



Coal Act 1938

1938 CHAPTER 52 1 and 2 Geo 6

An Act to make provision for the acquisition of the property in all unworked coal and mines of coal and in certain associated minerals, and of certain associated property and rights in land, by a Commission with power of management thereover; for amending the enactments relating to facilities for the working of minerals; for empowering the Commission to promote a reduction in the number of coal-mining undertakings; for continuing Part I of the Coal Mines Act 1930, and for amending the provisions thereof with respect to committees of investigation; for enabling land to be acquired compulsorily for the purposes of the miners welfare committee; and for purposes connected with the matters aforesaid. [29th July 1938]

Extent Information

- E1** Act: extent section repealed (31.10.1994) by 1994 c. 21, s. 67, [Sch. 11 Pt. III](#) (with [ss. 40\(7\)](#), [66](#) and with savings in [Sch. 10 para. 1](#)); S.I. 1994/2552, [art. 2](#), [Sch. 1](#)

Modifications etc. (not altering text)

- C1** “The Commission” means Coal Commission

Commencement Information

- I1** Act wholly in force at Royal Assent

PART I

UNIFICATION OF COAL MINING ROYALTIES.

Modifications etc. (not altering text)

- C2** Part I: Definition of "coal" in Part I (ss. 1-45) applied (30.11.1991) by [Coal Mining Subsidence Act 1991 \(c. 45, SIF 86\)](#), [s. 52\(1\)](#)(with [s. 37\(4\)](#), [Sch. 7](#)); S.I. 1991/2508, [art.2](#).

Status: Point in time view as at 31/10/1994.
Changes to legislation: There are currently no known outstanding effects for the Coal Act 1938. (See end of Document for details)

1 F1

Textual Amendments
F1 S. 1 repealed by Statute Law (Repeals) Act 1973 (c. 39), **Sch. 1 Pt. X**

2 F2

Textual Amendments
F2 S. 2 repealed by Coal Industry Nationalisation Act 1946 (c. 59), **Sch. 4**

Unification of ownership of coal in the hands of the Commission.

3 **Commission to acquire fee simple in coal.**

- (1) F3
- ^{F4}(2)
- (3) F3
- ^{F4}(4)

Textual Amendments
F3 Ss. 3(1)(3), 4, 6(1)(3)(4), 7–10, 12, 13 repealed by Statute Law (Repeals) Act 1973 (c. 39), **Sch. 1 Pt. X**
F4 S. 3(2)(4) repealed (31.10.1994) by 1994 c. 21, ss. 67, 68(2)(e), **Sch. 11 Pt. II** (with ss. 40(7), 66 and with saving in Sch. 10 para. 1); S.I. 1994/2553, **art. 2**

4 F5

Textual Amendments
F5 Ss. 3(1)(3), 4, 6(1)(3)(4), 7–10, 12, 13 repealed by Statute Law (Repeals) Act 1973 (c. 39), **Sch. 1 Pt. X**

^{F6}5

Textual Amendments
F6 S. 5 repealed (31.10.1994) by 1994 c. 21, ss. 67, 68(2)(e), **Sch. 11 Pt. II** (with ss. 40(7), 66 and with saving in Sch. 10 para. 1); S.I. 1994/2553, **art. 2**

Status: Point in time view as at 31/10/1994.
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Compensation of existing owners

6 Compensation payable in respect of acquisition as a whole.

- (1) F7
F8(2)
(3) F7

Textual Amendments

- F7 Ss. 3(1)(3), 4, 6(1)(3)(4), 7–10, 12, 13 repealed by Statute Law (Repeals) Act 1973 (c. 39), **Sch. 1 Pt. X**
F8 S. 6(2) repealed (31.10.1994) by 1994 c. 21, ss. 67, 68(2)(e), **Sch. 11 Pt. II** (with ss. 40(7), 66 and with saving in Sch. 10 para. 1); S.I. 1994/2553, **art. 2**

7.—10. F9

Textual Amendments

- F9 Ss. 3(1)(3), 4, 6(1)(3)(4), 7–10, 12, 13 repealed by Statute Law (Repeals) Act 1973 (c. 39), **Sch. 1 Pt. X**

F10 **11**

Textual Amendments

- F10 S. 11 repealed (31.10.1994) by 1994 c. 21, ss. 67, 68(2)(e), **Sch. 11 Pt. II** (with ss. 40(7), 66 and with saving in Sch. 10 para. 1); S.I. 1994/2553, **art. 2**

12, 13. F11

Textual Amendments

- F11 Ss. 3(1)(3), 4, 6(1)(3)(4), 7–10, 12, 13 repealed by Statute Law (Repeals) Act 1973 (c. 39), **Sch. 1 Pt. X**

F12 **14**

Textual Amendments

- F12 S. 14 repealed (31.10.1994) by 1994 c. 21, ss. 67, 68(2)(e), **Sch. 11 Pt. II** (with ss. 40(6), 66 and with savings in Sch. 10 paras. 1, 2); S. I. 1994/2553, **art. 2**

Status: Point in time view as at 31/10/1994.
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Provisions supplemental to, and consequential on, unification

^{F13}15

Textual Amendments

F13 S. 15 repealed (31.10.1994) by 1994 c. 21, ss. 67, 68(2)(e), **Sch. 11 Pt. II** (with ss. 40(6), 51(8), 66 and with saving in **Sch. 10 para. 1**); S.I. 1994/2553, **art. 2**

16 ^{F14}

Textual Amendments

F14 S. 16 repealed by Coal Industry Nationalisation Act 1946 (c. 59), **Sch. 4**

^{F15}17

Textual Amendments

F15 S. 17 repealed (31.10.1994) by 1994 c. 21, ss. 67, 68(2)(e), **Sch. 11 Pt. II** (with ss. 40(7), 66 and with saving in **Sch. 10 para. 1**); S.I. 1994/2553, **art. 2**

18 ^{F16}

Textual Amendments

F16 Ss. 17(3), 18, 20, 21 repealed by Statute Law (Repeals) Act 1973 (c. 39), **Sch. 1 Pt. X**

^{F17}19

Textual Amendments

F17 S. 19 repealed (31.10.1994) by 1994 c. 21, ss. 67, 68(2)(e), **Sch. 11 Pt. II** (with ss. 40(7), 66 and with saving in **Sch. 10 para. 1**); S. I. 1994/2553, **art. 3**

20, 21. ^{F18}

Textual Amendments

F18 Ss. 17(3), 18, 20, 21 repealed by Statute Law (Repeals) Act 1973 (c. 39), **Sch. 1 Pt. X**

Status: Point in time view as at 31/10/1994.
Changes to legislation: There are currently no known outstanding
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22 **F19**

Textual Amendments

F19 S. 22 repealed by Mines (Working Facilities and Support) Act 1966 (c. 4), s. 15(2)(3), **Sch. 1**

23— **F20**
30.

Textual Amendments

F20 Ss. 23–31, 35–40, 42(2), 43(3), 45(9)–(11) repealed by Statute Law (Repeals) Act 1973 (c. 39), **Sch. 1 Pt. X**

Miscellaneous

31 **F21**

Textual Amendments

F21 Ss. 23–31, 35–40, 42(2), 43(3), 45(9)–(11) repealed by Statute Law (Repeals) Act 1973 (c. 39), **Sch. 1 Pt. X**

F22 **32**

Textual Amendments

F22 S. 32 repealed (31.10.1994) by 1994 c. 21, ss. 67, 68(2)(e), **Sch. 11 Pt. II** (with ss. 40(7), 66 and with saving in **Sch. 10 para. 1**); S. I. 1994/2553, **art. 2**

F23 **33**

Textual Amendments

F23 S. 33 repealed (31.10.1994) by 1994 c. 21, ss. 67(7), 68(2)(e), **Sch. 11 Pt. II** (with ss. 40(7), 66 and with savings in **Sch. 10 paras. 1, 3**); S. I. 1994/2553, **art. 2**

F24 **34**

Status: Point in time view as at 31/10/1994.
Changes to legislation: There are currently no known outstanding effects for the Coal Act 1938. (See end of Document for details)

Textual Amendments

F24 S. 34 repealed (31.10.1994) by 1994 c. 21, ss. 67, 68(2)(e), **Sch. 11 Pt. II** (with ss. 40(7), 66 and with savings in **Sch. 10** paras. 1, 4); S. I. 1994/2553, **art. 2**

35— **F25**
40.

Textual Amendments

F25 Ss. 23–31, 35–40, 42(2), 43(3), 45(9)–(11) repealed by Statute Law (Repeals) Act 1973 (c. 39), **Sch. 1 Pt. X**

Application and interpretation of Part I

F26 **41**

Textual Amendments

F26 S. 41 repealed (31.10.1994) by 1994 c. 21, ss. 67, 68(2)(e), **Sch. 11 Pt. II** (with ss. 40(7)66 and with saving in **Sch. 10** para. 1); S. I. 1994/2553, **art. 2**

F27 **42**

Textual Amendments

F27 S. 42 repealed (31.10.1994) by 1994 c. 21, ss. 67, 68(2)(e), **Sch. 11 Pt. II** (with ss. 40(7), 66 and with saving in **Sch. 10** para. 1); S. I. 1994/2553, **art. 2**

F28 **43**

Textual Amendments

F28 S. 43 repealed (31.10.1994) by 1994 c. 21, ss. 67, 68(2)(e), **Sch. 11 Pt. II** (with ss. 40(7), 66 and with savings in **Sch. 10** paras. 1, 5); S.I. 1994/2553, **art. 2**

F29 **44**

Textual Amendments

F29 S. 44 repealed (31.10.1994) by 1994 c. 21, ss. 67(7), 68(2)(e), **Sch. 11 Pt. II** (with ss. 40(7), 66 and with saving in **Sch. 10**, para. 1); S.I. 1994/2553, **art. 2**

Status: Point in time view as at 31/10/1994.
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^{F30} 45

Textual Amendments

F30 S. 45 repealed (31.10.1994) by 1994 c. 21, ss. 67, 68(2)(e), **Sch. 11 Pt. II** (with ss. 40(6), 66 and with savings in **Sch. 10** para. 1); S.I. 1994/2553, **art. 2**

PARTS II, III

46— ^{F31}
50.

Textual Amendments

F31 Ss. 46–50 repealed by Coal Industry Nationalisation Act 1946 (c. 59), **Sch. 4**

PART IV

MISCELLANEOUS AND GENERAL.

51 ^{F32}

Textual Amendments

F32 S. 51 repealed by Mines (Working Facilities and Support) Act 1966 (c. 4), s. 15(2), **Sch. 1**

^{F33} 52

Textual Amendments

F33 S. 52 repealed (31.10.1994) by 1994 c. 21, s. 67, **Sch. 11 Pt. III** (with ss. 40(7), 66 and with saving in **Sch. 10** para. 1); S.I. 1994/2552, **art. 2**, **Sch. 1** Appendix

^{F34} 53

Textual Amendments

F34 S. 53 repealed (31.10.1994) by 1994 c. 21, s. 67, **Sch. 11 Pt. III** (with ss. 40(7), 66 and with saving in **Sch. 10** para. 1); S.I. 1994/2552, **art. 2**, **Sch. 1** Appendix

^{F35} 54

Status: Point in time view as at 31/10/1994.
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Textual Amendments

F35 S. 54 repealed (31.10.1994) by 1994 c. 21, s. 67(7), **Sch. 11 Pt. III** (with ss. 40(7), 66 and with saving in Sch. 10 para. 1); S. I. 1994/2552, art. 2, **Sch. 1** Appendix

^{F36} **55**

Textual Amendments

F36 S. 55 repealed (31.10.1994) by 1994 c. 21, s. 67, **Sch. 11, Pt. III** (with ss. 40(7), 66 and with savings in Sch. 10 para. 1); S.I. 1994/2552, art. 2, **Sch. 1** Appendix

56, 57. ^{F37}

Textual Amendments

F37 Ss. 56, 57, **Sch. 1** repealed by Statute Law (Repeals) Act 1973 (c. 39), **Sch. 1 Pt. X**

^{F38} **58**

Textual Amendments

F38 S. 58 repealed (31.10.1994) by 1994 c. 21, s. 67, **Sch. 11 Pt. III** (with ss. 40(7), 66 and with savings in Sch. 10 para. 1); S. I. 1994/2552, art. 2, **Sch. 1**

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SCHEDULES

FIRST SCHEDULE. F39

Textual Amendments

F39 Ss. 56, 57, Sch. 1 repealed by Statute Law (Repeals) Act 1973 (c. 39), **Sch. 1 Pt. X**

F40 SECOND SCHEDULE

Textual Amendments

F40 Sch. 2 repealed (31.10.1994) by 1994 c. 21, ss. 67, 68(2)(e), **Sch. 11 Pt. II** (with ss. 40(7), 66 and with saving in Sch. 10 para. 1); S.I. 1994/2553, **art. 2**

THIRD—FIFTH SCHEDULES. F43

Textual Amendments

F43 Schs. 3–5 repealed by Statute Law (Repeals) Act 1973 (c. 39), **Sch. 1 Pt. X**

SIXTH—SEVENTH SCHEDULES. F44

Textual Amendments

F44 Schs. 6, 7 repealed by Coal Industry Nationalisation Act 1946 (c. 59), **Sch. 4**

Status:

Point in time view as at 31/10/1994.

Changes to legislation:

There are currently no known outstanding effects for the Coal Act 1938.