

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Opencast Coal Act 1958, Cross Heading: Terminal compensation in respect of agricultural land qualifying for compensation under s. 26. (See end of Document for details)

SCHEDULES

SIXTH SCHEDULE

APPLICATION OF COMPENSATION PROVISIONS TO SPECIAL CASES

Terminal compensation in respect of agricultural land qualifying for compensation under s. 26

- 16 (1) The provisions of this paragraph shall have effect where compensation under section twenty-six of this Act is payable in respect of any improvements or other matters, and the land in relation to which that compensation is payable constitutes or forms part of a holding to which section twenty-one of this Act applies.
- (2) Section twenty-two of this Act shall apply in relation to that holding as if any reference in that section to the condition in which the land was immediately before the date of entry (in so far as any such reference is applicable to the land referred to in the preceding sub-paragraph) were a reference to the condition in which that land would have been, immediately before the date of entry, if those improvements or other matters had not been carried out, or had not applied to that land, as the case may be.
- (3) Section twenty-three of this Act shall apply in relation to the holding as if, for the value mentioned in paragraph (c) of subsection (2) of that section, there were substituted the value which, at the end of the period of occupation, a freehold interest in the holding would have if—
- (a) those improvements or other matters had not been carried out, or had not applied to the land in question, as the case may be, but
 - (b) in all other respects the entirety of the holding were in the state in which it was immediately before the date of entry.
- (4) Subsection (4) of section twenty-three of this Act shall apply for the purpose of computing value as mentioned in the last preceding sub-paragraph as it applies for the purpose of computing the values referred to in that subsection.

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