



# Coal Industry Act 1975

## 1975 CHAPTER 56

### **4 Compulsory acquisition of rights over land for opencast operations**

(1) For subsections (1) to (4) of section 4 of the Opencast Coal Act 1958 (which provided for the making, within the period of ten years beginning with the commencement of that Act, of compulsory rights orders known as " opencast site orders " and " storage site orders ") there shall be substituted the following subsections:—

“(1) For the purpose of facilitating the working of coal by opencast operations, the Board may, by means of an order (in this Act referred to as a "compulsory rights order ") made by the Board and confirmed by the Secretary of State, compulsorily acquire, in accordance with the following provisions of this Part of this Act, temporary rights of occupation and use of the whole or part of the land comprised in an authorisation under section 1 of this Act.

(2) Subject to the provisions of Part III of this Act as to the variation of orders, the period for which a compulsory rights order has effect shall be a period—

- (a) beginning with the date on which the order becomes operative (in this Act referred to as " the operative date "), and
- (b) of such duration, not exceeding twenty years, as may be specified in the order.”

(2) In consequence of the provisions of subsection (1) above, the Opencast Coal Act 1958 shall have effect subject to the amendments in Schedule 3 to this Act.