



# Mining Industry Act 1920

## 1920 CHAPTER 50

### PART I

#### ADMINISTRATION OF MINING INDUSTRY

#### **1 Establishment of Mines Department of Board of Trade**

For the purpose of securing the most effective development and utilisation of the mineral resources of the United Kingdom and the safety and welfare of those engaged in the mining industry, there shall be established a department of the Board of Trade (to be known as the Mines Department) under a Parliamentary Secretary of the Board (in this Act referred to as " the Secretary for Mines "), and all powers and duties of the Board of Trade in relation to mines and the mining industry, whether under this Act or otherwise, shall, subject to the directions of the Board of Trade, be exercised and performed through the Secretary for Mines.

#### **2 General powers and duties**

- (1) It shall be the duty of the Board of Trade, in the exercise and performance of their powers and duties in relation to mines and the mining industry, to take steps to carry out the purposes aforesaid, and there shall, as from such date or dates as His Majesty in Council may determine, be transferred to the Board of Trade all the powers of a Secretary of State under enactments relating to mines and quarries.
- (2) If in regard to any other powers and duties of any Government department relating to mines, quarries, or minerals or the mining industry or the persons engaged therein, whether conferred by statute or otherwise, it is deemed expedient that such powers and duties should be transferred to the Board of Trade, or be exercised or performed by the Board of Trade concurrently or in consultation with the Government department concerned, His Majesty in Council may by order make provision for the purpose.
- (3) The Board of Trade shall undertake the collection, preparation, and publication of information and statistics relating to the mining industry, and shall co-operate with such Committees of the Privy Council as are formed for the purpose, and any other

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Government departments concerned, in the initiation and direction of research in relation to matters connected with the powers and duties of the Board of Trade.

- (4) His Majesty in Council may by order make such consequential and supplemental provisions as appear necessary or expedient for the purpose of giving full effect to any transfer of powers or duties by or under this Act, including provision for the transfer and vesting of any property, rights, and liabilities held, enjoyed, or incurred by any Government department in connection with any powers or duties transferred, and may make such adaptations in the Acts or regulations relating to such powers or duties as appear necessary to make exercisable by the Board of Trade the powers and duties so transferred.
- (5) Before any Order in Council under this section is made, notice of the proposal to make the order and of the place where copies of a draft of the order can be obtained shall be published in the London, Edinburgh, and Dublin Gazettes, as the case may require, and in such other manner as the Board of Trade think best adapted for ensuring publicity.
- (6) An Order in Council under this section may be altered or revoked by a subsequent order.
- (7) In connection with the transfer of powers and duties to the Board of Trade by or under this Act, the provision set out in the First Schedule to this Act shall have effect.

### **3 Powers of regulating export and price of coal**

- (1) During a period of one year after the thirty-first day of August, nineteen hundred and twenty, it shall be lawful for the Board of Trade from time to time to give directions—
  - (a) regulating the export of coal and the supply of coal for the bunkering of vessels; and
  - (b) regulating the pithead price to be charged for coal sold for consumption in the British Islands, and for coal sold for the bunkering of vessels other than vessels proceeding to ports outside the British Islands.
- (2) Whilst any such directions are operative it shall be lawful for the Board of Trade also to give directions as to the wages to be paid to workers in coal mines, and by order to regulate the distribution of profits, and any such order shall contain provisions framed on principles similar to the principles on which the provisions of the Coal Mines (Emergency) Act, 1920, are framed, so as to secure, as far as practicable, an equitable distribution as between different collieries

Provided that before any such order is made a draft thereof shall be laid before both Houses of Parliament, and the order shall not be made unless the draft has been approved by resolution of both Houses of Parliament, nor, if modifications in the draft are agreed to by both Houses, otherwise than as so modified.

- (3) If any person exports, sells or supplies, or offers for sale, or attempts to export or supply any coal in contravention of any directions given under this section or otherwise contravenes any such directions, he shall be liable on summary conviction to a fine not exceeding one hundred pounds, or, in the case of a contravention of the directions as to the export, supply or price of coal, at the discretion of the court, to a fine not exceeding treble the amount by which the sum paid or payable on any coal exported, supplied or sold by him in contravention of any such directions exceeds the maximum sum which would have been paid or payable for the coal if there had been no such contravention, and any coal which, in contravention of any such directions, is exported, or brought to any place or water-borne to be shipped for exportation or for bunker coal, shall be

forfeited under the Customs (Consolidation) Act, 1876, as amended by any subsequent enactment :

Provided that a prosecution for an offence under this subsection may, notwithstanding anything in any other Act, be instituted at any time within one year of the commission of the offence.

- (4) The powers of giving such directions and making such orders as aforesaid may be exercised by the Board of Trade after the expiration of the said one year, till the thirty-first day of March, nineteen hundred and twenty-two, if the exercise of such powers is authorised by a resolution passed by both Houses of Parliament.
- (5) An order made under this section shall have effect as from such date (which may be a date earlier than the date of the making of the order) as may be specified in the order, and shall have effect as if enacted in this Act, but may be revoked or varied by a subsequent order.
- (6) The Coal Mines (Emergency) Act, 1920, shall continue in force until the date as from which the first order made under this section takes effect, or until the thirty-first day of August, nineteen hundred and twenty-one, whichever may be the earlier; and that Act shall have effect as if in section eleven thereof for the reference to the thirty-first day of August, nineteen hundred and twenty, there were substituted a reference to the date to which the Act is continued by this provision.
- (7) The provisions of this section relating to the export of coal shall apply to coke, briquettes, and other solid fuel of which coal or coke is a constituent, in like manner as they apply to coal.

#### **4 Advisory committees**

- (1) The Board of Trade shall appoint committees for the purpose of giving the Board advice and assistance on matters connected with their powers and duties under this Act relating to coal and the coal industry and to the metalliferous mining industry respectively, and may appoint one or more other committees for the purpose of giving the Board advice and assistance on matters connected with any of their other powers and duties relating to mines and the mining industry, and in appointing members of any committee hereinbefore referred to the Board of Trade shall act after consultation with the various interests concerned.
- (2) The Board of Trade shall refer to an advisory committee for advice any question relating to the powers and duties of the Board relating to mines and the mining industry which appears to the Board of such a nature as to make such reference desirable, and shall take into consideration any representations thereon which may be made to the Board by any such committee.
- (3) The advisory committee on coal and the coal industry shall consist of a chairman and twenty-four other persons, of whom—
  - Four shall be representative of owners of coal mines;
  - Four shall be representative of workers in or about coal mines;
  - Three shall be representative of employers in other industries;
  - Three shall be representative of workers in other industries;
  - One shall be a mining engineer;
  - Two shall be agents or managers or under-managers of coal mines holding first class certificates;

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One shall be a coal exporter;  
One shall be a coal factor or coal merchant;  
One shall be a person with experience of commerce other than the production or distribution of coal;  
One shall be a person with experience in co-operative trading;  
Three shall be persons with expert knowledge of medical or other science.

## **5 Staff remuneration and expenses**

- (1) There shall be paid out of moneys provided by Parliament to the Secretary for Mines an annual salary not exceeding fifteen hundred pounds.
- (2) The salaries and remuneration of the officers and servants of the Department of Mines and the expenses of the Department, to such amount as may be sanctioned by the Treasury, shall be paid out of moneys provided by Parliament, provided that the total amount of such salaries, remuneration, and expenses shall not in any year exceed two hundred and fifty thousand pounds.
- (3) There shall be transferred and attached to the Board of Trade such of the persons employed under any other Government department in or about the execution of the powers and duties transferred by or under this Act to the Board of Trade, as the Board of Trade and the other Government department, with the sanction of the Treasury, may determine.
- (4) The Board of Trade may from time to time distribute the business of the department amongst the several persons transferred and attached thereto in pursuance of this Act, in such manner as they may think right, and those officers shall perform such duties in relation to that business as may be directed by the Board of Trade :

Provided that such persons shall be in no worse position as respects the tenure of office, salary, or superannuation allowances than they would have been if this Act had not been passed.

## **6 Ability of Secretary for Mines to sit in Parliament**

The office of the Secretary for Mines shall not render the holder thereof incapable of being elected to or sitting or voting as a member of the Commons House of Parliament.