



Mines (Working Facilities And Support) Act 1966

1966 CHAPTER 4

Restrictions on working minerals required for support

[^{F1}7A Special provisions applying to section 7.

- (1) Subject to subsections (2) and (3) below, on an application under section 7 of this Act, the applicant shall not be required to pay or give any compensation or consideration in respect of the imposition of restrictions appearing to the court to be justified by the existence of any right to withdraw support to which any person is entitled under section 38 of the Coal Industry Act 1994 (withdrawal of support).
- (2) Subsection (1) above shall not apply in a case where, in accordance with subsection (2) (b) of section 38 of the Coal Industry Act 1994, that section applies to the land in question by virtue of subsection (5)(a) of section 2 of the Coal Industry Act 1975.
- (3) Subsection (1) above shall apply in any case where section 38 of the Coal Industry Act 1994 applies to the land in question otherwise than by virtue of subsection (5) of section 2 of the Coal Industry Act 1975 only if the application under section 7 of this Act is sent to the Secretary of State before the end of the period of six months beginning with the date on which particulars of the notice relating to the land to which the application relates are first registered by the Coal Authority under section 56 of the Coal Industry Act 1994.
- (4) Notwithstanding anything in section 12 of this Act, any restrictions the imposition of which appears to the court to be justified as mentioned in subsection (1) above—
 - (a) may be imposed under section 7 of this Act on the application of, and so as to vest the right to enforce the restrictions in, any such company, authority or body as is mentioned in the said section 12; and
 - (b) may be so imposed on the application of, and so as to vest the right to enforce the restrictions in—
 - (i) [^{F2}the Environment Agency, the Natural Resources Body for Wales or] any water or sewerage undertaker;

Changes to legislation: There are currently no known outstanding effects for the Mines (Working Facilities And Support) Act 1966, Section 7A. (See end of Document for details)

- (ii) any public gas supplier within the meaning of Part I of the Gas Act 1986; or
- (iii) any company or other body or person carrying on an undertaking primarily for the supply of electricity or hydraulic power for public purposes or to members of the public.]

Textual Amendments

- F1** S. 7A inserted (31.10.1994) by 1994 c. 21, ss. 67, 68(2)(d), **Sch. 9 para. 10(4)** (with ss. 40(7), 66); S.I. 1994/2553, **art. 2**
- F2** Words in s. 7A(4)(b)(i) substituted (1.4.2013) by The Natural Resources Body for Wales (Functions) Order 2013 (No. 755), art. 1(2), **Sch. 2 para. 42** (with Sch. 7)

Modifications etc. (not altering text)

- C1** S. 7A(4)(b)(ii) extended (1.3.1996) by 1995 c. 45, s. 16(1), **Sch. 4 para. 2(2)(c)**; S.I. 1996/218, **art. 2**

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