2. At the end of regulation one of the Coal Industry Nationalisation (Superannuation) Regulations, 1950(**a**), as amended(**b**), there shall be inserted the following paragraph:—

"(2) Nothing in the Truck Acts, 1831 to 1940 shall prevent the deduction of a contribution due from any person under a scheme or other arrangement established by the Board with the Minister's approval from the wages or remuneration of that person or render invalid any provision therefor in such a scheme or arrangement; and for the purposes of the Shop Clubs Act, 1902, no such scheme or arrangement shall be deemed to constitute a shop club or thrift fund within the meaning of that Act."

Dated this twenty-seventh day of February, nineteen hundred and fifty-seven.

Mills,
Minister of Power.

EXPLANATORY NOTE

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

These regulations enable contributions to schemes and arrangements established by the National Coal Board with the approval of the Minister of Power due from members of a scheme or arrangement to whom the Truck Acts apply to be deducted without their express consent from their wages or remuneration. The regulations also provide that the Shop Clubs Act, which in certain cases would otherwise prevent persons eligible to be members of such a scheme or arrangement being required to be members, shall not apply to such schemes and arrangements.

1957 No. 156

The Coal Industry (Superannuation Scheme) (Winding Up, No. 11) Regulations, 1957

Made - - - -	1*st February*, 1957
Laid before Parliament	8*th February*, 1957
Coming into Operation	8*th March*, 1957

The Minister of Power in exercise of the powers conferred upon him by section thirty-seven of the Coal Industry Nationalisation Act, 1946(**c**), as amended by the Coal Industry Act, 1949(**d**), and of all other powers him enabling, hereby makes the following regulations:—

Application

1. These regulations shall apply to each of the superannuation schemes specified in the schedule to these regulations (hereinafter referred to as "the

(**a**) S.I. 1950/376 (1950 I, p. 356). (**b**) S.I. 1952/1233 (1952 I, p. 595).
(**c**) 9 & 10 Geo. 6. c. 59. (**d**) 12, 13 & 14 Geo. 6. c. 53.

scheduled schemes"), being schemes or other arrangements for the provision of pensions, gratuities or other like benefits in favour of—

(*a*) persons to whom subsection (2) of section thirty-seven of the Coal Industry Nationalisation Act, 1946, as amended by section four of the Coal Industry Act, 1949, applies; or

(*b*) persons, other than as aforesaid, taken into the employment of the Board before the commencement of the Coal Industry Act, 1949, being persons who had been in employment in, or in connection with, coal industry activities or transferred allied activities,

with respect to which provision for the payment of all or part of the benefit becoming due is made under one or more contracts of insurance.

Substitution of new trustees and amendment of certain instruments

2. All persons who were at the commencement of these regulations constituted trustees of, or vested with or in possession or control of any property or vested with any right as trustees for the purposes of, any scheduled scheme, shall cease as from the said commencement to be such trustees and the trustees for the time being of the principal scheme shall thereafter be trustees of that scheduled scheme or in relation to that property or right (as the case may be), and accordingly every regulating instrument shall unless the context otherwise requires have effect from the said commencement as if references to the trustees for the time being of the principal scheme were substituted for references to any of those persons and (in the case of any regulating instrument being a policy of insurance conferring upon any other person a right to receive payment of a benefit thereunder) for references to that other person.

Transfer of property, rights etc.

3.—(1) Subject to the provisions of this and the next following regulation, all property and rights vested immediately before the commencement of these regulations in any person, being property or rights held for the purposes of any scheduled scheme, are hereby transferred without further assurance to the appropriate person specified in the next following paragraph (at the place, if any, specified in that paragraph), who shall—

(*a*) in the case of any right to receive a payment under any policy of insurance, being a payment in relation to a benefit in respect of which the scheduled scheme concerned continues to apply by virtue of sub-paragraph (*a*) of the proviso to paragraph (1) of regulation six, hold the same to the order of the trustees of the principal scheme acting by virtue of regulation two in their capacity as trustees either of that scheduled scheme or in relation to that right (as the case may be); and

(*b*) in the case of any other property or right, hold the same to the order of the trustees of the principal scheme acting in their capacity as such.

(2) The said appropriate person is—

(*a*) in the case of any security or obligation issued or guaranteed by any government or municipal corporation, and of any debenture or debenture stock issued by, or share or stock of, any body corporate, Lloyds Bank (Grosvenor) Nominees Limited;

(*b*) in the case of any credit on current or deposit account at any bank, Lloyds Bank Limited, at their Belgravia branch; and

(*c*) in the case of any other property or right, Coal Industry (Nominees) Limited.

(3) A certificate that any property or right transferred by virtue of this regulation was so transferred, being a certificate signed—

(*a*) in the case of any transfer of a right of the kind specified in sub-paragraph (*a*) of paragraph (1) of this regulation, by the secretary of the principal scheme on behalf of the trustees of the principal scheme in their capacity as trustees either of the scheduled scheme concerned or in relation to that right (as the case may be); or

(*b*) in any other case, by the said secretary on behalf of the trustees of the principal scheme in their capacity as such;

or a copy of any such certificate certified by the said secretary to be a true copy thereof, shall be received by all persons responsible for the registration or inscription of the title to that property, or by all persons obligated in respect of that right, as the case may be, as evidence that the property or right was transferred as aforesaid.

(4) Every person in whom was vested any property or right transferred as aforesaid shall do all such things as are necessary, or as the appropriate person may require to be done, for the purpose of ensuring—

(*a*) the due registration or inscription of the title of the appropriate person to that property or right;

(*b*) the delivery to the appropriate person of any document constituting evidence of the said registration or inscription;

(*c*) the performance for the benefit of the appropriate person of all obligations due in respect of that right; and

(*d*) the receipt by the appropriate person of all dividends, rent, interest or other benefits in respect of that property or right due for payment after the commencement of these regulations.

Transfer of liabilities

4.—(1) Subject to the provisions of the following paragraph, every liability or obligation outstanding immediately before the commencement of these regulations, being a liability or obligation incurred by any trustee, manager or other person on behalf of, or for the purposes of, a scheduled scheme, shall vest in the trustees of the principal scheme to the exclusion of that person.

(2) The exclusion of each trustee, manager or other person to whom the foregoing paragraph applies from liability as aforesaid shall, without prejudice to the vesting in the trustees of the liability in question, take effect only after signature of all certificates required to be made for the due registration or inscription of the title of the appropriate person to all property and rights transferred with respect to the scheduled scheme concerned by virtue of the last foregoing regulation, and after completion of the audit of any accounts for that scheme prescribed by regulation six.

Application of funds

5. The trustees aforesaid shall not cause or allow the disposal of any property, right or interest transferred by virtue of the foregoing regulations, or the application of any proceeds of any such property, right or interest, otherwise than—

(*a*) for the discharge of any liability or obligation, or the payment of any expense, imposed upon them by these regulations; or

(*b*) for the purposes of the principal scheme.

Winding up of schemes

6.—(1) Subject to the provisions of these regulations, each scheduled scheme shall at the commencement of these regulations cease to have effect:

Provided that—

(*a*) each such scheme shall continue to apply in relation to the payment of benefits—

(i) to any person who had before the commencement of these regulations become entitled to benefits under it; and

(ii) to any person, not being a member or former member who was before the commencement of these regulations a member of the principal scheme, but being a person becoming entitled to benefits under that scheduled scheme by virtue of the membership at any time of himself or another person; and

(*b*) nothing in this paragraph shall affect the operation of paragraph (2) of regulation four or the due discharge of any right, liability or obligation acquired or incurred in connection with the operation of any scheduled scheme (otherwise than in respect of the rights of any person as a member of the scheme) before the commencement of these regulations.

(2) In the case of every such scheme for the purposes of which any investments (other than policies of insurance) were available at or after the date to which the last audited accounts for that scheme were required to be made up the Board shall prepare accounts (in the form normally used for the accounts of that scheme) for the period beginning at that date and ending at the commencement of these regulations, accounting for all sums received and expended for the purposes of the scheme during that period.

(3) The Board shall cause the said accounts to be audited by the auditor by whom were audited the accounts for the relevant scheme, or, if that person is unable or unwilling to act, by any person for the time being appointed as the auditor of the principal scheme.

Breaches of trust

7. Nothing in these regulations shall relieve any trustee from any liability for any breach of trust, except in so far as under any instrument creating the trust he is entitled to an indemnity in respect thereof from assets available for the purposes of the scheme concerned.

General

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

"the Board" means the National Coal Board;

"the Board's part" in relation to any scheduled scheme means the Board's part of that scheme within the meaning of paragraph (1) of regulation five of the Coal Industry Nationalisation (Superannuation) Regulations, 1950(**a**);

"the principal scheme" means the superannuation scheme established by the Board by resolution dated the eighteenth day of July, nineteen hundred and forty-seven, as amended from time to time, and references thereto shall be construed as including any scheme established by the Board and approved by the Minister of Power in replacement of it;

(**a**) S.I. 1950/376 (1950 I, p. 356).

" regulating instrument " means any trust deed, rules or other instrument made for the purpose of any scheduled scheme and includes any policy of insurance, bond, indemnity or other similar instrument for securing benefits mentioned in any such scheme or in any trust deed, rules or other instrument as aforesaid ;

" scheduled scheme " has the meaning assigned by regulation one.

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

9. These regulations shall come into operation on the eighth day of March, nineteen hundred and fifty-seven, and may be cited as the Coal Industry (Superannuation Scheme) (Winding Up, No. 11) Regulations, 1957.

Dated this first day of February, nineteen hundred and fifty-seven.

Mills,
Minister of Power.

SCHEDULE Regulation 1

SCHEMES TO WHICH THE REGULATIONS APPLY

The pension and life insurance plan of Ackton Hall Colliery Company Limited.

The staff pension scheme of The Alloa Coal Company Limited.

The Board's part of the contributory staff pension scheme of The Arley Colliery Company Limited.

The Board's part of the staff pension and life assurance scheme of Bairds and Dalmellington Limited.

The Board's part of the pension and assurance scheme of T. Beynon & Company Limited.

The past service pension scheme of Blainscough Colliery Company Limited.

The Board's part of the pension scheme of The Bolsover Colliery Company Limited.

The Board's part of the contributory pensions and benefits scheme for staff employees of John Brown and Company Limited.

The Board's part of the staff superannuation fund and life assurance scheme of The Butterley Company Limited.

The Board's part of the staff superannuation scheme of Carron Company.

The Board's part of the pension fund of Coltness Iron Company Limited.

The Board's part of the superannuation fund of Colvilles Limited and subsidiary and associated companies.

The contributory pension scheme of The Cortonwood Collieries Company Limited.

The Board's part of Cory Brothers Pension Scheme (A).

Cory Brothers Pension Scheme (B).

The contributory pensions and benefits scheme for staff employees of Dalton Main Collieries Limited.

The pension scheme of The Desford Coal Company Limited.

The Board's part of the pension and life assurance scheme of William Dixon Limited.

(a) 52 & 53 Vict. c. 63.

The endowment assurance arrangement for employees of The Durham and Northumberland Collieries Fire & Rescue Brigade Committee.

The Board's part of the staff superannuation and life assurance scheme of the Earl of Buckinghamshire.

The Board's part of the staff pension and life assurance scheme of The Fife Coal Company Limited.

The Board's part of the superannuation scheme of Foxfield Colliery Limited.

The additional pension scheme of Garswood Hall Collieries Company Limited.

The Board's part of the pension and life assurance scheme of The Glasgow Iron and Steel Company Limited.

The Board's part of the staff assurance and pension scheme of The Holmside and South Moor Collieries Limited.

The Board's part of the pension and life assurance scheme of Lancashire and Cheshire Coal Owners' Pension Association.

The superannuation scheme of Lancashire and Cheshire Coal Owners' Rescue Station.

The Board's part of the employees' pension and assurance scheme of The Leicestershire Colliery & Pipe Company Limited.

The superannuation scheme of Madeley Collieries Limited.

The Board's part of the pension and life assurance scheme of Mapperley Colliery Company Limited.

The Board's part of the staff pension fund and endowment assurance scheme of The Mining Association of Great Britain.

The staff superannuation scheme of Moira Colliery Company Limited.

The Board's part of the staff assurance scheme of The Monmouthshire and South Wales Coal Owners' Association.

The staff assurance scheme of Morris & Shaw Limited.

The Board's part of the supplementary staff assurance scheme of the Yorkshire Branch of the National Association of Colliery Managers.

The employees' pension and assurance scheme of New Rockwood Colliery Limited.

The Board's part of the pension scheme of Newton Chambers and Company Limited.

The officials' pension and life assurance scheme of The North Walbottle Coal Company Limited.

The staff pension scheme of North Warwickshire Mines Rescue Association.

The Board's part of the pension and life assurance scheme of The Nunnery Colliery Company Limited and The Nunnery Coke and Gas Company Limited.

The staff endowment assurance scheme of Oxcroft Colliery Company Limited.

The staff superannuation scheme of Pearson and Dorman Long Limited.

The past service pension scheme of Pemberton Colliery Limited.

The Board's part of the pension and assurance scheme of Platt Brothers and Company Limited and associated companies.

The staff superannuation scheme of Rotherham and District Rescue Station Board.

The Board's part of the contributory scheme of pensions and life assurance of Settle Speakman & Company Limited, Bignall Hill Colliery Company Limited, Fenton Collieries Limited, Mossfield Colliery Limited and Stirrup & Pye Limited.

The Board's part of the staff supplementary pension fund of The Sheepbridge Company Limited and associated companies.

The Board's part of the staff superannuation and assurance scheme of Shelton Iron, Steel & Coal Company Limited and subsidiary companies.

The Board's part of the staff provident and pension scheme of Sneyd Collieries Limited.

The Board's part of the pension and life insurance plan of The South Kirkby, Featherstone and Hemsworth Collieries Limited.

The Board's part of the pension and life assurance scheme of South Wales Mutual Indemnity Limited.

The Board's part of the staff superannuation scheme of South Yorkshire Coal Owners' Association.

The staff superannuation scheme of The South Yorkshire Mines Drainage Committee.

The Board's part of the contributory scheme of pensions and life assurance of Stafford Coal & Iron Company Limited.

The staff pension and life assurance scheme of The Summerlee Iron Company Limited.

The Board's part of the contributory pension and life assurance scheme for standing wage employees of Richard Thomas & Baldwins Limited.

The Board's part of the pension scheme for officers and staff of Richard Thomas & Baldwins Limited.

The Board's part of the pension and life assurance scheme of Tredegar Iron & Coal Company Limited.

The Board's part of the No. 2 pension scheme for salaried directors and higher officials of The United Steel Companies Limited.

The Board's part of the pension scheme of The Warwickshire Coal Company Limited.

The Board's part of the staff endowment assurance scheme of Wemyss Coal Company Limited.

The Board's part of the staff life insurance and pension scheme of The Wigan Coal Corporation Limited.

The Board's part of the pension scheme of Wilsons & Clyde Coal Company Limited.

The pension scheme of Wombwell Main Company Limited.

EXPLANATORY NOTE

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

These regulations provide for the winding up (subject to certain saving provisions) of the superannuation schemes and parts of superannuation schemes listed in the schedule, which provided benefits for employees of colliery concerns and other undertakings. The members whom they covered are identified in reg. 1, and are those referred to in the Coal Industry Act, 1949, s. 4 (2). Where such persons were the only persons covered by a particular scheme, the regulations apply to the whole scheme. Where a particular scheme covered other persons as well, that scheme was required to be split under the appropriate regulations made by the Minister of Power under the Coal Industry Nationalisation Act, 1946; and only the National Coal Board's part of the scheme is affected by these regulations.

All the schemes were maintained through group or individual policies issued by insurance companies, and a few of the schemes also had other assets. All the policies and other assets relating to each scheme were held by

trustees for the purposes of that scheme, and under reg. 2 the trustees of the National Coal Board's principal superannuation scheme are in each case substituted for those trustees.

Under reg. 3, every right to receive a payment under a policy of insurance, in so far as the payment relates to a benefit in respect of which the relevant scheme is kept alive by reg. 6, passes to the trustees of the National Coal Board's principal superannuation scheme in their capacity (by virtue of reg. 2) as trustees of the right for the purposes of the scheme concerned. All other assets and outstanding liabilities pass to them in their capacity as trustees of the Board's principal superannuation scheme; and any surplus after discharge of these liabilities is to be applied for the purposes of that scheme.

The saving provisions in reg. 6 keep alive so much of each of the schemes as relates to the payment of benefits to or in respect of persons already entitled thereto and to or in respect of such of the members or former members as have not entered into the employment of the National Coal Board and become members of the Board's principal superannuation scheme.

SUBSIDENCE

1957 No. 2199

The Coal-Mining (Subsidence) (Assessment of Disablement) Regulations, 1957

Made - - - -	17*th December*, 1957
Laid before Parliament	30*th December*, 1957
Coming into Operation	31*st December*, 1957

The Minister of Power in exercise of the powers conferred upon him by subsection (3) of section twelve of the Coal-Mining (Subsidence) Act, 1957(**a**), and of all other powers him enabling, hereby makes the following regulations:—

1. These regulations shall come into operation on the thirty-first day of December, nineteen hundred and fifty-seven, and may be cited as the Coal-Mining (Subsidence) (Assessment of Disablement) Regulations, 1957.

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

"the Act" means the Coal-Mining (Subsidence) Act, 1957;

"relevant injury" means any injury caused by the happening of subsidence damage;

"relevant loss of faculty" means the loss of faculty resulting from any relevant injury;

"the Schedule" means the Schedule to these regulations;

"subsidence damage" has the meaning assigned to it by subsection (1) of section one of the Act.

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

(a) 5 & 6 Eliz. 2. c. 59. (b) 52 & 53 Vict. c. 63.