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## SCHEDULES

### SECOND SCHEDULE

#### PROCEDURE FOR MAKING REGULATIONS

##### PART I

###### PROCEDURE FOR MAKING GENERAL REGULATIONS

- 1 Before the Minister makes any general regulations he shall publish in the London Gazette and, if the regulations apply to Scotland, in the Edinburgh Gazette and (whether the regulations apply to Scotland or not) in such other manner as he thinks best adapted for informing persons affected, notice of his intention to make the regulations, specifying a place where copies of a draft thereof may be obtained and the time (which shall be not less than twenty-one days from the date of the publication) within which any objection made with respect to the draft regulations must be sent to him.
- 2 Every objection so made must be in writing and must state—
  - (a) the specific grounds of objection ; and
  - (b) the omissions, additions or modifications asked for;and the Minister shall consider any such objection made by or on behalf of any person appearing to him to be affected, being an objection sent to him within the time specified in the notice, but shall not be bound to consider any other objection.
- 3 If there are no objections which the Minister is required by the last foregoing paragraph to consider, he may make the regulations in the terms of the draft.
- 4 The following provisions shall have effect where the Minister does not proceed under the last foregoing paragraph:—
  - (a) if he is not required by paragraph 2 of this Schedule to consider a general objection and if either he is not so required to consider any special objection or all special objections which he is so required to consider appear to him, upon consideration thereof, to be frivolous, he may, unless he decides to take no further proceedings with respect thereto, either make the regulations in the terms of the draft or, if he thinks fit so to do, refer the draft regulations for inquiry and report under Part III of this Schedule ; and
  - (b) in any other case, he shall, unless he decides to take no further proceedings with respect thereto, refer the draft regulations for inquiry and report as aforesaid.
- 5 Where, under the last foregoing paragraph, the Minister refers the draft regulations for inquiry and report under Part III of this Schedule, he shall consider the report and, unless he decides to take no further proceedings with respect to the draft regulations, may,—

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- (a) if the report of the person or persons holding the inquiry does not recommend the making of any modifications in the draft regulations, make the regulations in the terms of the draft; or
- (b) if the said report recommends the making of modifications in the draft regulations, make the regulations in the terms of the draft subject to such modifications as give effect to the recommendations made in the report.

6 In this Part of this Schedule—

- (a) the expression " general objection" means, in relation to draft regulations, an objection to any provision thereof, being an objection made by or on behalf of owners of mines or quarries who employ not less than one third of the total number of persons employed at all the mines and quarries affected by the draft regulations or by or on behalf of an association or body representative of not less than one third of the total number of persons so employed ; and
- (b) the expression " special objection" means, in relation to draft regulations,—
  - (i) an objection to any provision thereof, being an objection made by or on behalf of owners of a class of mines or quarries or a sub-division of a class of mines or quarries and expressed to be made on the ground that, having regard to the special conditions of, or the special methods of working at, mines or quarries of that class or sub-division, the provision objected to ought not to apply thereto; or
  - (ii) an objection to a provision thereof applicable only to a particular class of mines or quarries or a particular sub-division of such a class, being an objection made by or on behalf of owners of mines or quarries of that class or sub-division, as the case may be, who employ not less than one-third of the total number of persons employed at all mines or quarries of that class or sub-division, or by or on behalf of an association or body representative of not less than one-third of the total number of persons so employed;not being, in either case, an objection which, by virtue of sub-paragraph (a) of this paragraph, is a general objection.