

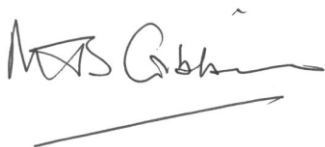
The Coal Authority
**Department for Business, Energy & Industrial
Strategy**
**Non-qualifying regulatory provision assurance
statement: confirmed**

The Regulatory Policy Committee (RPC) is content that, on the basis of the summary information provided, none of the measures or activities covered in the summary document should be considered as a qualifying regulatory provision for the purposes of the business impact target. This statement does not provide a detailed view of any specific activity in the regulator's summary document. Nor does it comment on any activities not included in the summary. Some activities might, however, have been the subject of separate assessments of qualifying regulatory provisions.

The RPC understands that the Coal Authority has issued three variances to licences during the period; the statement would be improved by including these under the casework exclusion, or by explaining why this is not appropriate.

Comments on the non-qualifying regulatory provision summary

The Coal Authority has provided additional information in response to the RPC's initial review notice, setting out its limited regulatory role in more detail. This explains that its action with regard to subsidence damage claims, and engagement in the planning application process, does not involve the regulation of business activity. Furthermore, no new or amended guidance has been issued by the regulator during the reporting period.



Michael Gibbons CBE, Chairman

Non-qualifying Regulatory Provisions Summary Reporting Template

Regulator: The Coal Authority (CA)

Business Impact Target Reporting Period Covered: May 2015 – May 2017

Excluded Category*	Summary of measure(s), including any impact data where available**
A – EU and International	<p>The Coal Authority was established under the Coal Industry Act 1994 (CIA 1994) and has certain regulatory duties relating to the licensing of mining operations under the Coal Industry Act 1994. Under the Coal Mining Subsidence Act 1991 it shall be the duty of the Coal Authority to take in respect of subsidence damage any property remedial action.</p> <p>Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.</p>
B – Economic Regulation	<p>Part II of the CIA 1994 deals with the licensing of coal mining. By CIA 1994, section 2(1),:</p> <p>“It shall be the duty of the [Coal] Authority to carry out its functions under Part II of this Act in the manner that it considers is best calculated to secure, so far as practicable</p> <p>(b) that such persons are able to finance both the proper carrying on of the coal-mining operations that they are authorised to carry on and the discharge of liabilities from the carrying on of those operations; [...].”</p> <p>(c) that persons to whom obligations are owed in respect of subsidence damage caused at any time (whether before or after the passing of the Act) do not sustain loss in consequence of any failure by a person who is or has been a licensed operator to make such financial provision for meeting present and future liabilities as might reasonably have been required of that person.</p> <p>No new Licences have been granted to mining operators during the reporting period therefore following consideration of this exclusion category there are no measures for the reporting period that qualify for the exclusion.</p>
C – Price Control	<p>Pricing mechanisms and charges have not been reviewed or amended or increased and details of the existing</p>

	<p>pricing mechanisms are available on the Authority's website together with the format and content of the Licensing documentation. These documents have been static for a number of years due to the decrease in mining activities and limited number of licenced mining operations currently in force.</p> <p>Following consideration of this exclusion category there are no measures for the reporting period that qualify for the exclusion.</p>
D - Civil Emergencies	<p>No new legislation of this nature currently affects the operations of the Coal Authority.</p> <p>Following consideration of this exclusion category there are no measures for the reporting period that qualify for the exclusion</p>
E – Fines and Penalties	<p>Security for the financing of mining operations falls part of the licensing regime and are governed by the Coal Industry Act 1994. No fines and penalties are applicable to the licensing regime.</p> <p>Following consideration of this exclusion category there are no measures for the reporting period that qualify for the exclusion.</p>
F – Pro-Competition	<p>There are currently 12 active surface mines, 9 licenced but non-operational and 3 at planning stage. There are 4 active underground, 3 licenced but non-operational, none in the planning stage.</p> <p>No new Licences have been granted to mining operators during the reporting period.</p> <p>Therefore following consideration of this exclusion category there are no measures for the reporting period that qualify for the exclusion.</p>
G – Large Infrastructure projects	<p>Following consideration of this exclusion category there are no measures for the reporting period that qualify for the exclusion.</p>
H – Misuse of Drugs/National Minimum Wage	<p>Following consideration of this exclusion category there are no measures for the reporting period that qualify for the exclusion.</p>

I – Systemic Financial Risk	Following consideration of this exclusion category there are no measures for the reporting period that qualify for the exclusion.
K – Industry Codes	No new Licences have been granted to mining operators during the reporting period. Following consideration of this exclusion category there are no measures for the reporting period that qualify for the exclusion
L1 – Casework	There are currently 12 active surface mines, 9 licenced but non-operational and 3 at planning stage. There are 4 active underground, 3 licenced but non-operational, none in the planning stage. Following consideration of this exclusion category there are no measures for the reporting period that qualify for the exclusion.
L2 – Education, communications and promotion	No new guidelines or promotional literature or best practice documentation has been created or produced during this reporting period in respect of the regulated activity of licensing mining operations. Following consideration of this exclusion category there are no measures for the reporting period that qualify for the exclusion.
L3 – Activity related to policy development	Following consideration of this exclusion category there are no measures for the reporting period that qualify for the exclusion.
L4 – Changes to management of regulator	Following consideration of this exclusion category there are no measures for the reporting period that qualify for the exclusion.