

Changes to legislation: There are currently no known outstanding effects for the Opencast Coal Act 1958, Paragraph 5. (See end of Document for details)

SCHEDULES

SECOND SCHEDULE

PROCEDURE RELATING TO COMPULSORY RIGHTS ORDERS

PART I

F1 Making, confirmation, validity and date of operation of orders

Textual Amendments

F1 Sch. 2 Pt. 1 repealed (E.W.) by [Acquisition of Land Act 1981 \(c. 67, SIF 28:1\)](#), s. 34(3), [Sch. 6 Pt. I](#)

- 5 (1) Except where the Minister is proceeding concurrently with respect to an application for [^{F1}an authorisation under section one of this Act][^{F1}opencast planning permission] and [^{F2}a compulsory rights order], the Minister may disregard an objection to such an order if he is satisfied that it relates to the question whether [^{F3}an authorisation under section one of this Act should have been, or should be, granted to work the coal in question by opencast operations][^{F3}opencast planning permission should be granted or should have been granted]and either—
- (a) it relates exclusively to that question, or
 - (b) in so far as it relates to other matters, they consist entirely of matters which can be dealt with in the assessment of compensation.
- (2) The preceding sub-paragraph shall have effect without prejudice to the operation of sub-paragraph (4) of paragraph 4 of the said First Schedule (whereby objectors can be required to give reasons, and objections relating exclusively to matters of compensation can be disregarded).

Textual Amendments

F1 Words substituted (S.) by [Housing and Planning Act 1986 \(c. 63, SIF 86\)](#), s. 39(3), [Sch. 8 para. 15\(a\)](#)

F2 Words substituted by [Coal Industry Act 1975 \(c. 56\)](#), [Sch. 3 para. 10](#)

F3 Words substituted (S.) by [Housing and Planning Act 1986 \(c. 63, SIF 86\)](#), s. 39(3), [Sch. 8 para. 15\(b\)](#)

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