

SCHEDULES

SCHEDULE 8

AMENDMENTS OF THE OPENCAST COAL ACT 1958

Time when compensation accrues

- 26 (1) In subsection (1) of section 35 (introduction to provisions as to time when compensation accrues), for “the Corporation” there shall be substituted “any person”.
- (2) In subsection (2) of that section—
- (a) in paragraph (a), for “the Corporation shall” there shall be substituted “every person potentially liable for the compensation shall, on account of any compensation that may become payable by him at the end of the year,”;
 - (b) in paragraph (b), for “the Corporation shall not be required to make payments” there shall be substituted “the requirement to make payments shall not arise”;
 - (c) in paragraph (c), for “to any person for any year” there shall be substituted “for any year by any person to another”; and
 - (d) in paragraph (d)—
 - (i) for “to a person for any year” there shall be substituted “for any year by any person to another”;
 - (ii) for “to him for that year, the Corporation” there shall be substituted “for that year by that person to that other person, the person who paid it”; and
 - (iii) for “to that person” there shall be substituted “by him to that other person”.
- (3) After subsection (6) of that section there shall be inserted the following subsection—
- “(6A) Any compensation payable under section 31A of this Act shall accrue due at the end of the year in which the right in question is exercised.”
- (4) In subsection (7) of that section, the words “by the Corporation” shall be omitted, and for “subsections (4) to (6)” there shall be substituted “subsections (4) to (6A)”.
- (5) In subsection (9) of that section, at the end there shall be inserted the words “; and references in this section to a person potentially liable to compensation, in relation to any time during a year at the end of which compensation may become payable under this Act, are references to the person on whom the liability to pay the compensation will fall at the end of the year if the person entitled to the rights conferred by the compulsory rights order in question does not change before the end of the year.”