

SCHEDULES.

THIRD SCHEDULE

PROVISIONS AS TO SELLING SCHEMES UNDER PART I OF THE COAL MINES ACT, 1930, AND AS TO THE SOUTH YORKSHIRE MINES DRAINAGE COMMITTEE.

PART I

COAL-SELLING SCHEMES.

Vesting of Interests and Compensation.

- 1 On the primary vesting date there shall vest in the Board, by virtue of this paragraph and without further assurance, the interests of the bodies administering schemes under Part I of the Coal Mines Act, 1930 (in this Part of this Schedule referred to as "selling schemes"), in property of whatsoever kind, other than interests of bodies administering central selling schemes in investments, cash or other liquid assets, or the benefit of contracts.
- 2 Compensation shall not be made in respect of interests vested as aforesaid, other than interests of bodies administering central selling schemes in stocks of products of colliery production activities owned by those bodies immediately before the primary vesting date.
- 3 The compensation to be made in respect of the interests vested as aforesaid of a body administering a central selling scheme in such stocks as aforesaid shall be of an amount equal to the value thereof as determined, in default of agreement between the Minister and the trustees for that body, by arbitration under this Act, shall be satisfied by a money payment made to those trustees, and, when paid, shall be dealt with as if it had been money received by that body in respect of sales of coal.

Contracts.

- 4 (1) Subject to the provisions of sub-paragraph (3) of this paragraph, as from the primary vesting date a contract to which the body administering a selling scheme, other than a central selling scheme, is a party shall have effect in favour of and against the Board as if the Board had been a party to the contract instead of that body.
- (2) Subject to the provisions of sub-paragraph (3) of this paragraph, as from the primary vesting date—
 - (a) a contract to which the body administering a central selling scheme is a party ; and
 - (b) a contract for the rendering, for the purposes of colliery sales activities, of personal services to a selling agent appointed under a group selling scheme ;shall have effect in favour of and against the Board, so far as the performance thereof is due on or after the primary vesting date, as if the Board had been a party thereto instead of the body or agent aforesaid.

Status: This is the original version (as it was originally enacted).

- (3) The provisions of subsections (2) to (5) of section seven of this Act and of subsection (3) of section nine thereof shall apply to the contracts mentioned in sub-paragraph (1) and sub-paragraph (2) of this paragraph respectively as they apply to the contracts mentioned in the Second Schedule to this Act with the substitution—
- (a) for the reference in subsection (2) of the said section seven to the purposes mentioned in paragraph 1 of that Schedule, of a reference to the purposes of the selling scheme in question ; and
 - (b) for references generally in those provisions to that Schedule, of references to this paragraph.

Winding up, etc.

- 5 On the primary vesting date—
- (a) the bodies administering selling schemes, other than central selling schemes, shall be dissolved and those schemes shall cease to have effect; and
 - (b) so much of any central selling scheme as prohibits the supply of coal by the owner of a mine otherwise than to, or to the order of, the body administering the scheme shall cease to have effect.
- 6 On the primary vesting date Part I of the Coal Mines Act, 1930, shall cease to have effect, but, subject to the provisions of the next succeeding paragraph, the central selling schemes shall, for the purpose of winding up the affairs of the bodies administering them, have effect by virtue of this paragraph.
- 7 The Minister may by regulations provide—
- (a) for winding up the affairs of, and dissolving, the body administering a central selling scheme ;
 - (b) for amending or revoking any such scheme so far as it appears to the Minister requisite or expedient so to do in consequence of the passing of this Act or for the purposes of the winding up of the affairs of the body administering the scheme or in consequence thereof ;
- and, without prejudice to the generality of sub-paragraph (a) of this paragraph, any such regulations may provide for the winding up to be in accordance either with the provisions in that behalf contained in the scheme or with provisions substituted for those provisions by the regulations.

Interpretation.

- 8 In this Part of this Schedule—
- (a) the expression " central selling scheme" means a selling scheme which, immediately before the passing of this Act, prohibits (subject to exceptions specified in the scheme) the supply of coal by the owner of a mine otherwise than to, or to the order of, the body administering the scheme ; and
 - (b) the expression " group selling scheme" means a selling scheme which, immediately before the passing of this Act, prohibits (subject to exceptions specified in the scheme) the sale or supply of coal by a coalowner otherwise than through the agency of the body administering the scheme.