

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Opencast Coal Act 1958, Cross Heading: Certification of payments under existing arrangements. (See end of Document for details)

SCHEDULES

^{F1}TENTH SCHEDULE

TRANSITIONAL PROVISIONS

Textual Amendments

F1 Sch. 10 repealed by 1986 c. 63, s. 39(4), Sch. 12 Pt. II

Modifications etc. (not altering text)

C1 “The Minister” means Minister of Power whose functions are now exercisable by Secretary of State: S.I. 1969/1498, art. 2(1) and 1970/1537, art. 2(2)

PART II

OPENCAST SITES

Certification of payments under existing arrangements

^{F1}13 In respect of any land which, at the commencement of this Act, is land already requisitioned for opencast operations, the Minister shall, as soon as may be after the commencement of this Act, issue certificates in accordance with paragraphs 14 and 15 of this Schedule.

Textual Amendments

F1 Sch. 10 para. 12 repealed by Coal Industry Act 1975 (c. 56), s. 5(3), Sch. 5

^{F2}14 (1) In respect of any such land as is mentioned in the last preceding paragraph the Minister shall issue, and serve on each person who, at the commencement of this Act, is a person to whom in accordance with the existing arrangements any periodical payments are payable, a certificate stating—

- the interest in land in respect of which those payments are payable to him;
- the annual amount of the payments which are payable in respect of that interest; and
- the times at which, in accordance with the existing arrangements, those payments become payable.

(2) For the purpose of this paragraph the Minister shall determine the annual amount of the periodical payments in respect of an interest in the land by reference to the sums paid or payable in respect of that interest in accordance with the existing arrangements for the year ending with the date of the commencement of this Act:

Provided that if, under the existing arrangements, periodical payments have been payable in respect of that interest for only part of that year, the Minister shall have

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regard to the amount of the sums paid or payable in respect of that interest for that part of that year, and shall adjust that amount proportionately to a full year and determine the annual amount of the periodical payments by reference to that amount as so adjusted.

Textual Amendments

F2 Sch. 10 repealed (11.12.1987) by 1986 c. 63, s. 39(4), Sch. 12 Pt. II; S.I. 1987/1939, arts. 1, 2

- 15 In respect of any such land as is mentioned in paragraph 13 of this Schedule the Minister shall ^{F3}also issue a certificate and serve it on the person who, at the time of issue of the certificate, is the owner of that land, stating whether any sum has been paid in respect of that land on account of any prospective right to terminal compensation under the Act of 1939, and, if so, the amount of the sum so paid.

Textual Amendments

F3 Sch. 10 repealed (11.12.1987) by 1986 c. 63, s. 39(4), Sch. 12 Pt. II; S.I. 1987/1939, arts. 1, 2

- ^{F4}16 The Minister shall serve on the [^{F5}Corporation] a copy of any certificate issued under paragraph 14 or paragraph 15 of this Schedule.

Textual Amendments

F4 Sch. 10 repealed (11.12.1987) by 1986 c. 63, s. 39(4), Sch. 12 Pt. II; S.I. 1987/1939, arts. 1, 2

F5 Word substituted by 1987 c. 3, s. 1(2), Sch. 1 para. 7(c)

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