

SCHEDULES

SCHEDULE 8

AMENDMENTS OF THE OPENCAST COAL ACT 1958

Compensation in respect of easements and other rights

- 23 (1) In subsection (2) of section 31 (annual compensation in respect of easements and other rights)—
- (a) after “falls” there shall be inserted “wholly or partly”; and
 - (b) the words “from the Corporation” shall be omitted.
- (2) After that subsection there shall be inserted the following subsection—
- “(2A) Subject (where different persons have been entitled to the rights for different parts of the year) to any apportionment under section 35(3) of this Act, the liability to pay compensation under subsection (2) of this section shall fall on the persons who, for the whole or any part of the year in question, have been entitled to the rights conferred by the order.”
- (3) In paragraphs (a) and (b) of subsection (3) of that section (terminal compensation in respect of easements and other rights), for the words “the Corporation”, where they occur in each paragraph, there shall be substituted “the person who immediately before the end of the period of occupation is the person entitled to the rights conferred by the order”.