



Mining Industry Act 1920

1920 CHAPTER 50

PART II

REGULATION OF COAL MINES

7 Pit and district committees, and area and national boards

The Board of Trade shall by regulations provide for the constitution—

- (a) of a pit committee for every coal mine where a resolution in favour thereof is passed by a majority (to be ascertained by ballot in accordance with the said regulations) of the workers employed in or about the mine, except that it shall not be necessary to constitute a pit committee for any mine which is a small mine within the meaning of the Coal Mines Act, 1911;
- (b) of a district committee for each of the districts mentioned in Part I. of the Second Schedule to this Act;
- (c) of an area board for each of the areas mentioned in Part II. of that schedule;
- (d) of a National Board;

having such functions as may, subject to the provisions of this Act, be prescribed by the regulations, and the procedure and meetings of the several committees and boards shall be such as may be prescribed by the regulations :

Provided that—

- (i) where a district is co-extensive with an area, the district committee shall perform the functions of the area board as well as of the district committee;
- (ii) districts and areas may be varied by order of the Board of Trade after consultation with the National Board and with the consent of the district committees or area boards affected;
- (iii) where a mine situate in one district has, for industrial purposes, been customarily dealt with as if it were a mine situate in an adjoining district, that mine shall, for the purposes of this Part of the Act, if the owner and the workers employed in or about the mine so agree, be treated as being situate in such adjoining district.

8 Constitution and functions of pit committees

- (1) A pit committee shall not exceed ten in number and shall consist of representatives of the owners and management of the mine appointed by the owners and of workers employed in or about the mine selected by ballot of the workers in accordance with the regulations from amongst their own number, so however that the representatives of the workers shall constitute half of the number of the pit committee.
- (2) The functions of a pit committee shall be to discuss and make recommendations with respect to—
 - (a) the safety, health, and welfare of the workers in connexion with their work at the mine;
 - (b) the maintenance and increase of output;
 - (c) reports made on an inspection under section sixteen of the Coal Mines Act, 1911, which reports shall be referred to the committee by the manager;
 - (d) disputes arising in connexion with the mine including disputes as to wages;
 - (e) any other questions and matters relating to the mine which may be prescribed by the regulations.
- (3) In the case of a mine for which a pit committee is established the management of the accommodation and facilities for taking baths and drying clothes provided under section seventy-seven of the Coal Mines Act, 1911, shall be under the control of the pit committee instead of that of a committee established in accordance with subsection (5) of that section.
- (4) The regulations shall provide for matters which cannot be satisfactorily disposed of by the pit committee being referred to the district committee, or, in the case of questions to which the Coal Mines Act, 1911, applies, to the inspector of the division.
- (5) For enabling a pit committee to exercise, their functions under paragraphs (a) and (b) of subsection (2) of this section, the committee shall be entitled to be furnished by the manager of the mine with such relevant information as may be necessary for the purpose, and may appoint two of their members, one being a person concerned in the management of the mine and one being a worker, to make periodical inspections of the mine or any part thereof and to report the result of their inspections to the committee, and the persons so appointed shall have all such facilities for the purpose of making inspections as persons appointed to make inspections under section sixteen of the Coal Mines Act, 1911, and that section shall apply accordingly.
- (6) Any recommendations of the pit committee, made on any report under section sixteen of the Coal Mines Act, 1911, which has been referred to the committee, and on any other matters to which that Act relates, shall be sent to the inspector of the division by the manager.

9 Constitution and functions of district committees

- (1) A district committee shall consist of representatives of the owners and management of the coal mines in the district appointed by the owners in accordance with the regulations constituting the committee, and an equal number of representatives of workers employed in or about such mines elected by the workers in accordance with those regulations.
- (2) A district committee shall take into consideration—

- (a) questions affecting the district of the same nature as those which may be the subject of discussion and recommendations by a pit committee;
- (b) any questions which may be referred to them by a pit committee;
- (c) any questions which may be referred to them by the area board, or the Board of Trade;

and, if the matter is one proper to be dealt with by the area board rather than by the district committee, they shall refer the matter to the area board, and in any other case they shall deal with the matter themselves and make such recommendations as they think fit, and, if their recommendations are not complied with, they may forward them with a report on the matter to the Board of Trade.

10 Constitution and functions of area boards

- (1) An area board shall consist of representatives of the owners and management of the coal mines in the area nominated in accordance with the regulations constituting the board by the representatives of the owners and management who are members of the various district committees within the area, and an equal number of representatives of workers employed in or about such mines so nominated by the representatives of workers who are members of the district committees within the area.
- (2) The area board shall take into consideration—
 - (a) questions affecting the area of the same nature as those which may be the subject of consideration by a district committee;
 - (b) any questions which may be referred to them by a district committee;
 - (c) any questions which may be referred to them by the National Board or the Board of Trade,

and, if the matter is one proper to be dealt with by the National Board rather than by the area board, in that it raises any question affecting more than one area, they shall refer the matter to the National Board, and in any other case they shall deal with the matter themselves, and make such recommendations as they think fit, and, if their recommendations are not complied with, they may forward them with a report on the matter to the Board of Trade.

- (3) An area board shall formulate, at such intervals and on such principles as may be prescribed by the National Board, schemes for adjusting the remuneration of the workers within the area, having regard among other considerations to the profits of the industry within the area, and any such scheme when formulated shall be submitted to the National Board for their approval, and, if approved by that Board, shall be referred to the Board of Trade, and for the purposes of this subsection the owners of mines in the area shall furnish to accountants appointed by the area board such information as they may require in order that they may ascertain for the information of the area board particulars of the output, cost of production, proceeds and profits in the area as a whole :

Provided that no such scheme shall be formulated during the period of the operation of the Coal Mines (Emergency) Act, 1920, or, if the Board of Trade so direct, whilst an order made by the Board of Trade under Part I. of this Act as to the distribution of profits is in force.

- (4) The accountant so appointed as aforesaid shall not include in his report or disclose information with respect to any particular undertaking, and, if he does so, he shall be

Status: This is the original version (as it was originally enacted).

guilty of an offence and "liable on summary conviction to a fine not exceeding fifty pounds.

11 Additional powers of district committees and area boards

The Board of Trade may by regulations provide for district committees or area boards determining any questions and exercising any powers which before the passing of this Act can be determined or exercised by a conciliation board or by a joint district board constituted under the Coal Mines (Minimum Wage) Act, 1912 ; and the regulations may provide for the appointment of an independent chairman, with a casting vote, to preside at meetings of any district committee or area board when determining any such question or exercising any such power, and may add to or alter the districts mentioned in the Schedule to the Coal Mines (Minimum Wage) Act, 1912 :

Provided that the regulations shall not provide for the appointment of such an independent chairman when the committee or board acts as a conciliation board except in pursuance of an agreement to that effect.

12 Constitution and functions of National Board

- (1) The National Board shall consist of such number of members as may be prescribed by the regulations, of whom one-half shall be representatives of the owners and management of coal mines throughout the United Kingdom, and one-half shall be representatives of workers employed in or about such mines.
- (2) The National Board shall take into consideration—
 - (a) questions, including wages questions, affecting the coal mining industry as a whole;
 - (b) any questions which may be referred to them by an area board;
 - (c) any questions which may be referred to them by the Board of Trade;and may make recommendations in respect thereof, and may, in any case when their recommendations are not complied with, or in any other case where they think fit, forward their recommendations with a report on the matter to the Board of Trade.
- (2) The National Board shall also determine, subject to the approval of the Board of Trade, the principles on which schemes by area boards under this Part of this Act for adjusting the remuneration of workers are to be framed, and shall consider all such schemes when submitted to them for their approval.

13 Power of Board of Trade to direct compliance with recommendations and schemes

Where any recommendations made by a district committee or area board or by the National Board, or any scheme made by an area board and approved by the National Board, have been forwarded or referred to the Board of Trade as aforesaid, the Board of Trade shall take such recommendations or scheme into consideration, and may, if they think fit, give directions requiring any person engaged in the coal mining industry to comply therewith, and it shall be the duty of every person to whom those directions apply to comply therewith, and if any such person fails to do so he shall be guilty of an offence against the Coal Mines Act, 1911 :

Provided that, where the recommendations relate to matters within the scope of the authority of some other Government department, the Board of Trade before giving any such directions as aforesaid shall obtain the approval of that other department.

14 Meaning of recommendation

For the purpose of the foregoing provisions of this Part of this Act, the expression " recommendation " means a recommendation approved by a majority of the representatives of the owners and management present at the meeting at which the recommendation was passed, and by a majority of the representatives of the workers so present.

15 Fees to members and expenses of pit committees

There shall be paid to the members of pit committees such fees for attendance at meetings thereof as may be prescribed by the regulations, and such payments, together with any expenses incurred in accordance with the regulations by such committees in the discharge of their functions shall be payable by the owner of the mine as part of the working expenses of the mine.

16 Provisions as to regulations under Part II

The provisions of sections eighty-six and one hundred and seventeen of, and Part I. of the Second Schedule to-, the Coal Mines Act, 1911, which relate to general regulations shall apply with the necessary modifications to regulations under this Part of this Act.

17 Cessation of Part II in certain eventualities

If at the expiration of one year from the passing of this Act it appears to the Board of Trade that the scheme of this Part of the Act has been rendered abortive by reason of the failure on the part of those entitled to appoint representatives as members of the pit and district committees, area boards, and the National Board to avail themselves of such right, the Board of Trade shall issue a report of the circumstances, and that report shall be laid before Parliament, and at the expiration of thirty days during the session of Parliament from the date when it is so laid all the provisions of this Part of this Act shall cease to have effect unless in the meantime a resolution to the contrary is passed by both Houses of Parliament.