and the reference to “the proper officer of the authority” included a reference to the clerk to the Commissioners.
- (b) In its application to byelaws made by the Commissioners subsection (7) of the said section 236 shall be construed as if it had been amended by the insertion of the words “or if the Commissioners consent, confirm with modifications—” after the word “confirm—” in the second place where that word occurs:

Provided that where the confirming authority proposes to make a modification which, or the effect of which, appears to him to be substantial, he shall inform the Commissioners and require them to take any step he thinks necessary for informing persons likely to be concerned with that modification and shall not confirm the byelaws until there has elapsed such period as he thinks reasonable for consideration of, and comment upon, the proposed modification by the Commissioners and by other persons who have been informed of it.

(2) The confirming authority for the purposes of this article and of the said section 236 in its application to the Commissioners shall be the Minister.

(3) Byelaws made by the Commissioners under this Order may contain provisions for the imposing on persons convicted of an offence against any of the byelaws of a fine not exceeding level 4 on the standard scale.

(1) 1972 c. 70; section 236 was amended by the Civil Aviation Act 1982 (c. 16) section 109 and Schedule 15, paragraph 11; section 238 was amended by the Local Government Act 1985 (c. 51) section 84 and Schedule 14, Part 1, paragraph 31(2).