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STATUTORY INSTRUMENTS

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1976 No. 198

**COMMUNITY LAND****The Community Land (Appropriate Minister for the National Coal Board) Order 1976***Made - - - - 11th February 1976**Laid before Parliament 23rd February 1976**Coming into Operation 15th March 1976*

The Secretary of State for the Environment, in relation to England, the Secretary of State for Scotland, in relation to Scotland, and the Secretary of State for Wales, in relation to Wales, in exercise of the powers conferred on them by sections 5(4)(b) and 53(2) of the Community Land Act 1975(a), and of all other powers enabling them in that behalf, hereby order as follows:—

1. This order shall come into operation on 15th March 1976 and may be cited as the Community Land (Appropriate Minister for the National Coal Board) Order 1976.

2. The Interpretation Act 1889(b) shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

3. In the Community Land Act 1975, the expression “the appropriate Minister” in relation to the National Coal Board shall mean the Secretary of State for Energy.

4. In relation to the National Coal Board, any reference in the Community Land Act 1975 to the Secretary of State and the appropriate Minister shall have effect as if it were a reference—

- (a) in England, to the Secretary of State for the Environment and the Secretary of State for Energy;
- (b) in Scotland, to the Secretary of State for Scotland and the Secretary of State for Energy;
- (c) in Wales, to the Secretary of State for Wales and the Secretary of State for Energy.

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(a) 1975 c. 77.

(b) 1889 c. 63.

Signed by authority of the  
Secretary of State

*John Silkin,*  
Minister for Planning and Local Government,  
Department of the Environment.

5th February 1976.

10th February 1976.

*William Ross,*  
Secretary of State for Scotland.

11th February 1976.

*John Morris,*  
Secretary of State for Wales.

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#### EXPLANATORY NOTE

*(This Note is not part of the Order.)*

Some provisions of the Community Land Act 1975 refer to “the appropriate Minister” in relation to statutory undertakers (examples are section 5(3) and paragraphs 5, 17, 18, 19 and 21 of Schedule 4). Section 5(4)(b) of the Act empowers the Secretary of State by order to designate the appropriate Minister for those statutory undertakers who are not statutory undertakers for the purposes of Part XI of the Town and Country Planning Act 1971 (c. 78) and Part XI of the Town and Country Planning (Scotland) Act 1972 (c. 52).

This Order, therefore, names the Secretary of State for Energy as the appropriate Minister for the National Coal Board.

Section 5(4)(b) also empowers the Secretary of State to give a meaning to references to the Secretary of State and the appropriate Minister. This order provides that, as respects the National Coal Board, the Secretary of State and the appropriate Minister shall mean the Secretary of State for the Environment, for Scotland or for Wales (as appropriate) and the Secretary of State for Energy.

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SI 1976/198  
ISBN 0-11-060198-X

