



# Coal Industry Act 1994

## CHAPTER 21

### COAL INDUSTRY ACT 1994

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- 23 Reduction in membership and dissolution of the Corporation.

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- 24 Abolition of the Domestic Coal Consumers' Council.

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- 25 Coal-mining operations to be licensed.

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55 Health and safety regulations as to rescue service.

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56 Registration of rights.

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*Changes to legislation: There are currently no known outstanding effects for the Coal Industry Act 1994. (See end of Document for details)*

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### SCHEDULES

#### SCHEDULE 1 — The Coal Authority Part I — ORGANISATION AND PROCEEDINGS

##### *Membership*

- 1 (1) Subject to the following provisions of this paragraph, a...

##### *Remuneration, pensions etc.*

- 2 (1) The Authority shall pay to its members such remuneration,...

##### *Staff*

- 3 (1) The Authority may, with the approval of the Secretary...

##### *Proceedings of Authority*

- 4 Subject to the following provisions of this Schedule, the Authority...

##### *Delegation of powers*

- 5 Anything authorised or required by or under any enactment to...

##### *Interests of members*

- 6 (1) A member of the Authority who is in any...

##### *Vacancies and defective appointments*

- 7 The validity of any proceedings of the Authority shall not...

##### *Minutes*

- 8 (1) Minutes shall be kept of proceedings of the Authority....

##### *Application of seal and proof of instruments*

- 9 (1) The application of the seal of the Authority shall...

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*The Parliamentary Commissioner*

- 10 In the Parliamentary Commissioner Act 1967, in Schedule 2 (departments...

*Parliamentary disqualification etc.*

- 11 In the House of Commons Disqualification Act 1975, in Part...

*Interpretation*

- 12 In this Part of this Schedule, “member”, in relation to...  
Part II — FINANCIAL PROVISIONS

*Financial duties*

- 13 (1) The Secretary of State may, after consultation with the...

*Finances of the Authority*

- 14 (1) The Secretary of State shall, in respect of each...

*Accounts*

- 15 (1) The Authority— (a) shall keep proper accounts and records...

SCHEDULE 1A — Supplemental provisions with respect to powers of entry

*Interpretation*

- 1 (1) In this Schedule— “ designated person ” means an...

*Issue of warrants*

- 2 (1) If it is shown to the satisfaction of a...

*Manner of exercise of powers*

- 3 A person designated as the person who may exercise a...

*Duty to secure premises*

- 4 A person who, in the exercise of a relevant power,...

*Compensation*

- 5 (1) Where any person exercises any power conferred by section...

SCHEDULE 1B — Modification of compensation provisions etc in relation to the creation of new rights

*Compensation enactments*

- 1 Subject to the following provisions of this Schedule, the enactments...

*Adaptation of the Compulsory Purchase Act 1965*

- 2 (1) The Compulsory Purchase Act 1965 (in the following provisions...

*Changes to legislation: There are currently no known outstanding effects for the Coal Industry Act 1994. (See end of Document for details)*

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*Section 7 of the 1965 Act*

- 3 For section 7 of the 1965 Act (measure of compensation)...

*Section 8 of the 1965 Act*

- 4 Section 8(1) of the Compulsory Purchase Act 1965 has effect...

*Effect of deed poll*

- 5 The following provisions of the 1965 Act (being provisions stating...

*Section 11 of the 1965 Act*

- 6 Section 11 of the 1965 Act (powers of entry) shall...

*Section 20 of the 1965 Act*

- 7 Section 20 of the 1965 Act (protection for interests of...

*Section 22 of the 1965 Act*

- 8 Section 22 of the 1965 Act (protection of acquiring authority's...

SCHEDULE 1C — Supplemental provisions with respect to powers of entry:  
Scotland

*Exercise of powers of entry etc.*

- 1 (1) A person entitled to enter premises by virtue of...

*Warrants*

- 2 (1) If a sheriff or justice of the peace is...

SCHEDULE 2 — Restructuring schemes

*Contents and effect of scheme*

- 1 (1) This paragraph shall have effect as regards the manner...

*Division of property by scheme*

- 2 (1) For the purpose of making any such division as...

*Property to which a scheme may relate*

- 3 (1) The property, rights and liabilities that shall be capable...

*Supplemental provisions of schemes*

- 4 (1) A restructuring scheme may contain supplemental, incidental, consequential and...

*Duties in relation to foreign property etc.*

- 5 (1) A restructuring scheme may provide for the imposition of...

*Changes to legislation: There are currently no known outstanding effects for the Coal Industry Act 1994. (See end of Document for details)*

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*Modification of effect of scheme by agreement*

6 (1) This paragraph applies where any person to whom anything...

*The Transfer of Undertakings (Protection of Employment) Regulations 1981*

7 (1) The 1981 regulations shall apply to any transfer of...

*Compensation*

8 (1) Where, in consequence of any provisions included in a...

*Notice to persons affected by scheme*

9 (1) It shall be the duty of the Secretary of...

SCHEDULE 3 — Financial structure of successor companies

*Meaning of “relevant successor company”*

1 In this Schedule “relevant successor company” means any successor company...

*Initial Government holding in companies*

2 (1) As a consequence of the vesting in a relevant...

*Government investment in companies*

3 (1) Subject to section 16 of this Act, the Treasury...

*Exercise of functions through nominees*

4 (1) The Treasury or, with the consent of the Treasury,...

*Payment of dividends etc. into Consolidated Fund*

5 Any dividends or other sums received by the Treasury or...

*Distributable reserves of companies*

6 (1) Where statutory accounts of a relevant successor company prepared...

*Temporary restrictions on borrowing of companies*

7 (1) If articles of association of a relevant successor company...

*Government lending to the companies*

8 (1) Subject to the following provisions of this Schedule, the...

*Treasury guarantees for loans made to companies*

9 (1) Subject to the following provisions of this Schedule, the...

*Limit on Government financial assistance for companies*

10 The aggregate of— (a) any amounts outstanding by way of...

*Changes to legislation: There are currently no known outstanding effects for the Coal Industry Act 1994. (See end of Document for details)*

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SCHEDULE 4 — Taxation Provisions  
Part I — CORPORATION TAX

*Interpretation of Part I*

1 (1) Subject to paragraph 24 below, in this Part of...

*Chargeable gains: general*

2 (1) For the purposes of the 1992 Act, where there...

*Chargeable gains: compensation and insurance money*

3 (1) Subsections (4) and (5) of section 23 of the...

*Chargeable gains: section 30 of the 1992 Act*

4 Section 30 of the 1992 Act (tax-free benefits) shall not...

*Chargeable gains: section 41 of the 1992 Act*

5 Subject to paragraph 21 below, section 174(1) of the 1992...

*Chargeable gains: options*

6 (1) Where in the case of any relevant transfer the...

*Chargeable gains: roll-over relief*

7 (1) Where, apart from this sub-paragraph— (a) the predecessor would...

*Chargeable gains: group transactions*

8 (1) For the purposes of section 179 of the 1992...

*Chargeable gains: disposal of debts*

9 (1) Where in the case of any relevant transfer—

*Chargeable gains: assets held before 6th April 1965*

10 Schedule 2 to the 1992 Act (assets held on 6th...

*Transfers of trading stock*

11 (1) For the purposes of the Corporation Tax Acts if,...

*Transfer of rights to receipts*

12 Where by virtue of any relevant transfer there is transferred...

*Transfer of liabilities*

13 (1) If, by virtue of any relevant transfer, there is...

*Losses to be retained by the predecessor*

14 (1) Notwithstanding anything in the preceding provisions of this Part...



*Changes to legislation: There are currently no known outstanding effects for the Coal Industry Act 1994. (See end of Document for details)*

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*Section 35 of the 1988 Act*

15 (1) Section 35 of the 1988 Act (charge on lease...

*Group relief*

16 The existence of the powers of the Secretary of State...

*Special provision for successor companies*

17 (1) Where— (a) by virtue of any relevant transfer any...

*Leased assets*

18 (1) For the purposes of section 781 of the 1988...

*Continuity in relation to capital allowances etc. where trade transferred*

19 (1) Subject to the following provisions of this Part of...

*Capital allowances in cases where paragraph 19 does not apply*

20 (1) Subject to paragraph 21 below, the Capital Allowances Act shall...

*Capital allowances in cases where interests created by restructuring scheme*

21 (1) This paragraph shall apply where— (a) an interest or...

*Capital allowances for machinery and plant: connected persons*

22 For the purposes of Part 2 of the Capital Allowances...

*Exchange gains and losses*

23 (1) This paragraph shall apply where— (a) in consequence of...

*Transfers of property in coal and lease back etc.*

24 (1) Subject to the following provisions of this paragraph—

*Modifications of restructuring scheme*

25 Where the effect of any restructuring scheme is modified in...

Part II — STAMP DUTY AND STAMP DUTY RESERVE TAX

*Transactions attracting exemptions*

26 For the purposes of this Part of this Schedule a...

*Stamp duty*

27 (1) Subject to sub-paragraph (2) below, an exempt transaction shall...

*Stamp duty reserve tax*

28 (1) No agreement for the purposes of, or for purposes...

SCHEDULE 5 — Pensions Provision in connection with Restructuring

*Changes to legislation: There are currently no known outstanding effects for the Coal Industry Act 1994. (See end of Document for details)*

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*Interpretation of Schedule*

- 1 (1) In this Schedule— “assets”, in relation to any existing...

*Modification of existing schemes*

- 2 (1) The Secretary of State may by regulations make provision...

*Replacement schemes for employees transferred to the private sector etc.*

- 3 (1) The Secretary of State may by regulations make such...

*Protection for rights under private sector schemes*

- 4 (1) This paragraph applies to— (a) any scheme established in...

*General provisions*

- 5 (1) Every power of the Secretary of State to make...

SCHEDULE 6 — Further modifications of the 1991 Act

- 1 (1) Where— (a) a damage notice is received by a...  
 2 Section 8(9) of the 1991 Act (grounds for refusing request...  
 3 (1) In relation to times on or after the restructuring...  
 4 The reference in section 15 of the 1991 Act (recipients...  
 5 In relation to any regulations made on or after the...  
 6 Section 43(1) of this Act shall require the second reference...  
 7 On and after the restructuring date sections 37, 38, 40...  
 8 On and after the restructuring date sections 46 and 47...  
 9 The provisions of section 44 of this Act, so far...  
 10 On and after the restructuring date, section 49 of the...  
 11 Paragraph 1(1) of Schedule 2 to the 1991 Act (payment...  
 12 Section 43(1) of this Act shall not apply to the...

SCHEDULE 7 — Retained Interests in Copyhold Land

Part I — CLAIMS IN RESPECT OF RETAINED INTERESTS

*Application of Part I*

- 1 (1) This Part of this Schedule shall apply where, at...

*Form of claim*

- 2 The claimant shall furnish, together with the retained interest notice,...

*Acceptance or rejection of claim*

- 3 (1) Within the period of three months beginning with the...

*Payment of costs of establishing claim*

- 4 Subject to paragraph 5 below, as soon as practicable after...

*Challenge of rejection notice*

- 5 (1) A claimant who— (a) has served a retained interest...

*Changes to legislation: There are currently no known outstanding effects for the Coal Industry Act 1994. (See end of Document for details)*

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### *Compensation*

6 (1) Subject to paragraphs 7 and 11 below, where—

#### *Persons entitled to compensation*

7 (1) Subject to paragraph 5 above, it shall be conclusively...

#### *Agreements with respect to compensation*

8 (1) If at any time— (a) after an acceptance notice...

#### *Notice of compensation*

9 (1) Where any person— (a) makes a payment of compensation...

#### Part II — OTHER PROVISIONS

#### *Saving for rights to dispose of retained interests*

10 Subject to paragraph 8(3) above and to any provision applied...

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

11 (1) If— (a) by virtue of an order under section...

#### *Transitional provisions*

12 (1) On and after the restructuring date, the following provisions...

#### SCHEDULE 8 — Amendments of the Opencast Coal Act 1958

##### *Introduction*

1 The Opencast Coal Act 1958 shall be amended as follows....

##### *Power to make compulsory rights orders*

2 (1) In subsection (1) of section 4 (compulsory rights order)—...

##### *Effect of orders*

3 (1) In subsection (2) of section 5 (effect of order),...

##### *Limitations on effect of orders*

4 In section 7 (rights not affected by order)—

##### *Limited compulsory rights orders*

5 In subsection (3)(b) of section 8 (modification of section 5(4))—...

##### *Provisions as to other minerals, timber, crops, etc.*

6 In subsections (1) to (3) of section 10 (rights in...

##### *Registration of orders in Scotland*

7 In section 11(4) (registration in the register of sasines)—

*Changes to legislation: There are currently no known outstanding effects for the Coal Industry Act 1994. (See end of Document for details)*

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*Removal of chattels from land*

8 (1) In subsection (1) of section 12 (rights to remove...

*Apparatus of statutory undertakers*

9 Section 13 (effect in relation to apparatus of statutory undertakers...

*Agricultural tenancies in England and Wales*

10 In section 14(6) (arbitration under section 12 of the Agricultural...

*Agricultural tenancies in Scotland*

11 (1) In subsection (6)(a) of section 14A (modification of section...

*Suspension of rights of way*

12 (1) In subsection (1) of section 15 (orders for suspension...

*Supplementary provisions about suspension of rights of way*

13 (1) In subsection (1) of section 15A (supplementary provisions in...

*Orders conferring rights for drainage or water supply purposes*

14 (1) In subsections (1) and (2) of section 16 (orders...

*Annual compensation*

15 (1) In subsection (1) of section 17 (general provisions as...

*Calculation of compensation*

16 In relation to any compulsory rights order confirmed on or...

17 Sections 19 and 20 (additional annual compensation and special compensation...

*Terminal compensation*

18 In section 21(1) (terminal compensation), for “by the Corporation in...

*Compensation in respect of agricultural land*

19 (1) In section 23A (compensation with a view to furthering...

*Compensation for short term improvements etc.*

20 (1) In subsection (1) of section 26 (compensation in respect...

*Compensation in respect of forced sales*

21 (1) In subsection (1) of section 27 (compensation for forced...

*Compensation: definition of holding*

22 (1) In subsection (1) of section 29 (definition of holding...

*Changes to legislation: There are currently no known outstanding effects for the Coal Industry Act 1994. (See end of Document for details)*

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*Compensation in respect of easements and other rights*

23 (1) In subsection (2) of section 31 (annual compensation in...

*Compensation in respect of disposable minerals*

24 (1) After section 31, there shall be inserted the following...

*Compensation for depreciation of land in same ownership*

25 (1) In subsection (2) of section 32 (annual compensation in...

*Time when compensation accrues*

26 (1) In subsection (1) of section 35 (introduction to provisions...

*Records of condition of land*

27 (1) In subsection (1) of section 36 (records of condition...

*Protection of land from compulsory purchase*

28 In section 38 (exclusion from compulsory purchase order of land...

*Entry on land*

29 (1) In subsection (1) of section 39 (designation of land...

*Claims for compensation*

30 (1) In subsection (1) of section 40 (claims for compensation)—...

*Compensation in respect of property held for religious purposes*

31 (1) In subsection (1) of section 42 (compensation payable in...

*Provision in respect of mortgaged land*

32 In section 43 (compensation provisions applying to mortgaged land),  
the...

*Crown land*

33 In section 44 (Crown land)— (a) in subsection (1), for...

*Telecommunication apparatus*

34 In section 45(2) (application of paragraph 23 of the  
telecommunications...

*Provisions as to regulations, orders etc.*

35 After section 49(4) (general power to revoke and vary orders...

*Interpretation*

36 (1) In subsection (1) of section 51 (interpretation)—

*Changes to legislation: There are currently no known outstanding effects for the Coal Industry Act 1994. (See end of Document for details)*

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*Application to Scotland*

37 In section 52(3) (construction of references to water authorities in...

*Procedure for compulsory rights orders in Scotland*

38 (1) In Part I of Schedule 2 (making, confirmation, validity...

*Other provisions with respect to the procedure for compulsory rights orders*

39 (1) In paragraph 13 of Part II of Schedule 2...

*Compensation by way of payment for costs of works*

40 (1) In Schedule 3 (terminal compensation by way of payment...

*Compensation in respect of minerals*

41 For paragraph 2 of Schedule 5 (compensation in respect of...

*Application of Schedule 6 to Scotland*

42 (1) In paragraph 1(2) of Schedule 6 (changes in right...

*Tenancies of allotment gardens and other allotments*

43 (1) In paragraph 3 of Schedule 8 (compensation for termination...

SCHEDULE 9 — Minor and Consequential Amendments

*The Land Registration Act 1925 (c. 21)*

1 (1) Any interest in land consisting in an interest in...

*The Requisitioned Land and War Works Act 1945 (c. 43)*

2 In section 34(1) of the Requisitioned Land and War Works...

*The Statistics of Trade Act 1947 (c. 39)*

3 In section 9 of the Statistics of Trade Act 1947,...

*The Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 (c. 42)*

4 After section 6 of the Acquisition of Land (Authorisation Procedure)...

*The Landlord and Tenant Act 1954 (c. 56)*

5 In the definition of “statutory undertakers” in section 69(1) of...

*The Public Records Act 1958 (c. 51)*

6 In Part II of the Table in paragraph 3 of...

*The Public Health Act 1961 (c. 64)*

7 In the fourth item in the Table in Schedule 4...

*Changes to legislation: There are currently no known outstanding effects for the Coal Industry Act 1994. (See end of Document for details)*

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*The Licensing Act 1964 (c. 26)*

8 In section 56(3) of the Licensing Act 1964 (definition of...

*The Gas Act 1965 (c. 36)*

9 In section 13(8) of the Gas Act 1965 (exclusion of...

*The Mines (Working Facilities and Support) Act 1966 (c. 4)*

10 (1) In the Table in section 1 of the Mines...

*The Land Commission Act 1967 (c. 1)*

11

*The Gaming Act 1968 (c. 65)*

12 In section 52(2) of the Gaming Act 1968 (definition of...

*The Town and Country Planning (Scotland) Act 1972 (c. 52)*

13

*The Fair Trading Act 1973 (c. 41)*

14 In section 133(2) of the Fair Trading Act 1973 (exceptions...

*The Consumer Credit Act 1974 (c. 39)*

15 In section 174(3) of the Consumer Credit Act 1974 (exceptions...

*The Welsh Development Agency Act 1975 (c. 70)*

16 In section 27(1) of the Welsh Development Agency Act 1975...

*The Restrictive Trade Practices Act 1976 (c. 34)*

17 In section 41(1) of the Restrictive Trade Practices Act 1976...

*The Local Government (Miscellaneous Provisions) Act 1976 (c.57)*

18 (1) In section 15(3) of the Local Government (Miscellaneous Provisions)...

*The Development of Rural Wales Act 1976 (c. 75)*

19

*The Land Registration (Scotland) Act 1979 (c. 33)*

20 In section 28(1) of the Land Registration (Scotland) Act 1979...

*The Estate Agents Act 1979 (c. 38)*

21 In section 10(3) of the Estate Agents Act 1979 (exceptions...

*Changes to legislation:* There are currently no known outstanding effects for the Coal Industry Act 1994. (See end of Document for details)

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*The Ancient Monuments and Archaeological Areas Act 1979 (c.46)*

- 22 In section 61(2)(b) of the Ancient Monuments and Archaeological Areas...

*The Competition Act 1980 (c. 21)*

- 23 (1) In subsection (2) of section 19 of the Competition...

*The Overseas Development and Co-operation Act 1980 (c. 63)*

24

*The Local Government, Planning and Land Act 1980 (c. 65)*

25

*The Highways Act 1980 (c. 66)*

- 26 In section 290 of the Highways Act 1980 (supplementary provisions...

*The Acquisition of Land Act 1981 (c. 67)*

- 27 (1) In section 17(4) of the Acquisition of Land Act...

*The Civic Government (Scotland) Act 1982 (c. 45)*

- 28 In section 123(1) of the Civic Government (Scotland) Act 1982...

*The National Audit Act 1983 (c. 44)*

- 29 In Part I of Schedule 4 to the National Audit...

*The Road Traffic Regulation Act 1984 (c. 27)*

- 30 In paragraph 3 of Schedule 5 to the Road Traffic...

*The Roads (Scotland) Act 1984 (c. 54)*

- 31 In section 140 of the Roads (Scotland) Act 1984 (right...

*The Companies Act 1985 (c. 6)*

- 32 The Companies Act 1985 shall have effect in relation to...

*The Housing Act 1985 (c. 68)*

- 33 In section 573(1) of the Housing Act 1985 (meaning of...

*The Weights and Measures Act 1985 (c. 72)*

- 34 In paragraph 28 of Schedule 5 to the Weights and...

*The Agricultural Holdings Act 1986 (c. 5)*

- 35 Paragraph 8(1)(a) of Part II of Schedule 3 to the...

*The Coal Industry Act 1987 (c. 3)*

- 36 In section 5 of the Coal Industry Act 1987 (coal...



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*The Housing Act 1988 (c. 50)*

37 In paragraph 4(b) of Part I of Schedule 9 to...

*The Electricity Act 1989 (c. 29)*

38 (1) In subsection (2) of section 57 of the Electricity...

*The Town and Country Planning Act 1990 (c. 8)*

39 (1) In section 253(2)(a) of the Town and Country Planning...

*The Planning (Listed Buildings and Conservation Areas) Act 1990 (c. 9)*

40 Section 85 of the Planning (Listed Buildings and Conservation Areas)...

*The Coal Mining Subsidence Act 1991 (c. 45)*

41 (1) In subsection (7) of section 27 of the 1991...

*The Water Industry Act 1991 (c. 56)*

42 In paragraph 1(5) of Schedule 13 to the Water Industry...

*The Water Resources Act 1991 (c. 57)*

43 (1) In paragraph 1(4) of Schedule 22 to the Water...

*The Land Drainage Act 1991 (c. 59)*

44 In paragraph 1(1) of Schedule 6 to the Land Drainage...

*The Leasehold Reform, Housing and Urban Development Act 1993 (c. 28)*

45 In section 161(7) of the Leasehold Reform, Housing and Urban...

SCHEDULE 10 — Transitional Provisions and Savings

*General saving for repeal of the Coal Act 1938*

1 Where this Act repeals any provisions of the Coal Act...

*Deemed acknowledgments under section 14(3) of the Coal Act 1938*

2 The repeal by this Act of subsection (3) of section...

*Restrictions under section 33 of the Coal Act 1938*

3 (1) Notwithstanding the repeal by this Act of section 33...

*Rights saved by section 34 of the Coal Act 1938*

4 (1) Neither the repeal by this Act of section 34...

*Saving for rights under section 43(6) of the Coal Act 1938*

5 The repeal by this Act of section 43 of the...

*Changes to legislation: There are currently no known outstanding effects for the Coal Industry Act 1994. (See end of Document for details)*

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*Licences under section 36 of the 1946 Act*

6 As well as being subject to the savings in section...

*Repeal of section 41 of the 1946 Act*

7 The repeal by this Act of section 41 of the...

*Repeal of the Miners' Welfare Act 1952*

8 The repeal by this Act of the Miners' Welfare Act...

*Opencast coal*

9 (1) Where any compulsory rights order has been made under...

*Offshore coal adjacent to the Isle of Man*

10 (1) On and after the restructuring date the rights in...

*Coal industry trusts and other social welfare bodies*

11 The repeal by this Act of section 6 of the...

*Interests affected by planning proposals: blight*

12

*Subsidence*

13 (1) Without prejudice to section 1(2) of the 1991 Act,...

**SCHEDULE 11 — Repeals**

Part I — REPEALS COMING INTO FORCE ON THE PASSING OF THIS ACT

Part II — REPEALS COMING INTO FORCE ON THE RESTRUCTURING DATE

Part III — REPEALS COMING INTO FORCE ON AN APPOINTED DAY

Part IV — REPEALS COMING INTO FORCE ON THE DISSOLUTION DATE

**Changes to legislation:**

There are currently no known outstanding effects for the Coal Industry Act 1994.