



# Coal Industry Act 1994

## 1994 CHAPTER 21

### PART IV

#### GENERAL AND SUPPLEMENTAL

##### *Supplemental*

#### **68 Short title, commencement and extent.**

- (1) This Act may be cited as the Coal Industry Act 1994.
- (2) The following provisions of this Act shall come into force on the restructuring date, that is to say—
  - (a) sections 10, 11, 18 and 23;
  - (b) sections 31 to 34 and section 36;
  - (c) sections 38 to 44 and 48 to 53, section 55 and Schedules 6, 7 and 8;
  - (d) Schedule 9, except (subject to the power to appoint the restructuring date under subsection (4) below) for so much of that Schedule as relates to—
    - (i) the <sup>M1</sup>Public Health Act 1961,
    - (ii) the <sup>M2</sup>Licensing Act 1964,
    - <sup>F1</sup>(iii) .....
    - <sup>F2</sup>(iv) .....
    - <sup>F3</sup>(v) .....
    - (vi) the <sup>M3</sup>Overseas Development and Co-operation Act 1980,
    - (vii) the <sup>M4</sup>National Audit Act 1983,
    - (viii) the <sup>M5</sup>Road Traffic Regulation Act 1984,
    - (ix) sections 315(4)(b) and 317 of the <sup>M6</sup>Town and Country Planning Act 1990, and
    - (x) the <sup>M7</sup>Leasehold Reform, Housing and Urban Development Act 1993;
  - (e) Part II of Schedule 11; and

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- (f) subsections (1) and (8) of section 67 so far as they relate to provisions coming into force on that date by virtue of paragraphs (d) and (e) above.
- (3) The following provisions of this Act shall come into force on the dissolution date, that is to say—
- (a) Schedule 9, so far as it relates to—
    - (i) the <sup>M8</sup>Public Health Act 1961,
    - (ii) the <sup>M9</sup>Overseas Development and Co-operation Act 1980,
    - (iii) the <sup>M10</sup>National Audit Act 1983,
    - (iv) the <sup>M11</sup>Road Traffic Regulation Act 1984, and
    - (v) the <sup>M12</sup>Leasehold Reform, Housing and Urban Development Act 1993;
  - (b) Part IV of Schedule 11; and
  - (c) subsections (1) and (8) of section 67 so far as they relate to provisions coming into force on that date by virtue of paragraphs (a) and (b) above.
- (4) Apart from the provisions to which subsections (2) and (3) above apply and the provisions specified in subsection (6) below (which come into force on the passing of this Act), this Act shall come into force on such day as the Secretary of State may by order made by statutory instrument appoint.
- (5) An order under subsection (4) above may—
- (a) appoint different days for different provisions and for different purposes; and
  - (b) make any such transitional provision (including provision modifying for transitional purposes any of the provisions of this Act or of any enactment amended or repealed by this Act) as the Secretary of State considers appropriate in connection with the bringing into force of any provision of this Act;
- but, where an order under that subsection makes any such provision as is mentioned in paragraph (b) above, the statutory instrument containing the order shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (6) The provisions of this Act mentioned in subsection (4) above are this section and—
- (a) sections 7 to 9;
  - (b) sections 12 to 14 and 17 and Schedule 2;
  - (c) section 54;
  - (d) sections 62 to 66;
  - (e) section 67(2) to (6); and
  - (f) Part I of Schedule 11 to this Act and subsection (8) of section 67 so far as it relates to that Part of that Schedule.
- (7) The following provisions of this Act do not extend to Scotland, that is to say—
- [<sup>F4</sup>(za) sections 4A to 4C and Schedules 1A and 1B;]
  - (a) sections 49 and 50 and Schedule 7; and
  - (b) so much of Schedules 9 and 11 as relates to enactments extending to England and Wales only.
- [<sup>F5</sup>(7A) Sections 4D to 4F of, and Schedule 1C to, this Act extend to Scotland only.]
- (8) This Act, except for—
- (a) sections 7 to 9, 12 and 13 and Schedule 2,

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- (b) sections 20 and 21 and Schedule 4,
- (c) so much of Schedule 1 as amends the <sup>M13</sup>Parliamentary Commissioner Act 1967, the <sup>M14</sup>House of Commons Disqualification Act 1975 and the <sup>M15</sup>Northern Ireland Assembly Disqualification Act 1975,
- (d) so much of Schedule 9 as amends any enactment that extends to Northern Ireland,
- (e) the repeal, by virtue of their inclusion in Schedule 11, of—
  - (i) the entries relating to the Corporation in the <sup>M16</sup>Statutory Corporations (Financial Provisions) Act 1975, the <sup>M17</sup>House of Commons Disqualification Act 1975, the <sup>M18</sup>Northern Ireland Assembly Disqualification Act 1975 and the <sup>M19</sup>National Audit Act 1983,
  - (ii) the <sup>M20</sup>Coal Consumers' Councils (Northern Irish Interests) Act 1962,
  - (iii) section 2(4) and (5) of the <sup>M21</sup>Overseas Development and Co-operation Act 1980 and the entry relating to the Corporation in Schedule 1 to that Act,
  - (iv) section 1(2) of the <sup>M22</sup>Continental Shelf Act 1964 and section 2(3) of the <sup>M23</sup>Territorial Sea Act 1987,
  - (v) so much of the <sup>M24</sup>Coal Industry Act 1987 as extends to Northern Ireland, and
  - (vi) the <sup>M25</sup>British Coal and British Rail (Transfer Proposals) Act 1993,and
- (f) so much of this Part as is required for the purpose of giving effect to the extension to Northern Ireland of the provisions mentioned in the preceding paragraphs,

does not extend to Northern Ireland.

- (9) This Act extends to the Isle of Man for the purpose of giving effect there to the repeal by this Act of subsection (3) of section 2 of the Territorial Sea Act 1987, to paragraph 10 of Schedule 10 and to so much of any restructuring scheme or any agreement under section 13 above as relates to rights mentioned in that paragraph; and, subject to that paragraph, that repeal shall accordingly include the repeal of that subsection as it extends to the Isle of Man by virtue of the <sup>M26</sup>Territorial Sea Act 1987 (Isle of Man) Order 1991.

#### **Subordinate Legislation Made**

- P1** S. 68(2): 31.10.1994 appointed as the restructuring date, see s. 7 and [S.I. 1994/2553, art. 2](#)
- P2** S. 68(3) power exercised: 27.3.2004 appointed as the dissolution date, see s. 23(2) and [S.I. 2004/144, art. 3](#)
- P3** S. 68(4)(5) power partly exercised: 19.9.1994 appointed for specified provisions by [S.I. 1994/2189, art. 2, Sch.](#)
- P4** S. 68(4)(5) power partly exercised: 31.10.1994 and 1.11.1994 appointed for specified provisions and purposes by [S.I. 1994/2552, arts. 2, 3, Schs. 1, 2](#) and Appendices (with art. 4)
- P5** S. 68(4)(5) power partly exercised: 24.12.1994 appointed for specified provisions and purposes by [S.I. 1994/3063, art. 2, Sch.](#)
- P6** S. 68(4): power partly exercised: 31.1.1995 appointed for s. 24 by [S.I. 1995/159, art. 2](#)
- P7** S. 68(4)(5) power partly exercised: 1.3.1995 appointed for specified provisions and purposes by [S.I. 1995/273, art. 2, Sch.](#)

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### Textual Amendments

- F1** S. 68(2)(d)(iii) repealed (19.11.1998) by 1998 c. 43, s. 1(1), **Sch. 1 Pt. IV**, Group 2
- F2** S. 68(2)(d)(iv) repealed (1.9.2007) by **Gambling Act 2005** (c. 19), s. 358(1), **Sch. 17** (with ss. 352, 354); S.I. 2006/3272, art. 2(4)(5), Sch. 3B (with Sch. 4 (as amended by S.I. 2007/1157, arts. 7-12; S.I. 2007/2169, arts. 7-11)) (as inserted by S.I. 2007/2169, arts. 3, 6, Sch.)
- F3** S. 68(2)(d)(v) repealed (27.5.1997) by 1997 c. 11, s. 3, **Sch. 1 Pt. I**
- F4** S. 68(7)(za) inserted (E.W.S.) (1.4.2004) by **Water Act 2003** (c. 37), **ss. 85(3)**, 105(3); S.I. 2004/641, art. 3(w) (with Sch. 3 para. 7)
- F5** S. 68(7A) inserted (S.) (20.6.2005) by **Water Services etc. (Scotland) Act 2005** (asp 3), **ss. 30(3)**, 37(2) (with s. 36); S.S.I. 2005/351, art. 2, sch. 1

### Marginal Citations

- M1** 1961 c. 64.
- M2** 1964 c. 26.
- M3** 1980 c. 63.
- M4** 1983 c. 44.
- M5** 1984 c. 27.
- M6** 1990 c. 8.
- M7** 1993 c. 28.
- M8** 1961 c. 64.
- M9** 1980 c. 63.
- M10** 1983 c. 44.
- M11** 1984 c. 27.
- M12** 1993 c. 28.
- M13** 1967 c. 13.
- M14** 1975 c. 24.
- M15** 1975 c. 25.
- M16** 1975 c. 55.
- M17** 1975 c. 24.
- M18** 1975 c. 25.
- M19** 1983 c. 44.
- M20** 1962 c. 22.
- M21** 1980 c. 63.
- M22** 1964 c. 29.
- M23** 1987 c. 49.
- M24** 1987 c. 3.
- M25** 1993 c. 2.
- M26** S.I. 1991/1722.

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