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SCHEDULES

FIRST SCHEDULE

PROVISIONS AS TO SCHEMES AND ORDERS

PART IV

VALIDITY AND DATE OF OPERATION OF SCHEMES AND ORDERS

- 13 After a scheme or order to which this Part of this Schedule applies has been made or confirmed by the Minister, the Minister shall publish in the London Gazette or the Edinburgh Gazette, or in both those Gazettes, according as the scheme or order affects England or Scotland or both, and in such other manner as he thinks best adapted for informing persons affected, a notice stating that the scheme or order has been made or confirmed, and naming a place where a copy thereof may be seen at all reasonable hours.
- 14 If any person aggrieved by the scheme or order desires to question the validity thereof, or of any provision contained therein, on the grounds that it is not within the powers of this Act or on the ground that any requirement of this Act or of regulations made thereunder have not been complied with in relation thereto, he may, within six weeks from the date on which the notice required by the last foregoing paragraph is first published, make an application for the purpose to the High Court or the Court of Session, as the case may be.
- 15 On any such application as aforesaid, the court—
- (a) may by interim order suspend the operation of the scheme or order or of any provision contained therein, either generally or in so far as it affects any property of the applicant, until the final determination of the proceedings ; and
 - (b) if satisfied that the scheme or order or any provision contained therein is not within the powers of this Act or that the interests of the applicant have been substantially prejudiced by failure to comply with any such requirement as aforesaid, may quash the scheme or order or any provision contained therein, either generally or in so far as it affects any property of the applicant.
- 16 Subject to the provisions of the last foregoing paragraph, a scheme or order to which this Part of this Schedule applies shall not, either before or after it has been made or confirmed, be questioned in any legal proceedings whatever, and shall become operative on the date on which the notice required by paragraph 13 of this Schedule is first published, or on such later date, if any, as may be specified in the scheme or order.
- 17 In relation to a scheme under this Act which is subject to special parliamentary procedure, the foregoing provisions of this Part of this Schedule shall have effect subject to the following modifications—

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- (a) if the scheme is confirmed by Act of Parliament, under section six of the Statutory Orders (Special Procedure) Act, 1945, or under subsection (4) of section two, as read with section ten, of that Act, paragraphs 14 to 16 shall not apply; and
- (b) in any other case, paragraph 14 shall have effect as if for the reference therein to the date on which the notice required by paragraph 13 is first published, there were substituted a reference to the date on which the scheme becomes operative under the said Act of 1945, and paragraph 16 shall have effect as if the words from " and shall become operative " to the end of the paragraph were omitted.

18 In relation to any order to which this Part of this Schedule applies by virtue of subsection (4) of section fourteen of this Act, paragraphs 14 and 15 of this Schedule shall have effect as if for references therein to this Act there were substituted references to the enactment under which the order is made.