
STATUTORY INSTRUMENTS

1958 No. 1649

COAL INDUSTRY

The Opencast Coal (Notice of Work) Regulations, 1958

<i>Made</i>	- - - -	<i>3rd October 1958</i>
<i>Laid before Parliament</i>		<i>9th October 1958</i>
<i>Coming into Operation</i>		<i>10th October 1958</i>

The Minister of Power, in exercise of the powers conferred upon him by section forty-nine of, and paragraphs 2 and 3 of the Third Schedule to, the Opencast Coal Act, 1958, and of all other powers him enabling, hereby makes the following regulations:—

1. These regulations shall come into operation on the tenth day of October, nineteen hundred and fifty-eight, and may be cited as the Opencast Coal (Notice of Work) Regulations, 1958.

2.—(1) In these regulations the following expressions have the meanings hereby assigned to them respectively, that is to say:—

“the Act” means the Opencast Coal Act, 1958;

“the Board” means the National Coal Board.

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

3. A notice given to the Board under paragraph 2 of the Third Schedule to the Act shall be so given—

(a) not less than fifty-six days before the work, particulars of which are set out in the notice, is begun;

(b) by delivering it at, or sending it in a prepaid registered letter to, either the principal office of the Board or such other office of the Board as the Board have notified in writing to the person giving the notice as an office at which such a notice may be served.

4. A counter-notice served by the Board under paragraph 3 of the Third Schedule to the Act shall be so served within forty-two days after the notice under paragraph 2 of the said Schedule to which the counter-notice relates has been given to the Board.

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Dated this third day of October, nineteen hundred and fifty-eight.

Mills
Minister of Power

EXPLANATORY NOTE

Under paragraph 2 of the Third Schedule to the Opencast Coal Act, 1958, a person who wishes to obtain compensation under section 22 of the Act for the cost of work of restoration on land which has been comprised in a compulsory rights order must give the National Coal Board advance notice of the proposed work. These regulations prescribe the minimum period of advance notice and the manner in which it is to be given. They also prescribe the period within which the National Coal Board must serve a counter-notice under paragraph 3 of the Third Schedule to the Act if they wish to object to any of the proposed work.