
STATUTORY INSTRUMENTS

1992 No. 46

COAL INDUSTRY

**The Opencast Coal (Rate of Interest
on Compensation) Order 1992**

<i>Made</i>	- - - -	<i>13th January 1992</i>
<i>Laid before Parliament</i>		<i>21st January 1992</i>
<i>Coming into force</i>	- -	<i>11th February 1992</i>

The Treasury, in exercise of the powers conferred upon them by sections 35(8) and 49(4) of the Opencast Coal Act 1958⁽¹⁾, and of all other powers enabling them in that behalf, hereby make the following Order:

1. This Order may be cited as the Opencast Coal (Rate of Interest on Compensation) Order 1992 and shall come into force on 11th February 1992.

2.—(1) The rate of interest for the purposes of section 35 of the Opencast Coal Act 1958 shall be 4 per cent. per annum less than the median base rate.

(2) For the purposes of paragraph (1)—

(a) the median base rate is the base rate quoted from time to time by the reference banks; or, if different base rates are quoted, the rate which, when the base rate quoted by each bank is ranked in a descending sequence of seven, is fourth in the sequence;

(b) the reference banks are the seven largest institutions—

(i) authorised by the Bank of England under the Banking Act 1987⁽²⁾, and

(ii) incorporated in and carrying on a deposit-taking business within the United Kingdom,

which quote a base rate in sterling; and

(c) the size of an institution is to be determined by reference to its total consolidated gross assets in sterling, as shown in its audited end-year accounts last published.

(3) In paragraph (2) (c), the reference to the consolidated gross assets of an institution is a reference to the gross assets of that institution together with any subsidiary (within the meaning of section 736 of the Companies Act 1985)⁽³⁾.

(1) 1958 c. 69. Section 35 was amended by section 6(2) of the Coal Industry Act 1975 (c. 56).

(2) 1987 c. 22.

(3) Section 736 was substituted by section 144(1) of the Companies Act 1989 (c. 40).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

3. The Opencast Coal (Rate of Interest on Compensation) (No. 2) Order 1990(4) is hereby revoked.

Irvine Patnick

Sydney Chapman
Two of the Lords Commissioners of Her
Majesty's Treasury

13th January 1992

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EXPLANATORY NOTE

(This note is not part of the Order)

Section 35 of the Opencast Coal Act 1958 provides that interest shall be payable in addition to compensation in certain circumstances. This Order provides that the rate of interest shall be 4 per cent. per annum less than the median base rate calculated in accordance with Article 2(2), and revokes the Opencast Coal (Rate of Interest on Compensation) (No. 2) Order 1990.