



Coal Industry Act 1994

1994 CHAPTER 21

PART I

RE-ORGANISATION OF COAL INDUSTRY

The Coal Authority

[^{F1}4F] **Coal mine discharge: compulsory acquisition of land in Scotland**

- (1) The Authority may, with the authorisation of the Scottish Ministers, acquire any land anywhere in Scotland compulsorily if the Authority is of the opinion that—
 - (a) the acquisition is for the purpose of preventing, or mitigating the effect of, a discharge of water from a coal mine; and
 - (b) the discharge has caused, is causing or is likely to cause—
 - (i) serious pollution of the water environment; or
 - (ii) danger to life or health.
- (2) The power to acquire land under subsection (1) above includes power to acquire a servitude or other right in or over land by the creation of a new right.
- (3) The Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 (c. 42) applies in relation to an acquisition under subsection (1) above as if—
 - (a) this section were contained in an Act in force immediately before the commencement of that Act; and
 - (b) references in that Act to a local authority were references to the Authority.]

Textual Amendments

- F1** Ss. 4D-4F inserted (20.6.2005) by [Water Services etc. \(Scotland\) Act 2005 \(asp 3\)](#), ss. **30(1)**, **37(2)** (with s. 36); S.S.I. 2005/351, art. 2, sch. 1

Changes to legislation:

There are currently no known outstanding effects for the Coal Industry Act 1994, Section 4F.