



# Coal industry Act 1994

## 1994 CHAPTER 21

### PART III

#### RIGHTS AND OBLIGATIONS IN CONNECTION WITH COAL MINING

##### *Registration of rights*

#### **56 Registration of rights**

- (1) The Authority shall establish and maintain a register in which it shall enter particulars of—
- (a) every notice under section 38 above a copy of which is sent to the Authority by the person giving it;
  - (b) every notice published under section 2 of the 1975 Act (notices conferring right for Corporation to withdraw support) a copy of which has been supplied to the Authority by the Corporation;
  - (c) every public notice under paragraph 6(2) of Schedule 2 to the Coal Act 1938 (withdrawal of support) a copy of which has been supplied to the Authority by the Corporation;
  - (d) every notice given by the Authority under section 41 above;
  - (e) every notice given for the purposes of section 49 above a copy of which is sent to the Authority by the person giving it;
  - (f) every notice published under section 3 of the 1975 Act (notices conferring right for the Corporation to work coal in copyhold land) a copy of which has been supplied to the Authority by the Corporation;
  - (g) every notice sent to the Authority under paragraph 9 of Schedule 7 to this Act and so much of any information known to the Authority as—
    - (i) relates to any compensation paid under section 3(4) of the 1975 Act or to any agreement for the purposes of paragraph 8 of Schedule 2 to the 1975 Act, and

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*Status: This is the original version (as it was originally enacted).*

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- (ii) is information which, in the case of any compensation or agreement under or for the purposes of Part I of Schedule 7 to this Act, would fall to be included in such a notice;
  - (h) the following, that is to say—
    - (i) every compulsory rights order under the Opencast Coal Act 1958,
    - (ii) every order under section 15 or 16 of that Act (rights of way, drainage and water supply), and
    - (iii) every designation under section 39 of that Act,
 in so far as it is an order or designation made by the Authority or an order or designation of which a copy has been supplied to the Authority by the Corporation;
  - (i) every confirmation of an order mentioned in paragraph (h)(i) or (ii) above and every notice or other document for the purposes of that Act of 1958 which is, or a copy of which is, sent to the Authority under that Act or a copy of which has been supplied to the Authority by the Corporation; and
  - (j) every agreement entered into with a local planning authority (within the meaning of that Act of 1958) for the purposes of section 15(5) of that Act (agreements as to the restoration of a right of way).
- (2) Where a copy of any notice under section 38 above is sent to the Authority more than fourteen days before the end of the period of three months mentioned in subsection (3) (a) of that section, the duty of the Authority, subject to subsection (3) below, to enter particulars of that notice in the register maintained under this section shall be discharged before the end of that period of three months.
- (3) The Authority shall not enter in the register maintained under this section any particulars of—
- (a) any notice under section 38 above, or
  - (b) any notice given for the purposes of section 49 above on or after the restructuring date,
- unless it is satisfied that the notice has been properly given in accordance with the requirements of this Act and, in the case of a notice under section 38 above, that the requirements of section 39(4) above have been complied with in relation to that notice.
- (4) It shall be the duty of the Authority to preserve a copy of every document particulars of which are, by virtue of subsection (1) above, for the time being entered in the register maintained under this section.
- (5) If any person furnishes the Authority with any information for the purposes of this section which he knows to be false in a material particular or recklessly furnishes the Authority with any information for those purposes which is false in a material particular, he shall be guilty of an offence and liable—
- (a) on summary conviction, to a fine not exceeding the statutory maximum;
  - (b) on conviction on indictment, to a fine.
- (6) References in this section to the supply to the Authority by the Corporation of a copy of any document include references to the transfer in accordance with a restructuring scheme of possession of the document itself or of any copy of that document.