

## SCHEDULE 2

Regulation 4(2)

### MODIFICATIONS OF THE 1992 ACT

1. Section 11(4) (inquiries and hearings) shall be modified as follows.
- 2.—(1) In paragraph (a), the word “and” shall be omitted.  
(2) There shall be inserted after paragraph (b)—
  - “(c) where the proposals require the making of an order under section 104(3), 105(3) or 112 of the Transport Act 1968 (classification and maintenance of the British Waterways Board’s waterways and maintenance and use of other waterways) and the holding of an inquiry in connection with that order is itself obligatory by virtue of paragraph 5(2)(a) of Schedule 13 to that Act, a local authority (not being such an authority as is mentioned in paragraph (a) above) which has made an objection in accordance with that paragraph and the National Rivers Authority; and
  - (d) where the proposals require the making of such an order as is mentioned in paragraph (c) above and the holding of an inquiry in connection with that order is itself obligatory by virtue of paragraph 5(2)(b) of Schedule 13 of the said Act, any organisation appearing to the Secretary of State to represent a substantial number of persons using the waterway in question for the purpose of navigation at the date when the application under section 6 is made;”.
- (3) For the words “purposes of paragraph (a) above”, there shall be substituted “purposes of paragraphs (a) and (c) above”.