

obtained by him during the preceding twelve months for the various classes of coal sold or supplied by him, together with such further information as the Board may deem necessary, and thereupon the Board shall proceed to fix a minimum price per ton of twenty hundred-weights for each class of coal produced in the District below which price coal of that class (exclusive of coal supplied free or at reduced rates for the use of persons who are or have been employed in or about any coal mine and the dependants of persons who have been so employed) shall not be sold or supplied by owners.

52. The minimum prices fixed shall in the case of coal sold or destined for shipment be f.o.b. at the customary place of shipment, and in all other cases shall be as fixed by the Board having regard to all the circumstances of the case:

Provided that there shall be only one minimum price for each class of coal as defined in the Scheme.

53. The minimum prices fixed in the first instance shall remain in force for such period as the Board may deem desirable, but the Board may revise the minimum prices from time to time and shall alter the same when alteration appears to the Board to be necessary, and in particular, on the application of any owner for the revision of the price so fixed for any particular class of coal produced by him, the Board shall forthwith consider such application and make such alteration of price (if any) as is in their opinion necessary.

54. The minimum price fixed from time to time for each class of coal shall forthwith be communicated to all the owners.

55. If any owner is dissatisfied with any price fixed for the time being under the Scheme in respect of any coal or class of coal produced by him, he may give notice of objection to the Board at any time within fourteen days after such communication of the price as aforesaid, and the Board shall thereupon reconsider the matter and deliver their decision thereon without delay.

56.—(1) As from the date when a minimum price is fixed by the Board for any class of coal under the provisions of the Scheme, no owner producing coal of that class shall, either directly or indirectly—

(i) Sell or supply the coal at a price below the price so fixed for the time being;

(ii) Sell or supply the coal in any manner whereby the actual consideration obtained is less in value than the price so fixed, or

(iii) Allow or give, or agree to allow or give, save as may expressly be permitted by the Scheme, any discount, commission, rebate, extended credit or allowance in respect of the price, quantity or weight of the coal or otherwise,

and any owner who contravenes in any particular the provisions of this Clause shall be liable to the penalties prescribed in Clause 77 of the Scheme.

(2) The Executive Board may prescribe conditions of sale for securing that the actual consideration obtained by the sale or supply of any class of coal shall not be less in value than the minimum price for the time being

fixed for that class of coal, and every owner shall comply with such conditions of sale as may be so prescribed.

57.—(a) In the event of any owner, in consequence of complaint by a customer in regard to short weight or quality of coal in any consignment, being required to furnish additional quantities or make a reduction or allowance in price for that particular consignment in order to meet such complaint, the owner concerned shall be entitled to supply such additional quantity or make such adjustment in his account as may be necessary, subject to making a report thereof in writing to the Board within ten days after the expiration of each calendar month during which any such concession is made; and any such concession which is not approved by the Board shall be deemed to be a breach of the provisions of the Scheme relating to the determination of prices and shall render the owner liable to the penalties prescribed in Clause 77 of the Scheme.

(b) If any owner ships or causes to be shipped any cargo or consignment of coal otherwise than in pursuance of a *bona fide* contract for the sale thereof, the actual consideration obtained by the sale or supply of the coal so shipped, being the amount remaining after deduction of the shipping and other charges incurred subsequent to shipment from the price ultimately obtained for the coal, shall not be less in value than the minimum f.o.b. price for coal of the same class ruling under the Scheme at the date of shipment, and any contravention of the provisions of this Clause shall render the owner, who shipped or caused to be shipped, the coal in respect of which the contravention occurs, liable to the penalties prescribed in Clause 77 of the Scheme.

58. In rendering to the Board such returns as the Board may prescribe of sales and deliveries with a view to ascertaining whether or not any coal has been sold below the minimum price therefor fixed for the time being under the Scheme, any owner who claims to have sold or delivered, in accordance with the custom of the trade or otherwise, any coal at a price other than on the basis fixed under Clause 52, shall furnish to the Board full details of the costs and charges actually incurred or to be incurred which fall to be added to or deducted from the price received in order to arrive at the basis fixed under that Clause for the purposes of comparison with the appropriate minimum price under the Scheme.

Trustees.

59. At the general meeting called in pursuance of Clause 17 of the Scheme the owners shall appoint three persons to be the Trustees for the Board under the Scheme, in whom shall be vested the District Fund and all other property of the Board.

60. Any Trustee for the time being may retire, or may be removed from the office of Trustee by a Resolution of a general meeting, and any vacancy in the office of Trustee shall be filled by the owners at a general meeting:

Provided that the method of voting on a Resolution for removing a Trustee shall be that prescribed in Clause 29 of the Scheme, and that the Resolution in order to be effective must be supported by at least 75 per cent. of the total number of votes that could be recorded under that Clause by all the owners,