

67. On or before the 1st day of August, 1936, each Owner shall give to the Sales Committee particulars of all agreements made before the 1st day of August, 1936, under which coal from his coal mine is to be supplied after that date (other than agreements in respect of which no Consent is required), and the Committee shall issue a Consent enabling such coal to be supplied in accordance with the agreement:

Provided that in calculating the tonnage of coal to be so supplied the Committee may exclude any tonnage of coal which may be supplied at the option of the Owner.

68. Before the commencement of each quarter, or other period for which a supply Allocation is made to the District, the Board shall inform each Owner of his share of that Allocation (hereinafter referred to as "supply tonnage"). Such supply tonnage shall be determined by the application of the Sales Percentage of each Owner to such Allocation. No Owner shall be entitled to supply in the manner to which the Allocation relates in any quarter or other period a tonnage in excess of his supply tonnage:

Provided that arrangements may be made by any two Owners whereby any supply tonnage of one of them may be exceeded during any period by an amount by which the other Owner may agree to reduce his corresponding supply tonnage during the same period. If the Owner who has agreed to reduce any supply tonnage under such an arrangement exceeds the limit to which it should have been so reduced during the period in question, he shall be deemed for the purposes of Clause 87, to have exceeded such supply tonnage by the excess over such agreed limit. Notice of any such arrangement must be given to the Secretary by the Owners concerned within 24 hours of the making of the arrangement.

Maintenance of Quality.

69.—(1) Every Owner shall clean and prepare for the market coal of each commercial description in such a manner as to maintain the standard of quality of coal of that commercial description (supplied otherwise than to excluded works during the year 1935), and the Board may formulate a reasonable specification for any commercial description of coal for the purpose of testing that the standard is maintained.

(2) No Owner shall, without the consent of the Board, which shall not be unreasonably withheld, alter the methods employed in the preparation for the market of any coal produced from his coal mine.

(3) The Sales Committee in fixing in any Consent the price below which any coal shall not be supplied or the actual price at which any coal may be supplied, shall have regard to any alteration in the methods employed in the preparation of that coal for the market, and any consequent improvement or deterioration in the quality of that coal."

36. Clause 61 of the Scheme shall have effect as if—

(a) it were renumbered "70"; and

(b) the words "At the General Meeting called in pursuance of Clause 17 of the Scheme" were omitted.

37. Clauses 62 to 68 shall be renumbered 71 to 77 respectively.

38. For Clause 69 there shall be substituted the following Clause, that is to say:—

"78. There shall be discharged out of the District Fund all expenses properly incurred, and all liabilities falling to be discharged by the Board or any person on behalf of the Board."

39. Clause 70 shall be renumbered 79.

40. Clause 71 shall be renumbered 80 and shall have effect as if the reference therein were to Clause 18 of the Scheme instead of to Clause 17.

41. Clause 72 shall be renumbered 81.

42. Clause 73 shall have effect as if—

(a) it were renumbered "82";

(b) before the word "return" there were inserted the word "statement"; and

(c) there were added at the end thereof the following words:—

"and (b) allow any person authorised by the Board or by the Sales Committee to inspect and take samples of coal of any commercial description supplied from his coal mine, and any seam from which such coal is obtained and to inspect any process used in the preparation of such coal and the weighing and despatch thereof."

43. Clauses 74 to 76 shall be renumbered 83 to 85 respectively.

44. Clause 77 shall have effect as if—

(a) it were renumbered "86";

(b) the words "or supplies or allows to be supplied a tonnage of coal or any class of coal for export supply or for inland supply" were omitted;

(c) the references therein were to Clauses 49 and 50 of the Scheme instead of to Clauses 48 and 49; and

(d) paragraph (ii) of the proviso thereto were omitted.

45. There shall be inserted the following new Clause, that is to say:—

"87. Any Owner who, during any quarter or other period for which supply allocations may be made to the District, supplies in a manner to which a supply tonnage relates, a tonnage of coal in excess of that permitted by his supply tonnage (after allowing for any arrangement under the proviso to Clause 68) shall pay to the Board, on demand, a penalty in respect of each ton or part of a ton of such excess of such amount as the Board shall determine, but not exceeding the amount per ton as is prescribed for the time being under rules made under the Central Scheme for exceeding the corresponding allocation to the District:—

Provided that until the coming into force of such rules the penalty shall not exceed 3s. per ton."

46. Clause 78 shall have effect as if—

(a) it were renumbered "88"; and

(b) the words "or export supply or inland supply of coal or any class of coal" were omitted.

47. For Clauses 79 and 80 there shall be substituted the following Clause, that is to say:—

"89. Any Owner who omits to render any statement, return, account or other information required or prescribed under the provisions of the Scheme within such time as