

Status: Point in time view as at 31/10/1994.

Changes to legislation: There are currently no known outstanding effects for the Coal Industry Act 1994, Cross Heading: Pre-1975 Act orders under the Mines (Working Facilities and Support) Act 1966. (See end of Document for details)

SCHEDULES

SCHEDULE 7

RETAINED INTERESTS IN COPYHOLD LAND

PART II

OTHER PROVISIONS

Pre-1975 Act orders under the Mines (Working Facilities and Support) Act 1966

- 11 (1) If—
- (a) by virtue of an order under section 1 of the ^{M1}Mines (Working Facilities and Support) Act 1966 or of any agreement, the Corporation was entitled on 31st August 1975 to work any coal or to use any coal mine in which a retained interest subsisted at that time,
 - (b) that entitlement has continued throughout the period since that date as an entitlement of the Corporation or, at different times, of the Corporation and a person to whom the Corporation's rights have been transferred in accordance with a restructuring scheme, and
 - (c) the Corporation or such a person is still so entitled,
- then section 49 of this Act shall not apply with respect to that coal or coal mine or to any retained interest therein except in relation to matters unconnected with the exercise of that entitlement.
- (2) Where—
- (a) a notice given on or after the restructuring date for the purposes of section 49 of this Act specifies any area, and
 - (b) at the time when the notice was published, the conditions mentioned in sub-paragraph (1) above were satisfied in relation to any coal or coal mine comprised in, or lying under, land in that area,
- so much of that land as consists of that coal or coal mine shall be deemed to be excluded from that area.
- (3) If notice of a retained interest is given in pursuance of a relevant invitation at a time when the conditions mentioned in sub-paragraph (1) above were satisfied in relation to any coal or coal mine comprised in or lying under the land in which that interest subsists, then for the purpose of determining the amount of any compensation under this Schedule, that interest, so far as it relates to that coal or mine, shall be treated as no longer subsisting.
- (4) In sub-paragraph (3) above “a relevant invitation” means an invitation contained by virtue of—
- (a) subsection (3)(d) of section 50 of this Act, or
 - (b) subsection (3)(b) of section 3 of the 1975 Act,

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in a notice for the purposes of section 49 of this Act or, as the case may be, in a notice under section 3 of that Act.

Marginal Citations

M1 1966 c. 4.

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