



Coal Industry Act 1994

1994 CHAPTER 21

PART I

RE-ORGANISATION OF COAL INDUSTRY

The Coal Authority

[^{F1}4C Coal mine water discharge: compulsory purchase of land

- (1) The Authority may be authorised by the Secretary of State to purchase compulsorily any land anywhere in England and Wales where he is of the opinion that—
 - (a) the purchase is required by the Authority for the purpose of preventing, or mitigating the effect of, a discharge of water from a coal mine; and
 - (b) the discharge has caused, is causing or is likely to cause significant pollution of controlled waters or serious harm to human health.
- (2) The power of the Secretary of State under subsection (1) above shall include power—
 - (a) to authorise the acquisition of interests in, and rights over, land by the creation of new interests and rights; and
 - (b) by authorising the acquisition by the Authority of any rights over land which is to be or has been acquired by the Authority, to provide for the extinguishment of those rights.
- (3) Without prejudice to the generality of subsection (1) above, the land which the Authority may be authorised under that subsection to purchase compulsorily shall include land which is or will be required for the purpose of being given in exchange for, or for any right over, any other land which for the purposes of the Acquisition of Land Act 1981 is or forms part of a common, open space or a fuel or field garden allotment.
- (4) The Acquisition of Land Act 1981 shall apply to any compulsory purchase under subsection (1) above of any land by the Authority; and Schedule 3 to that Act shall apply to the compulsory acquisition under that subsection of rights by the creation of new rights.

Changes to legislation: There are currently no known outstanding effects for the Coal Industry Act 1994, Section 4C. (See end of Document for details)

- (5) Schedule 1B to this Act shall have effect for the purpose of modifying enactments relating to compensation and the provisions of the Compulsory Purchase Act 1965 in their application in relation to the compulsory acquisition under subsection (1) above of a right over land by the creation of a new right.]

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Textual Amendments

- F1** Ss. 4A-4C inserted (1.4.2004) by [Water Act 2003 \(c. 37\)](#), **ss. 85(1)**, 105(3); S.I. 2004/641, art. 3(w)
(with [Sch. 3 para. 7](#))

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There are currently no known outstanding effects for the Coal Industry Act 1994, Section 4C.