EXPLANATORY NOTE

(This Note is not part of these Regulations, but is intended to indicate their general purport.)

1. These regulations amend the Coal Industry Nationalisation (Options and Constitution of Compensation Units) Regulations, 1946.

2. The provisions relating to the time-limit for supplementary statements of interests are clarified (reg. 2).

3. Under para. 23 of the first schedule to the Coal Industry Nationalisation Act, 1946, dealings in interests transferred under that Act to the National Coal Board, which took place between 1st January, 1946, and the date of transfer, are in general to be disregarded for the purposes of the Act. A person who, during that period, in good faith acquired rights in such an interest may find it included in a draft compensation unit other than one in respect of which he is the claimant, and may be unaware of the particulars relating to it included in that draft unit. Provision is now made (regs. 3 to 6) for such a person to have the rights of an intervener, so far as his interest is concerned.

(iii) VALUATION OF COMPENSATION UNITS

The Coal Industry Nationalisation (Compensation Stages) Regulations, 1949

1949 No. 1381

Made - - - -	*22nd July,* 1949
Laid before Parliament	*26th July,* 1949
Coming into Operation	*8th August,* 1949

The Minister of Fuel and Power (in these regulations referred to as "the Minister"), in exercise of the powers conferred upon him by sections five, nine, twelve, fourteen, seventeen and twenty to twenty-two inclusive of the Coal Industry Nationalisation Act, 1946(a), (in these regulations referred to as "the Act"), and of all other powers him enabling, hereby makes the following regulations:—

Action in certain cases before expiry of specified period

1.—(1) These regulations shall apply to any case where, under any provision of any of the regulations specified in the schedule to these regulations, any person may, with respect to any particulars, determination, draft or proposal, within any specified period,—

(*a*) deliver a supplementary estimate of value,

(*b*) give notice of objection,

(*c*) give notice requiring to be heard, or

(*d*) refer the matter thereof to arbitration under the Act, or for settlement by any other method specified in the relevant provision, or require the same to be so referred,

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(a) 9 & 10 Geo. 6. c. 59.

and, in default of any such estimate, notice, reference or requirement delivered, given or made within the said period, the Minister, the chairman of the panel, a District Valuation Board or any referee may with regard to that case take any specified action for the purposes of the relevant regulations, or treat the said determination, draft or proposal as conclusively made or confirmed.

(2) If, in any case to which these regulations apply, every party to the proceedings as defined in regulation two has given notice in writing to the relevant person as aforesaid that he will not deliver a supplementary estimate of value, give notice of objection, or notice requiring to be heard, or, as the case may be, cause the matter in question to be referred, that person may act for the purposes of the relevant regulations as if the specified period had expired.

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

"the Act" means the Coal Industry Nationalisation Act, 1946;

"chairman of the panel" means the person appointed as such in pursuance of paragraph (2) of regulation ten of the Coal Industry Nationalisation (Valuation of Compensation Units) Regulations, 1947(**a**);

"the Minister" means the Minister of Fuel and Power;

"party to the proceedings" means in relation to any provision—

(*a*) of the Coal Industry Nationalisation (Options and Constitution of Compensation Units) Regulations, 1946, as amended(**b**), the claimant and each intervener as defined in those regulations,

(*b*) of the Coal Industry Nationalisation (Valuation of Compensation Units) Regulations, 1947, as amended(**b**), being a provision relating—

(i) to the valuation of a compensation unit, or to a severance case, a party to the proceedings as defined in those regulations, or

(ii) to a review, a party to the review as there defined,

(*c*) of the Coal Industry Nationalisation (Satisfaction of Compensation) Regulations, 1947, as amended(**b**), each person whose name is entered in the relevant compensation unit as claimant or intervener;

"referee" means in relation to any case to which these regulations apply the person (if any) selected in pursuance of paragraph (1) of regulation twenty-eight of the Coal Industry Nationalisation (Valuation of Compensation Units) Regulations aforesaid to review a determination affecting that case.

(2) Expressions to which meanings are assigned by any of the regulations specified in the schedule to these regulations shall, unless the context otherwise require, bear the same meanings in so far as is material for the application of these regulations.

(3) Expressions to which meanings are assigned by the Act or by the foregoing paragraphs of this regulation shall, unless the context otherwise require, bear the same meanings in any instrument issued or made under the provisions of these regulations.

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

(**a**) S.R. & O. 1947 (No. 1345) I, p. 253. (**b**) See schedule.
(**c**) 52 & 53 Vict. c. 63.

3. These regulations shall come into operation on the eighth day of August, nineteen hundred and forty-nine, and may be cited as the Coal Industry Nationalisation (Compensation Stages) Regulations, 1949.

Dated this twenty-second day of July, nineteen hundred and forty-nine.

Hugh Gaitskell,
Minister of Fuel and Power.

SCHEDULE

Specified Regulations

Regulation 1

1. The Coal Industry Nationalisation (Options and Constitution of Compensation Units) Regulations, 1946(**a**), as amended by the Coal Industry Nationalisation (Options and Constitution of Compensation Units) Regulations, 1947(**b**), the Coal Industry Nationalisation (Superiorities) Regulations, 1948(**c**), and the Coal Industry Nationalisation (Options) (Amendment) Regulations, 1949(**d**).

2. The Coal Industry Nationalisation (Valuation of Compensation Units) Regulations, 1947(**e**), as amended by the Coal Industry Nationalisation (Valuation) (Amendment) Regulations, 1949(**f**).

3. The Coal Industry Nationalisation (Satisfaction of Compensation) Regulations, 1947(**g**), as amended by the Coal Industry Nationalisation (Satisfaction of Compensation) (No. 2) Regulations, 1947(**h**), the Coal Industry Nationalisation (Satisfaction of Compensation) Regulations, 1948(**i**), and the Coal Industry Nationalisation (Satisfaction of Compensation) (No. 2) Regulations, 1948(**j**).

EXPLANATORY NOTE

(This Note is not part of these Regulations, but is intended to indicate their general purport.)

These regulations relate to the valuation for the purpose of compensation of interests transferred to the National Coal Board under the Coal Industry Nationalisation Act, 1946.

Under three sets of regulations made under the Act, periods of time are specified in relation to draft particulars, draft determinations, etc., during which interested parties may give notice of objection, or notice requiring arbitration, etc., and on the expiry of which the Minister of Fuel and Power, District Valuation Boards, or other persons connected with valuation, may treat the draft in question as settled for the purposes of subsequent action.

These regulations provide that if all interested parties give notice in writing that they do not propose to take advantage of the relevant provision, the Minister, the Valuation Board or the person concerned may treat the draft in question as settled without waiting for the expiry of the specified period.

The regulations concerned are the Coal Industry Nationalisation (Options and Constitution of Compensation Units) Regulations, 1946, as amended, the Coal Industry Nationalisation (Valuation of Compensation Units) Regulations, 1947, as amended, and the Coal Industry Nationalisation (Satisfaction of Compensation) Regulations, 1947, as amended.

(**a**) S.R. & O. 1946 (No. 1574) I, p. 159.
(**b**) S.R. & O. 1947 (No. 103) I, p. 249.
(**c**) S.I. 1948 (No. 2506) I, p. 518.
(**d**) S.I. 1949 No. 900, p. 682 above.
(**e**) S.R. & O. 1947 (No. 1345) I, p. 253.
(**f**) S.I. 1949 No. 901, p. 688 below.
(**g**) S.R. & O. 1947 (No. 1946) I, p. 278.
(**h**) S.R. & O. 1947 (No. 2838) I, p. 300.
(**i**) S.I. 1948 (No. 1703) I, p. 514.
(**j**) S.I. 1948 (No. 2772) I, p. 516.