

## SCHEDULES

### SCHEDULE 8

#### AMENDMENTS OF THE OPENCAST COAL ACT 1958

##### *Compensation in respect of forced sales*

- 21 (1) In subsection (1) of section 27 (compensation for forced sales), for “the Corporation” there shall be substituted “the person on whose application the compulsory rights order was made”.
- (2) After subsection (2) of that section there shall be inserted the following subsection—
- “(2A) Where, in the case of any sale in respect of which compensation is payable under this section, a person other than the person who applied for the order is entitled, on the effective date of the sale, to the rights conferred by the compulsory rights order, that compensation shall be payable by the person entitled to those rights, instead of by the person who applied for the order.”
- (3) In subsection (3) of that section—
- (a) for the words “the Corporation”, in the first place where they occur, there shall be substituted “the person potentially liable”; and
- (b) for the words “the Corporation”, in the second place where they occur, there shall be substituted “the person to whom the notice was given, or any person designated for the purpose by him”.
- (4) After subsection (4) of that section there shall be inserted the following subsection—
- “(5) In this section—
- “effective date”, in relation to a sale, means the date on which the property sold becomes the property of the purchaser; and
- “the person potentially liable”, in relation to a notice relating to a sale, means the person on whom the liability to pay the compensation will fall on the effective date of the sale if the person entitled to the rights conferred by the compulsory rights order in question does not change before that date.”