

## SCHEDULES

### SCHEDULE 8

#### AMENDMENTS OF THE OPENCAST COAL ACT 1958

##### *Entry on land*

- 29 (1) In subsection (1) of section 39 (designation of land for the purposes of certain rights of entry), after “may” there shall be inserted “on the application of the Coal Authority”.
- (2) In subsection (2) of that section—
- (a) for “the Corporation” there shall be substituted “the Coal Authority”; and
  - (b) in paragraph (c), for “the Corporation think fit” there shall be substituted “the Coal Authority may think fit to authorise him to dispose of”.
- (3) In subsections (3) and (7) of that section, for the words “the Corporation”, wherever they occur, there shall be substituted “the Coal Authority”.
- (4) The references in subsections (3)(d) and (5) of that section to section 15A(4)(c) shall be construed as references to section 15A(5)(c), and shall be deemed always to have fallen to be so construed.
- (5) After subsection (7) of that section there shall be inserted the following subsections—
- “(7A) The persons who may be authorised by the Coal Authority to exercise the powers conferred by this section shall include any person who proposes to exercise those powers for the purposes and on behalf of any person who is or has applied to become a licensed operator within the meaning of the Coal Industry Act 1994; but where—
- (a) any person does exercise powers under this section for the purposes of such a person, and
  - (b) his written authority specifies that person and states that he is authorised to exercise those powers for the purposes and on behalf of that person,
- subsection (7) of this section shall have effect as if the references to the Coal Authority were references to the specified person.
- (7B) Any authorisation by the Coal Authority of any person for the purposes of the exercise of the powers conferred by this section, and any conditions of such an authorisation, may be revoked or varied by that Authority at any time.”