STATUTORY INSTRUMENTS

1961 No. 1620

COAL INDUSTRY

The Opencast Coal (Annual Value and Other Land) (Variation) Regulations, 1961

Made - - - -	*19th August*, 1961
Laid before Parliament	*29th August*, 1961
Coming into Operation	*1st September*, 1961

The Minister of Power, in exercise of the powers conferred upon him by paragraphs 12 and 13 of the Sixth Schedule and paragraphs 32 and 46 of the Tenth Schedule to the Opencast Coal Act, 1958(a), and of all other powers enabling him in that behalf, hereby makes the following regulations :—

Commencement and citation

1. These regulations shall come into operation on the first day of September, nineteen hundred and sixty-one, and may be cited as the Opencast Coal (Annual Value and Other Land) (Variation) Regulations, 1961.

Revocation

2. The Opencast Coal (Annual Value and Other Land) (Variation) (No. 3) Regulations, 1960(b), are hereby revoked.

The Opencast Coal (Annual Value in Special Cases) Regulations, 1959

3. For paragraph (3) of regulation three of the Opencast Coal (Annual Value in Special Cases) Regulations, 1959(c), as substituted by regulation three of the Opencast Coal (Annual Value and Other Land) (Variation) (No. 3) Regulations, 1960, there shall be substituted the following paragraph :—

"(3) The percentage referred to in the preceding paragraph shall be eight per cent."

The Opencast Coal (Other Land) Regulations, 1959

4. For paragraph (3) of regulation six of the Opencast Coal (Other Land) Regulations, 1959(d), as substituted by regulation four of the Opencast Coal (Annual Value and Other Land) (Variation) (No. 3) Regulations, 1960, there shall be substituted the following paragraph :—

"(3) The percentage referred to in the preceding paragraph shall be eight per cent."

Dated this nineteenth day of August, nineteen hundred and sixty-one.

Richard Wood,
Minister of Power.

(a) 6 & 7 Eliz. 2. c. 69.
(b) S.I. 1960/2394 (1960 I, p. 756).
(c) S.I. 1959/981 (1959 I, p. 695).
(d) S.I. 1959/982 (1959 I, p. 727).

EXPLANATORY NOTE

(This note is not part of the regulations, but is intended to indicate their general purport.)

The Opencast Coal (Annual Value in Special Cases) Regulations, 1959, as varied, prescribe the method of calculating the annual value of land affected by a compulsory rights order which, immediately before the order in question came into operation, was used for a purpose for which land would not normally be let from year to year or which was covered by a permission under Part III of the Town and Country Planning Act, 1947, or Part II of the Town and Country Planning (Scotland) Act, 1947, which allowed its use for such a purpose. They provide that the annual value of such land shall be such percentage of its market value as is for the time being prescribed by the regulations.

Regulation 6 of the Opencast Coal (Other Land) Regulations, 1959, as varied, contains similar provisions in relation to certain land affected by the requisitioning of other land for opencast operations.

The regulations revoked by regulation 2 of these regulations reduced the prescribed percentage in each case from 7 per cent. to 6 per cent. These regulations increase the prescribed percentage in each case from 6 per cent. to 8 per cent.