
STATUTORY INSTRUMENTS

2012 No. 1777

The Poole Harbour Revision Order 2012

PART 2

HARBOUR REGULATION

Byelaws

Procedure for making, etc. of byelaws

28.—(1) The provisions of sections 236(3) to (8) and (11) and 238 of the Local Government Act 1972⁽¹⁾ (which relate to the procedure for making, and evidence of, byelaws) apply to any byelaws made by the Commissioners under article 27 and those provisions, in their application to any such byelaws, have effect subject to the following modifications.

- (a) references to a local authority have effect as if they were references to the Commissioners;
- (b) section 236(4) has effect as if, at the end, there were inserted “and in Lloyds List or some other newspaper specialising in shipping news”; and
- (c) section 236(7) has effect as if the words “with or without modifications” were inserted after the word “confirm” in the first place where that word occurs.

(2) Where the confirming authority proposes to confirm byelaws including a modification which it considers substantial—

- (a) the Commissioners must take such steps as the authority may direct for the purpose of informing persons likely to be concerned with the modification; and
- (b) the authority must not confirm the byelaws until it is satisfied that those persons have had a reasonable opportunity to make representations to the authority on the modification.

(3) Section 238, in its application to any byelaws made under article 27, has effect as if for the reference to the proper officer of the authority there were substituted a reference to the Chief Executive of the Commissioners.

(4) The confirming authority for the purposes of section 236 in its application to byelaws made under article 27 is the Secretary of State.