satisfied, so far as regards income for the period between the primary vesting date and the time when any amount of compensation in respect of a transfer of transferred interests or of an overhead expenses increase is satisfied (which period is hereinafter called " the said period "), by making a money payment of an amount equal to interest for the said period on that amount of compensation at such rates or rates as may be prescribed as respects the said period or different parts thereof by order of the Treasury:

Now therefore, the Treasury, in pursuance of the said paragraph (*a*) and of all other powers enabling them in that behalf, hereby make the following Order:—

1. The rate for the purposes of the said paragraph shall be 4½ per cent. per annum for such part of the said period as elapsed between the 1st January, 1952, and the 31st July, 1952.

2.—(i) This Order may be cited as The Coal Industry Nationalisation (Interim Income) (Rates of Interest) (No. 2) Order, 1952.

(ii) The Interpretation Act, 1889(**a**) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

Dated this twenty-ninth day of July, 1952.

Dennis Vosper,
Hendrie D. Oakshott,
Two of the Lords Commissioners of
Her Majesty's Treasury.

1952 No. 517

The Coal Industry Nationalisation (Payment of Costs) Regulations, 1952

Made - - - -	13*th March*, 1952
Laid before Parliament	14*th March*, 1952
Coming into Operation	17*th March*, 1952

The Minister of Fuel and Power (in these regulations referred to as " the Minister ") in exercise of the powers conferred upon him by section fifteen of the Coal Industry Nationalisation Act, 1946(**b**), (in these regulations referred to as " the Act "), and of all other powers him enabling, hereby makes the following regulations:—

1. The costs to which these regulations relate are costs reasonably and properly incurred in or in connection with the ascertaining, verifying and recording of particulars of transferred interests, their arrangement in compensation units, the allocation of such units to valuation districts and the valuation of such units.

General costs of colliery concerns

2.—(1) Costs to which these regulations relate incurred by a colliery concern, other than such costs so incurred solely—

(*a*) in relation to transferred interests the value of which is wholly for subsidiary purposes,

(a) 52 & 53 Vict. c. 63. (b) 9 & 10 Geo. 6. c. 59.

(*b*) in establishing the value for subsidiary purposes of any transferred interest,

(*c*) in connection with any arbitration under the Act, or

(*d*) in connection with any review by a referee of a determination of a District Valuation Board,

shall be payable by the Minister subject to the following provisions of this regulation.

(2) The amount payable to any colliery concern in respect of costs to which the last preceding paragraph applies and which relate to transferred interests included in compensation units allocated to a valuation district shall be calculated in respect of that colliery concern and that valuation district in accordance with the provisions of the schedule hereto.

Interveners

3.—(1) Costs to which these regulations relate incurred by a person who is an intervener for the purposes of the Coal Industry Nationalisation (Options and Constitution of Compensation Units) Regulations, 1946(**a**), as amended(**b**), not being a colliery concern, shall be payable by the Minister subject to the following provisions of these regulations.

(2) Such costs, other than costs incurred—

(*a*) in connection with any arbitration under the Act, or

(*b*) in connection with any review by a referee of a determination of a District Valuation Board,

shall not exceed such reasonable sum as may in default of agreement be determined on taxation.

Superiorities

4.—(1) Costs to which these regulations relate incurred by the owner of a right of superiority in any feudal property in respect of that right shall be payable by the Minister subject to the following provisions of these regulations.

(2) Such costs, other than costs incurred—

(*a*) in connection with any arbitration under the Act, or

(*b*) in connection with any review by a referee of a determination of a District Valuation Board,

shall not exceed such reasonable sum as may in default of agreement be determined on taxation and shall so far as possible be determined by reference to the Table of Fees for Conveyancing and General Business published by the Joint Committee of the Scottish Legal Societies.

Costs in proceedings

5. Costs to which these regulations relate incurred by a colliery concern, intervener or owner of a right of superiority in any feudal property as a party to—

(*a*) an arbitration under the Act to which the Minister was a party determined before the date on which these regulations come into operation,

(*b*) an arbitration under the Act to which the Minister was a party determined after that date, unless the arbitrator, having regard to the conduct of the party in question, otherwise directs,

(a) S.R. & O. 1946/1574; Rev. IV, p. 24; 1946 I, p. 159.
(b) *See* S.R. & O. 1947/103; Rev. IV, p. 24; 1947 I, p. 249; S.I. 1948/2506; Rev. IV, p. 141; 1948 I, p. 518; and S.I. 1949/900; 1949 I, p. 682.

(*c*) a review by a referee of a determination of a District Valuation Board, subject to any direction of the referee under regulation thirty-two of the Coal Industry Nationalisation (Valuation of Compensation Units) Regulations, 1947(**a**), or

(*d*) proceedings in the High Court arising from such an arbitration or review, unless the Court otherwise orders,

shall be payable by the Minister and the amount thereof shall in default of agreement be determined on taxation as between party and party and, in the case of a review by a referee, as if the proceedings had been proceedings in the High Court.

Taxation

6. Where under these regulations any costs are to be determined on taxation, the Minister will send a request therefor to the Supreme Court of Judicature Taxing Office and thereupon the costs in question shall be taxed by a Taxing Master of the Supreme Court whose decision shall be final, and the costs of the taxation shall be in the discretion of the Taxing Master and shall be added to or deducted from the bill as he shall decide.

Application to Scotland

7. In the application of these regulations to Scotland—

(*a*) for the reference to the High Court there shall be substituted a reference to the Court of Session ;

(*b*) the costs incurred in any such arbitration as is mentioned in regulation five of these regulations and payable by the Minister shall be paid by him on such scale as the arbitrator shall direct ; and

(*c*) for the references to the Supreme Court of Judicature Taxing Office and a Taxing Master of the Supreme Court there shall be substituted references to the Auditor of the Court of Session.

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

(2) These regulations shall come into operation on the seventeenth day of March, nineteen hundred and fifty-two, and may be cited as the Coal Industry Nationalisation (Payment of Costs) Regulations, 1952.

Dated this thirteenth day of March, nineteen hundred and fifty-two.

Geoffrey Lloyd,
Minister of Fuel and Power.

SCHEDULE

1. The amount referred to in paragraph (2) of regulation two in relation to the costs of a colliery concern in a valuation district shall be ascertained as follows.

2. For the mine or mines in that district of which that colliery concern was the owner for the purposes of the Coal Mines Act, 1911(**c**), immediately before the primary vesting date, and in which the interests of that concern were transferred interests, there shall be ascertained the tonnage of saleable coal disposable

(a) S.R. & O. 1947/1345; Rev. IV, p. 147; 1947 I, p. 253.
(b) 52 & 53 Vict. c. 63.
(c) 1 & 2 Geo. 5. c. 50.

commercially which shall be the greater of the figures so described for the years *1945* and *1946* in the form entitled Annual Return (Collection) M.D.Ret. 34 sent to the Minister in respect of that mine, or where there was more than one such mine, the greater of the aggregates of those figures for those years respectively in respect of the mines.

3. The said amount shall be calculated by reference to the tonnage so ascertained in accordance with the following table:—

	Amount.
(*a*) If the tonnage does not exceed 1,000 tons	£150
(*b*) If the tonnage exceeds 1,000 but does not exceed 3,500 tons	£250
(*c*) If the tonnage exceeds 3,500 tons	
in respect of the first 3,500 tons	£250
in respect of each ton of the next 46,500 tons	7.2d.
in respect of each ton of the next 50,000 tons	6d.
in respect of each ton of the next 200,000 tons	4.8d.
in respect of each ton of the next 500,000 tons	3.6d.
in respect of each ton of the next 450,000 tons	2.4d.
in respect of each ton in excess of 1,250,000 tons	1.68d.

4. Where no form referred to in paragraph 2 of this schedule was sent to the Minister in respect of the mine or any of the mines in that valuation district of which the colliery concern was the owner immediately before the primary vesting date the said amount shall be £150.

EXPLANATORY NOTE

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

These regulations, made under section 15 of the Coal Industry Nationalisation Act, 1946, provide for the payment by the Minister of the costs incurred by colliery concerns and other persons in taking the steps required by the Act for determining the compensation to be paid for assets transferred to the National Coal Board. The payments to colliery concerns (other than costs of proceedings or costs incurred solely in relation to the value for subsidiary purposes of any asset) are calculated as respects each valuation district on a scale based on the tonnage of coal disposable commercially raised by that concern in that district in 1945 and 1946.

The Minister will also pay reasonable costs incurred by interveners (e.g. mortgagees and debenture holders) and, in Scotland, by owners of rights of superiority which vested in the Board. He will pay the taxed costs of proceedings to which he is or was a party unless the arbitrator, referee or Court, as the case may be, otherwise directs, and also the taxed costs of arbitrations to which he was a party determined before the date of commencement of these regulations.

1952 No. 1233

The Coal Industry Nationalisation (Superannuation) Regulations, 1952

Made - - - -	*24th June*, 1952
Laid before Parliament	*26th June*, 1952
Coming into Operation	*1st July*, 1952

The Minister of Fuel and Power, in exercise of the powers conferred upon him by section thirty-seven of the Coal Industry Nationalisation Act, 1946(a) (in these regulations referred to as "the Act of 1946"), as amended by section four of the Coal Industry Act, 1949(b) (in these regulations referred to as "the Act of 1949"), and section fourteen of the Miners' Welfare Act, 1952(c), and of all other powers him enabling, hereby makes the following regulations:—

1. The power of the National Coal Board under regulation one of the Coal Industry Nationalisation (Superannuation) Regulations, 1950(d), to pay or provide for the payment of pensions, gratuities or other like benefits for all or any of the purposes specified in paragraphs (*a*) and (*b*) of subsection (1) of section 37 of the Act of 1946, as amended by section four of the Act of 1949, shall extend to the payment or provision for the payment of such benefits in favour of persons who have been in the employment of the Coal Industry Social Welfare Organisation and in favour of other persons by reference to the employment of such persons, and accordingly in the said regulation after the words "Act of 1949" there shall be inserted the words "and by section fourteen of the Miners' Welfare Act, 1952".

2. These regulations shall come into operation on the first day of July, nineteen hundred and fifty-two, and may be cited as the Coal Industry Nationalisation (Superannuation) Regulations, 1952.

Dated this twenty-fourth day of June, nineteen hundred and fifty-two.

Geoffrey Lloyd,
Minister of Fuel and Power.

EXPLANATORY NOTE

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

These regulations enable the National Coal Board to pay or provide for the payment of pensions, gratuities and other like benefits in respect of service with the Coal Industry Social Welfare Organisation.

(a) 9 & 10 Geo. 6. c. 59.
(b) 12, 13 & 14 Geo. 6. c. 53.
(c) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 23.
(d) S.I. 1950/376; 1950 I, p. 356.