



# Coal industry Act 1994

## 1994 CHAPTER 21

### PART I

#### RE-ORGANISATION OF COAL INDUSTRY

##### *The Coal Authority*

### **3 Duties of the Authority with respect to property**

- (1) It shall be the duty of the Authority, in carrying out the functions mentioned in section 1(1)(a) above, to have regard to—
  - (a) the need to co-ordinate its practice in relation to relevant property dealings with the carrying out of its functions under Part II of this Act; and
  - (b) the need to secure the safety of members of the public.
- (2) Subject to subsection (4) below, it shall be the duty of the Authority, so far as practicable, to make available for acquisition by others such of its land and other property as—
  - (a) does not consist in an interest in any unworked coal or coal mine;
  - (b) is not being put to a use which justifies its retention by the Authority; and
  - (c) in the opinion of the Authority, is unlikely to be required for any such use.
- (3) For the purposes of subsection (2) above the only uses for land and other property which justify its retention by the Authority are—
  - (a) use by any person for or in connection with the carrying on of any coal-mining operations; and
  - (b) use by the Authority in connection with the administration of its own activities or with the management of the land and other property which it is entitled to retain or is unable to dispose of;

and for this purpose the management of land and other property shall include the performance of every obligation to which the Authority is subject in relation to any of that land or other property.

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*Status: This is the original version (as it was originally enacted).*

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- (4) Subject to subsection (6) below, it shall be the duty of the Authority, where it disposes of any interests or rights in or in relation to any land or other property, to secure the best terms reasonably available for the disposal.
- (5) Subject to subsection (6) below, it shall be the duty of the Authority, in the exercise and performance of its powers and duties with respect to its land and other property, to have regard to the desirability of the exploitation, so far as that is economically viable, of coal-bed methane in Great Britain.
- (6) It shall be the duty of the Authority, in determining the terms on which it may dispose of any interest or right in or in relation to any unworked coal or coal mine to a person who requires the interest or right for purposes connected with activities to be carried on under the authority of a licence under section 2 of the Petroleum (Production) Act 1934, to act in accordance with such arrangements and principles as it may, with the approval of the Secretary of State, have determined for the purposes of subsection (5) above.
- (7) It shall be the duty of the Authority, in formulating any proposals for works on or in relation to any of its land or other property which has been used for the carrying on of any coal-mining operations but is no longer to be put to such use—
  - (a) to have regard to the desirability of preserving natural beauty, of conserving flora and fauna and geological or physiographical features of special interest and of protecting sites, buildings, structures and objects of architectural, historic or archaeological interest; and
  - (b) to take into account the effect of the proposals on the natural beauty of any area or on any such flora, fauna, features, sites, buildings, structures or objects.
- (8) In this section “relevant property dealings”, in relation to the Authority, means the grant of such interests and rights in or in relation to its land or other property as appear to it to be appropriate for the purpose of enabling or facilitating its use for, or in connection with, the carrying on of any coal-mining operations.