1959 No. 929

The Opencast Coal (Requisitioned Land) (Compensation Notice) Regulations, 1959

Made - - - -	*26th May*, 1959
Laid before Parliament	*2nd June*, 1959
Coming into Operation	*8th June*, 1959

The Minister of Power, in exercise of the powers conferred upon him by subsection (1) of section forty-nine of, and paragraphs 21, 23 and 44 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:—

1. These regulations shall come into operation on the eighth day of June, nineteen hundred and fifty-nine, and may be cited as the Opencast Coal (Requisitioned Land) (Compensation Notice) Regulations, 1959.

2. A notice served on the National Coal Board under paragraph 21 or paragraph 23, or under either of those paragraphs as applied by paragraph 44, of the Tenth Schedule to the Opencast Coal Act, 1958, shall be in the form set out in the Schedule hereto, or in a form substantially to the like effect.

Dated this twenty-sixth day of May, nineteen hundred and fifty-nine.

Mills,
Minister of Power.

SCHEDULE

The Opencast Coal Act, 1958

To the National Coal Board.

Take notice that

I (*a*) .....

of (*b*) .....

claim that, if annual compensation under the Opencast Coal Act, 1958, were payable in respect of the land described below, I should be entitled to such compensation in respect of the interest described below in that land, and require pursuant to the Tenth Schedule to the Act that annual compensation under the Act shall be payable in respect of that interest.

The land referred to is (*c*)

The interest referred to is (*d*)

Signature.....

Date.....

Notes

(*a*) Give full name.

(*b*) Give full address.

(*c*) Give a precise description of the land.

(*d*) Give particulars of any interest or interests in respect of which compensation under the Act is required. Interest for this purpose includes any right by virtue of which a person is entitled, or would (apart from the Opencast Coal Act, 1958, or the exercise of emergency powers) be entitled, to occupy the land, and also includes any right restrictive of the use of the land.

(a) 6 & 7 Eliz. 2. c. 69.

EXPLANATORY NOTE

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

These regulations prescribe the form of notice which must be served on the National Coal Board by a person claiming annual compensation under the Opencast Coal Act, 1958, in respect of land which, on the 30th September, 1958, was held under requisition for opencast coal operations or for restoration after being affected by such operations or as an opencast coal storage site.

1959 No. 1427

The Opencast Coal (Requisitioned Woodlands) Regulations, 1959

Made - - - -	12*th August*, 1959
Laid before Parliament	19*th August*, 1959
Coming into Operation	20*th August*, 1959

The Minister of Power, in exercise of the powers conferred upon him by paragraph 50 of the Tenth 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 twentieth day of August, nineteen hundred and fifty-nine, and may be cited as the Opencast Coal (Requisitioned Woodlands) Regulations, 1959.

2.—(1) In these regulations—

(*a*) " the Act " means the Opencast Coal Act, 1958 ;

(*b*) the following expressions, that is to say—

" the date of requisition " ;

" land already requisitioned for opencast operations " ;

" land requisitioned as an opencast storage site " ;

" terminal date " ;

have the meanings assigned to them respectively by paragraph 1 of the Tenth Schedule to the Act ;

(*c*) all other expressions to which meanings are assigned by the Act shall, unless the contrary intention appears, have the same respective meanings as in the Act.

(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 three next following regulations apply to land which,—

(*a*) at the commencement of the Act, was land already requisitioned for opencast operations or land requisitioned as an opencast storage site, and

(*b*) immediately before the date of requisition, was land used as woodlands.

4.—(1) This regulation applies in any case where—

(*a*) by virtue of paragraph 22 of the Tenth Schedule to the Act, or of that paragraph as applied by paragraph 44 of the said Schedule, compensation

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