SCHEDULES

SCHEDULE 3

Section 4.

AMENDMENTS OF [M1]OPENCAST COAL ACT 1958 CONSEQUENTIAL ON SECTION 4

Marginal Citations

M1 1958 c. 69.

1 In section 4(6) the words "being an opencast site order" shall be omitted.

Modifications etc. (not altering text)

C1 The text of ss. 4(1)(2), 6(1)—(3), 7(4), Sch. 3 paras. 1, 2, 4(1)—(5), 5(1)(2), 6—10, Sch. 5 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

2 In section 5 for the words "an opencast site order", in each place where they occur, there shall be substituted the words "a compulsory rights order".

Modifications etc. (not altering text)

C2 The text of ss. 4(1)(2), 6(1)—(3), 7(4), Sch. 3 paras. 1, 2, 4(1)—(5), 5(1)(2), 6—10, Sch. 5 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

3 . . . . . [F1]

Textual Amendments

F1 Sch. 3 para. 3 repealed by Housing and Planning Act 1986 (c. 63, SIF 86), s. 39(4), **Sch. 12 Pt. II**

4 (1) In section 7, in subsection (1) the words "or in accordance with subsection (3) of section six of this Act" shall be omitted.

(2) In subsection (3) of that section the words "In relation to an opencast site order" shall be omitted.

(3) In subsection (5) of that section the words from "or of" to the end of the subsection shall be omitted.

(4) In subsection (6) of that section the words "or section six of this Act" shall be omitted.

(5) In subsection (7) of that section the words "or in subsection (4) of section six of this Act" shall be omitted.

Modifications etc. (not altering text)

C3 The text of ss. 4(1)(2), 6(1)—(3), 7(4), Sch. 3 paras. 1, 2, 4(1)—(5), 5(1)(2), 6—10, Sch. 5 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

5 (1) In section 8, in subsection (1) the words "(whether it is an opencast site order or a storage site order)" shall be omitted.

(2) In subsection (3)(b) of that section the words "or subsection (2) of section six of this Act, as the case may be" shall be omitted.

Modifications etc. (not altering text)

C4 The text of ss. 4(1)(2), 6(1)—(3), 7(4), Sch. 3 paras. 1, 2, 4(1)—(5), 5(1)(2), 6—10, Sch. 5 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

6 In section 9 for the words "an opencast site order", in each place where they occur, there shall be substituted the words "a compulsory rights order".

Modifications etc. (not altering text)

C5 The text of ss. 4(1)(2), 6(1)—(3), 7(4), Sch. 3 paras. 1, 2, 4(1)—(5), 5(1)(2), 6—10, Sch. 5 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

7 In section 36, in subsection (2) for the words "an opencast site order", in the first place where they occur, there shall be substituted the words "any compulsory rights order" and the words "opencast site", where they occur in the proviso to the subsection, shall be omitted.

Modifications etc. (not altering text)

C6 The text of ss. 4(1)(2), 6(1)—(3), 7(4), Sch. 3 paras. 1, 2, 4(1)—(5), 5(1)(2), 6—10, Sch. 5 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

8 In section 49, for the proviso to subsection (5) there shall be substituted the following proviso:—

> "Provided that where the period specified in the order is less than twenty years, this subsection shall not prevent the variation of the order by the extension of that period, if the period as extended does not exceed twenty years".

Modifications etc. (not altering text)

C7 The text of ss. 4(1)(2), 6(1)—(3), 7(4), Sch. 3 paras. 1, 2, 4(1)—(5), 5(1)(2), 6—10, Sch. 5 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

9 In section 51(1) the definitions of "opencast site order" and "storage site order" shall be omitted and in each of the definitions of "period of occupation" and "persons directly concerned" for the words following "assigned to it" there shall be substituted the words "by section 5 of this Act".

Modifications etc. (not altering text)

C8 The text of ss. 4(1)(2), 6(1)—(3), 7(4), Sch. 3 paras. 1, 2, 4(1)—(5), 5(1)(2), 6—10, Sch. 5 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

[[F2]10 In paragraph 5(1) of Schedule 2, for the words "an opencast site order" there shall be substituted the words "a compulsory rights order".**]**

Textual Amendments

F2 Sch. 3 para. 10 repealed (E.W.) by Acquisition of Land Act 1981 (c. 67, SIF 28:1), s. 34, **Sch. 6 Pt. I**

Modifications etc. (not altering text)

C9 The text of ss. 4(1)(2), 6(1)—(3), 7(4), Sch. 3 paras. 1, 2, 4(1)—(5), 5(1)(2), 6—10, Sch. 5 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

11 . . . . . [F3]

Textual Amendments

F3 Sch. 3 para. 11 repealed by Housing and Planning Act 1986 (c. 63, SIF 86), s. 39(4), **Sch. 12 Pt. II**

Changes to legislation:
There are currently no known outstanding effects for the Coal Industry Act 1975, SCHEDULE 3.