



# Coal Industry Act 1987

## 1987 CHAPTER 3

### *Participation by representative organisations*

#### **7 Superannuation schemes, etc.**

- (1) If, after receiving representations from the Corporation, the Secretary of State considers that a scheme established under section 37 of the <sup>M1</sup>Coal Industry Nationalisation Act 1946 (provisions as to superannuation etc. rights) does not provide for participation in any function conferred under the scheme by any organisation which appears to him to represent a substantial proportion of the members of the scheme, the Secretary of State may by order make such amendments of the scheme as he considers appropriate to secure such participation by that organisation.
- (2) Before making an order amending a scheme under this section the Secretary of State shall consult the Corporation and any organisation which appears to him to represent a substantial proportion of the members of the scheme (other than any organisation representing members who are also represented by another organisation which he has consulted).
- (3) References in this section to the members of a scheme do not include members who have ceased to be liable to pay contributions under the scheme.
- (4) References in this section to participation by an organisation include participation by any person as a nominee or on behalf of the organisation.
- <sup>F1</sup>(5) .....
- (6) An order amending a scheme under this section may make—
  - (a) such consequential and supplementary amendments of the scheme; and
  - (b) without prejudice to paragraph (a) above, such amendments of any provisions in the scheme relating to the quorum necessary for the making of decisions relating to the scheme,as the Secretary of State considers appropriate.

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**Changes to legislation:** Coal Industry Act 1987, Section 7 is up to date with all changes known to be in force on or before 08 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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- (7) The fact that a provision of a scheme has been added or amended by an order under this section shall not preclude its subsequent alteration or deletion in accordance with the scheme.
- (8) The power to make an order under this section shall be exercisable by statutory instrument and an instrument containing such an order shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (9) The power to make an order under this section may only be exercised once as respects any scheme unless it is exercised—
- (a) before an order previously made under this section has come into force; and
  - (b) so as to amend or revoke that order;
- but for the purposes of this subsection the making of an order which is annulled under subsection (8) above or quashed under section 8 below shall be disregarded.]

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**Textual Amendments**

**F1** S. 7(5) repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 5](#) Group 12

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**Marginal Citations**

**M1** 1946 c. 59.

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**Changes and effects yet to be applied to :**

- s. 7-9 repealed by [1994 c. 21 Sch. 11 Pt. 3](#)