
STATUTORY INSTRUMENTS

1996 No. 1484

COAL INDUSTRY

The Manchester Ship Canal (Bridgewater Canal) Act 1907 (Amendment) Order 1996

<i>Made</i>	- - - -	<i>6th June 1996</i>
<i>Laid before Parliament</i>		<i>7th June 1996</i>
<i>Coming into force</i>	- -	<i>30th June 1996</i>

The Secretary of State, in exercise of the powers conferred upon him by section 67(2), (3) and (4) (c) of the Coal Industry Act 1994⁽¹⁾, and all other powers enabling him in that behalf, hereby makes the following Order:—

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Manchester Ship Canal (Bridgewater Canal) Act 1907 (Amendment) Order 1996 and shall come into force on 30th June 1996.

(2) In this Order—

“the 1907 Act” means the Manchester Ship Canal (Bridgewater Canal) Act 1907⁽²⁾.

Amendments to the 1907 Act

2. The following shall be substituted for the definition of “mine owner” in section 2 of the 1907 Act:

“The expression “mine owner” means:

- (a) a person who would for the time being be entitled to work and get supporting minerals if the Company had no right of support in respect thereof for the Leigh Canal; and,
- (b) in so far as no other person falls within the definition in paragraph (a) in respect of any supporting minerals, in respect of coal-mining operations before the restructuring date, the Coal Authority;”

3. Section 2 of the 1907 Act shall be amended by the insertion at its end of the following definitions:

(1) 1994 c. 21.
(2) 1907 c. XV.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“coal-mining operations” and “the restructuring date” have the meanings given to them by section 65 of the Coal Industry Act 1994;”

“the Coal Authority” means the Coal Authority established by section 1 of the Coal Industry Act 1994;”.

Coming into force of the amendments to the 1907 Act

4. The amendments to the 1907 Act made by articles 2 and 3 of this Order shall be treated as if they came into force on the restructuring date.

Richard Page,
Parliamentary Under Secretary of State for Small
Business, Industry and Energy,
Department of Trade and Industry

6th June 1996

EXPLANATORY NOTE

(This note is not part of the Order)

The Manchester Ship Canal (Bridgewater Canal) Act 1907 authorises the working of mines and minerals under and adjacent to the portion of the Bridgewater Canal in Lancashire extending from Monton Bridge to Leigh. The 1907 Act requires in certain circumstances certain payments in respect of works necessitated by such working of mines and minerals to be made by “mine owners”. This Order amends the definition of “mine owner” so as to make certain that in the absence of any other “mine owner”, the Coal Authority (established under the Coal Industry Act 1994) is liable as “mine owner” in respect of coal-mining operations carried out before the restructuring date for the purposes of the 1994 Act. That restructuring date was 31st October 1994.