



Coal Industry Nationalisation Act 1946

1946 CHAPTER 59

Savings, and provisions consequential on nationalisation.

38 Transfer to the Board of property and functions of the Coal Commission, other than interests in coal.

- (1) On the primary vesting date these shall vest in the Board, by virtue of this subsection and without further assurance,—
 - (a) all interests of the Coal Commission not vested in the Board by virtue of section five of this Act in land or other fixed property within the meaning of the First Schedule to this Act, and all interests of theirs in movable property within the meaning of that Schedule ; and
 - (b) the property in, and the right to possession of, all records and other documents the property in which and the right to possession of which are vested in the Coal Commission by subsection (2) of section fourteen of the Coal Act, 1938.
- (2) As from the primary vesting date, a contract to which the Coal Commission is a party shall have effect in favour of and against the Board as if the Board had been a party thereto instead of the Commission.
- (3) On the primary vesting date there shall be transferred to the Board all the functions of the Coal Commission—
 - (a) under the Coal (Registration of Ownership) Act, 1937, with respect to the payment of costs incurred in giving effect to the provisions of that Act, and
 - (b) under the Coal Act, 1938, with respect to the payment of compensation in respect of holdings within the meaning of that Act, apportionments provided for by section eleven of that Act consequent on severance of interests, and the payment of costs required by that Act to be paid by them,

and accordingly, as from that date, references to the Coal Commission in subsection (6) of section one of, and Part II of the Second Schedule to, the said Act of 1937, and in the following provisions of the said Act of 1938, namely, sections six, seven and eleven, subsection (1) of section fourteen, section thirty-nine, Parts III, IV and V of the Third Schedule and paragraph 6 of the Fifth Schedule shall, so far only as may be

Status: This is the original version (as it was originally enacted).

necessary in consequence of the transfer of those functions, be construed as references to the Board.

- (4) At such time as the Treasury direct the Coal Commission's reserve fund shall be wound up and the investments and cash of which it consists shall be transferred by the Commission to the Board, who shall carry them to the credit of the reserve fund established by them under section twenty-nine of this Act.
- (5) The Minister may by order dissolve the Coal Commission, and any such order may contain such incidental or supplementary provisions as appear to the Minister to be necessary or expedient in connection with or in consequence of the dissolution.