STATUTORY INSTRUMENTS

1967 No. 378

LAND COMMISSION

BETTERMENT LEVY

The National Coal Board (Description of Land) Regulations 1967

Made - - - - - - -	10*th March* 1967
Laid before the House of Commons	15*th March* 1967
Coming into Operation - - -	6*th April* 1967

The Minister of Housing and Local Government, the Secretary of State and the Minister of Power, acting jointly, in exercise of the powers conferred on them by sub-sections (5) and (6) of section 58 and by section 98 of the Land Commission Act 1967(**a**), and of all other powers enabling them in that behalf, hereby make the following regulations:—

Citation, extent and commencement

1. These regulations, which may be cited as the National Coal Board (Description of Land) Regulations 1967 apply to Great Britain and shall come into operation on 6th April 1967 (being the first appointed day under the Act(**b**)).

Interpretation

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

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

"the Act" means the Land Commission Act 1967;

"the Act of 1946" means the Coal Industry Nationalisation Act 1946(**d**);

"the Board" means the National Coal Board;

"coal industry activities" and "colliery activities" have the meanings assigned to those expressions by section 63 of the Act of 1946.

Prescribed description of land

3. For the purposes of section 58(5) of the Act the following description of land is hereby prescribed—

Land (including mines) of the Board of the following classes:—

(*a*) unworked coal, or any space excavated underground for the purposes of colliery activities;

(*b*) unworked minerals other than coal, being minerals which can only be economically worked in association with the working of coal, or which can only be economically brought to the surface by the use of a mine of coal vested in the Board;

(**a**) 1967 c. 1.
(**b**) *See* S.I. 1967/146 (1967 I, p. 241).
(**c**) 1889 c. 63.
(**d**) 1946 c. 59.

(*c*) surface land in the immediate vicinity of a shaft or adit for the winning or working of coal, being either land on which any of the activities mentioned in Parts I, II and III of Schedule 1 to the Act of 1946 (except paragraphs 13 and 14 thereof) are ordinarily carried on, or land in which an interest is held by the Board for the purpose of any of those activities and which is comparable, in respect of its nature and situation, rather with land on which those activities are carried on than with land in general;

(*d*) other surface land, being either land on which coal industry activities are ordinarily carried on, or land in which an interest is held by the Board for the purpose of those activities and which is comparable, in respect of its nature and situation, rather with land on which those activities are carried on than with land in general, but excluding in either case shops and offices not adjacent to any other surface land which is prescribed by this regulation:

Provided that—

(i) land of class (*c*) shall include any dwellinghouse at a colliery, in which an employee of the Board is required by the terms of his employment to reside for the purpose of enabling him properly to perform his duties, and

(ii) land of class (*d*) shall not include any land used for the deposit of refuse or waste materials or comprised in a site used or held for that purpose.

Given under the official seal of the Minister of Housing and Local Government on 10th March 1967.

(L.S.)

Anthony Greenwood,
Minister of Housing and Local Government.

Given under the seal of the Secretary of State for Scotland on 10th March 1967.

(L.S.)

William Ross,
Secretary of State for Scotland.

Given under the official seal of the Minister of Power on 10th March 1967.

(L.S.)

Richard Marsh,
Minister of Power.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These regulations prescribe for the purposes of section 58 of the Land Commission Act 1967 certain descriptions of land of the National Coal Board.

These descriptions include all unworked coal and surface land belonging to the Board which is used or held for a wide range of activities connected with coal mining, including transport, sales, welfare and similar activities as well as the actual getting and treatment of coal.

These regulations apply to the whole of Great Britain.