NATIONALISATION

The Coal Industry Nationalisation (Interim Income) (Rates of Interest) Order, 1951

1951 No. 1932

Made - - - - 8*th November*, 1951

Whereas it is provided by paragraph (*a*) of subsection (2) of section 22 of the Coal Industry Nationalisation Act, 1946(a), that the right to interim income conferred by subsection (2) of section 19 of the said Act shall be 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 3½ per cent. per annum for such part of the said period as elapsed between the 1st July, 1950, and the 31st December, 1950.

2.—(i) This Order may be cited as The Coal Industry Nationalisation (Interim Income) (Rates of Interest) Order, 1951.

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

Dated this 8th day of November, 1951.

T. G. D. Galbraith,
Dennis F. Vosper,
Two of the Lords Commissioners of His Majesty's Treasury.

The Coal Industry Nationalisation (Valuation) (Amendment) Regulations, 1951

1951 No. 802

Made - - - -	5*th May*, 1951
Laid before Parliament	8*th May*, 1951
Coming into Operation	15*th May*, 1951

The Minister of Fuel and Power, after consulting the Central Valuation Board, in exercise of the powers conferred upon him by sections fourteen and

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

seventeen 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 (Valuation of Compensation Units) Regulations, 1947(b), as amended(c), shall have effect subject to the modifications specified in these regulations.

2. In the proviso to regulation seventeen (which contains provisions as to service of draft valuations) there shall be substituted for the words " within the period of thirty days from the date of the giving of such information in the case of every party other than the Minister and within six months from that date in the case of the Minister and references in the proviso to that Regulation to the period of thirty days shall be construed accordingly " the words " as if the period of thirty days therein first specified commenced with the date of the giving of such information ".

3. In paragraph (1) of regulation eighteen (which provides for the hearing of parties to proceedings on a draft valuation) the words " in the case of every party other than the Minister and within the period of six months from that date (or such extended period as the Minister may determine in respect of any class or description of cases or any particular case and which he notifies to the Valuation Board) in the case of the Minister," shall be deleted.

4.—(1) In regulation twenty-seven (which makes provision enabling parties to proceedings to require a review of a determination of a District Valuation Board) the words " in the case of every party other than the Minister and within six months from that date in the case of the Minister " shall be deleted, and after the words " the Eighth Schedule to these Regulations," there shall be inserted the words " and to every other party to the proceedings,".

(2) The said regulation, as amended as aforesaid, shall be deemed to be paragraph (1) of that regulation and the following paragraph shall be inserted after it:—

" (2) Any party to the proceedings before the Valuation Board to whom notice requiring a review has been given in accordance with the provisions of the foregoing paragraph may, within a period of fourteen days from the date of the receipt by him of such notice, by notice given to the chairman of the panel, in the form set out in the Eighth Schedule to these Regulations, and to every other party to the proceedings, himself require to have a review as aforesaid."

5.—(1) In paragraph (1) of regulation twenty-nine (which makes provision for the delivery of statements of particulars) there shall be inserted after the words " in accordance with the provisions of " the words " paragraph (1) of ".

(2) After the said paragraph (1) the following paragraph shall be inserted:—

" (1A) In any case in which any person has properly and duly required a review under and in accordance with the provisions of paragraph (2) of Regulation twenty-seven of these Regulations, such person shall within thirty days from the date of the receipt by him of the notice of selection as aforesaid deliver to the referee, and to every other party to the review, a statement setting out full particulars of every ground on which such requirement is based."

(a) 9 & 10 Geo. 6. c. 59. (b) S.R. & O. 1947 (No. 1345) I, p. 253.
(c) *See* S.I. 1949 (No. 901) I, p. 688; S.I. 1950 (Nos. 1265 and 2068) I, pp. 373-5.

6. After paragraph (4) of regulation thirty (which contains provisions as to hearings by referees) there shall be inserted the following paragraph:—

"(5) Any party who has not delivered a statement of particulars in pursuance of the last preceding Regulation shall not, except with the leave of the referee, be entitled to invite the referee to vary the determination under review:

Provided that this paragraph shall not apply at the hearing of any review required before the fifteenth day of May, nineteen hundred and fifty-one."

7.—(1) In paragraph (1) of regulation forty-one (which relates to the power to extend the times within which things are to be done under the regulations) the words "(in so far as it relates to any party to the proceedings other than the Minister)" shall be deleted.

(2) Sub-paragraph (*c*) of paragraph (2) of the said regulation shall be deleted.

8. These regulations shall come into operation on the fifteenth day of May, nineteen hundred and fifty-one, and may be cited as the Coal Industry Nationalisation (Valuation) (Amendment) Regulations, 1951.

Dated this fifth day of May, nineteen hundred and fifty-one.

Philip Noel-Baker,
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 (Valuation of Compensation Units) Regulations, 1947, which prescribe principles and procedure for valuing the compensation units into which the interests transferred to the National Coal Board by the Coal Industry Nationalisation Act, 1946, are divided. Under those regulations the Minister is allowed a longer time than other parties within which he may require a hearing before a Valuation Board or require to have a determination of a Valuation Board reviewed by a referee. By these regulations provision for this longer time is removed and the time will be the same for all parties.

At present where a party has required a review of a determination of a Valuation Board, he must give all other parties particulars of the grounds on which he relies, but any other party may appear at the hearing and it has been suggested that he may attack the determination of the Valuation Board without having given any such particulars. These regulations provide for any party who wishes to dispute the determination of the Valuation Board giving notice requiring a review and particulars of the grounds on which he relies. A party who has not done so cannot, except with the leave of the referee, propose a variation of the determination of the Valuation Board.