



Opencast Coal Act 1958

1958 CHAPTER 69 6 and 7 Eliz 2

PART I

AUTHORISATION OF, AND FACILITIES FOR, OPENCAST WORKING OF COAL

8 Limited compulsory rights orders.

- (1) A compulsory rights order . . . ^{F1} may provide that its operation shall be limited so as to extend only to such one or more interests or rights (being interests or rights of a description mentioned in the next following subsection) as may be specified in the order.
- (2) Any interest or right specified in an order made in accordance with the preceding subsection shall be of one of the following descriptions, that is to say,—
 - (a) an easement or similar right in respect of the whole or part of the land comprised in the order;
 - (b) a right restrictive of the use of the whole or part of that land;
 - (c) the interest or rights created or conferred by a mining lease or order conferring working rights in respect of minerals in or under that land or part thereof.
- (3) In relation to a compulsory rights order which provides that its operation shall be limited as mentioned in subsection (1) of this section,—
 - (a) “persons directly concerned” in this Act means persons who for the time being are entitled to any interest or right specified in the order, and does not include any other person;
 - (b) subsection (4) of section five of this Act, . . . ^{F1} shall have effect as if for the words from “confer upon [^{F2}the person entitled to the rights conferred by the order]” to the words “exclude other persons therefrom” there were substituted the words “as against all persons directly concerned, confer upon [^{F2}the person entitled to the rights conferred by the order], and upon persons authorised by [^{F2}that person], the like right to exclude persons from the land comprised in the order”;

Status: Point in time view as at 31/10/1994.

Changes to legislation: There are currently no known outstanding effects for the Opencast Coal Act 1958, Section 8. (See end of Document for details)

- (c) paragraph (b) of subsection (4) of the last preceding section shall have effect as if for the words “interest in, or right over, land not comprised in the order” there were substituted the words “interest or right not specified in the order”.

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Textual Amendments

- F1** Words repealed by [Coal Industry Act 1975 \(c. 56\)](#), s. 5(3), [Sch. 5](#)
F2 Words in [s. 8\(3\)\(b\)](#) substituted (31.10.1994) by [1994 c. 21](#), s. 52, [Sch. 8 para. 5\(a\)](#) (with [s. 40\(7\)](#)); [S.I. 1994/2553](#), [art. 2](#)

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