1975 No. 1970

COUNTRYSIDE

The Nature Conservancy Council (Byelaws) Regulations 1975

Made - - - -	1*st December* 1975
Laid before Parliament	9*th December* 1975
Coming into Operation	30*th December* 1975

The Secretary of State for the Environment, in exercise of the powers conferred on him by section 106(1) of the National Parks and Access to the Countryside Act 1949**(a)** as amended by section 1(1)(*b*) of, and paragraph 2(2) of Schedule 1 to, the Nature Conservancy Council Act 1973 **(b)**, and of all other powers enabling him in that behalf, hereby makes the following regulations:—

1. These regulations may be cited as the Nature Conservancy Council (Byelaws) Regulations 1975 and shall come into operation on 30th December 1975.

2. The Interpretation Act 1889**(c)** shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

3. Sections 236 and 238 of the Local Government Act 1972**(d)** (which relate to the procedure for making byelaws and evidence of byelaws), as applied by section 106 of the National Parks and Access to the Countryside Act 1949 and section 272 of the Local Government Act 1972 to byelaws made by the Nature Conservancy Council under the National Parks and Access to the Countryside Act 1949 as amended by the Nature Conservancy Council Act 1973, shall have effect subject to the adaptations prescribed in the Schedule to these regulations.

4. The Nature Conservancy (Byelaws) Regulations 1956**(e)** and the Natural Environment Research Council (Byelaws) Regulations 1966**(f)** are hereby revoked.

(a) 1949 c. 97. **(b)** 1973 c. 54. **(c)** 1889 c. 63. **(d)** 1972 c. 70.

(e) S.I. 1956/1168 (1956 II, p.1701). **(f)** S.I. 1966/121 (1966 I. p.236).

SCHEDULE

1.—(1) For subsection (5) of section 236 of the Local Government Act 1972, there shall be substituted the following subsection: —

"(5) For at least one month before application for confirmation is made, a copy of the byelaws shall be deposited at the offices of the Nature Conservancy Council and at the offices of the council of each county, London borough and district comprising the whole or any part of the area to which the byelaws apply, and the copies so deposited shall at all reasonable hours be open to public inspection without payment.".

(2) For subsections (9) and (10) of the said section there shall be substituted the following subsections: —

"(9) The Nature Conservancy Council shall send a copy of every byelaw made by them and confirmed, to the proper officer of the council of every county, London borough and district and to the proper officer of the council (whether separate or common) of every parish or community, comprising the whole or any part of the area to which the byelaws apply, or, in the case of a parish not having a council, to the chairman of the parish meeting, and the proper officer of the parish or community council or chairman of the parish meeting, as the case may be, shall cause a copy to be deposited with the public documents of the parish or community.

A copy so deposited shall at all reasonable hours be open to public inspection without payment.

(10) Reference in subsections (5) and (9) above to the council of a county shall include a reference to the Greater London Council if the whole or any part of the area to which the byelaws apply is comprised within Greater London.".

2. For the references in section 238 of the said Act to a local authority and to the proper officer of the authority, there shall be substituted references to the Nature Conservancy Council and to an officer duly authorised by that Council for that purpose respectively.

John Silkin,

Minister for Planning and Local Government,
Department of the Environment.

Signed by authority of
the Secretary of State.
1st December 1975.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

Section 106 of the National Parks and Access to the Countryside Act 1949 as amended by section 272 of the Local Government Act 1972, applies the

provisions of sections 236 to 238 of the latter Act (which relates to the procedure for making byelaws, authorise byelaws to impose fines, and provide for evidence of byelaws) to byelaws made under the Act of 1949 by, amongst other bodies, the Nature Conservancy Council (established by the Nature Conservancy Council Act 1973), subject in the case of byelaws made by the Nature Conservancy Council to such adaptations as may be prescribed by the Secretary of State. These Regulations make appropriate adaptations accordingly. They also revoke the Nature Conservancy (Byelaws) Regulations 1956 which, as amended by the Natural Environment Research Council Byelaws) Regulations 1966 (also revoked by these Regulations) made corresponding adaptations to sections 250 and 252 of the Local Government Act 1933 (c. 51). The Act of 1933 was repealed by the Local Government Act 1972 and the powers of the Natural Environment Research Council under the Act of 1949 were transferred to the Nature Conservancy Council by the Nature Conservancy Council Act 1973.

SI 1975/1970
ISBN 0-11-051970-1

