

**2014 No. 1986**

**COAL INDUSTRY**

**The Coal Industry (Superannuation Scheme Winding Up)  
(Revocations and Savings) Regulations 2014**

|                               |                           |
|-------------------------------|---------------------------|
| <i>Made</i> - - - -           | <i>25th July 2014</i>     |
| <i>Laid before Parliament</i> | <i>28th July 2014</i>     |
| <i>Coming into force</i> - -  | <i>1st September 2014</i> |

The Secretary of State, in exercise of the powers conferred by section 37 of the Coal Industry Nationalisation Act 1946(a), makes the following Regulations:

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Coal Industry (Superannuation Scheme Winding Up) (Revocations and Savings) Regulations 2014, and come into force on 1st September 2014.

(2) In these Regulations—

“existing scheme” means any scheme having effect by virtue of regulations made under section 37 of the Coal Industry Nationalisation Act 1946 for purposes relating to pensions, gratuities or other like benefits;

“superannuation scheme” means a scheme or other arrangements for the provision of pensions, gratuities or other like benefits;

“the Trustees” means the trustees of any existing scheme;

“Winding Up Regulations” means the Regulations mentioned in regulation 2;

“wound up scheme” means a superannuation scheme which was wound up by any of the Winding Up Regulations.

**Revocations**

2. Subject to the savings in regulation 3, the Regulations listed in the Schedule are revoked.

**Savings**

3. The revocation of the Winding Up Regulations does not affect—

(a) the transfer of any property, right or interest under or by virtue of any of the Winding Up Regulations;

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(a) 1946 c. 59; amended by section 4 of the Coal Industry Act 1949 (c. 53), section 12 of the Coal Industry Act 1977 (c. 39) and section 1 of, and Schedule 1 to, the Coal Industry Act 1987 (c. 3); modified by section 4 of the Coal Industry Act 1949, section 14 of the Miners’ Welfare Act 1952 (c. 23) and section 4 of the Coal Industry Act 1965 (c. 82). The functions of the Minister of Fuel and Power have been transferred to the Secretary of State, see S.I.s 1957/48, 1969/1498 and 1970/1537.

- (b) the vesting of liabilities and obligations in any person under or by virtue of any of the Winding Up Regulations;
- (c) any duty to ensure—
  - (i) the transfer of any property, right or interest to any person under or by virtue of any of the Winding Up Regulations, or
  - (ii) the vesting of any liability or obligation in any person under or by virtue of any of the Winding Up Regulations;
- (d) any continuing obligation to pay benefits under the wound up schemes;
- (e) the powers of the Trustees to cause or allow the disposal of any property, right or interest transferred under or by virtue of any of the Winding Up Regulations, or to apply any proceeds of any such property, right or interest for—
  - (i) the discharge of any liability or obligation, or the payment of any expense, imposed upon them by any of the Winding Up Regulations, or
  - (ii) the purposes of any existing scheme;
- (f) any trust upon which any property, right or interest transferred under or by virtue of any of the Winding Up Regulations is held;
- (g) the substitution of the Trustees, including in any regulating instruments, in place of—
  - (i) the trustees, or
  - (ii) any persons vested with or in possession or control of any property or vested with any right as trustees,
 of any wound up scheme;
- (h) any exclusion from liability of a person arising by virtue of any of the Winding Up Regulations; or
- (i) any indemnity from liability arising or preserved by virtue of any of the Winding Up Regulations.

25th July 2014

*Verma*  
Parliamentary Under Secretary of State  
Department of Energy and Climate Change

## SCHEDULE

Regulation 2

| <i>(1)</i>                                                                     | <i>(2)</i>        |
|--------------------------------------------------------------------------------|-------------------|
| <i>Orders revoked</i>                                                          | <i>References</i> |
| The Coal Industry (Superannuation Scheme) (Winding Up, No. 1) Regulations 1949 | S.I. 1949/917     |
| The Coal Industry (Superannuation Scheme) (Winding Up, No. 2) Regulations 1951 | S.I. 1951/393     |
| The Coal Industry (Superannuation Scheme) (Winding Up, No. 3) Regulations 1951 | S.I. 1951/2010    |
| The Coal Industry (Superannuation Scheme) (Winding Up, No. 4) Regulations 1952 | S.I. 1952/2018    |
| The Coal Industry (Superannuation Scheme) (Winding Up, No. 5) Regulations 1953 | S.I. 1953/845     |
| The Coal Industry (Superannuation Scheme) (Winding Up, No. 6) Regulations 1954 | S.I. 1954/155     |
| The Coal Industry (Superannuation Scheme)                                      | S.I. 1954/970     |

|                                           |                |
|-------------------------------------------|----------------|
| (Winding Up, No 7) Regulations 1954       |                |
| The Coal Industry (Superannuation Scheme) | S.I. 1955/281  |
| (Winding Up, No. 8) Regulations 1955      |                |
| The Coal Industry (Superannuation Scheme) | S.I. 1955/1345 |
| (Winding Up, No. 9) Regulations 1955      |                |
| The Coal Industry (Superannuation Scheme) | S.I. 1956/248  |
| (Winding Up, No. 10) Regulations 1956     |                |
| The Coal Industry (Superannuation Scheme) | S.I. 1957/156  |
| (Winding Up, No. 11) Regulations 1957     |                |

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### **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations revoke eleven sets of regulations, which wound up various superannuation schemes connected with the coal mining industry (“the Winding Up Regulations”). The Winding Up Regulations transferred the assets and liabilities of the schemes, with any surplus to be applied for the purposes of superannuation schemes provided under section 37 of the Coal Industry Nationalisation Act 1946 (c. 59).

There are still such schemes in existence, so these Regulations contain savings in regulation 3 to safeguard the operation of these schemes.

An impact assessment has not been produced for this instrument as no impact is foreseen on the private, voluntary or public sectors.

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