

**EXPLANATORY MEMORANDUM TO**  
**THE COAL INDUSTRY (SUPERANNUATION SCHEME WINDING UP)**  
**(REVOCATIONS AND SAVINGS) REGULATIONS 2014**

**2014 No. 1986**

**1.** This explanatory memorandum has been prepared by the Department of Energy and Climate Change and is laid before Parliament by Command of Her Majesty.

**2. Purpose of the instrument**

2.1 These Regulations revoke, with savings, eleven sets of regulations (“the Winding Up Regulations”) which wound up superannuation schemes connected with the coal mining industry and transferred their assets for the purposes of superannuation schemes set up as part of the nationalisation of the coal industry in the 1940s. The purpose of the instrument is to remove unnecessary legislation from the statute book.

**3. Matters of special interest to the Joint Committee on Statutory Instruments**

3.1 None.

**4. Legislative Context**

4.1 These Regulations are being made as a result of the government’s ‘Red Tape Challenge’ programme which sought the views of businesses and the public on the removal and reform of areas of regulation. DECC holds primary responsibility for the ‘Red Tape Challenge Energy Theme’ under which these revocations are being delivered. The Winding Up Regulations wound up the superannuation schemes listed in those regulations a long time ago, and there is a desire to tidy up the statute book by removing unnecessary legislation. The instruments being revoked are listed below:

1. The Coal Industry (Superannuation Scheme) (Winding Up, No. 1) Regulations 1949 (S.I. 1949/917);
2. The Coal Industry (Superannuation Scheme) (Winding Up, No. 2) Regulations 1951 (S.I. 1951/393);
3. The Coal Industry (Superannuation Scheme) (Winding Up, No. 3) Regulations 1951 (S.I. 1951/2010);
4. The Coal Industry (Superannuation Scheme) (Winding Up, No. 4) Regulations 1952 (S.I. 1952/2018);
5. The Coal Industry (Superannuation Scheme) (Winding Up, No. 5) Regulations 1953 (S.I. 1953/845);
6. The Coal Industry (Superannuation Scheme) (Winding Up, No. 6) Regulations 1954 (S.I. 1954/155);

7. The Coal Industry (Superannuation Scheme) (Winding Up, No 7) Regulations 1954 (S.I. 1954/970);
8. The Coal Industry (Superannuation Scheme) (Winding Up, No. 8) Regulations 1955 (S.I. 1955/281);
9. The Coal Industry (Superannuation Scheme) (Winding Up, No. 9) Regulations 1955 (S.I. 1955/1345);
10. The Coal Industry (Superannuation Scheme) (Winding Up, No. 10) Regulations 1956 (S.I. 1956/248);
11. The Coal Industry (Superannuation Scheme) (Winding Up, No. 11) Regulations 1957 (S.I. 1957/156).

## **5. Territorial Extent and Application**

5.1 This instrument applies to Great Britain.

## **6. European Convention on Human Rights**

As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

## **7. Policy background**

- What is being done and why

7.1 As part of the nationalisation of the coal industry by the Coal Industry Nationalisation Act 1946, the Winding Up Regulations wound up various superannuation schemes connected with the coal mining industry, transferring the assets to be held on trust for the purpose of nationalised superannuation schemes, and also transferring liabilities so that those could be dealt with. These schemes are still in existence today.

7.2 These Regulations revoke the Winding Up Regulations, but contain savings to make it clear that there is no intention to adversely affect the trusts on which the transferred assets are held, the existing superannuation schemes, or the processes and safeguards relating to the transfer of assets and liabilities

- Consolidation

7.3 This is not a consolidation.

## **8. Consultation outcome**

8.1 As part of the Red Tape Challenge, every few weeks regulations affecting a specific sector or industry (as well as that of general regulations that cuts across sectors) were published by the Cabinet Office online (at this web address: <http://www.redtapechallenge.cabinetoffice.gov.uk/home/index/>) for the public and stakeholders to suggest how they could be 'scrapped' or 'improved'. Departments also

conducted an internal search of legislation they were responsible for to identify legislation which could be scrapped or improved, and that is how these regulations were identified.

**9. Guidance**

9.1 There is no guidance accompanying these Regulations.

**10. Impact**

10.1 The impact on business, charities or voluntary bodies is nil.

10.2 The impact on the public sector is nil.

10.3 An Impact Assessment has not been prepared for this instrument.

**11. Regulating small business**

11.1 The legislation does not apply to small business.

**12. Monitoring & review**

12.1 There is no need for monitoring or review of these Regulations.

**13. Contact**

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