



Opencast Coal Act 1958

1958 CHAPTER 69

PART III

MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

49 Provisions as to regulations and orders

- (1) The Minister may make regulations prescribing anything authorised or required to be prescribed for the purposes of any provision of this Act, or for the purposes of any enactment applied by or incorporated with this Act, except any provision whereby anything is expressly authorised or required to be prescribed by some other Minister of the Crown or government department.
- (2) Any power to make regulations under this Act shall be exercisable by statutory instrument; and any instrument containing any such regulations shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (3) The power to make orders under subsection (5) of section twenty-six of this Act, under subsection (5) of section twenty-eight of this Act, and under subsection (8) of section thirty-five of this Act, shall be exercisable by statutory instrument; and any instrument containing such an order shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (4) Subject to the following provisions of this section, any power conferred by this Act to make an order or give any directions shall include power, subject to the like provisions and conditions, to vary or revoke the order or directions by a subsequent order or subsequent directions, as the case may be.
- (5) A compulsory rights order shall not be varied by extending the period for which it is to have effect:
Provided that—
 - (a) in the case of an opencast site order, where the period specified in the order is less than ten years, this subsection shall not prevent the variation of the order by the extension of that period, if the period as extended does not exceed ten years ;

Status: This is the original version (as it was originally enacted).

- (b) in the case of a storage site order, where the period specified in the order is a period ending before the tenth anniversary of the date of the commencement of this Act, this subsection shall not prevent the variation of the order by the extension of that period to a date not later than that anniversary.
- (6) Subsection (4) of this section shall not affect the revocation of an order made by virtue of section fifteen of this Act where, in accordance with subsection (4) of that section, the Minister is required to revoke the order.