1955 No. 1206

The Coal Industry (Workmen's Compensation Liabilities) (Mutual Indemnity Companies) Order, 1955

Made - - - - 29*th July*, 1955
Coming into Operation 15*th August*, 1955

At the Court at Goodwood House, the 29th day of July, 1955

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—

(*a*) 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; or

(*b*) between the Board and a mutual indemnity association of which any such person as aforesaid is, or was at any time, a member, for the assumption by the Board of all or any of such of the liabilities of the association under a contract of insurance entered into between them and any person (whether such a person as aforesaid or not) whereby he is or was insured against workmen's compensation liabilities to any workmen as, by virtue of the happening of any of the events mentioned in subsection (1) of section seven of the Workmen's Compensation Act, 1925(**c**) (which relates to bankruptcy, the winding up of companies, etc.), are enforceable against the association by the workmen, their legal personal representatives or their dependants or others to whom or for whose benefit compensation is payable;

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 or, as the case may be, the association, as if the employment out of which the liabilities arise had been employment by the Board instead of by that or some other person or, as the case may be, the Board had subscribed the contract instead of the association and, in connection therewith, for conferring on the Board the rights and remedies which that person or, as the case may be, the association would have had in respect of the liabilities if they had remained enforceable against that person or, as the case may be, the association;

(a) 12, 13 & 14 Geo. 6. c. 53. (b) 9 & 10 Geo. 6. c. 59. (c) 15 & 16 Geo. 5. c. 84.

And whereas it appears to Her Majesty in Council that arrangements have been made—

(*a*) between the Board and persons who at some time before the primary vesting date were the owners of interests in property that vested in the Board under the said Coal Industry Nationalisation Act, 1946, and who are hereinafter specified, for the assumption by the Board of the workmen's compensation liabilities hereinafter described, and

(*b*) between the Board and the mutual indemnity associations hereinafter specified for the assumption by the Board of such of the liabilities mentioned in subsection (1) (*b*) of the said section five of those associations as are 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 article applies are:—

(*a*) the workmen's compensation liabilities of owners of interests described in paragraph (2) of this article,

(*b*) the workmen's compensation liabilities of mutual indemnity associations described in paragraph (3) of this article.

(2) The workmen's compensation liabilities referred to in sub-paragraph (*a*) of the foregoing paragraph are workmen's compensation liabilities of—

(*a*) former owners specified in the first part of the first schedule to this Order, being liabilities—

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

(ii) comprised in a contract of insurance entered into between a former owner and the mutual indemnity association specified in the said first part of the first schedule;

(*b*) former owners specified in the second part of the said first schedule, being liabilities—

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

(ii) arising out of employment in connection with vested premises; and

(iii) comprised in a contract of insurance entered into between a former owner and the mutual indemnity association specified in relation to that former owner in the said second part of the first schedule;

(*c*) former owners specified in the first part of the second schedule to this Order and, in so far as the liabilities arise out of employment of the workmen specified in the second part of that schedule, the former owner specified in that part, being liabilities—

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

(ii) arising out of employment in connection with vested premises; and

(iii) against which the former owner was not insured under a contract of insurance subscribed by a mutual indemnity association or by a person other than a mutual indemnity association.

(3) The workmen's compensation liabilities of mutual indemnity associations referred to in sub-paragraph (*b*) of paragraph (1) are—

(*a*) such liabilities of the mutual indemnity association specified in the said first part of the first schedule and, in so far as they arise out of employment in connection with vested premises, of either of the mutual indemnity associations specified in the said second part of that schedule under a contract of insurance entered into between them and any former owner specified in relation to that association in either of those parts whereby he is or was insured against workmen's compensation liabilities to any workmen as, by virtue of the happening of any of the events mentioned in subsection (1) of section seven of the Workmen's Compensation Act, 1925, are enforceable against that association by the workmen, their legal personal representatives or their dependants or others to whom or for whose benefit compensation is payable;

(*b*) such liabilities of the mutual indemnity association specified in the first part of the third schedule to this Order and, in so far as they arise out of employment in connection with vested premises, of either of the mutual indemnity associations specified in the second part of that schedule under a contract of insurance entered into between them and a person specified in relation to that association in either of those parts whereby he is or was insured against workmen's compensation liabilities to any workmen as, by virtue of the happening of any of the events mentioned in subsection (1) of section seven of the Workmen's Compensation Act, 1925, are enforceable against that association by the workmen, their legal personal representatives or their dependants or others to whom or for whose benefit compensation is payable.

(4) The liabilities to which this article applies shall be enforceable against the Board instead of against the former owners or the mutual indemnity associations as if the employment out of which the liabilities arose had been employment by the Board instead of by a former owner or, as the case may be, the Board had subscribed the contract of insurance instead of the association.

(5) The Board shall have the rights and remedies which the former owners or, as the case may be, the mutual indemnity associations would have had in respect of the liabilities to which this article applies if they had remained enforceable against the former owners or, as the case may be, the associations.

2.—(1) In this Order, the following expressions have the meanings hereby assigned to them respectively—

"the Board" means the National Coal Board;

"former owner" means 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;

"vested premises" means premises in which an interest (whether of a former owner or not) vested in the Board under the Coal Industry Nationalisation Act, 1946.

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

3. This Order shall come into operation on the fifteenth day of August, nineteen hundred and fifty-five, and may be cited as the Coal Industry (Workmen's Compensation Liabilities) (Mutual Indemnity Companies) Order, 1955.

W. G. Agnew.

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

FIRST SCHEDULE

Art. 1.

PART I

Former owners	Mutual Indemnity Association
Aberbeeg Collieries Limited	South Wales Mutual Indemnity Limited (formerly known as the Monmouthshire and South Wales Employers' Mutual Indemnity Society Limited)
Amalgamated Anthracite Holdings Limited (formerly known as Amalgamated Anthracite Collieries Limited)	" "
Blaenavon Company Limited	" "
Burnyeat Brown and Company Limited	" "
Cardiff Collieries Limited	" "
Cilely Collieries Limited	" "
Cory Brothers and Company Limited	" "
Cribbwr Fawr Collieries Limited	" "
Crumlin Valley Collieries Limited	" "
E. H. Bennett and Company Limited	" "
Erskine Colliery Company Limited	" "
Fernhill Collieries Limited	" "
Glenavon Garw Collieries Limited	" "
Graigola Merthyr Company Limited	" "
Guest, Keen and Nettlefolds Limited	" "
Gwaelodywaun Colliery Company Limited	" "
Joseph Evans	" "
Lancaster's Steam Coal Collieries Limited	" "
Llwynyffynnon Colliery Company Limited	" "
Nantyfedw Colliery Company Limited	" "
North's Navigation Collieries (1889) Limited	" "
Ocean and United National Collieries Limited (formerly known as United National Collieries Limited)	" "
Partridge Jones and John Paton Limited	" "
P.D. Timber Industries Limited (formerly known as Penrikyber Navigation Colliery Company Limited)	" "
Pentwyn Colliery Limited	" "
Powell Duffryn Limited (formerly known as Powell Duffryn Associated Collieries Limited)	" "
Pwllgwaun Colliery Company	" "
Richard Thomas and Baldwins Limited (formerly known as Richard Thomas and Company Limited)	" "
Swansea Navigation Collieries Limited	" "
Taff Merthyr Steam Coal Company Limited	" "
Tir Pentwys Black Vein Steam Coal and Coke Company Limited	" "

PART II

Former owners	Mutual Indemnity Association
Amalgamated Anthracite Holdings Limited (formerly known as Amalgamated Anthracite Collieries Limited)	Gresham Mutual Indemnity Limited
Henderson's Welsh Anthracite Collieries Limited (formerly known as Pwllbach, Tirbach and Brynamman Anthracite Collieries Limited)	" "
New Blaenhirwaun Anthracite Collieries Limited	" "
Burnyeat Brown and Company Limited	Welsh Collieries Mutual Indemnity Society Limited
Ocean and United National Collieries Limited (formerly known as United National Collieries Limited)	" "

SECOND SCHEDULE

Art. 1.

PART I

Former owners

Abercrave and International Collieries Limited
Amalgamated Anthracite Holdings Limited (formerly known as Amalgamated Anthracite Collieries Limited)
Baldwins (Holdings) Limited (formerly known as Baldwins Limited)
Bedwas Navigation Colliery Company (1921) Limited
Blaenavon Company Limited
Burnyeat Brown and Company Limited
Cardiff Collieries Limited
Cory Brothers and Company Limited
Crumlin Valley Collieries Limited
Fernhill Collieries Limited
Glasbrook Brothers Limited
Glenavon Garw Collieries Limited
Graigola Merthyr Company Limited
Guest, Keen and Nettlefolds Limited
Henderson's Welsh Anthracite Collieries Limited (formerly known as Pwllbach, Tirbach and Brynamman Anthracite Collieries Limited)
John Vipond and Company Limited
Lancaster's Steam Coal Collieries Limited
Markham Steam Coal Company Limited
Mount Anthracite Colliery Limited
Mynydd Maen Colliery Company Limited
New Blaenhirwaun Anthracite Collieries Limited
North's Navigation Collieries (1889) Limited
Oakdale Navigation Collieries Limited
Ocean and United National Collieries Limited (formerly known as United National Collieries Limited)

Park Colliery Company Limited
Partridge Jones and John Paton Limited
P.D. Timber Industries Limited (formerly known as Penrikyber Navigation Colliery Company Limited)
Powell Duffryn Limited (formerly known as Powell Duffryn Associated Collieries Limited)
Taff Merthyr Steam Coal Company Limited
Thomas Merthyr Colliery Company Limited
Tir Pentwys Black Vein Steam Coal and Coke Company Limited
Tredegar Iron and Coal Company Limited
Varteg Anthracite Collieries Limited
Welsh Navigation Steam Coal Company Limited
Ynisarwed Collieries Company Limited

PART II

Former owner	Workman in respect of whose employment liability transferred
Richard Thomas and Baldwins Limited (formerly known as Richard Thomas and Company Limited)	E. Williams and S. J. Edwards

THIRD SCHEDULE

Art. 1.

PART I

Mutual Indemnity Association	Person with whom contract of insurance entered into
South Wales Mutual Indemnity Limited (formerly known as the Monmouthshire and South Wales Employers' Mutual Indemnity Society Limited)	Abercrave and International Collieries Limited Aberdare Graig Coal Company Limited Acorn Colliery Syndicate Limited Afonwen Anthracite Collieries Limited Albion Steam Coal Company Limited Ammanford Colliery Company Limited Atlantic Merthyr Collieries Limited Baldwins (Holdings) Limited (formerly known as Baldwins Limited) Bargoed Coal Company Limited Bedwas Navigation Colliery Company (1921) Limited Blaenclydach Colliery Company Limited British Copper Manufacturers Limited Briton Ferry Collieries Limited Budds Blackwood Collieries Limited Bwllfa and Cwmaman Collieries Limited (formerly known as Bwllfa and Merthyr Dare Steam Collieries (1891) Limited)

Mutual Indemnity Association	Person with whom contract of insurance entered into
South Wales Mutual Indemnity Limited (formerly known as the Monmouthshire and South Wales Employers' Mutual Indemnity Society Limited)—*contd.*	Celtic Collieries Limited (formerly known as Elders' Collieries Limited) C. L. Clay and Company Limited Crawshay Brothers (Cyfarthfa) Limited Crynant Colliery Company Limited Cwmaman Coal Company Limited Cwmavon Colliery Company Limited D. Davis and Sons Limited D. R. Llewellyn and Sons Limited (formerly known as Llwynhelig Colliery Company Limited) Duffryn Aberdare Colliery Company Limited Duffryn Rhondda (1929) Limited Ebbw Vale Steel Iron and Coal Company Limited Ffaldau Collieries Company Limited Franklin Thomas and J. B. Harrison Limited Glamorgan Coal Company Limited Glasbrook Brothers Limited Glenhafod Collieries Limited Glyn Colliery Company Limited Great Mountain Collieries Company Limited Great Western Colliery Company Limited Gwaun-cae-Gurwen Colliery Company Limited Hendy Merthyr Colliery Company Limited Insoles Limited International Coal Company Limited J. B. Harrison (London and Cardiff) Limited John Lancaster and Company Limited John Vipond and Company Limited Llewellyn (Cyfarthfa) Limited Llewellyn (Nixon) Limited Llewellyn (Plymouth) Limited (formerly known as Hills (Llewellyn) Limited) Locket's Merthyr Collieries (1894) Limited Main Colliery Company Limited Markham Steam Coal Company Limited Meiros Collieries (1931) Limited Mount Anthracite Colliery Limited Mynydd Maen Colliery Company Limited Naval Collieries (1931) Limited New British Rhondda Colliery Company Limited New Cwmgorse Colliery Company Limited

Mutual Indemnity Association	Person with whom contract of insurance entered into
South Wales Mutual Indemnity Limited (formerly known as the Monmouthshire and South Wales Employers' Mutual Indemnity Society Limited)—*contd.*	New Diamond Colliery Company Limited New Elled Colliery Company Limited (formerly known as New Elled Colliery and By-Products Company Limited) Newport Abercarn Black Vein Steam Coal Company Limited Nixons Navigation Company Limited North Amman Collieries Limited Oakdale Navigation Collieries Limited Ocean Coal Company Limited Partridge Jones and Company Limited Pembrey Collieries Limited Ponthenry Colliery Company Limited Pontyberem Collieries Company Limited Powell Duffryn Steam Coal Company Limited Powell's Tillery Steam Coal Company Limited Rhymney Iron Company Limited South Wales Anthracite Colliery Company Limited South Wales Coalite Company Limited Taff Rhondda Navigation Steam Coal Company Limited (formerly known as Taylor's Navigation Steam Coal Company Limited) Thomas Merthyr Colliery Company Limited Thomas Williams and Sons (Llangennech) Limited Tirydail Colliery Company Limited Tredegar Iron and Coal Company Limited Tredegar (Southern) Collieries Limited Trimsaran Company Limited Troedyrhiw Coal Company Limited Varteg Anthracite Collieries Limited Varteg Deep Black Vein Collieries Limited Vivian and Sons Limited Waen Nantyglo Colliery Company Limited Welsh Associated Collieries Limited Welsh Navigation Steam Coal Company Limited Werfa Dare Colliery Company Limited West Bargoed Colliery Company Limited Windsor Steam Coal Company (1901) Limited Ynisarwed Collieries Company Limited

PART II

Mutual Indemnity Association	Person with whom contract of insurance entered into
Gresham Mutual Indemnity Limited Welsh Collieries Mutual Indemnity Society Limited	Welsh Anthracite Collieries Limited Deep Navigation Collieries Limited International Colliery Company (Blaengarw) Limited Ocean Coal Company Limited

EXPLANATORY NOTE

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

Section 5 of the Coal Industry Act, 1949, provides that workmen's compensation liabilities of owners of interests in property that vested in the National Coal Board under the Coal Industry Nationalisation Act, 1946, and certain liabilities of mutual indemnity associations arising by virtue of section 7 of the Workmen's Compensation Act, 1925, may be transferred by Order in Council from the former owners or mutual indemnity associations, as the case may be, to the Board, if arrangements have been made between them.

Arrangements having been made between the National Coal Board and the former owners specified in schedules 1 and 2 and between the Board and the mutual indemnity companies specified in schedule 3, this Order transfers to the Board the workmen's compensation liabilities which are the subject of the arrangements and are described in article 1.

1955 No. 1083

The Coal Industry Nationalisation (Borrowing Powers) Order, 1955

Made - - - - 21*st July*, 1955
Coming into Operation 5*th August*, 1955

Whereas a draft of the following order has been laid before the Commons House of Parliament:

And Whereas that House has by resolution approved the said draft:

Now, therefore, the Minister of Fuel and Power, in exercise of the powers conferred upon him by section twenty-six of the Coal Industry Nationalisation Act, 1946(a), as amended by section one of the Coal Industry Act, 1951(b), and of all other powers him enabling, hereby makes the following order:—

1. The aggregate amount of the advances which may be made under the said section twenty-six (as amended) by the Minister to the National Coal Board in the financial year which ends on the thirty-first day of March, nineteen hundred and fifty-six, shall not exceed £95m.

(a) 9 & 10 Geo. 6. c. 59. (b) 14 & 15 Geo. 6. c. 41.