B.

Operations proposed to be carried out for the purpose of restoring land affected by the working of the coal or by operations connected therewith, and for purposes incidental to that purpose

Information as to—

1. the Board's proposals for:—
(a) the replacement of over-burden, subsoil and topsoil;
(b) the treatment of the land, so as to make it reasonably fit for agriculture, or other use;
(c) the restoration of watercourses, ditches and under-drainage;
(d) the planting of trees and hedges;
(e) the restoration of buildings or their replacement by other buildings or by structures of comparable benefit to the land;
(f) the building and repair of walls and fences;
(g) the restoration of roads, paths and services;

2. any other measures to be taken by the Board in restoring the land having regard to their obligations under s. 3 of the Opencast Coal Act, 1958.

EXPLANATORY NOTE

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

These regulations prescribe forms to be used in relation to authorisations under section 1 of the Opencast Coal Act, 1958, and in relation to the making and confirmation of compulsory rights orders under the Act. The regulations also prescribe information to be furnished by the National Coal Board when applying for such authorisations.

1958 No. 2121

The Opencast Coal (Notice of Record) Regulations, 1958

Made - - - -	15*th December*, 1958
Laid before Parliament	19*th December*, 1958
Coming into Operation	20*th December*, 1958

The Minister of Power, in exercise of the powers conferred upon him by subsection (5) of section thirty-six and subsection (1) of section forty-nine of the Opencast Coal Act, 1958(**a**), and of all other powers him enabling, hereby makes the following regulations:—

1. These regulations shall come into operation on the twentieth day of December, nineteen hundred and fifty-eight, and may be cited as the Opencast Coal (Notice of Record) Regulations, 1958.

2. The Interpretation Act, 1889(**b**), shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

3. The forms set out in the Schedule hereto, or forms substantially to the like effect, shall be the forms to be used for the purposes of subsection (5) of section thirty-six of the Opencast Coal Act, 1958, in the cases to which those forms are respectively applicable.

Dated this fifteenth day of December, nineteen hundred and fifty-eight.

Mills,
Minister of Power.

(a) 6 & 7 Eliz. 2. c. 69. (b) 52 & 53 Vict. c. 63.

SCHEDULE

FORM NO. 1

Notice of the making of a record of the condition of land as on the date of entry under an opencast site order.

THE OPENCAST COAL ACT, 1958

Take notice that the National Coal Board in pursuance of subsections (1) and (2) of section 36 of the Opencast Coal Act, 1958, have caused a record to be made of the condition, as on the date of entry, of all the land comprised in the (*a*) ..... Compulsory Rights Order, 19 , (*b*) [and of all other land which, in relation to that order, forms part of a holding to which section 17 or section 29 of the said Act applies]. A copy of the record is enclosed with this notice.

If any person to whom a copy of the record is sent under the said section 36 wishes to have the record amended he must, within 21 days after the date on which the copy was sent to him, give notice of objection to the National Coal Board specifying the respects in which amendment is required. If the National Coal Board and all the persons to whom a copy of the record is required to be sent under the said Act agree on an amendment of the record, the record shall be amended accordingly. If no such agreement is reached, and the objection is not withdrawn, the matter in dispute shall be determined by a single (*c*) [arbitrator] [arbiter] appointed by the National Coal Board and the person who gave the notice of objection in consequence of which the dispute arose.

Dated the day of , 19 .

Signed
A duly authorised officer
of the National Coal Board.

(*a*) Insert the title of the relevant compulsory rights order.
(*b*) Omit words in square brackets if the order is one to which section 8 of the Act applies, or the words are otherwise inappropriate.
(*c*) "arbiter" in Scotland.

FORM NO. 2

Notice of the making of a record of the condition of land comprised in a compulsory rights order at the end of the period of occupation

THE OPENCAST COAL ACT, 1958

Take notice that the National Coal Board in pursuance of subsections (1) and (3) of section 36 of the Opencast Coal Act, 1958, have caused a record to be made of the condition, as at the end of the period of occupation, of all the land comprised in the (*a*) ..... Compulsory Rights Order, 19 . A copy of the record is enclosed with this notice.

If any person to whom a copy of the record is sent under the said section 36 wishes to have the record amended he must, within 21 days after the date on which the copy was sent to him, give notice of objection to the National Coal Board specifying the respects in which amendment is required. If the National Coal Board and all the persons to whom a copy of the record is required to be sent under the said Act agree on an amendment of the record, the record shall be amended accordingly. If no such agreement is reached, and the objection is not withdrawn, the matter in dispute shall be determined by a single (*b*) [arbitrator] [arbiter] appointed by the National Coal Board and the person who gave the notice of objection in consequence of which the dispute arose.

Dated the day of , 19 .

Signed
A duly authorised officer
of the National Coal Board.

(*a*) Insert the title of the relevant compulsory rights order.
(*b*) "arbiter" in Scotland.

EXPLANATORY NOTE

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

Section 36 of the Opencast Coal Act, 1958, requires the National Coal Board to cause a record to be made of the condition of land—

(*a*) as on the date of entry under an opencast site order, and

(*b*) as at the end of the period of occupation under any compulsory rights order other than a limited compulsory rights order made in accordance with section 8 of the Act,

and to serve on certain persons notice of the making of the record. These regulations prescribe the form of the notices.

1958 No. 1649

The Opencast Coal (Notice of Work) Regulations, 1958

Made - - - -	3*rd October,* 1958
Laid before Parliament	9*th October,* 1958
Coming into Operation	10*th October,* 1958

The Minister of Power, in exercise of the powers conferred upon him by section forty-nine of, and paragraphs 2 and 3 of the Third Schedule to, the Opencast Coal Act, 1958(**a**), and of all other powers him enabling, hereby makes the following regulations: —

1. These regulations shall come into operation on the tenth day of October, nineteen hundred and fifty-eight, and may be cited as the Opencast Coal (Notice of Work) Regulations, 1958.

2.—(1) In these regulations the following expressions have the meanings hereby assigned to them respectively, that is to say:—

"the Act" means the Opencast Coal Act, 1958;

"the Board" means the National Coal Board.

(2) The Interpretation Act, 1889(**b**), shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

3. A notice given to the Board under paragraph 2 of the Third Schedule to the Act shall be so given—

(*a*) not less than fifty-six days before the work, particulars of which are set out in the notice, is begun;

(*b*) by delivering it at, or sending it in a prepaid registered letter to, either the principal office of the Board or such other office of the Board as the Board have notified in writing to the person giving the notice as an office at which such a notice may be served.

(a) 6 & 7 Eliz. 2. c. 69. (b) 52 & 53 Vict. c. 63.