



Coal Industry Act 1977

1977 CHAPTER 39

Other provisions

9 Activities relating to petroleum

- (1) The Board shall have power to carry on any activities consisting of—
 - (a) the acquisition and treatment of petroleum,
 - (b) the manufacture and sale of products of petroleum, or
 - (c) the treatment of products of petroleum for the purpose of rendering them saleable,if it appears to the Board that those activities will or may ultimately provide an outlet for coal or products of coal, or may lead to the development of chemical processes or methods, or acquisition of commercial, industry or technological experience or knowledge which may lead to new or improved uses of coal or products of coal.
- (2) The functions of the Board shall include the carrying on of such activities as it may appear to the Board to be requisite, advantageous or convenient for them to carry on for or in connection with the exercise of their powers under subsection (1) above.
- (3) The Board shall have power to do anything and to enter into any transaction (whether or not involving expenditure, borrowing or lending, or the acquisition of any property or rights) which in the opinion of the Board is calculated to facilitate the proper exercise of their powers under this section, or is incidental or conducive to the exercise of those powers.
- (4) The provisions of this section are without prejudice to the duties and powers conferred on the Board by section 1 of the Act of 1946.
- (5) In this section and section 10 below " petroleum " means any of the following (other than coal) namely—
 - (a) mineral oil, natural gas and bituminous shales;
 - (b) deposits not mentioned in the preceding paragraph from which oil can be extracted by destructive distillation; and
 - (c) hydrocarbons which are related to mineral oil and are not mentioned in the preceding paragraphs.

10 Activities relating to minerals other than coal or petroleum

- (1) The Board shall have power—
 - (a) to work and get any minerals, other than coal or petroleum, which are discovered in the course of searching or boring for, or working and getting, coal, and
 - (b) to carry on such activities as may appear to the Board to be requisite, advantageous or convenient for them to carry on for or in connection with the working and getting by the Board of minerals (other than coal or petroleum) which have been discovered in the course of searching or boring for, or working and getting, coal.
- (2) The Board shall have power to do anything and to enter into any transaction (whether or not involving expenditure, borrowing or lending, or the acquisition of any property or rights) which in the opinion of the Board is calculated to facilitate the proper exercise of their powers under this section, or is incidental or conducive to the exercise of those powers.
- (3) The provisions of this section are without prejudice to the duties and powers conferred on the Board by section 1 of the Act of 1946.

11 Overseas activities

- (1) Section 1 of the Act of 1946 (which states the Board's duties and powers) shall not be limited by section 63(3) of that Act (references in that Act to activities to be limited to activities in Great Britain).
- (2) Without prejudice to the effect of subsection (1) above, the Board shall have power to do anything outside Great Britain—
 - (a) which appears to the Board requisite, advantageous or convenient, and
 - (b) which the Board are required or authorised to do in Great Britain,whether or not what is done under this subsection is related to the working and getting of coal in Great Britain.
- (3) For the avoidance of doubt it is hereby declared that subsection (2) above authorises the Board to work and get coal outside Great Britain.
- (4) The Board shall not do anything outside Great Britain except—
 - (a) with the consent in writing of the Secretary of State, and
 - (b) if it involves capital expenditure by the Board, or the guaranteeing by the Board of any liability, with the consent of the Secretary of State given with the approval of the Treasury.
- (5) Subsection (4) above shall not apply to—
 - (a) selling or supplying for export,
 - (b) supplying imported goods in Great Britain.
- (6) Subsection (4) above shall not apply to anything done with consent given under section 5(1) of the Act of 1971 (technical assistance under section 1(1) of the Overseas Aid Act 1966).
- (7) This section shall not affect the National Coal Board (Additional Powers) Act 1966 (petroleum and natural gas) and no account shall be taken of that Act for the purposes of subsection (2) above.

- (8) Section 2 of the Coal Industry Act 1949, which is superseded by this section, shall cease to have effect.

12 Pensions

- (1) In section 37 of the Act of 1946 (regulations about pension schemes) after subsection (1) insert the following subsection—

“(1A) Regulations may be made for providing pensions, gratuities and other like benefits in favour of persons specified in the Table in Schedule 2A to this Act, and references in subsection (1)(c) above to the purposes of paragraphs (a) and (b) of that subsection shall include references to the purposes of this subsection.”

- (2) After Schedule 2 to the Act of 1946 insert, as Schedule 2A, the provisions set out in Schedule 3 to this Act.

13 Administrative expenses

Any administrative expenses incurred by the Secretary of State for the purposes of this Act shall be paid out of money provided by Parliament.

14 Interpretation

- (1) In this Act—

" the Act of 1946 " means the Coal Industry Nationalisation Act 1946;

" the Act of 1965 " means the Coal Industry Act 1965 ;

" the Act of 1971 " means the Coal Industry Act 1971;

" the Act of 1973 " means the Coal Industry Act 1973 ;

" the Act of 1976 " means the National Coal Board (Finance) Act 1976 ;

" the Board " means the National Coal Board;

" wholly owned subsidiary " shall be construed in accordance with section 150(4) of the Companies Act 1948.

- (2) Except so far as the context otherwise requires, any reference in this Act to an enactment shall be construed as a reference to that enactment as amended or extended by or under any other enactment.

15 Amendments and repeals

- (1) The minor and consequential amendments in Schedule 4 to this Act shall have effect.
- (2) The enactments specified in Schedule 5 to this Act shall be repealed to the extent specified in the third column of that Schedule.

16 Citation, commencement and extent

- (1) This Act may be cited as the Coal Industry Act 1977, and the Coal Industry Acts 1946 to 1976 and this Act may be cited together as the Coal Industry Acts 1946 to 1977.
- (2) This Act shall come into force at the expiration of a period of one month beginning with the date on which this Act is passed.

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

- (3) This Act does not extend to Northern Ireland, but without prejudice to the provisions of this Act relating to activities of the Board outside Great Britain.