



# 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- E1** Act: extent section repealed (31.10.1994) by 1994 c. 21, s. 67, [Sch. 11 Pt.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](#).

*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F1 S. 1 repealed by Statute Law (Repeals) Act 1973 (c. 39), **Sch. 1 Pt.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F2 S. 2 repealed by Coal Industry Nationalisation Act 1946 (c. 59), **Sch. 4**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
- <sup>F4</sup>(2) .....
- (3) ..... F3
- <sup>F4</sup>(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F3 Ss. 3(1)(3), 4, 6(1)(3)(4), 7–10, 12, 13 repealed by Statute Law (Repeals) Act 1973 (c. 39), **Sch. 1 Pt.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F4 S. 3(2)(4) repealed (31.10.1994) by 1994 c. 21, ss. 67, 68(2)(e), **Sch. 11 Pt.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F5 Ss. 3(1)(3), 4, 6(1)(3)(4), 7–10, 12, 13 repealed by Statute Law (Repeals) Act 1973 (c. 39), **Sch. 1 Pt.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**

<sup>F6</sup>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**

*Changes to legislation: There are currently no known outstanding effects for the Coal Act 1938. (See end of Document for details)*

*Compensation of existing owners*

**6 Compensation payable in respect of acquisition as a whole.**

- (1) ..... F7
- <sup>F8</sup>(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**

<sup>F10</sup>**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**

<sup>F12</sup>**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**

*Changes to legislation: There are currently no known outstanding effects for the Coal Act 1938. (See end of Document for details)*

*Provisions supplemental to, and consequential on, unification*

<sup>F13</sup>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 ..... <sup>F14</sup>

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F14 S. 16 repealed by Coal Industry Nationalisation Act 1946 (c. 59), Sch. 4

<sup>F15</sup>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 ..... <sup>F16</sup>

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F16 Ss. 17(3), 18, 20, 21 repealed by Statute Law (Repeals) Act 1973 (c. 39), Sch. 1 Pt.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

<sup>F17</sup>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. .... <sup>F18</sup>

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F18 Ss. 17(3), 18, 20, 21 repealed by Statute Law (Repeals) Act 1973 (c. 39), Sch. 1 Pt.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

*Changes to legislation: There are currently no known outstanding effects for the Coal Act 1938. (See end of Document for details)*

**22** ..... <sup>F19</sup>

**Textual Amendments**

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

**23**— ..... <sup>F20</sup>  
**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** ..... <sup>F21</sup>

**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**

<sup>F22</sup>**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**

<sup>F23</sup>**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**

<sup>F24</sup>**34** .....

*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**

*Changes to legislation: There are currently no known outstanding effects for the Coal Act 1938. (See end of Document for details)*

<sup>F30</sup> 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— ..... <sup>F31</sup>  
50.

**Textual Amendments**

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

**PART IV**

MISCELLANEOUS AND GENERAL.

51 ..... <sup>F32</sup>

**Textual Amendments**

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

<sup>F33</sup> 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

<sup>F34</sup> 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

<sup>F35</sup> 54 .....

*Changes to legislation: There are currently no known outstanding effects for the Coal Act 1938. (See end of Document for details)*

**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

<sup>F36</sup>**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.** ..... <sup>F37</sup>

**Textual Amendments**

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

<sup>F38</sup>**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

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**Textual Amendments**

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

### F40 SECOND SCHEDULE

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**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

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**Textual Amendments**

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

### SIXTH—SEVENTH SCHEDULES. .... F44

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**Textual Amendments**

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

**Changes to legislation:**

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