



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 ^{M1}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 [^{F1}Corporation] may, by means of an order (in this Act referred to as a “compulsory rights order”) made by the [^{F1}Corporation] and confirmed by the Secretary of State, compulsorily acquire, in accordance with the following provisions 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 ^{M2}Opencast Coal Act 1958 shall have effect subject to the amendments in Schedule 3 to this Act.

Textual Amendments

- F1** S. 4: for “Board” and “Board’s” wherever they occur in the Act (with specified exceptions) there is substituted “Corporation” or “Corporation’s” by [Coal Industry Act 1987 \(c. 3, SIF 86\)](#), s. 1(2), [Sch. 1 para. 28\(2\)](#).

Changes to legislation: There are currently no known outstanding effects for the Coal Industry Act 1975, Section 4. (See end of Document for details)

Modifications etc. (not altering text)

- C1** The text of ss. 4(1)(2), 6(1)—(3), 7(4), Sch. 3 paras. 1, 2, 4(1)—(5), 5(1)(2), 6—10, Sch. 5 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

- M1** 1958 c. 69.
M2 1958 c. 69.

Changes to legislation:

There are currently no known outstanding effects for the Coal Industry Act 1975, Section 4.