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*Status: Point in time view as at 19/11/1998. This version of this schedule contains provisions that are not valid for this point in time.*  
*Changes to legislation: There are currently no known outstanding effects for the Coal Industry Act 1994, SCHEDULE 9. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 9

Section 67.

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### *The Land Registration Act 1925 (c. 21)*

- 1 (1) Any interest in land consisting in an interest in any coal or coal mine, the rights attached to any such interest and the rights of any person under section 38, 49 or 51 of this Act shall, unless registered or otherwise entered on the register, be overriding interests for the purposes of the Land Registration Act 1925; but the registrar shall not be required by virtue of section 70(2) or (3) of that Act to enter any note or notice of any such interest or right, or of any claim to any such interest or right, in the register.
- (2) Accordingly, in section 70 of that Act (overriding interests)—
- (a) in subsection (1), after paragraph (l) there shall be inserted the following paragraph—
- “(m) any interest or right which is an overriding interest by virtue of paragraph 1(1) of Schedule 9 to the Coal Industry Act 1994.”; and
- (b) after subsection (3) there shall be inserted the following subsection—
- “(4) Neither subsection (2) nor subsection (3) of this section shall apply in the case of any such interest or right as is mentioned in subsection (1)(m) of this section.”
- (3) Nothing in section 48 or 54 of the Land Registration Act 1925 (notices and cautions) or in any rules made by virtue of section 49(1)(b) of that Act (notices in respect of the severance of mines or minerals) shall confer any entitlement on any person to register or lodge, in relation to any land, any notice or caution relating to an interest which—
- (a) is or, but for being registered or otherwise entered on the register, would be an overriding interest by virtue of sub-paragraph (1) above; and
- (b) is an interest in, or a right conferred by reference to, any coal or coal mine the freehold interest in which does not belong to a registered proprietor of the freehold estate in that land.

##### *The Requisitioned Land and War Works Act 1945 (c. 43)*

- 2 In section 34(1) of the Requisitioned Land and War Works Act 1945 (compulsory acquisition under the Defence Acts), for “subsection (1) of section 17 of the Coal Act 1938” there shall be substituted “section 10(3) of the Coal Industry Act 1994”.

##### *The Statistics of Trade Act 1947 (c. 39)*

- 3 In section 9 of the Statistics of Trade Act 1947, after subsection (5) (which includes provision authorising the disclosure of the total quantity or value of articles

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produced, sold or delivered by any person) there shall be inserted the following subsection—

“(5A) In subsection (5)(b) of this section the references to the total quantity or value of any articles produced, sold or delivered shall, in relation to coal of any particular description, include a reference to each of the following, that is to say—

- (a) the total quantity or value of the coal of that description which is consumed in Great Britain by persons who carry on coal-mining operations;
- (b) the total quantity or value of the coal of that description which, in Great Britain, is held as stocks by such persons; and
- (c) the total quantity or value of the coal of that description which is delivered in Great Britain to persons who appear to the competent authority to be all of the same description;

and in this subsection “coal” means coal within the meaning of the Coal Industry Act 1994 or any product of coal and “coal-mining operations” has the same meaning as in that Act.”

*The Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 (c. 42)*

4 After section 6 of the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 there shall be inserted the following section—

“**6A Application for the purposes of the Opencast Coal Act 1958.**

In the application of this Act for the purposes of section 4(5) of the Opencast Coal Act 1958, Part III of Schedule 1 shall apply as if paragraph 9 were omitted and the acquisition to which the compulsory rights order related were not affected by section 120 of the Local Government, Planning and Land Act 1980.”

*The Landlord and Tenant Act 1954 (c. 56)*

5 In the definition of “statutory undertakers” in section 69(1) of the Landlord and Tenant Act 1954 (interpretation), the words from “except that” to the end shall be omitted.

*The Public Records Act 1958 (c. 51)*

PROSPECTIVE

6 In Part II of the Table in paragraph 3 of Schedule 1 to the Public Records Act 1958, there shall be inserted at the appropriate place “ Coal Authority ”.

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VALID FROM 27/03/2004

*The Public Health Act 1961 (c. 64)*

- 7 In the fourth item in the Table in Schedule 4 to the Public Health Act 1961 (attachment of street lighting equipment to certain buildings), in the first column, the reference to the Corporation shall be omitted.

*The Licensing Act 1964 (c. 26)*

- 8 In section 56(3) of the Licensing Act 1964 (definition of “miners’ welfare institute”), for paragraph (a) and the word “either” immediately preceding it there shall be substituted the following paragraphs—
- “(a) it is managed by a committee or board of which not less than two-thirds consists partly of persons appointed by or on the nomination of, or appointed or elected from among persons nominated by, a licensed operator or operators (within the meaning of the Coal Industry Act 1994) and partly of persons appointed by or on the nomination of, or appointed or elected from among persons nominated by, an organisation or organisations representing persons employed in or about coal mines;
- (aa) in the case of an institute in relation to which either—
- (i) the making of an appointment or nomination by a licensed operator, or
- (ii) the making of an appointment or nomination by such an organisation as is mentioned in paragraph (a) above,
- is not practicable or would not be appropriate, it is managed by a committee or board of which not less than two-thirds consists partly of persons employed or formerly employed in or about coal mines and partly of persons appointed by the Coal Industry Social Welfare Organisation or a body or person to which the functions of that Organisation have been transferred under section 12(3) of the Miners’ Welfare Act 1952; or”.

**Commencement Information**

- II** Sch. 9 para. 8 in force except in so far as it relates to provisions coming into force on the restructuring date by virtue of s. 68(2)(d) at 31.10.1994 by S.I. 1994/2552, art. 2, Sch. 1

*The Gas Act 1965 (c. 36)*

- 9 In section 13(8) of the Gas Act 1965 (exclusion of section 17 of the <sup>M1</sup>Coal Act 1938)—
- (a) for “Section 17 of the Coal Act 1938” there shall be substituted “ Section 10(3) of the Coal Industry Act 1994 ”, and
- (b) for “mine of coal (as defined in section 44(1) of the said Act of 1938)” there shall be substituted “ coal mine (as defined in section 65 of the said Act of 1994) ”.

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**Marginal Citations**

**M1** 1938 c. 53.

*The Mines (Working Facilities and Support) Act 1966 (c. 4)*

- 10 (1) In the Table in section 1 of the Mines (Working Facilities and Support) Act 1966 (provisions for the acquisition of rights to minerals)—
- (a) in paragraph 1, the words “coal and” shall be omitted;
  - (b) paragraph 3 shall cease to have effect; and
  - (c) in paragraph 4(2), for “British Coal Corporation” there shall be substituted “Coal Authority”.
- (2) Where an application has been made before the date on which this paragraph comes into force with respect to the grant of a right under paragraph 3(2) of the Table in section 1 of that Act, that application may be continued and disposed of on or after that date as if it were an application under paragraph 1 of that Table.
- (3) In section 4 of that Act—
- (a) subsection (5) (applications in respect of coal confined to cases where the Corporation has no power to make grant), shall have effect in relation to any time after the coming into force of this paragraph with the substitution—
    - (i) of “paragraph 1” for “ paragraph 3(2) ”;
    - (ii) of “in respect of coal” for “ otherwise than by the British Coal Corporation ”; and
    - (iii) of “Coal Authority” for the words “ British Coal Corporation ”, in the second place where they occur;
 and
  - (b) after that subsection there shall be inserted the following subsection—
 

“(6) In subsection (5) above “coal” does not include lignite or brown coal but (subject to that) does include, together with coal as defined in this Act, all other minerals worked or to be worked therewith.”
- (4) After section 7 of that Act (imposition of restrictions on the working of minerals where a person having an interest in land is not entitled to support or to sufficient support for buildings or works) there shall be inserted the following section—

**“7A Special provisions applying to section 7.**

- (1) Subject to subsections (2) and (3) below, on an application under section 7 of this Act, the applicant shall not be required to pay or give any compensation or consideration in respect of the imposition of restrictions appearing to the court to be justified by the existence of any right to withdraw support to which any person is entitled under section 38 of the Coal Industry Act 1994 (withdrawal of support).
- (2) Subsection (1) above shall not apply in a case where, in accordance with subsection (2)(b) of section 38 of the Coal Industry Act 1994, that section applies to the land in question by virtue of subsection (5)(a) of section 2 of the Coal Industry Act 1975.

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- (3) Subsection (1) above shall apply in any case where section 38 of the Coal Industry Act 1994 applies to the land in question otherwise than by virtue of subsection (5) of section 2 of the Coal Industry Act 1975 only if the application under section 7 of this Act is sent to the Secretary of State before the end of the period of six months beginning with the date on which particulars of the notice relating to the land to which the application relates are first registered by the Coal Authority under section 56 of the Coal Industry Act 1994.
- (4) Notwithstanding anything in section 12 of this Act, any restrictions the imposition of which appears to the court to be justified as mentioned in subsection (1) above—
- (a) may be imposed under section 7 of this Act on the application of, and so as to vest the right to enforce the restrictions in, any such company, authority or body as is mentioned in the said section 12; and
  - (b) may be so imposed on the application of, and so as to vest the right to enforce the restrictions in—
    - (i) the National Rivers Authority or any water or sewerage undertaker;
    - (ii) any public gas supplier within the meaning of Part I of the Gas Act 1986; or
    - (iii) any company or other body or person carrying on an undertaking primarily for the supply of electricity or hydraulic power for public purposes or to members of the public.”

*The Land Commission Act 1967 (c. 1)*

- 11 (1) In section 14 of the Land Commission Act 1967 (power to override easements and other rights in England and Wales)—
- (a) in subsection (2), for the words from “statutory undertakers” to “unless” there shall be substituted “ or statutory undertakers) unless ”; and
  - (b) subsection (5) shall cease to have effect.
- (2) In section 15 of that Act (power to override servitudes and other rights in Scotland)—
- (a) in subsection (2), for the words from “statutory undertakers” to “unless” there shall be substituted “ or statutory undertakers) unless ”; and
  - (b) subsection (5) shall cease to have effect.
- (3) In section 58 of that Act (statutory undertakers and the Corporation), subsections (5) and (6) shall cease to have effect.
- (4) In section 89 of that Act (statutory undertakers), subsection (7) shall cease to have effect.
- (5) In paragraph 10 of Part I of Schedule 5 to that Act (dispositions by exempted bodies during an interim period), in sub-paragraph (2)(c), the words from “or the chargeable interest” to the end shall be omitted.

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**Commencement Information**

- I2** Sch. 9 para. 11(1)(2) in force except in so far as it relates to provisions coming into force on the restructuring date by virtue of s. 68(2)(d) at 31.10.1994 by [S.I. 1994/2552, art. 2, Sch. 1](#)
- I3** Sch. 9 para. 11(1)(2) in force in so far as not already in force and Sch. 9 para. 11(3)-(5) in force at 31.10.1994 ("the restructuring date"), see ss. 7, 68(2) and [S.I. 1994/2553, art. 2](#)

*The Gaming Act 1968 (c. 65)*

- 12 In section 52(2) of the Gaming Act 1968 (definition of “miners’ welfare institute”), for paragraph (a) and the word “either” immediately preceding it there shall be substituted the following paragraphs—
- “(a) the institute is managed by a committee or board of which not less than two-thirds consists partly of persons appointed by or on the nomination of, or appointed or elected from among persons nominated by, a licensed operator or operators (within the meaning of the Coal Industry Act 1994) and partly of persons appointed by or on the nomination of, or appointed or elected from among persons nominated by, an organisation or organisations representing persons employed in or about coal mines;
- (aa) in the case of an institute in relation to which either—
- (i) the making of an appointment or nomination by a licensed operator, or
- (ii) the making of an appointment or nomination by such an organisation as is mentioned in paragraph (a) above,
- is not practicable or would not be appropriate, it is managed by a committee or board of which not less than two-thirds consists partly of persons employed or formerly employed in or about coal mines and partly of persons appointed by the Coal Industry Social Welfare Organisation or a body or person to which the functions of that Organisation have been transferred under section 12(3) of the Miners’ Welfare Act 1952; or”.

**Commencement Information**

- I4** Sch. 9 para. 12 in force except in so far as it relates to provisions coming into force on the restructuring date by virtue of s. 68(2)(d) at 31.10.1994 by [S.I. 1994/2552, art. 2, Sch. 1](#)

*The Town and Country Planning (Scotland) Act 1972 (c. 52)*

- 13 (1) In section 181(1)(a) of the Town and Country Planning (Scotland) Act 1972 (application of provisions of that Act in relation to certain land), the words “or of the British Coal Corporation” shall be omitted.
- (2) In section 205 of that Act (procedure in anticipation of planning permission), in subsection (2)(a), the words “or the British Coal Corporation” shall be omitted.
- (3) Sections 251(3)(b) and 259 of that Act (minerals vested in the Corporation and application of that Act to the Corporation) shall cease to have effect.

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**Commencement Information**

- I5** Sch. 9 para. 13(1)(2) at 31.10.1994 ("the restructuring date"), see ss. 7, 68(2) and S.I. 1994/2553, **art. 2**  
**I6** Sch. 9 para. 13(3) in force at 1.11.1994 by S.I. 1994/2552, **art. 3, Sch. 2**

*The Fair Trading Act 1973 (c. 41)*

- 14 In section 133(2) of the Fair Trading Act 1973 (exceptions from the general restriction on the disclosure of information obtained under or by virtue of certain provisions of that Act), in paragraph (a)—
- (a) for “or the Authorised Conveyancing Practitioners Board” there shall be substituted “ the Authorised Conveyancing Practitioners Board, the Coal Authority ”; and
  - (b) after “or the Railways Act 1993” there shall be inserted “ or the Coal Industry Act 1994 ”.

*The Consumer Credit Act 1974 (c. 39)*

- 15 In section 174(3) of the Consumer Credit Act 1974 (exceptions from the general restriction on the disclosure of information obtained under or by virtue of that Act), in paragraph (a)—
- (a) after “or the Railways Act 1993” there shall be inserted “ or the Coal Industry Act 1994 ”; and
  - (b) for “or the Authorised Conveyancing Practitioners Board” there shall be substituted “ the Authorised Conveyancing Practitioners Board, the Coal Authority ”.

*The Welsh Development Agency Act 1975 (c. 70)*

- 16 In section 27(1) of the Welsh Development Agency Act 1975 (interpretation), in paragraph (b) of the definition of “statutory undertakers” the words “the British Coal Corporation” shall be omitted.

*The Restrictive Trade Practices Act 1976 (c. 34)*

- 17 In section 41(1) of the Restrictive Trade Practices Act 1976 (exceptions from the general restriction on the disclosure of information obtained under or by virtue of that Act), in paragraph (a)—
- (a) for “or the Authorised Conveyancing Practitioners Board” there shall be substituted “ the Authorised Conveyancing Practitioners Board, the Coal Authority ”; and
  - (b) after “or the Railways Act 1993” there shall be inserted “ or the Coal Industry Act 1994 ”.

*The Local Government (Miscellaneous Provisions) Act 1976 (c.57)*

- 18 (1) In section 15(3) of the Local Government (Miscellaneous Provisions) Act 1976 (restrictions on power of local authorities to survey land which they propose to acquire compulsorily), for “the Civil Aviation Authority and the British Coal Corporation” there shall be substituted “ and the Civil Aviation Authority ”.

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- (2) In section 26(6)(b) of that Act (exemptions from power of certain councils with respect to dangerous excavations), for “the British Coal Corporation” there shall be substituted “ the Coal Authority ”.

*The Development of Rural Wales Act 1976 (c. 75)*

- 19 (1) In paragraph (d) of section 4(1) of the Development of Rural Wales Act 1976 (power of the Development Board for Rural Wales to provide finance), in sub-paragraph (i), after “statutory undertakers” there shall be inserted “ or by the Coal Authority ”.
- (2) In section 34(1) of that Act (interpretation), in paragraph (b) of the definition of “statutory undertakers”, the words “the British Coal Corporation” shall be omitted.
- (3) In the Table in paragraph 56(3) of Schedule 3 to that Act (meaning of “appropriate Minister”), paragraph 8 shall cease to have effect.

*The Land Registration (Scotland) Act 1979 (c. 33)*

- 20 In section 28(1) of the Land Registration (Scotland) Act 1979 (interpretation), in the definition of “overriding interest”, after paragraph (eg) there shall be inserted the following paragraph—
- “(eh) insofar as it is an interest vesting by virtue of section 7(3) of the Coal Industry Act 1994, the Coal Authority;”.

*The Estate Agents Act 1979 (c. 38)*

- 21 In section 10(3) of the Estate Agents Act 1979 (exceptions from the general restriction on the disclosure of information obtained under or by virtue of that Act), in paragraph (a)—
- (a) after “or the Railways Act 1993” there shall be inserted “ or the Coal Industry Act 1994 ”; and
- (b) for “or the Authorised Conveyancing Practitioners Board” there shall be substituted “ the Authorised Conveyancing Practitioners Board, the Coal Authority ”.

*The Ancient Monuments and Archaeological Areas Act 1979 (c.46)*

- 22 In section 61(2)(b) of the Ancient Monuments and Archaeological Areas Act 1979 (meaning of “statutory undertakers”), the words “the British Coal Corporation” shall be omitted.

*The Competition Act 1980 (c. 21)*

- 23 (1) In subsection (2) of section 19 of the Competition Act 1980 (which provides that the general restriction on the disclosure of information obtained under or by virtue of that Act does not apply in relation to the performance by certain authorities of the functions under the provisions listed in subsection (3) of that section), in paragraph (a), after “the Authorised Conveyancing Practitioners Board” there shall be inserted “ the Coal Authority ”.

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- (2) In subsection (3) of that section, after the paragraph (o) inserted by paragraph 12(3) of Schedule 12 to the <sup>M2</sup>Railways Act 1993 there shall be inserted the following sub-paragraph—
- “(p) the Coal Industry Act 1994;”.

**Marginal Citations**

**M2** 1993 c. 43.

VALID FROM 27/03/2004

*The Overseas Development and Co-operation Act 1980 (c. 63)*

- 24 (1) In section 2 of the Overseas Development and Co-operation Act 1980 (powers of statutory bodies in relation to the furnishing of assistance), subsection (4) (the Corporation) shall cease to have effect.
- (2) In Part III of Schedule 1 to that Act (statutory bodies with powers to furnish assistance under that Act), the entry relating to the British Coal Corporation shall be omitted.

*The Local Government, Planning and Land Act 1980 (c. 65)*

- 25 (1) In paragraph (b) of the definition of “statutory undertakers” in each of sections 108(1), 120(3) and 170(1) of the Local Government, Planning and Land Act 1980 (definitions of “statutory undertakers”), the words “the British Coal Corporation” shall be omitted.
- (2) In Schedule 16 to that Act (bodies to whom provisions relating to land held by public bodies apply), in paragraph 14, for “The British Coal Corporation” there shall be substituted “The Coal Authority”.

*The Highways Act 1980 (c. 66)*

- 26 In section 290 of the Highways Act 1980 (supplementary provisions as to powers of entry for the purpose of survey)—
- (a) in subsection (5)—
- (i) for “of the British Coal Corporation, or” there shall be substituted “of the Coal Authority, of any licensed operator (within the meaning of the Coal Industry Act 1994) or”; and
- (ii) for the words from “to that Corporation” to the end there shall be substituted “to that Authority or, as the case may be, to the licensed operator or statutory undertakers concerned.”;
- and
- (b) in subsection (7), the words “the British Coal Corporation, or” shall be omitted.

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*The Acquisition of Land Act 1981 (c. 67)*

- 27 (1) In section 17(4) of the Acquisition of Land Act 1981 (interpretation), paragraph (a) of the definition of “statutory undertakers” (the British Coal Corporation) shall be omitted.
- (2) In section 29 of that Act (application for the purposes of the <sup>M3</sup>Opencast Coal Act 1958)—
- (a) in subsection (2)—
- (i) in paragraph (b), for “the British Coal Corporation” there shall be substituted “the Coal Authority”; and
- (ii) in paragraph (c), the words “on the British Coal Corporation” shall be omitted;
- and
- (b) after subsection (6) there shall be inserted the following subsection—
- “(6A) Part III of this Act shall apply as if section 17 were omitted.”
- (3) In paragraph 1(5) of Schedule 2 to that Act (saving for section 17 of the <sup>M4</sup>Coal Act 1938), for “section 17(1) of the Coal Act 1938” there shall be substituted “section 10(3) of the Coal Industry Act 1994”.

**Marginal Citations**

**M3** 1958 c. 69.

**M4** 1938 c. 52.

*The Civic Government (Scotland) Act 1982 (c. 45)*

- 28 In section 123(1) of the Civic Government (Scotland) Act 1982 (interpretation), in the definition of “statutory undertakers”, the words “the British Coal Corporation” shall be omitted.

VALID FROM 27/03/2004

*The National Audit Act 1983 (c. 44)*

- 29 In Part I of Schedule 4 to the National Audit Act 1983 (nationalised industries and other public bodies), the entry relating to the British Coal Corporation shall be omitted.

VALID FROM 27/03/2004

*The Road Traffic Regulation Act 1984 (c. 27)*

- 30 In paragraph 3 of Schedule 5 to the Road Traffic Regulation Act 1984 (buildings in relation to which the Secretary of State is the appropriate authority), in the first column, the reference to the Corporation shall be omitted.

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*The Roads (Scotland) Act 1984 (c. 54)*

- 31 In section 140 of the Roads (Scotland) Act 1984 (right to enter land)—
- (a) in subsection (3)(b)—
    - (i) for “the British Coal Corporation, and” there shall be substituted “the Coal Authority, any licensed operator (within the meaning of the Coal Industry Act 1994), and ”; and
    - (ii) for “the Corporation’s or” there shall be substituted “ the Authority’s, licensed operator’s, or ”;
- and
- (b) in subsection (4), the words “or the British Coal Corporation” shall be omitted.

*The Companies Act 1985 (c. 6)*

- 32 The Companies Act 1985 shall have effect in relation to any company which—
- (a) is wholly owned by the Crown, and
  - (b) has been notified by the Secretary of State that it is a company to which it is proposed to transfer any part of the Corporation’s undertaking,
- as if references to a shadow director did not include references to the Treasury or to any Minister of the Crown in accordance with whose directions or instructions the directors of the company are accustomed to act.

*The Housing Act 1985 (c. 68)*

- 33 In section 573(1) of the Housing Act 1985 (meaning of “public sector authority”), after “the British Coal Corporation” there shall be inserted “ , the Coal Authority ”.

*The Weights and Measures Act 1985 (c. 72)*

- 34 In paragraph 28 of Schedule 5 to the Weights and Measures Act 1985 (exemption of the Corporation from certain provisions)—
- (a) sub-paragraphs (1) and (3) shall cease to have effect; and
  - (b) in sub-paragraph (2), the words from “other than” to “applies” shall be omitted.

*The Agricultural Holdings Act 1986 (c. 5)*

- 35 Paragraph 8(1)(a) of Part II of Schedule 3 to the Agricultural Holdings Act 1986 (provision applicable to case where consent of tribunal to operation of notice to quit is not required) shall cease to have effect.

*The Coal Industry Act 1987 (c. 3)*

- 36 In section 5 of the Coal Industry Act 1987 (coal industry trusts)—
- (a) references to the body known as the Coal Industry Social Welfare Organisation shall include references to any person to whom functions of that body are transferred under section 12(3) of the <sup>M5</sup>Miners’ Welfare Act 1952; and
  - (b) for subsection (4) there shall be substituted the following subsection—

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“(4) In this section “an employee organisation” means any organisation appearing to the Charity Commissioners to represent in respect of their employment a substantial number of persons whose employers are licensed operators within the meaning of the Coal Industry Act 1994, or who are all employed by the same licensed operator.”

#### Marginal Citations

M5 [1952 c. 23.](#)

#### *The Housing Act 1988 (c. 50)*

37 In paragraph 4(b) of Part I of Schedule 9 to the Housing Act 1988 (meaning of “statutory undertakers”), the words “the British Coal Corporation” shall be omitted.

#### *The Electricity Act 1989 (c. 29)*

38 (1) In subsection (2) of section 57 of the Electricity Act 1989 (which provides that the general restriction on the disclosure of information obtained under or by virtue of that Act does not apply in relation to the performance by certain authorities of their functions under the provisions listed in subsection (3) of that section), in paragraph (b), after sub-paragraph (ix) there shall be inserted the following sub-paragraph—

“(ixa) the Coal Authority; or”.

(2) In subsection (3) of that section, after paragraph (nn) there shall be inserted the following paragraph—

“(nnn) the Coal Industry Act 1994;”.

#### *The Town and Country Planning Act 1990 (c. 8)*

39 (1) In section 253(2)(a) of the Town and Country Planning Act 1990 (publication of notice of draft order stopping up or diverting highway), the words “or the British Coal Corporation” shall be omitted.

(2) In section 315(4) of that Act (disapplication of regulation-making power from certain developments of the Corporation), paragraph (b) and the word “or” immediately preceding it shall cease to have effect.

(3) Section 317 of that Act (regulation-making power to apply certain enactments to the Corporation) shall cease to have effect.

(4) In paragraph 1(a)(i) of Schedule 13 to that Act (certain land required for the purposes of certain bodies to be blighted land), the words “or of the British Coal Corporation” shall be omitted.

#### Commencement Information

I7 Sch. 9 para. 39(1)(4) in force at 31.10.1994 (“the restructuring date”), see ss. 7, 68(2) and [S.I. 1994/2553, art. 2](#)

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**18** Sch. 9 para. 39(2)(3) in force at 1.11.1994 by S.I. 1994/2552, art. 3, Sch. 2

*The Planning (Listed Buildings and Conservation Areas) Act 1990 (c. 9)*

40 Section 85 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (regulation-making power to apply certain enactments relating to statutory undertakers to the Corporation) shall cease to have effect.

*The Coal Mining Subsidence Act 1991 (c. 45)*

- 41 (1) In subsection (7) of section 27 of the 1991 Act (interest on compensation)—
- (a) for “from the end of the period mentioned in subsection (5) above” there shall be substituted “ from the date of the claim on which the payment is made ”; and
  - (b) at the end there shall be inserted “ but any period of delay in determining the amount of any such payment which is attributable to unreasonable conduct on the part of that person shall be disregarded for the purposes of this subsection. ”
- (2) In subsection (6) of section 30 of the 1991 Act (interest on compensation)—
- (a) for “from the end of the period mentioned in subsection (5) above” there shall be substituted “ from the date of the claim on which the payment is made ”; and
  - (b) at the end there shall be inserted “ but any period of delay in determining the amount of any such payment which is attributable to unreasonable conduct on the part of that firm shall be disregarded for the purposes of this subsection. ”
- (3) For section 51 of the 1991 Act there shall be substituted the following section—

**“51 Service of documents**

Section 63 of the Coal Industry Act 1994 (service of documents) shall apply in relation to any notice, request, claim or other document which is required or authorised by virtue of this Act to be served on any person (whether by being given, made or sent to that person or otherwise) as it applies in relation to any document which is required or authorised to be served on any person by virtue of that Act.”

- (4) In paragraph 3(5) of Schedule 6 to the 1991 Act (interest on farm loss payments), at the end there shall be inserted “ but any period of delay in determining the amount of any such payment which is attributable to unreasonable conduct on the part of that person shall be disregarded for the purposes of this sub-paragraph. ”
- (5) In paragraph 2 of Schedule 7 to the 1991 Act (saving where right to withdraw support was conferred by paragraph 5 of Schedule 2 to the <sup>M6</sup>Coal Act 1938), in sub-paragraph (1)(b), after “Act” there shall be inserted “ or section 38 of the Coal Industry Act 1994 ”.

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**Marginal Citations**

**M6** 1938 c. 52.

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*Status: Point in time view as at 19/11/1998. This version of this schedule contains provisions that are not valid for this point in time.*  
*Changes to legislation: There are currently no known outstanding effects for the Coal Industry Act 1994, SCHEDULE 9. (See end of Document for details)*

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*The Water Industry Act 1991 (c. 56)*

- 42 In paragraph 1(5) of Schedule 13 to the Water Industry Act 1991 (protection for certain undertakings)—
- (a) in paragraph (a), for “the British Coal Corporation” there shall be substituted “the Coal Authority”; and
  - (b) at the end, there shall be inserted the following paragraph—
    - “(j) the undertaking of any licensed operator, within the meaning of the Coal Industry Act 1994;”.

*The Water Resources Act 1991 (c. 57)*

- 43 (1) In paragraph 1(4) of Schedule 22 to the Water Resources Act 1991 (protection for certain undertakings)—
- (a) in paragraph (a), for “the British Coal Corporation” there shall be substituted “the Coal Authority”; and
  - (b) at the end there shall be inserted the following paragraph—
    - “(j) the undertaking of any licensed operator, within the meaning of the Coal Industry Act 1994;”.
- (2) In Schedule 24 to that Act (authorities and enactments which are relevant to the exceptions to the restrictions under that Act on the disclosure of information)—
- (a) in Part I, after the entry relating to the Director General of Electricity Supply, there shall be inserted the following entry—
    - “The Coal Authority.”; and
  - (b) in Part II, after the entry relating to the Electricity Act 1989 there shall be inserted the following entry—
    - “The Coal Industry Act 1994.”

*The Land Drainage Act 1991 (c. 59)*

- 44 In paragraph 1(1) of Schedule 6 to the Land Drainage Act 1991 (protection for certain undertakings)—
- (a) in paragraph (a), for “the British Coal Corporation” there shall be substituted “the Coal Authority”; and
  - (b) at the end, there shall be inserted the following paragraph—
    - “(j) the undertaking of any licensed operator, within the meaning of the Coal Industry Act 1994.”

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*The Leasehold Reform, Housing and Urban Development Act 1993 (c. 28)*

- 45 In section 161(7) of the Leasehold Reform, Housing and Urban Development Act 1993 (interpretation), in paragraph (b) of the definition of “statutory undertakers”, the words “the British Coal Corporation” shall be omitted.

**Status:**

Point in time view as at 19/11/1998. This version of this schedule contains provisions that are not valid for this point in time.

**Changes to legislation:**

There are currently no known outstanding effects for the Coal Industry Act 1994, SCHEDULE 9.