



# Opencast Coal Act 1958

## 1958 CHAPTER 69

### PART I

#### AUTHORISATION OF, AND FACILITIES FOR, OPENCAST WORKING OF COAL

#### **8 Limited compulsory rights orders**

- (1) A compulsory rights order (whether it is an opencast site order or a storage site order) may provide that its operation shall be limited so as to extend only to such one or more interests or rights (being interests or rights of a description mentioned in the next following subsection) as may be specified in the order.
- (2) Any interest or right specified in an order made in accordance with the preceding subsection shall be of one of the following descriptions, that is to say,—
  - (a) an easement or similar right in respect of the whole or part of the land comprised in the order;
  - (b) a right restrictive of the use of the whole or part of that land;
  - (c) the interest or rights created or conferred by a mining lease or order conferring working rights in respect of minerals in or under that land or part thereof.
- (3) In relation to a compulsory rights order which provides that its operation shall be limited as mentioned in subsection (1) of this section,—
  - (a) " persons directly concerned " in this Act means persons who for the time being are entitled to any interest or right specified in the order, and does not include any other person;
  - (b) subsection (4) of section five of this Act, or subsection (2) of section six of this Act, as the case may be, shall have effect as if for the words from " confer upon the Board" to the words " exclude other persons therefrom " there were substituted the words " as against all persons directly concerned", confer upon the Board, and upon persons authorised by the Board, the like right exclude persons from the land comprised in the order ";
  - (c) paragraph (b) of subsection (4) of the last preceding section shall have effect as if for the words " interest in, or right over land not comprised in the order " there were substituted the words " interest or right not specified in the order ".