
Changes to legislation: There are currently no known outstanding effects for the Opencast Coal Act 1958, Paragraph 5. (See end of Document for details)

SCHEDULES

EIGHTH SCHEDULE

TENANCIES OF ALLOTMENT GARDENS AND OTHER ALLOTMENTS

- 5 (1) Where in consequence of the confirmation of a compulsory rights order the tenant under an allotment tenancy incurs a loss in respect of a forced sale of any trees, bushes, structures, improvements or other property which, in pursuance of section four or section five of the Act of 1922, or of subsection (4) of section forty-seven of the Act of 1908, he has removed from the land which was comprised in the tenancy, he shall, subject to the following provisions of this paragraph, be entitled to compensation ^{F1} . . . of an amount equal to that loss.
- [^{F2}(1A) Compensation under this paragraph shall be payable by the person by whom it would be payable if it were compensation under section 27 of this Act.]
- (2) Subsection (3) of section twenty-seven of this Act shall apply for the purposes of this paragraph as it applies for the purposes of that section.
- (3) The preceding provisions of this paragraph shall have effect without prejudice to any right to compensation under the said section twenty-seven as applied by section twenty-nine of this Act; but compensation shall not be payable under this paragraph in respect of a forced sale if compensation is payable in respect thereof under the said section twenty-seven as so applied.

Textual Amendments

- F1** Words in Sch. 8 para. 5 repealed (31.10.1994) by 1994 c. 21, ss. 52, 67, Sch. 8 para. 43(3), **Sch. 11 Pt. II** (with s. 40(7)); S.I. 1994/2553, **art. 2**
- F2** Sch. 8 para. 5(1A) inserted (31.10.1994) by 1994 c. 21, s. 52, **Sch. 8 para. 43(3)** (with s. 40(7)); S.I. 1994/2553, **art. 2**

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