2. Application for variation or revocation of direction or condition:—

Fee on filing application notice	£50
Fee on evidence and exhibits (exclusive of duplicate copies) lodged with application notice, or used during hearing	3s. per sheet of 250 words
Fee on hearing (to be paid by the applicant) for each day, or part of a day, after the first	£45
3. Certified copies of entries in the register	9d. per sheet of 250 words

EXPLANATORY NOTE

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

1. Section 24 of the Coal Industry Nationalisation Act, 1946, provides that where a direction of the tribunal established under that section is in force granting protection under the section to owners of transferred interests, certain rights and remedies may be exercised only with the leave of the court mentioned in the section. These Regulations establish a tribunal for Scotland corresponding to that already set up for England and Wales by the Coal Industry Nationalisation (Liability Enforcement) (England and Wales) Regulations, 1947(**a**).

2. The Regulations deal with the constitution and proceedings of the tribunal and with the payment of fees and expenses.

(ii) SATISFACTION OF COMPENSATION

The Coal Industry Nationalisation (Satisfaction of Compensation) Regulations, 1948

1948 No. 1703

Made - - - -	*22nd July*, 1948
Laid before Parliament	*22nd July*, 1948
Coming into Operation	*30th July*, 1948

9 & 10 Geo. 6. c. 59.

The Minister of Fuel and Power in exercise of the powers conferred upon him by section twenty-two of the Coal Industry Nationalisation Act, 1946, and of all other powers him enabling, hereby makes the following Regulations:—

Modification of Coal Industry Nationalisation (Satisfaction of Compensation) Regulations, 1947.

1. The Coal Industry Nationalisation (Satisfaction of Compensation) Regulations, 1947(**b**), shall have effect subject to the modification that the following paragraphs shall be substituted for paragraphs (2) and (3) of Regulation eighteen, that is to say:—

" (2) Where:—

(*a*) the concern or subsidiary began to carry on any distinct activity for the first time after the beginning of the accounting period, or, in a case in which an election has been made

(**a**) S.R. & O. 1947 (No. 1552) I, p. 302.
(**b**) S.R. & O. 1947 (No. 1946) I, p. 278.

that the comparable ascertained revenue shall be the average of the amounts of its profits and gains for two accounting periods, after the beginning of the earlier of those periods, and before the primary vesting date; and

(*b*) there was in the final period a profit attributable to that activity;

any profit or loss attributable to that activity, which would, but for this paragraph, be included, shall be excluded; and an addition shall be made, in respect of a profit attributable to that activity in the accounting period, of a sum bearing the same proportion to the amount of the profit attributable to that activity in the final period as the length of the accounting period bears to the length of the final period:

Provided that, where any transferred interest owned or used for the purpose of that activity has been the subject of a capital outlay refund, no such addition shall be made unless the sum calculated as aforesaid in respect of the accounting period exceeds a sum equal to interest at the rate of three per centum per annum on so much of the refund as was attributable to the transferred interest; and if any addition is made it shall be limited to the amount of that excess.

(3) Where any distinct activity was carried on by the concern or subsidiary during any part of the accounting period but was not so carried on immediately before the primary vesting date, and the Minister is satisfied that:—

(*a*) the interests owned or used for the purpose of that activity had been alienated; or

(*b*) the said activity had finally ceased;

any profit or loss attributable to that activity shall be excluded.

(3A) In this Regulation, the expression " final period " means a period beginning at the beginning of the accounting period of the concern or subsidiary which included the thirty first day of December, nineteen hundred and forty-six, or at the date when the concern or subsidiary began to carry on the distinct activity, whichever last occurred, and ending on the said thirty-first day of December; and the expression " distinct activity " means the operation during a period of not less than one month of a complete production or trading unit:—

(*a*) which is not a unit substituted for another unit which was being operated until or shortly before the date of substitution; and

(*b*) for which distinct and severable operating results were ascertained in the accounting records kept by the concern or subsidiary in the relevant accounting period; and

(*c*) which under the wages ascertainments practice as defined in section eleven of the Act was not an activity relevant to district wages ascertainments; and

(*d*) for which, in relation to paragraph (2) of this Regulation, any transferred interests of the concern or subsidiary were being used immediately before the primary vesting date, or in relation to paragraph (3), any such interests of the concern or subsidiary were being used as would if so used immediately before the primary vesting date have been transferred interests;

1 & 2 Geo. 5. c. 50.

so however that nothing in sub-paragraph (*a*) or (*c*) of this paragraph shall exclude the operation of a mine which for the purposes of the Coal Mines Act, 1911, is a separate mine."

Commencement and citation.

2. These Regulations shall come into operation on the thirtieth day of July, nineteen hundred and forty-eight; and may be cited as the Coal Industry Nationalisation (Satisfaction of Compensation) Regulations, 1948.

Dated this twenty-second day of July, 1948.

Hugh Gaitskell,
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 amend the Coal Industry Nationalisation (Satisfaction of Compensation) Regulations, 1947. In the provisions dealing with the computation of profits and gains for the purpose of revenue payments under section 22 (3) of the Act, new paragraphs are substituted to clarify the position with regard to distinct activities begun or discontinued after the beginning of a chosen accounting period and before the primary vesting date.

The Coal Industry Nationalisation (Satisfaction of Compensation) (No. 2) Regulations, 1948

1948 No. 2772

Made - - - -	*21st December,* 1948
Laid before Parliament	*21st December,* 1948
Coming into Operation	*31st December,* 1948

The Minister of Fuel and Power, in exercise of the powers conferred upon him by section twenty-one of the Coal Industry Nationalisation Act, 1946(**a**), and of all other powers him enabling, hereby makes the following Regulations :—

1. The Coal Industry Nationalisation (Satisfaction of Compensation) Regulations, 1947(**b**), as amended by the Coal Industry Nationalisation (Satisfaction of Compensation) (No. 2) Regulations, 1947(**c**), and the Coal Industry Nationalisation (Satisfaction of Compensation) Regulations, 1948(**d**), shall have effect subject to the modification that in regulation fifteen (which prescribes additional cases in which compensation will be satisfied by a money payment) the following sub-paragraph shall be inserted after sub-paragraph (*d*) of paragraph (1):—

" (*e*) in the case of a compensation unit comprising any railway wagon which at the date of the vesting thereof in the Board was under requisition by virtue of an exercise of the powers in that behalf conferred by regulation fifty-three of the Defence (General) Regulations, 1939, so much of

(**a**) 9 & 10 Geo. 6. c. 59.
(**b**) S.R. & O. 1947 (No. 1946) I, p. 278.
(**c**) S.R. & O. 1947 (No. 2838) I, p. 300.
(**d**) S.I. 1948 No. 1703, p. 514 above.