

period supplies coal for inland supply in excess of his share of the trade of the District (as hereinafter defined) for that period shall be liable to pay to the Board, and the Board shall collect from such Owner a sum calculated—

(a) in respect of such excess or 3 per cent. of his share of the trade (whichever is the less) at the rate of 3d. per ton, and

(b) in respect of any such excess but only to the extent to which it is greater than 3 per cent. of his share of the trade at the rate of 1s. Od. per ton:

Provided that when under the provisions of Clause 111 of the Scheme, a penalty is payable in respect of any excess over the quota of inland supply of an Owner, such Owner shall not be liable to any payment under the provisions of this Clause in respect of the tonnage on which such penalty has been paid.

The Owner's share of the trade of the District in any prescribed period shall be that proportion of the total tonnage of coal supplied for inland supply by all the Owners in that period which the quota for his coal mine for inland supply for that period after taking into account any sales or transfers of quota made in pursuance of the provisions of the Scheme bears to the total of the quotas for inland supply of all the coal mines for that period."

15. Clause 38 shall have effect as if—

(a) it were renumbered "103";

(b) after the word "Board" where it appears for the third time there were inserted the words "and of the Co-ordinating Committee and the Control Committees and Sales Committees of the several Areas and any other Committees or Sub-Committees under the Scheme and any compensation payable to Owners in terms of this Scheme either in respect of loss of trade or by way of equation or adjustment of prices for coal for export supply or for inland supply or otherwise in terms of the Scheme";

(c) after the word "levies" there were inserted the words "under the Central Scheme";

(d) for the words "selling or transferring" there were substituted the words "reason of the sale or transfer of";

(e) after the word "undertaking" where that word first appears there were inserted the words "or by reason of the abandonment or discontinuance of working thereof";

(f) for the words from "be taken over" to the end of the Clause there were inserted the following words, that is to say:—

"in the case of such sale or transfer be taken over by the purchaser acquiring such coal mine or undertaking and in the case of such abandonment or discontinuance of working such Owner's share of the said assets so ascertained shall be paid to him by the Board, and his share of the said liabilities so ascertained shall be paid by him to the Board"; and

(g) the reference therein were to Clause 102 of the Scheme instead of to Clause 37.

16. Clause 39 shall be renumbered 104.

17. Clause 40 shall have effect as if—

(a) it were renumbered "105"; and

(b) in the third paragraph thereof after the word "Scheme" where that word appears for the third time there were inserted the words "and of the Co-ordinating Committee and the Control Committee and Sales Committee for the several Areas and the whole other Committees and Sub-Committees under the Scheme."

18. Clause 41 shall have effect as if—

(a) it were renumbered "106";

(b) after the word "shall" there were inserted the words "keep regular and proper books and accounts and enter therein full details of all transactions relating to his coal mines and shall";

(c) for the words "make production of or" there were substituted the words "produce such books and accounts and";

(d) before the word "books" there were inserted the word "such"; and

(e) the words "relating to his coal mines" were omitted.

19. Clause 42 shall have effect as if—

(a) it were renumbered "107";

(b) for the words "an Accountant" and "the Accountant" there were substituted the words "Accountants" and "the Accountants" respectively; and

(c) in the second paragraph thereof after the word "Board" there were inserted the words "and by the Control Committees."

20. Clause 43 shall be renumbered "108."

21. Clause 44 shall be renumbered "109."

22. Clause 45 shall have effect as if—

(a) it were renumbered "110"; and

(b) for the words from "On the matter" to the end of the Clause there were substituted the following, that is to say:—

"Provided that any Owner in any Area who is aggrieved by any decision of the Control Committee on an Appeal taken by him against any decision of the Sales Committee of the Area or on any matter referred by the Sales Committee of the Area to the Control Committee of the Area affecting any period or tonnage Contract submitted by such Owner to the Sales Committee in terms of the Scheme or the price for day-to-day sales of coal produced from the coal mine or coal mines within the Area or on any claim made by such Owner for compensation in terms of the Scheme shall be at liberty to require the matter to be settled by arbitration.

(2) Members of any Control Committee comprising not less than one-fourth in number of the whole members of such Committee shall be entitled to require that any decision of such Control Committee in the exercise of their functions under the Scheme or any question as to any act or omission of such Control Committee or of any other persons in respect of their functions in relation to the regulation and control of sales in that Area shall be settled by arbitration.

(3) The Control Committee of any Area which complains of any decision of the District Co-ordinating Committee on any matter affecting such Control Committee or the general interest of the Owners in the Area