

SCHEDULES

SCHEDULE 2

REGISTRATION OF OLD MINING PERMISSIONS

Application for registration

- 1 (1) Any person who is an owner of any land to which an old mining permission relates, or is entitled to an interest in a mineral to which such a permission relates, may apply to the mineral planning authority for the permission to be registered.
- (2) The application must specify the development which the applicant claims is authorised by the permission, including the land to which the permission relates, and the conditions (if any) to which the permission is subject.
- (3) The application must be served on the mineral planning authority before the end of the period of six months beginning with the day on which this Schedule comes into force.
- (4) On an application under this paragraph, the mineral planning authority must—
- (a) if they are satisfied that (apart from section 22(3) of this Act) the permission authorises development consisting of the winning and working of minerals or involving the depositing of mineral waste, ascertain—
 - (i) the area of land to which the permission relates, and
 - (ii) the conditions (if any) to which the permission is subject,and grant the application, and
 - (b) in any other case, refuse the application.
- (5) Where—
- (a) application has been made under this paragraph, but
 - (b) the mineral planning authority have not given the applicant notice of their determination within the period of three months beginning with the service of notice of the application (or within such extended period as may at any time be agreed upon in writing between the applicant and the authority),
- the application is to be treated for the purposes of section 22 of this Act and this Schedule as having been refused by the authority.