



Coal Industry Act 1990

1990 CHAPTER 3

4 Licensing of coal working, searching and boring

(1) In subsection (2) of section 36 of the Coal Industry Nationalisation Act 1946 (licensing by the British Coal Corporation of the working and getting by other persons of certain descriptions of coal)—

(a) for paragraph (a) there shall be substituted—

“(a) coal which, in accordance with the licence, is to be worked at a mine (within the meaning of the Mines and Quarries Act 1954) with respect to which the Corporation are satisfied that the number of persons employed to work below ground there is at no time likely to exceed, or greatly to exceed, 150”; and

(b) in paragraph (c) (coal to be worked by opencast operations where the Corporation is satisfied production is unlikely to exceed 25,000 tonnes) for “twenty-five thousand” there shall be substituted “250,000”.

(2) After subsection (2) of that section there shall be inserted—

“(2A) A licence may be granted by the Corporation, either unconditionally or subject to any conditions specified in the licence, and either irrevocably or subject to revocation as therein specified, for the searching and boring for coal in any area for a specified period—

(a) with a view to a licence under subsection (2) of this section subsequently being granted as respects coal in that area or any part of it; or

(b) in connection with an existing licence under that subsection as respects coal in that area;

and section 1(2)(a) of this Act shall not render unlawful anything done in accordance with such a licence.”.

(3) In subsection (3) of that section (which contains further provisions about the grant of licences under subsection (2) and the conditions which may be specified in them)—

(a) for the words “under the last preceding subsection” there shall be substituted the words “under this section”;

Status: This is the original version (as it was originally enacted).

- (b) after the words “working and getting” there shall be inserted the words “or, as the case may be, searching and boring”; and
 - (c) for the words “and conditions” there shall be substituted the words “and, in the case of a licence under subsection (2) of this section,”.
- (4) In section 1(2)(a) of that Act (functions of the Corporation to include searching and boring for coal in Great Britain to the exclusion of any other person) after the word “exclusion” there shall be inserted “(save as in this Act provided)”.
- (5) In paragraph 3(1) of the Table in section 1 of the Mines (Working Facilities and Support) Act 1966 (which enables the court to confer on the British Coal Corporation a right to search and bore for coal) after the word “Corporation” there shall be inserted “(exercisable either by the Corporation or by any person to whom they grant a licence under section 36(2A) of the Coal Industry Nationalisation Act 1946 to search and bore for the coal) or on any person who holds such a licence”.