



# Coal Industry Act 1994

## 1994 CHAPTER 21

### PART IV

#### GENERAL AND SUPPLEMENTAL

##### *Information provisions*

#### **57 Public access to information held by the Authority.**

- (1) This section applies to the information contained in any register maintained by the Authority under section 35 or 56 above and to any of the following information which is for the time being in the possession of the Authority, that is to say—
- (a) information about the geological or physiographical features or characteristics of any land in which any unworked coal or any coal mine is situated or of any other land;
  - (b) information about the identity of the persons in whom interests and rights in or in relation to any unworked coal or any coal mine have been vested;
  - (c) the contents of the plans of any coal mines or coal workings;
  - (d) any other information about proposals for the carrying on by any person of any coal-mining operations;
  - (e) information about any subsidence or subsidence damage or about claims made under the 1991 Act; and
  - (f) information about such other matters as the Secretary of State may by regulations prescribe for the purposes of this section.
- (2) Subject to subsections (3) and (4) below, it shall be the duty of the Authority to establish and maintain arrangements under which every person is entitled, in such cases, on payment to the Authority of such fee and subject to such other conditions as the Authority may consider appropriate—
- (a) to be furnished with any information to which this section applies;
  - (b) to have the contents of so much of the records maintained by the Authority as contains any information to which this section applies made available to

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*Changes to legislation: There are currently no known outstanding effects for the Coal Industry Act 1994, Section 57. (See end of Document for details)*

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- him, at such office of the Authority as it may determine, for inspection at such times as may be reasonable; and
- (c) to make or be supplied with copies of, or of extracts from, so much of the records maintained by the Authority as contains any information to which this section applies.
- (3) Subject to subsection (5) below, nothing in this section shall require or authorise the disclosure by the Authority of any information which—
- (a) relates to the affairs of an individual or specifically to the affairs of any body of persons (whether corporate or unincorporate), including the Authority itself, and
- (b) is not contained in a register maintained under section 35 or 56 above, if the disclosure of that information would or might, in the opinion of the Authority, seriously and prejudicially affect the interests of that individual or, as the case may be, of that body.
- (4) Subject to subsection (5) below, nothing in this section shall require or authorise the disclosure by the Authority, without the consent of the person to whom the Authority owes the obligation of confidence, of any information which—
- (a) has been furnished to the Authority—
- (i) in pursuance of the provisions of a licence under Part II of this Act;
- (ii) in pursuance of any provisions of an agreement entered into in connection with, or with any proposals for, the carrying on of any activities in the course of any exploration for coal or of any activities for which a licence under [F1 section 3 of the Petroleum Act 1998] is required; or
- (iii) for the purposes of any application to the Authority for the grant of a licence under Part II of this Act, for the making of such an agreement or for the transfer or creation of any interests or rights in or in relation to any land;
- and
- (b) under the provisions of the licence under Part II of this Act, of that agreement or of any undertaking given by the Authority to the applicant for the purposes of that application, is to be treated as subject to an obligation of confidence owed by the Authority to any other person.
- (5) The information that is to be excluded by virtue of subsections (3) and (4) above from the information which is to be made available to any person in pursuance of arrangements under this section shall not include any information of a description that appears to the Authority to comprise information relating to matters which are or may be relevant to the safety of members of the public or of any particular individual or individuals other than the person whose consent is required for its disclosure.
- (6) For the purposes of this section it shall be the duty of the Authority to maintain such records as it considers appropriate of any information which comes into its possession and is information to which this section applies.
- (7) The power to make regulations for the purposes of this section shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.
- (8) In this section “records” includes registers, maps, plans and accounts, as well as computer records and other records kept otherwise than in documentary form.

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**Changes to legislation:** There are currently no known outstanding effects for the Coal Industry Act 1994, Section 57. (See end of Document for details)

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#### **Textual Amendments**

- F1** Words in s. 57(4)(a)(ii) substituted (15.2.1999) by 1998 c. 17, ss. 50, 52(4), **Sch. 4 para. 38(4)**; S.I. 1999/161, **art. 2(1)**

**Changes to legislation:**

There are currently no known outstanding effects for the Coal Industry Act 1994, Section 57.