



Coal industry Act 1994

1994 CHAPTER 21

PART II

LICENSING OF COAL-MINING OPERATIONS

Coal-mining operations to be licensed

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- (1) Subject to subsection (3) below, coal-mining operations to which this section applies shall not, at any time on or after the restructuring date, be carried on by any person except under and in accordance with a licence under this Part.
- (2) This section applies to any coal-mining operations in so far as they—
 - (a) consist in the winning, working or getting (with or without other minerals) of any coal, in the treatment of coal in the strata for the purpose of winning any product of coal or in the winning, working or getting of any product of coal resulting from such treatment;
 - (b) are carried on in relation to coal in any part of Great Britain, in relation to coal under the territorial sea adjacent to Great Britain or in relation to coal in any designated area; and
 - (c) are neither carried on exclusively for the purpose of exploring for coal nor confined to the digging or carrying away of coal that it is necessary to dig or carry away in the course of activities carried on for purposes which do not include the getting of coal or any product of coal.
- (3) Subject to the following provisions of this Act and to the provisions of any restructuring scheme, where—
 - (a) a licence under subsection (2) of section 36 of the 1946 Act (licences from the Corporation to work or get coal) is in force immediately before the restructuring date, and
 - (b) that licence authorises the carrying on of any coal-mining operations to which this section applies,

Status: This is the original version (as it was originally enacted).

the authorisation contained in that licence shall have effect on and after that date as an authorisation for the carrying on of those operations without a licence under this Part and, accordingly, so as to prevent the carrying on of any operations under and in accordance with that authorisation from constituting a contravention of subsection (1) above.

- (4) Where any authorisation has effect in accordance with subsection (3) above, it shall so have effect, except to the extent that a restructuring scheme otherwise provides—
- (a) subject to the same conditions and to the same powers of revocation and other provisions for expiry and termination as, immediately before the restructuring date, applied to the licence under section 36(2) of the 1946 Act; but
 - (b) as if the powers of the Corporation under that licence were powers of the Authority.
- (5) In this section “designated area” has the same meaning as in section 8 above.