



Opencast Coal Act 1958

1958 CHAPTER 69

PART III

MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

38 Protection from compulsory purchase of land occupied for authorised purposes

Where a compulsory purchase order (within the meaning of the Acquisition of Land Act or, in Scotland, the Scottish Acquisition of Land Act) has been submitted or prepared, and—

- (a) the land comprised in the order includes land which is comprised in an authorisation under section one of this Act and is for the time being occupied by the Board for the authorised purposes, and
- (b) within the time limited for making objections to the order, the Board give notice of that fact to the Minister to whom the order has been submitted, or by whom it has been prepared, as the case may be, specifying the land comprised in the authorisation which is occupied as mentioned in the preceding paragraph,

the compulsory purchase order shall not be confirmed or made so as to authorise the compulsory purchase of any of the land specified in that notice, unless the Minister of Power is satisfied that it can be purchased without serious detriment to the fulfilment of the authorised purposes.