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NATIONALIZATION OF COAL-MINES.

ANALYSIS.

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A BILL INTITULED

AN ACT to provide for the Nationalization of Coal-mines.

Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of same, as follows:—

5 1. (1.) This Act may be cited as the Nationalization of Coal-mines Act, 1926. Short Title and commencement.

(2.) This Act shall commence on the first day of July, nineteen hundred and twenty-seven.

10 2. (1.) For the purpose of winning, distributing, selling, and searching for coal there shall be established under this Act a Mining Council consisting of eight members, four of whom shall be appointed by the Government and four elected by the United Mine Workers of New Zealand and the Minister of Mines, who shall be President of the said Council: Establishment of Mining Council.
15 Provided that the Minister shall be empowered to provide a substitute who shall preside in his absence.

(2.) The members of the Mining Council, other than the President, shall be appointed for three years, but shall be eligible for reappointment:
20 Provided that the Government or the association known as the United Mine Workers of New Zealand respectively shall have power to remove any person appointed by them and appoint some other person in his place. On a casual vacancy occurring by reason of the death or resignation of any such member or otherwise, the Government or the
25 United Mine Workers of New Zealand, as the case may be, shall appoint some other person to fill the vacancy, who shall continue in office until the member in whose place he was appointed should have retired. The members of the Mining Council shall devote the whole of their time to the business of the Mining Council.

(3.) There shall be paid out of moneys provided by Parliament to each member of the Mining Council who is not otherwise a Government employee such salary and expenses as the Governor-General in Council may direct.

Officers.

3. (1.) The Mining Council shall appoint a Secretary to be known as the Permanent Secretary, and such assistant secretaries and officers as the Mining Council may, with the sanction of the Government, determine. 5

(2.) There shall be paid out of moneys provided by Parliament to the Permanent Secretary, assistant secretaries, and other officers such salaries or remuneration as the Mining Council, with the sanction of the Government, shall from time to time determine. 10

Transference of mines, &c., to Mining Council.

4. On and after the commencement of this Act such coal-mines as the Mining Council, with the sanction of the Government, shall decide to take over shall be transferred to, vested in, and held by the Mining Council in their corporate capacity in perpetuity, and shall for all purposes be deemed to be State mines, and the minerals and rights thereof. 15

Purchase of mines.

5. The Mining Council, with the sanction of the Government, shall purchase such coal-mines of New Zealand at the price and in the manner provided by this Act. 20

Mines Valuation Board.

6. (1.) For the purpose of assessing the purchase price of mines the Government shall set up a Mines Valuation Board, which shall consist of three members, one of whom shall be nominated by the New Zealand Mine-owners' Federation, one by the United Mine Workers of New Zealand, and one (who shall be Chairman) by the Government. 25

(2.) There shall be paid to each member of the Valuation Board such salary or remuneration as the Mining Council, with the sanction of the Government, may determine.

Valuation of mines.

7. (1.) The Valuation Board shall, as soon as may be after the passing of this Act, cause a valuation to be made of all mines, showing what at the date of the passing of this Act was respectively the total ascertained value of each mine and its associated properties, and the rights therein, and the total ascertained value of such mine and its associated properties respectively exclusive of such rights. The owner of every mine, and any person receiving any rent, interest, or profit from any mine or possessed of any rights therein or connected therewith, and being required by notice by the Board, shall furnish to the Board a return containing such particulars as the Board may require as to his property, rent, interest, profits, or rights in such mine. 30 35 40

(2.) The Board may likewise cause any mine to be inspected, require the production of documents, or do any other thing which may, in their opinion, be necessary to fix the purchase price of the mine or its associated properties.

Issue of State Mines Stock.

8. (1.) The purchase price of any coal-mine and such of its associated properties as have been purchased, as ascertained under the provisions of this Act, shall be paid by the Mining Council, with the sanction of the Government, in State Mines Purchase Stock, to the persons, who, in the opinion of the Mining Council, have established their title to such stock: Provided that an appeal shall lie to the Supreme Court, under rules to be framed by the Supreme Court, from the decision of the Mining Council as to the title of any such persons, but for no other purpose. 45 50

(2.) For the purpose of paying such purchase price the Treasury shall, on the request of the Mining Council, with the sanction of the Government, direct the creation of a capital stock (to be called "State Mines Purchase Stock"), yielding interest at the rate on the nominal amount of capital equal to that payable at the date on which this Act received the Royal assent on what in the opinion of the Treasury is the nearest equivalent Government loan stock: Provided that the stock shall be redeemable in a period not exceeding twenty-five years.

(3.) Interest shall be payable by equal half-yearly dividends at such times in each year as may be fixed by the Treasury.

(4.) For the purposes of stock redemption within the period of twenty-five years there shall be established a sinking fund.

(5.) The Mining Council shall be empowered, with the sanction of the Government, to redeem the stock at any time within the period hereinbefore mentioned.

9. (1.) Subject to the provisions of this Act, it shall be lawful for the Mining Council to open and work coal-mines, and search for, dig, bore, and win coal, and generally to carry on the industry of coal mining, distributing, vending, and exporting, together with all other industries carried on in connection therewith.

Powers of Mining Council.

(2.) The Mining Council may from time to time, in such manner and on such terms as they may think fit,—

(a.) Subject to the general consent of the Government, appoint or continue in employment or dismiss managers, engineers, agents, clerks, workmen, servants; and

(b.) Construct, erect, or purchase, lease, or otherwise acquire buildings, plant, machinery, tramways, hulks, ships, and other fixed or movable appliances or works of any description, and sell or otherwise dispose of the same when no longer required; and

(c.) Sell, supply, and deliver fuel, coal, and other products the result of the coal-mining operations; and

(d.) Enter into and enforce contracts and engagements; and

(e.) Generally do anything that the owner of the mine might do in the working of the mine, or that is authorized by regulations under this or any other Act; and

(f.) Employ local authorities for any purpose they may think necessary to carry out their duties under this Act, on such terms as may be mutually agreed; and

(g.) Regulate the export of fuel and the supply of coal for the bunkering of vessels, and regulate the price of fuel charged for coal sold for consumption at the pithead or otherwise; and

(h.) Give such directions as to wages or salaries to be paid to workers in or about the coal-mines as may be expedient to carry out the provisions of this or any other Act.

10. (1.) The Mining Council shall, for the purpose of carrying on the development of the coal-mining industry, divide New Zealand into districts, and shall in each district constitute a District Mining Council of six members, whose duty it shall be to advise the Mining Council on all district matters relating to the industry. Three members of the District Mining Council shall be nominated by the United Mine Workers of New Zealand.

District Mining Councils.

(2.) The members of the District Mining Councils shall be appointed for three years, but shall be eligible for reappointment. They shall be paid such fees as the Mining Council, with the consent of the Government, shall sanction.

Fuel-consumers' Council.

11. (1.) For the purpose of advising the Mining Council the Government shall appoint five persons in each provincial district to represent the interests of the consumers, and to be known as the Fuel-consumers' Council. 5

(2.) The members of the Fuel-consumers' Council shall be paid such fees as the Mining Council, with the approval of the Government, shall sanction. 10

Accounts.

12. (1.) The Mining Council shall cause full and faithful accounts to be kept of all moneys received and expended under this Act, and of all assets and liabilities, and of all profits and losses, and shall annually lay such accounts before Parliament. 15

(2.) The Mining Council shall annually cause a balance-sheet of accounts to be made, including the capital account and a profit and loss account for each coal-mine worked under this Act.

(3.) All moneys raised under the authority of this Act shall, as and when raised, and all moneys received hereunder shall, as and when received, be paid into a separate account called "The State Coal-mines Account." 20

Duty of Mining Council to supply fuel.

13. (1.) It shall be the duty of the Mining Council to ensure that there is a sufficient supply of fuel (which expression herein includes coal, coke, briquettes, or other solid fuel) for all New Zealand requirements at reasonable prices throughout New Zealand; and for this purpose it shall be lawful for the Mining Council, or for any local authority or Government Department acting on their behalf, to establish stores or depots, and to employ vehicles, and to use all other necessary means for the selling of fuel, and to sell the fuel within the area of every local authority; and, further, for this purpose it shall be the duty of the Railway authorities of New Zealand to provide such facilities for the conveyance of fuel as the Mining Council may deem necessary to enable them to carry out the duties imposed upon them by this section. 25 30

Political rights of coal-mine employees.

14. Notwithstanding anything to the contrary in any other Act, every person employed by the Mining Council shall exercise the same political and civil rights as are exercised by persons not employed by the State. 35

Equal payment for equal work.

15. There shall be no differentiation in the remuneration of male and female employees in the clerical or other departments of the Mining Council where equal service is rendered. 40

Regulations.

16. (1.) The Governor-General in Council may from time to time make regulations providing for—

(a.) The management of mines under this Act;

(b.) The functions, duties, and powers of the District Mining Councils, and other bodies or persons acting in the management and working of the mines or distribution and sale of fuel under this Act; 45

(c.) The form of accounts to be kept and the balance-sheets to be prepared in respect of mines under this Act; 50

(d.) The mode to which sinking funds and other funds connected with mines under this Act shall be held and administered; and

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(e.) Generally any other purpose for which, in the opinion of the Mining Council, regulations are contemplated or required.

(2.) The Governor-General, before making or altering any regulations or conditions of employment, including wages, as affects any persons engaged in the management of the coal-mining industry, and the workmen engaged in the coal-mining industry, shall direct the Mining Council to consult with the association known as the United Mine Workers of New Zealand, and, in the event of the representatives of the United Mine Workers of New Zealand and the Mining Council failing to agree the matter in dispute may be referred to arbitration on such terms as may be mutually agreed.

(3.) Provided that nothing in this section shall be deemed to interfere with the right of any employed person, subject to his contractual obligations, to dispose of his labour as he will.

15 17. Every mine worked under this Act shall be managed and worked subject to the provisions of the Coal-mines Act, 1908, and its amendments. Coal-mines Act to apply to the Crown.