

*These notes refer to the Deregulation Act 2015 (c.20)
which received Royal Assent on 26 March 2015*

DEREGULATION ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Schedule 23: Legislation no longer of practical use

Part 2: Industry

Newspaper Libel and Registration Act 1881

890. *Paragraph 2* of this Schedule repeals the registration provisions in the Newspaper Libel and Registration Act 1881. The repeals, like the 1881 Act, will form part of the law of England and Wales and Northern Ireland.
891. The 1881 Act introduced a system of registration for newspaper titles that were not registered as companies. The effect of registration is to provide information on the name and address of proprietors of newspaper titles for the purpose of enabling libel suits to be brought against them.
892. Newspapers published by companies registered under the Companies Act 2006 or registered in another EEA state do not need to register under the Act. The overwhelming majority of UK newspapers are run as registered companies, formed and registered under the Companies Act 2006 or incorporated in another EEA state.
893. With the majority of newspapers being registered as companies, and therefore not required to register their details under these provisions, and the increased use of the internet for the dissemination of information, registration no longer serves a purpose. The Department for Business, Innovation and Skills consulted on whether to repeal the registration provisions of the 1881 Act in January 2012 (“*Providing a flexible framework which allows companies to compete and grow: discussion paper*”). There was support for doing so.
894. The amendments of the 1881 Act come into force at the end of the period of 2 months beginning with the day on which the Act is passed.

Mining Industry Act 1920

895. *Paragraph 4* of this Schedule repeals the Mining Industry Act 1920 (“the 1920 Act”) in its entirety.
896. The 1920 Act concerned the re-organisation of the mining and quarrying industries post World War One, and in particular covered recruitment, welfare and pension provisions. The majority of the Act has been repealed as having achieved its objective, and the remaining provisions concern administrative arrangements which are no longer useful. The coal mining industry in particular has been completely restructured, most recently by the [Coal Industry Act 1994 \(c. 21\)](#), since the 1920 Act became law.
897. [Sections 2, 4 and 23](#) concern outdated administrative arrangements. Section 2(1) conferred on the Board of Trade (“the Board”) the powers of a Secretary of State under mining and quarrying legislation. However the Board’s powers have, by various

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transfers of functions orders over the years, been transferred back to the Secretary of State. Section 2(3) imposed functions on the Board, firstly, concerning information and statistics relating to the mining industry. This provision is no longer needed as similar functions were conferred on the Coal Authority by the Coal Industry Act 1994 in relation to coal mining, and in respect of other aspects of the mining industry the Secretary of State's existing powers to gather and disseminate information and statistics are considered sufficient. Secondly, functions were imposed on the Board regarding research in relation to matters connected with the Board's functions. As the functions of the Board are now those of the Secretary of State, this is also redundant.

898. [Section 4](#) concerned the appointment of committees to give the Board advice and assistance in relation to the mining industries. As the functions of the Board are now those of the Secretary of State, who has the benefit of the modern civil service and access to expert advice as needed, this provision is redundant.
899. [Section 23](#) allowed the Board and any other government department to make arrangements for the exercise of each other's functions relating to mines and the mining industry. This is not needed in relation to the powers of the Secretary of State, because any Secretary of State can exercise the functions, and in relation to functions exercised by agencies, such as the Health and Safety Executive, it would not be appropriate for the Secretary of State to seek to exercise those functions.
900. [Sections 18](#) and [22](#) concern the ability of the Board to hold inquiries and make schemes as to the drainage of mines. The powers have been very little used since 1920, and are considered not likely to be needed again, in view of the decline of the mining industries in the United Kingdom. Private arrangements can be made between neighbouring mine and land owners.
901. The 1920 Act forms part of the law of England and Wales, Scotland and Northern Ireland but the repeal made by paragraph 4 forms part of the law of England and Wales and Northern Ireland only. The amendments of the 1920 Act come into force at the end of the period of 2 months beginning with the day on which the Act is passed.

Mining Industry Act 1926

902. [Paragraph 6](#) repeals section 20 of the Mining Industry Act 1926 which concerns the ability of a coal mining company to establish a profit sharing scheme, regardless of the provisions of the company's articles of association. This provision pre-dates the nationalisation and privatisation of the coal mining industry, and modern companies legislation. Modern companies legislation should apply to coal mining companies in the same way as it applies to any other company, and there is no need for any special provision. There is a saving provision however, as it would not be fair to undermine any existing profit sharing schemes which have been established under this power.
903. The repeal, like the 1926 Act, will form part of the law of England and Wales and Scotland. It comes into force at the end of the period of 2 months beginning with the day on which the Act is passed.

Industry Act 1972 and Aircraft and Shipbuilding Industries Act 1977

904. [Paragraphs 7 to 9](#) in Part 2 of this Schedule repeal redundant legislation related to the former nationalised aircraft and shipbuilding industries.
905. [Paragraph 7](#) repeals a saving provision in Schedule 3 to the Industry Act 1972 that currently saves an order containing redundant provisions related to the dissolution of the Shipbuilding Industry Board. The repeal, like Schedule 3 to the 1972 Act, forms part of the law of England and Wales and Scotland.
906. [Paragraph 8](#) repeals the Aircraft and Shipbuilding Industries Act 1977 and the repeal, like the Act, forms part of the law of England and Wales, Scotland and Northern Ireland. Since the abolition of British Shipbuilders in 2013, the remaining provisions

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of the Aircraft and Shipbuilding Industries Act 1977 contain only redundant provisions related to the historic vesting of assets in British Aerospace. Paragraph 9 makes minor amendments consequential on the repeal in paragraph 8.

907. Paragraphs 7 to 9 come into force at the end of the period of 2 months beginning with the day on which the Act is passed.

British Steel Act 1988

908. Paragraphs 11 and 12 in Part 2 of this Schedule repeal redundant legislation related to the iron and steel industry.
909. Paragraph 11(1) repeals section 6 of the British Steel Act 1988 and the repeal, like the section, forms part of the law of England and Wales and Scotland. Section 6 is a provision requiring the Secretary of State to set a target investment limit in relation to shares held by the government in the company previously called British Steel plc. The provision ceased to have practical effect when the company became a wholly owned private company. Paragraph 11(2) makes minor amendments consequential on the repeal in paragraph 11(1).
910. Paragraph 12 repeals paragraph 10 of Schedule 3 to the British Steel Act 1988 and the repeal, like the Schedule, forms part of the law of England and Wales, Scotland and Northern Ireland. Paragraph 10 of Schedule 3 to the 1988 Act is a saving provision that currently saves four sets of regulations related to redundant schemes for the payment of compensation to workers adversely affected by the denationalisation and renationalisation of the iron and steel industry.
911. The repeals of provisions in the British Steel Act 1988 made by paragraphs 11 and 12 come into force at the end of the period of 2 months beginning with the day on which the Act is passed.

European Communities (Definition of Treaties) (International Railway Tariffs Agreements) Order 1980

912. The European Communities (Definition of Treaties) (International Railway Tariffs Agreements) Order 1980 designates as EU Treaties, for the purposes of the European Communities Act 1972, seven agreements relating to the European Coal and Steel Community, which are no longer in force.
913. Paragraph 13 revokes the 1980 Order. The effect of the revocation is that the agreements listed in the Schedule to the Order are no longer defined as EU Treaties for the purposes of section 1 of the European Communities Act 1972. As none of the agreements listed remain in force, paragraph 10 has the effect of revoking redundant legislation.
914. Paragraph 13 will form part of the law of England and Wales, Scotland and Northern Ireland and comes into force at the end of the period of 2 months beginning with the day on which the Act is passed.