



Coal industry Act 1994

1994 CHAPTER 21

PART II

LICENSING OF COAL-MINING OPERATIONS

Licences under Part II

28 Conditions of licence: general

- (1) A licence under this Part may include such conditions as the Authority, subject to its having regard to its duties under sections 2 to 4 above and to the following provisions of this Act, may think fit.
- (2) The conditions that may be included in a licence under this Part with respect to the carrying on of the coal-mining operations authorised by the licence shall include conditions having effect in relation to the carrying on, in association with those operations, of—
 - (a) coal-mining operations for which no authorisation is required by virtue of this Act;
 - (b) coal-mining operations the authorisation for which is contained in another licence under this Part or is conferred by virtue of section 25(3) above; or
 - (c) any activities carried on for purposes connected with any coal-mining operations to which the conditions relate.
- (3) Conditions included in a licence under this Part may contain provision requiring the holder of the licence to render to the Authority either or both of the following in respect of the exercise of its functions in connection with, or in consequence of, the grant of the licence, that is to say—
 - (a) payments on the grant or coming into force of the licence of such amount as may be determined by or under the conditions; and
 - (b) payments, at times while the licence is in force for any of the purposes of this Act, of such amounts as may be so determined.

Status: This is the original version (as it was originally enacted).

- (4) Conditions included in a licence under this Part may contain provision requiring the holder of the licence to secure that—
- (a) agreements for such purposes as may be specified in the conditions are entered into between the holder of the licence and such other persons as may be specified or described in the licence; and
 - (b) that the terms of those agreements satisfy such requirements as may be so specified or described.
- (5) Conditions included in a licence under this Part may contain provision requiring the holder of the licence to comply with any direction given by the Authority as to such matters as are specified in the licence or are of a description so specified.
- (6) Conditions included in a licence under this Part may contain provision for disputes between the Authority and the holder of the licence as to any matter to which the licence relates to be referred to the determination of such person or persons as may be specified in, or appointed in accordance with, the conditions; and any dispute to which any such provision applies shall be determined accordingly.
- (7) Conditions included in a licence under this Part may contain provision for any of the following, that is to say—
- (a) the authorisation contained in the licence, and
 - (b) any of the conditions of the licence, apart from any included by virtue of this subsection,
- to cease to have effect, or to be revoked or otherwise modified, at such times, in such manner and in such circumstances as may be specified in or determined under the conditions.
- (8) Conditions included in a licence under this Part may provide for—
- (a) obligations imposed on any person by the conditions of the licence, and
 - (b) liabilities arising in respect of contraventions by any person of the conditions so included,
- to continue in accordance with the provisions of that licence, and to be capable of arising, after the authorisation contained in the licence has been revoked or is otherwise no longer in force or, where they have already arisen, to continue after the rights and obligations of the holder of the licence have been transferred to another person.
- (9) Subsections (2) to (8) above and section 29 below shall be without prejudice to the generality of subsection (1) above.