



Coal Industry Act 1971

1971 CHAPTER 16

7 Further power of Secretary of State to give directions to the Board

- (1) The Secretary of State may direct the Board to discontinue or restrict any of their activities, dispose of any part of their undertaking, dispose of any assets held by them, call in any loan made by them or exercise any power they may possess to revoke any guarantees given by them ;

Provided that the Secretary of State shall not give any such directions unless he is satisfied that the carrying on of the activities, or the retention of the part of the undertaking or the assets or the continuance of the loan or guarantee, as the case may be, is unnecessary for the proper discharge of the duties of the Board or, in the case of a direction to the Board to restrict any activities, that any extension of them is unnecessary as aforesaid.

- (2) The Secretary of State may direct the Board to exercise their control over a subsidiary of theirs so as to require the subsidiary to discontinue or restrict any of its activities, dispose of any part of its undertaking, dispose of any assets held by it, call in any loan made by it or exercise any power it may possess to revoke any guarantees it has given.
- (3) The Secretary of State may direct the Board to take specified steps, in respect of any activities of the Board or a subsidiary of the Board, with a view to altering the way in which those activities are organised:

Provided that the Secretary of State shall not give any such direction unless he is satisfied that the taking of the steps in question will not prejudice the proper discharge by the Board of their duties.

- (4) References in the foregoing provisions of this section to activities of the Board or any subsidiary of the Board do not include references to colliery activities within the meaning of the Act of 1946.
- (5) The Secretary of State shall not give a direction to the Board under subsection (1), (2) or (3) of this section except after consultation with the Board.

Status: This is the original version (as it was originally enacted).

- (6) A direction by the Secretary of State to the Board under subsection (1) or (2) of this section shall be given by order made by statutory instrument, of which a draft shall be laid before Parliament.
- (7) Section 3(4) of the Act of 1946 (which requires the Board to afford to the Secretary of State facilities for obtaining information with respect to their property and activities) shall apply in relation to property and activities of the Board's subsidiaries as it applies in relation to property and activities of the Board.
- (8) Nothing in this section prejudices the power of the Secretary of State under section 3 of the Act of 1946 to give to the Board directions of a general character.