

(3) The minimum price fixed from time to time for each class of coal shall forthwith be communicated to all the Owners.

33. 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.

34. 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 58 of the Scheme.

35. 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 32, 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.

36. The 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.

37. 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 58 of the Scheme.

38. 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 58 of the Scheme.

Determination of Standard Tonnages.

39.—(1) The Board shall fix the annual standard tonnage of every coal mine or undertaking, and if they so decide may distribute such annual standard tonnages among the various classes produced therefrom:

Provided that—

(a) any distribution of the standard tonnages among classes of coal shall be effected for all coal mines or undertakings producing those classes of coal or any of them; and

(b) if the Board decide to distribute the annual standard tonnages among classes, such classes shall include coal supplied to coke ovens and coal supplied to glass works respectively.

(2) Every Owner shall furnish to the Board a statement in writing specifying the name and situation of every coal mine owned by him within the District, and the output of each coal mine during the following four years:—

The year ended 31st December, 1923.			
"	"	"	1924.
"	"	"	1925.
"	"	"	1927.

This statement may be accompanied by particulars in writing of any claim (together with the necessary evidence to substantiate the claim) which the Owner desires to advance for special treatment in the determination of the standard tonnage of any coal mine to which his said statement relates, including the efficiency and economy of the working of the coal mine, the extent to which it has been developed or is being developed for economic working, and the extent to which its output has been increasing or decreasing.

(3) The average annual output of each coal mine during the aforesaid four years, shall be aggregated, and such aggregate output shall be deemed to be the aggregate annual standard tonnage of the District, and in order to determine the annual standard tonnage of each mine or undertaking in the District, the aggregate annual standard tonnage shall be divided among the coal mines or undertakings having regard to the proportion which the output of the coal mine or undertaking bore to the total output of all the coal mines