
STATUTORY INSTRUMENTS

1994 No. 3081

COAL INDUSTRY

**The Coal Industry Act 1994 (Consequential
Modifications of Local Acts) Order 1994**

<i>Made</i>	- - - -	<i>3rd December 1994</i>
<i>Laid before Parliament</i>		<i>5th December 1994</i>
<i>Coming into force</i>	- -	<i>27th December 1994</i>

The Secretary of State, in exercise of the powers conferred on him by section 67(2), (3) and (4) of the Coal Industry Act 1994⁽¹⁾, and of all other powers enabling him in that behalf, hereby makes the following Order:—

Citation and commencement

1. This Order may be cited as the Coal Industry Act 1994 (Consequential Modifications of Local Acts) Order 1994 and shall come into operation on 27th December 1994.

Modifications of local statutory provisions

2.—(1) The local Acts mentioned in columns 1 and 2 of Schedule 1 are hereby modified to the extent specified in column 3 of Schedule 1.

(2) The modifications referred to in paragraph (1) shall be treated as if they had come into force on 31st October 1994.

3.—(1) Subject to articles 4 to 7 below, the local Acts mentioned in columns 1 and 2 of Schedule 2 are hereby modified to the extent specified in column 3 of Schedule 2.

(2) The modifications referred to in paragraph (1) shall come into force on 27th December 1994.

Transitional and Supplemental provisions

4.—(1) This article applies to the Cumberland River Authority Act 1971⁽²⁾.

(2) The modifications made to section 34 by this Order shall not apply in any case where the British Coal Corporation has objected to the carrying out of boring or other works in accordance with section 34(2).

(1) 1994 c. 21.
(2) 1971 c.xvi

5.—(1) This article applies to the following enactments—

- (a) section 48(2) of the Selnec (Manchester Central Area Railway, & c.) Act 1972⁽³⁾;
- (b) section 49(2) of the Tyneside Metropolitan Railway Act 1973⁽⁴⁾;
- (c) section 17(2) of the British Railways Act 1976⁽⁵⁾; and
- (d) section 30(2) of the British Railways (No. 2) Act 1981⁽⁶⁾.

(2) Any notice which has been given to the British Coal Corporation in accordance with the enactments to which this article applies within seven days of the date on which the amendments made to those enactments by this Order come into force shall be treated as having been given to the Coal Authority or, in relation to coal vested (whether by way of a leasehold interest or otherwise) in a licensed operator, to that operator.

6.—(1) This article applies to the British Railways Act 1981⁽⁷⁾.

(2) The modifications made by this Order shall not apply in any case where the British Coal Corporation has served a notice of objection in accordance with section 73(1)(c)(ii).

7.—(1) This article applies to section 42 of the Essex River and South Essex Water Act 1969⁽⁸⁾ and section 12 of the Essex River Authority Act 1972⁽⁹⁾.

(2) The modifications made by this Order shall have effect in relation to the enactments to which this article applies only in so far as those enactments have effect in accordance with section 42 of, and Schedule 8 to, the Anglian Water Authority Act 1977⁽¹⁰⁾.

3rd December 1994

Tim Eggar
Minister for Industry and Energy,
Department of Trade and Industry

(3) 1972 c.xliv.
(4) 1973 c.xxxii.
(5) 1976 c.xxv.
(6) 1981 c.xxxv.
(7) 1981 c.xxiii.
(8) 1969 c.xlix.
(9) 1972 c.xxxix.
(10) 1977 c.i.

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SCHEDULE 1

MODIFICATIONS TO BE TREATED AS IF THEY
HAD COME INTO FORCE ON 31ST OCTOBER 1994

<i>(1)</i> <i>Title</i>	<i>(2)</i> <i>Number</i>	<i>(3)</i> <i>Extent of modification(s)</i>
Cornwall River Authority Act 1972	1972 c.xxviii	In section 6(11), after the reference to the British Coal Corporation ⁽¹¹⁾ there shall be added the words “, the Coal Authority or any licensed operator (within the meaning of the Coal Industry Act 1994)” ⁽¹²⁾ .
Dee and Clwyd River Authority Act 1973	1973 c.xxix	In section 6(11)(b), after the reference to the British Coal Corporation ⁽¹³⁾ there shall be inserted the words “, the Coal Authority or any licensed operator (within the meaning of the Coal Industry Act 1994)”.
Greater Manchester Act 1981	1981 c.ix	In the proviso to section 43(1), after the words “Coal–Mining (Subsidence) Act 1957” there shall be inserted the words “or a notice served under section 16 of the Coal Mining Subsidence Act 1991” ⁽¹⁴⁾ ; and for the words after “other than” there shall be substituted the following words— <ul style="list-style-type: none"> “(a) in relation to a notice served under the said section 3, emergency works (as defined in section 1(5) of that Act of 1957) or other works specified in that notice; or (b) in relation to a notice served under the said section 16,

⁽¹¹⁾ The reference to the British Coal Corporation was substituted by section 1(3) of the Coal Industry Act 1987 c. 3.

⁽¹²⁾ 1994 c. 21. See section 65(1).

⁽¹³⁾ The reference to the British Coal Corporation was substituted by section 1(3) of the Coal Industry Act 1987 c. 3.

⁽¹⁴⁾ 1991 c. 45.

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<i>(1)</i> <i>Title</i>	<i>(2)</i> <i>Number</i>	<i>(3)</i> <i>Extent of modification(s)</i>
Nottinghamshire County Council Act 1985	1985 c.xv	<p>emergency works (as defined in section 12(1) of that Act of 1991) or other works specified in that notice.”.</p> <p>In section 5(4), after the words “Coal–Mining (Subsidence) Act 1957” there shall be inserted the words “or a notice served under section 16 of the Coal Mining Subsidence Act 1991”(15); and for the words after “unless” there shall be substituted the following words—</p> <p>“(a) in relation to a notice served under the said section 3, the works are specified in that notice or are emergency works within the meaning of section 1(5) of that Act of 1957; or</p> <p>(b) in relation to a notice served under the said section 16, the works are specified in that notice or are emergency works within the meaning of section 12(1) of that Act of 1991.”.</p>
Mid Glamorgan County Council Act 1987	1987 c.vii	<p>In section 19(4), in paragraph (a), after the words “Coal–Mining (Subsidence) Act 1957” there shall be inserted the words “or a notice served under section 16 of the Coal Mining Subsidence Act 1991”; and for the words after “unless” there shall be</p>

(15) 1991 c. 45.

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<i>(1)</i> <i>Title</i>	<i>(2)</i> <i>Number</i>	<i>(3)</i> <i>Extent of modification(s)</i>
		<p>substituted the following words—</p> <p>“(a) in relation to a notice served under the said section 3, the works are specified in that notice or are emergency works within the meaning of section 1(5) of that Act of 1957; or</p> <p>(b) in relation to a notice served under the said section 16, the works are specified in that notice or are emergency works within the meaning of section 12(1) of that Act of 1991.”;</p> <p>in paragraph (b)(i), for the words after the first reference to the British Coal Corporation⁽¹⁶⁾ there shall be substituted the words “or a responsible person (within the meaning of the Coal Industry Act 1994) in respect of coal mining subsidence damage (such claim being made otherwise than under the Coal–Mining (Subsidence) Act 1957 or the Coal Mining Subsidence Act 1991), liability for which has been admitted;”⁽¹⁷⁾;</p> <p>in paragraph (b)(ii), after the reference to the British Coal Corporation⁽¹⁸⁾ there shall be added the words “, the Coal Authority or a licensed operator (within the meaning</p>

⁽¹⁶⁾ The reference to the British Coal Corporation was substituted by section 1(3) of the Coal Industry Act 1987 c. 3.

⁽¹⁷⁾ See 1957 c. 59; 1991 c. 45 and sections 43 and 44 of 1994 c. 21.

⁽¹⁸⁾ The reference to the British Coal Corporation was substituted by section 1(3) of the Coal Industry Act 1987 c. 3.

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<i>(1)</i> <i>Title</i>	<i>(2)</i> <i>Number</i>	<i>(3)</i> <i>Extent of modification(s)</i>
West Glamorgan Act 1987	1987 c.viii	<p>of the Coal Industry Act 1994”(19); and</p> <p>in the words at the end of subsection (4), after the reference to the British Coal Corporation(20) there shall be added the words “, the Coal Authority or the aforesaid responsible person or licensed operator as appropriate”.</p> <p>In section 27(4), after the words “Coal–Mining (Subsidence) Act 1957” there shall be inserted the words “or a notice served under section 16 of the Coal Mining Subsidence Act 1991”(21); and for the words after “unless” there shall be substituted the following words—</p> <p>“(a) in relation to a notice served under the said section 3, the works are specified in that notice or are emergency works within the meaning of section 1(5) of that Act of 1957; or</p> <p>(b) in relation to a notice served under the said section 16, the works are specified in that notice or are emergency works within the meaning of section 12(1) of that Act of 1991.”.</p>

(19) [1994 c. 21](#). See section 65(1).

(20) The reference to the British Coal Corporation was substituted by section 1(3) of the Coal Industry Act [1987 c. 3](#).

(21) [1991 c. 45](#).

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SCHEDULE 2

MODIFICATIONS COMING INTO FORCE ON 27TH DECEMBER 1994

<i>(1)</i> <i>Title</i>	<i>(2)</i> <i>Number</i>	<i>(3)</i> <i>Extent of modification(s)</i>
British Transport Commission Order Confirmation Act 1953	1953 c.xx	<p>In section 17 of the Order contained in the Schedule to the Act, in the words preceding subsection (1), before the words “the following provisions” there shall be inserted the words “and the other persons referred to in subsections (1)(b), (3), (4) and (5) below”; and there shall be inserted before the word “apply” the words “or, as appropriate, such other persons”;</p> <p>in subsection (1)(b), for the reference to the British Coal Corporation⁽²²⁾ there shall be substituted the words “the responsible person (within the meaning of the Coal Industry Act 1994)”⁽²³⁾;</p> <p>in subsection (3), for the reference to the British Coal Corporation⁽²²⁾ there shall be substituted the words “A licensed operator (within the meaning of the Coal Industry Act 1994)”⁽²⁴⁾;</p> <p>in subsection (4), for the reference to the British Coal Corporation⁽²⁵⁾ there shall be substituted the words “the person in whom the liabilities under that agreement are for the time being vested”;</p> <p>in subsection (5), for the first reference to the British Coal</p>

⁽²²⁾ The reference to the British Coal Corporation was substituted by section 1(3) of the Coal Industry Act 1987 c. 3.

⁽²³⁾ 1994 c. 21. See sections 43 and 44.

⁽²⁴⁾ The reference to the British Coal Corporation was substituted by section 1(3) of the Coal Industry Act 1987 c. 3.

⁽²⁵⁾ See section 65(1).

⁽²⁶⁾ The reference to the British Coal Corporation was substituted by section 1(3) of the Coal Industry Act 1987 c. 3.

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<i>(1)</i> <i>Title</i>	<i>(2)</i> <i>Number</i>	<i>(3)</i> <i>Extent of modification(s)</i>
British Transport Commission Act 1959	1959 c.xliv	<p>Corporation⁽²⁵⁾, there shall be substituted the words “the Coal Authority or the licensed operator (within the meaning of the Coal Industry Act 1994) as appropriate”⁽²⁶⁾; and for the second such reference, there shall be substituted the words “the Coal Authority or that operator”; and</p> <p>in subsection (9), after the reference to the British Coal Corporation⁽²⁵⁾ there shall be inserted the words “, the Coal Authority or a licensed operator (within the meaning of the Coal Industry Act 1994)”⁽²⁶⁾ .</p> <p>In section 70, in the words preceding subsection (1), for the words between “protection of” and “the following provisions” there shall be substituted the words “the Coal Authority and the licensed operator (within the meaning of the Coal Industry Act 1994) in question”⁽²⁶⁾; and for the words “the board apply” there shall be substituted the words “the British Coal Corporation (in this section referred to as “the board”), the Coal Authority or that operator”;</p> <p>in subsection (2)(a), after the words “the board” there shall be inserted the words “, the Coal Authority or any licensed operator (within the meaning of the Coal Industry Act 1994)”⁽²⁷⁾;</p>

⁽²⁵⁾ The reference to the British Coal Corporation was substituted by section 1(3) of the Coal Industry Act 1987 c. 3.

⁽²⁶⁾ 1994 c. 21. See section 65(1).

⁽²⁵⁾ The reference to the British Coal Corporation was substituted by section 1(3) of the Coal Industry Act 1987 c. 3.

⁽²⁶⁾ 1994 c. 21. See section 65(1).

⁽²⁶⁾ 1994 c. 21. See section 65(1).

⁽²⁷⁾ 1994 c. 21. See section 65(1).

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<i>(1)</i> <i>Title</i>	<i>(2)</i> <i>Number</i>	<i>(3)</i> <i>Extent of modification(s)</i>
		<p>in subsection (2)(b), for the first reference to the British Coal Corporation(28) there shall be substituted the words “the Coal Authority or the licensed operator (within the meaning of the Coal Industry Act 1994) in question”(27); and before the words “or in default” there shall be inserted the words “, the Coal Authority or that operator”;</p> <p>in subsection (2)(c), for the first and third references to the British Coal Corporation(30) there shall be substituted the words “the Coal Authority or the licensed operator (within the meaning of the Coal Industry Act 1994) in question, as appropriate”; and before the words “or in default” there shall be inserted the words “, the Coal Authority or the licensed operator in question”;</p> <p>subsections (3) to (7) shall be omitted; and</p> <p>in subsection (8), for the reference to the British Coal Corporation(28) there shall be substituted the words “the Coal Authority or the licensed operator (within the meaning of the Coal Industry Act 1994) in question”(29) .</p>
Essex River and South Essex Water Act 1969	1969 c.xlix	<p>In section 42(1), for the first two references to the British Coal Corporation(30) there shall be substituted the words “the Coal Authority or any licensed operator (within the</p>

(28) The reference to the British Coal Corporation was substituted by section 1(3) of the Coal Industry Act 1987 c. 3.

(27) 1994 c. 21. See section 65(1).

(30) The references to the British Coal Corporation were substituted by section 1(3) of the Coal Industry Act 1987 c. 3.

(28) The reference to the British Coal Corporation was substituted by section 1(3) of the Coal Industry Act 1987 c. 3.

(29) 1994 c. 21. See section 65(1).

(30) The references to the British Coal Corporation were substituted by section 1(3) of the Coal Industry Act 1987 c. 3.

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<i>(1)</i> <i>Title</i>	<i>(2)</i> <i>Number</i>	<i>(3)</i> <i>Extent of modification(s)</i>
Forth Ports Authority Order Confirmation Act 1969	1969 c.xxxiv	<p>meaning of the Coal Industry Act 1994”); and for the third and fourth such references there shall be substituted the words “the Coal Authority or such licensed operator, as appropriate”.</p> <p>In section 93 of the Order contained in the Schedule to the Act,</p> <p>in the words before subsection (1), for the first reference to the British Coal Corporation(31) there shall be substituted the words “the Coal Authority and the licensed operator in question”; and after the second such reference there shall be inserted the words “, the Coal Authority or that operator”;</p> <p>in subsection (1), at the appropriate place there shall be inserted the following words— ““licensed operator” has the meaning given by section 65(1) of the Coal Industry Act 1994;”;</p> <p>in subsection (2), for the words “the board shall not” there shall be substituted the words “neither the Coal Authority nor, in so far as he is authorised as a licensed operator to carry out the works in question, that operator, shall”;</p> <p>in subsection (3), for the reference to the British Coal Corporation(32) there shall be substituted the words “the Coal Authority or the</p>

(31) The reference to the British Coal Corporation was substituted by section 1(3) of the Coal Industry Act 1987 c. 3.

(32) The reference to the British Coal Corporation was substituted by section 1(3) of the Coal Industry Act 1987 c. 3.

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<i>(1)</i> <i>Title</i>	<i>(2)</i> <i>Number</i>	<i>(3)</i> <i>Extent of modification(s)</i>
		<p>licensed operator referred to in subsection (2)”;</p> <p>in subsection (4), for the first and second references to the British Coal Corporation(33) there shall be substituted the words “the Coal Authority”; for the third such reference there shall be substituted the words “the Coal Authority or a licensed operator”; and for the remaining such references there shall be substituted the words “the Coal Authority or that operator as appropriate”;</p> <p>in subsection (5)(a), for the references to the British Coal Corporation(33) there shall be substituted the words “the Coal Authority or a licensed operator”; and</p> <p>in subsection (6), for the reference(32) to the British Coal Corporation there shall be substituted the words “the Coal Authority or a licensed operator”.</p>
Trent and Lincolnshire Water Act 1971	1971 c.xiii	<p>In section 56, in subsection 4(a), for the first reference to the British Coal Corporation(34) there shall be substituted the words “the Coal Authority or, as the case may be, a licensed operator (within the meaning of the Coal Industry Act 1994)”(35); for the second such reference there shall be substituted the words “the Coal Authority or that operator”; and between the words “as” and “defined” there</p>

(33) The references to the British Coal Corporation were substituted by section 1(3) of the Coal Industry Act 1987 c. 3.
(33) The references to the British Coal Corporation were substituted by section 1(3) of the Coal Industry Act 1987 c. 3.
(32) The reference to the British Coal Corporation was substituted by section 1(3) of the Coal Industry Act 1987 c. 3.
(34) The reference to the British Coal Corporation was substituted by section 1(3) of the Coal Industry Act 1987 c. 3.
(35) 1994 c. 21. See section 65(1).

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<i>(1)</i> <i>Title</i>	<i>(2)</i> <i>Number</i>	<i>(3)</i> <i>Extent of modification(s)</i>
Cumberland River Authority Act 1971	1971 c.xvi	<p>shall be inserted the words “that term was”; and</p> <p>in subsection 4(b), after the words “Mines and Quarries Act, 1954)” there shall be added the words “or, in the case of a tip which is owned by the Coal Authority, that Authority”.</p> <p>In section 34, for the first reference⁽³⁴⁾ to the British Coal Corporation there shall be substituted the words “the Coal Authority or, as appropriate, a licensed operator (within the meaning of the Coal Industry Act 1994)”⁽³⁵⁾; for the second such reference there shall be substituted the words “The Coal Authority or such a licensed operator as is referred to in the last preceding subsection”; and for the third such reference there shall be substituted the words “the Coal Authority or to such a licensed operator as is referred to in subsection (1)”; and</p> <p>in the proviso to section 36(1)</p> <p>—</p> <p>in paragraph (a), for the first reference to the British Coal Corporation⁽³⁶⁾ there shall be substituted the words “the Coal Authority or, as the case may be, a licensed operator (within the meaning of the Coal Industry Act 1994)”⁽³⁷⁾; for the second such reference there shall be substituted the words</p>

⁽³⁴⁾ The reference to the British Coal Corporation was substituted by section 1(3) of the Coal Industry Act 1987 c. 3.

⁽³⁵⁾ 1994 c. 21. See section 65(1).

⁽³⁶⁾ The reference to the British Coal Corporation was substituted by section 1(3) of the Coal Industry Act 1987 c. 3.

⁽³⁷⁾ 1994 c. 21. See section 65(1).

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(1) Title	(2) Number	(3) Extent of modification(s)
Essex River Authority Act 1972	1972 c.xxxix	<p>“the Coal Authority or that operator”; and between the words “as” and “defined” there shall be inserted the words “that term was”; and in paragraph (b), after the words “Mines and Quarries Act, 1954” there shall be inserted the words “or, in the case of a tip which is owned by the Coal Authority, that Authority”.</p> <p>In paragraph (viii) of the proviso to section 12(1), for the reference to the British Coal Corporation⁽³⁶⁾ there shall be substituted the words “the Coal Authority or any licensed operator (within the meaning of the Coal Industry Act 1994)”; between the words “as” and “respectively” there shall be inserted the words “such terms were”; and for the words “any mine of coal (as defined in the said Act of 1946)” there shall be substituted the words “any coal mine (within the meaning of the said Act of 1994)”⁽³⁷⁾.</p>
Selneç (Manchester Central Area Railway, & c.) Act 1972	1972 c.xliv	<p>In section 48, in the words preceding subsection (1), for the first reference to the British Coal Corporation⁽³⁸⁾ there shall be substituted the words “the Coal Authority and the licensed operator in question”; and after the second such reference there shall be inserted the words “, the Coal Authority or that operator”;</p>

⁽³⁶⁾ The reference to the British Coal Corporation was substituted by section 1(3) of the Coal Industry Act 1987 c. 3.

⁽³⁷⁾ 1994 c. 21. See section 65(1).

⁽³⁸⁾ The reference to the British Coal Corporation was substituted by section 1(3) of the Coal Industry Act 1987 c. 3.

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<i>(1)</i> <i>Title</i>	<i>(2)</i> <i>Number</i>	<i>(3)</i> <i>Extent of modification(s)</i>
Thames Conservancy Act 1972 1972 c.xlvi		<p>in subsection (1), there shall be inserted at the appropriate place the words</p> <p>““licensed operator” has the meaning given to it by section 65(1) of the Coal Industry Act 1994;”(39); and in the definition of “coal”, for the words after “section” there shall be substituted the words “65 of the Coal Industry Act 1994”;</p> <p>subsection (2) shall have effect as if there were substituted, for references to the British Coal Corporation(40), references to the Coal Authority or, in relation to coal vested (whether by way of a leasehold interest or otherwise) in a licensed operator, that operator;</p> <p>in subsection (3), for the reference to the British Coal Corporation(38) there shall be substituted the words “the Coal Authority or, in relation to shafts and outlets vested (whether by way of a leasehold interest or otherwise) in a licensed operator, that operator”; and</p> <p>in subsection (4), for the words before “, or otherwise” there shall be substituted the words “Neither the Coal Authority, the British Coal Corporation nor any licensed operator shall be liable under the Coal Mining Subsidence Act 1991”(41) .</p> <p>In the proviso to section 14(1), in paragraph (a), for the first</p>

(39) [1994 c. 21](#).

(40) The references to the British Coal Corporation were substituted by section 1(3) of the Coal Industry Act [1987 c. 3](#).

(38) The reference to the British Coal Corporation was substituted by section 1(3) of the Coal Industry Act [1987 c. 3](#).

(41) [1991 c. 45](#).

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<i>(1)</i> <i>Title</i>	<i>(2)</i> <i>Number</i>	<i>(3)</i> <i>Extent of modification(s)</i>
		<p>reference to the British Coal Corporation⁽⁴²⁾ there shall be substituted the words “the Coal Authority or, as the case may be, a licensed operator (within the meaning of the Coal Industry Act 1994)⁽⁴³⁾”; for the second such reference there shall be substituted the words “the Coal Authority or that operator”; and between the words “as” and “defined” there shall be inserted the words “that term was”; and</p> <p>in paragraph (b), after the words “Mines and Quarries Act 1954” there shall be added the words “or, in the case of a tip which is owned by the Coal Authority, that Authority”.</p>
Trent River Authority Act 1973	1973 c.xxxi	<p>In paragraph (iv) of the proviso to section 26(1), for the reference to the British Coal Corporation⁽⁴⁴⁾ there shall be substituted the words “the Coal Authority or any licensed operator (within the meaning of the Coal Industry Act 1994)⁽⁴⁵⁾”; between the words “as” and “respectively” there shall be inserted the words “such terms were”; and for the words “any mine of coal (as defined in the said Act of 1946)” there shall be substituted the words “any coal mine (within the meaning of the said Act of 1994)⁽⁴⁵⁾”.</p>
Tyneside Metropolitan Railway Act 1973	1973 c.xxxii	<p>In section 49, in the words preceding subsection (1), for the first reference to the British Coal Corporation⁽⁴⁴⁾</p>

⁽⁴²⁾ The reference to the British Coal Corporation was substituted by section 1(3) of the Coal Industry Act 1987 c. 3.

⁽⁴³⁾ 1994 c. 21. See section 65(1).

⁽⁴⁴⁾ The reference to the British Coal Corporation was substituted by section 1(3) of the Coal Industry Act 1987 c. 3.

⁽⁴⁵⁾ 1994 c. 21. See section 65(1).

⁽⁴⁵⁾ 1994 c. 21. See section 65(1).

⁽⁴⁴⁾ The reference to the British Coal Corporation was substituted by section 1(3) of the Coal Industry Act 1987 c. 3.

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(1) Title	(2) Number	(3) Extent of modification(s)
		<p>there shall be substituted the words “the Coal Authority and the licensed operator in question”; and after the second such reference there shall be inserted the words “, the Coal Authority or that operator”;</p> <p>in subsection (1), there shall be inserted at the appropriate place the words ““licensed operator” has the meaning given to it by section 65(1) of the Coal Industry Act 1994;”(46); and in the definition of “coal”, for the words after “section” there shall be substituted the words “65(1) of the Coal Industry Act 1994;”;</p> <p>subsection (2) shall have effect as if for references to the British Coal Corporation(47) there were substituted references to the Coal Authority or, in relation to coal vested (whether by way of a leasehold interest or otherwise) in a licensed operator, that operator;</p> <p>in subsection (3), for the reference to the British Coal Corporation(48) there shall be substituted the words “the Coal Authority or, in relation to shafts and outlets vested (whether by way of a leasehold interest or otherwise) in a licensed operator, that operator”;</p> <p>in subsection (5)(c), for the reference to the British Coal</p>

(46) 1994 c. 21.

(47) The references to the British Coal Corporation were substituted by section 1(3) of the Coal Industry Act 1987 c. 3.

(48) The reference to the British Coal Corporation was substituted by section 1(3) of the Coal Industry Act 1987 c. 3.

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<i>(1)</i> <i>Title</i>	<i>(2)</i> <i>Number</i>	<i>(3)</i> <i>Extent of modification(s)</i>
		<p>Corporation(48) there shall be substituted references to the Coal Authority or, in relation to surface property of a licensed operator, that operator;</p> <p>in subsection (5)(g), for the first reference to the British Coal Corporation(48) there shall be substituted the words “the Coal Authority and any licensed operator, as appropriate,”; and for the second such reference there shall be substituted the words “the Coal Authority or that operator”;</p> <p>in subsection (6), for the words before “or otherwise” there shall be substituted the words “Neither the Coal Authority, the British Coal Corporation nor any licensed operator shall be liable under the Coal Mining Subsidence Act 1991”(49);</p> <p>in subsection (7), for the words before “be liable” there shall be substituted the words “Neither the Coal Authority nor any licensed operator shall”; for the second and fourth references to the British Coal Corporation(50) there shall be substituted the word “them”; and for the third such reference there shall be substituted the words “the Coal Authority and any licensed operator, as appropriate,”; and</p> <p>subsections (8) to (11) shall have effect as if, for the</p>

(48) The reference to the British Coal Corporation was substituted by section 1(3) of the Coal Industry Act 1987 c. 3.

(48) The reference to the British Coal Corporation was substituted by section 1(3) of the Coal Industry Act 1987 c. 3.

(49) 1991 c. 45.

(50) The references to the British Coal Corporation were substituted by section 1(3) of the Coal Industry Act 1987 c. 3.

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<i>(1)</i> <i>Title</i>	<i>(2)</i> <i>Number</i>	<i>(3)</i> <i>Extent of modification(s)</i>
British Railways Act 1976	1976 c.xxv	<p>references to the British Coal Corporation(50), there were substituted references to the Coal Authority or any licensed operator.</p> <p>In section 17, in the words preceding subsection (1), for the first reference to the British Coal Corporation(51) there shall be substituted the words “the Coal Authority and the licensed operator in question”; and after the second such reference there shall be inserted the words “, the Coal Authority or that operator”;</p> <p>in subsection (1), in the definition of “coal”, for the words after “section” there shall be substituted the words “65(1) of the Coal Industry Act 1994;”(52); and there shall be inserted at the appropriate place the words ““licensed operator” has the meaning given to it by section 65(1) of the Coal Industry Act 1994;”;</p> <p>subsection (2) shall have effect as if there were substituted, for references to the British Coal Corporation,(53) references to the Coal Authority or, in relation to coal vested (whether by way of a leasehold interest or otherwise) in a licensed operator, that operator;</p> <p>in subsection (3), for the reference to the British Coal Corporation(54) there shall be substituted the words</p>

(50) The references to the British Coal Corporation were substituted by section 1(3) of the Coal Industry Act 1987 c. 3.

(51) The reference to the British Coal Corporation was substituted by section 1(3) of the Coal Industry Act 1987 c. 3.

(52) 1994 c. 21.

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(1) Title	(2) Number	(3) Extent of modification(s)
British Railways Act 1981	1981 c.xxiii	<p>“the Coal Authority or, in relation to shafts and outlets vested (whether by way of a leasehold interest or otherwise) in a licensed operator, that operator”; and</p> <p>in subsection (4), for the words before “or otherwise” there shall be substituted the words “Neither the Coal Authority, the British Coal Corporation nor any licensed operator shall be liable under the Coal Mining Subsidence Act 1991”(55) .</p> <p>In section 70(1), in the definitions of “the appropriate Minister” and “relevant undertakers”, the references to the British Coal Corporation(56) shall be omitted.</p>
British Railways (No. 2) Act 1981	1981 c.xxxv	<p>In section 30, in the words preceding subsection (1), for the first reference to the British Coal Corporation(57), there shall be substituted the words “the Coal Authority and the licensed operator in question”; and after the second such reference there shall be inserted the words “, the Coal Authority or that operator”;</p> <p>in subsection (1), in the definition of “coal”, for the words after “section” there shall be substituted the words “65(1) of the Coal Industry Act 1994;”(58); and there shall be inserted at the appropriate place the words ““licensed operator” has the meaning given to</p>

(55) 1991 c. 45.

(56) The references to the British Coal Corporation were substituted by section 1(3) of the Coal Industry Act 1987 c. 3.

(57) The reference to the British Coal Corporation was substituted by section 1(3) of the Coal Industry Act 1987 c. 3.

(58) 1994 c. 21.

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<i>(1)</i> <i>Title</i>	<i>(2)</i> <i>Number</i>	<i>(3)</i> <i>Extent of modification(s)</i>
Staffordshire Act 1983	1983 c.xviii	<p>it by section 65(1) of the Coal Industry Act 1994;”;</p> <p>subsection (2) shall have effect as if there were substituted, for references to the British Coal Corporation(56), references to the Coal Authority or, in relation to coal vested (whether by way of a leasehold interest or otherwise) in a licensed operator, that operator;</p> <p>in subsection (3), for the first and third references to the British Coal Corporation(59) there shall be substituted the words “the Coal Authority or, in relation to shafts and outlets vested (whether by way of a leasehold interest or otherwise) in a licensed operator, that operator”; after the second such reference there shall be inserted the words “, the Coal Authority or, in relation to shafts and outlets vested (whether by way of a leasehold interest or otherwise) in a licensed operator, that operator”; and for the fourth such reference there shall be substituted the words “the Coal Authority or such operator, as appropriate”; and</p> <p>in subsection (4), for the reference to the British Coal Corporation(60) there shall be substituted the words “the Coal Authority or a licensed operator”.</p> <p>In section 46, after the reference to the British Coal Corporation(60) there shall</p>

(56) The references to the British Coal Corporation were substituted by section 1(3) of the Coal Industry Act 1987 c. 3.

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<i>(1)</i> <i>Title</i>	<i>(2)</i> <i>Number</i>	<i>(3)</i> <i>Extent of modification(s)</i>
		be inserted the words “, the Coal Authority or any licensed operator (within the meaning of the Coal Industry Act 1994)”.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes modifications to local Acts in consequence of the enactment of the Coal Industry Act 1994. Articles 2 and 3 amend the local Acts in the manner set out in Schedules 1 and 2, the modifications including the substitution of references to the Coal Authority or licensed operators under the Coal Industry Act 1994 for references to the British Coal Corporation.

In accordance with section 67(4)(c) of the Coal Industry Act 1994, the amendments specified in Schedule 1 are to be treated as if they came into force on 31st October 1994, which by virtue of [S.I. 1994/2553](#) is the “restructuring date” referred to in that section.