to in sec. 4 (2) of the Coal Industry Act, 1949. Where such persons were the only persons covered by a particular scheme, the whole scheme is now wound up. 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 Fuel and Power under the Coal Industry Nationalisation Act, 1946; and only the National Coal Board's part of the scheme is wound up by these regulations.

Assets and outstanding liabilities pass to the trustees of the principal superannuation scheme of the National Coal Board; and any surplus after discharge of these liabilities is to be applied for the purposes of that scheme.

1953 No. 1556

The Coal Industry (Workmen's Compensation Liabilities) (Compensation Trusts) Order, 1953

Made - - - - 28*th October*, 1953
Coming into Operation 9*th November*, 1953

At the Court at Buckingham Palace, the 28th day of October, 1953.

Present,

The Queen's Most Excellent Majesty in Council

Whereas by subsection (1) of section five of the Coal Industry Act, 1949(a), it is provided that if it appears to Her Majesty in Council that arrangements have been made between the National Coal Board (in this Order referred to as "the Board") and a person who at any time before the primary vesting date was the owner of an interest in property that vested in the Board under the Coal Industry Nationalisation Act, 1946(b), for the assumption by the Board of all or any of the workmen's compensation liabilities of that person, She may by Order in Council provide for the enforcement of the liabilities to which the arrangements relate against the Board instead of against that person as if the employment out of which the liabilities arise had been employment by the Board instead of by that or some other person, and in connection therewith, for conferring on the Board the rights and remedies which that person would have had in respect of the liabilities if they had remained enforceable against that person;

And Whereas by subsection (2) of the said section five, it is provided that where the discharge of a workmen's compensation liability which, by virtue of an Order in Council under the said subsection (1) is rendered enforceable against the Board is secured by virtue of a compensation trust, the Order may extinguish the liability of the trustees under the trust to make a payment in or towards the discharge of the first-mentioned liability;

And Whereas it appears to Her Majesty in Council that arrangements have been made between the Board and persons who before the primary vesting date were the owners of interests in property that vested in the Board under

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(a) 12, 13 & 14 Geo. 6, c. 53. (b) 9 & 10 Geo 6. c. 59.

the said Coal Industry Nationalisation Act, 1946, and some or all of whose workmen's compensation liabilities were secured by virtue of the compensation trusts hereinafter mentioned for the assumption by the Board of the workmen's compensation liabilities hereinafter described;

Now, therefore, Her Majesty, in exercise of the powers conferred on Her as aforesaid and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order and it is hereby ordered, as follows:—

1.—(1) The liabilities in respect of which arrangements have been made and to which this Order applies are workmen's compensation liabilities of persons specified in the first schedule to this Order (being persons who before the primary vesting date were owners of interests in property that vested in the Board under the Coal Industry Nationalisation Act, 1946, and some or all of whose workmen's compensation liabilities were secured by virtue of a compensation trust described in that schedule in relation to those persons and who are in this Order referred to as "former owners") being liabilities—

(*a*) enforceable by the workmen, their legal personal representatives or their dependants or others to whom or for whose benefit compensation is payable;

(*b*) arising out of employment in connection with premises in which an interest (whether of a former owner or not) vested in the Board under the said Act; and

(*c*) secured by virtue of a compensation trust described in the said first schedule in relation to the former owner so specified, so however that this sub-paragraph shall not exclude—

(i) any liability of a former owner specified in the first part of the second schedule to this Order which was not so secured and against which he was not insured under a contract of insurance, or

(ii) the liability described in the second part of that schedule.

(2) The liabilities to which this Order applies shall be enforceable against the Board instead of against the former owners as if the employment out of which the liabilities arose had been employment by the Board instead of by a former owner or some other person.

(3) The Board shall have the rights and remedies which the former owners would have had in respect of the liabilities to which this Order applies if they had remained enforceable against the former owners.

2. The liabilities of the trustees under any of the compensation trusts specified in the said first schedule to make payments in or towards the discharge of workmen's compensation liabilities which, by virtue of this Order, are rendered enforceable against the Board, are hereby extinguished.

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

4. This Order shall come into operation on the ninth day of November, nineteen hundred and fifty-three, and may be cited as the Coal Industry (Workmen's Compensation Liabilities) (Compensation Trusts) Order, 1953.

W. G. Agnew.

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

FIRST SCHEDULE Art. 1

Former owner	Compensation trust
The Ansley Hall Coal and Iron Company Limited	The trust expressed by deed executed between the company and the trustees there named on the 12th day of September, 1934
The Arkwright Coal Company Limited	The trust expressed by deed executed between the company and the trustees there named on the 7th day of February, 1941
The Bolsover Colliery Company Limited	The trust expressed by deeds executed between the company and the trustees there named on the 30th day of December, 1933, and the 13th day of December, 1934
The Butterley Company Limited ...	The trust expressed by deed executed between the company and the trustees there named on the 4th day of December, 1934
The Cannock and Rugeley Colliery Company Limited	The trust expressed by deeds executed between the company and the trustees there named on the 1st day of March and the 21st day of December, 1934
The Chislet Colliery Limited	The trust expressed by deed executed between the company and the trustees there named on the 30th day of December, 1942
The Choppington Collieries Limited ...	The trust expressed by deed executed between the company and the trustees there named on the 31st day of December, 1934
The Hartley Main Collieries Limited ...	The trust expressed by deed executed between the company and the trustees there named on the 15th day of December, 1934 The trust expressed by deed executed between The Seaton Burn Coal Company Limited and the trustees there named on the 31st day of December, 1934
Haunchwood Collieries Limited ...	The trust expressed by deeds executed between the company and the trustees there named on the 14th day of February and the 19th day of December, 1934
Manchester Collieries Limited	The trust expressed by deed executed between the company and the trustees there named on the 30th day of November, 1934

Former owner	Compensation trust
New Bagworth Coal Company Limited	The trust expressed by deed executed between the company and the trustees there named on the 3rd day of January, 1935
The North Walbottle Coal Company Limited	The trust expressed by deed executed between the company and the trustees there named on the 31st day of December, 1934
The Princess Royal Colliery Company Limited The Park Colliery Company Limited	The trust expressed by deed executed between the companies and the trustees there named on the 1st day of April, 1935
Pensford and Bromley Collieries (1921) Limited	The trust expressed by deed executed between the company and the trustees there named on the 26th day of June, 1939
Somerset Collieries Limited	The trust expressed by deed executed between the company and the trustees there named on the 15th day of February, 1936
The Staveley Coal and Iron Company Limited	The trust expressed by deed executed between the company and the trustees there named on the 28th day of November, 1934
Tinker Brothers Limited	The trust expressed by deed executed between the company and the trustees there named on the 20th day of December, 1934
William Evans and Company (Old Mills Collieries) Limited	The trust expressed by deed executed between the company and the trustees there named on the 27th day of December, 1934
William Harrison Limited	The trust expressed by deeds executed between the company and the trustees there named on the 1st day of March and the 21st day of December, 1934
The Writhlington Collieries Company Limited	The trust expressed by deed executed between the company and the trustees there named on the 26th day of October, 1934

SECOND SCHEDULE Art. 1

PART I

Former owners

The Ansley Hall Coal and Iron Company Limited
The Bolsover Colliery Company Limited
The Butterley Company Limited
The Cannock and Rugeley Colliery Company Limited
The Chislet Colliery Limited
The Hartley Main Collieries Limited
Haunchwood Collieries Limited
Manchester Collieries Limited
New Bagworth Coal Company Limited
The North Walbottle Coal Company Limited
The Princess Royal Colliery Company Limited
Somerset Collieries Limited
The Staveley Coal and Iron Company Limited
William Harrison Limited

PART II

Liability transferred

Any liability secured by virtue of the trust expressed by deed executed between The Choppington Collieries Limited and the trustees there named on the 30th day of November, 1934

EXPLANATORY NOTE

(This Note is not part of this Order, but is intended to indicate its general purport.)

By section 5 of the Coal Industry Act, 1949, workmen's compensation liabilities of owners of interests in property that vested in the National Coal Board under the Coal Industry Nationalisation Act, 1946, may be transferred by Order in Council from the former owners to the Board, if arrangements have been made between them, and where the discharge of any such liabilities which are so transferred is secured by a compensation trust, the Order may extinguish the liabilities of the trustees under that trust to make compensation payments to workmen.

This Order transfers to the National Coal Board in pursuance of arrangements made between the Board and certain former owners some or all of whose workmen's compensation liabilities are secured by compensation trusts the workmen's compensation liabilities which are the subject of the arrangements and which are described in article one. It also extinguishes the liabilities of the trustees under such trusts to make payments in discharge of workmen's compensation liabilities transferred by the Order to the Board.