

and who desires to supply coal from his coal mine to those works shall notify the Board and shall give such information about those works and the connection between those works and his coal mine as the Board may require. If they consider any such claim established the Board shall declare that those works are excluded works of that owner for the purposes of the Scheme.

(2) If at any time an owner proves to the satisfaction of the Board that he no longer controls or is the owner of or is controlled by the owner of any excluded works or that the qualities of coal required by those works cannot be produced from his coal mine the Board shall declare that those works shall cease to be excluded works.

34.—(1) Where in pursuance of the provisions of Clause 33 of the Scheme the Board have declared any works to be excluded works of any Owner they shall forthwith determine the annual tonnage of coal which may be supplied in any year from the coal mine of that owner for consumption in his excluded works.

(2) Such annual tonnage shall be determined having regard to the tonnage of coal supplied from the coal mine during the year ended 30th June, 1936, for consumption in those works and to the prospective demand for coal from the coal mine for consumption in those works.

(3) Any such annual tonnage may be varied by the Board at any time—

(a) if it appears to the Board that the prospective demand for coal from the coal mine for consumption in those works in any year differs from the annual tonnage in respect thereof; or

(b) if the Board declare that any other works are excluded works of that Owner or that any works cease to be excluded works of that Owner.

(4) Notice of any determination of any such annual tonnage of any coal mine shall forthwith be given to the Owner thereof.

(5) Each Owner may within seven days before the beginning of each month give notice in writing to the Board specifying the proportion of such annual tonnage which he desires to be allocated to that month and subject to the approval of the Board such allocation shall be the monthly tonnage which may be supplied from the coal mine of that Owner in that month for consumption in his excluded works. In default of such notice or if the Board do not approve the proportion specified in such notice the Board shall allocate such monthly tonnage as may be fair and equitable, and notice thereof shall forthwith be given to the Owner.

(6) Any Owner shall upon notice given to him by the Board furnish in writing within the period specified in the notice any information the Board may require to assist them in any determination of such annual or monthly tonnages.

Sale of Coal by the Board.

35.—(1) The Board may do all things necessary or expedient for the purchase by them of coal from the Owners and for the

proper and efficient conduct of the sale of such coal and without prejudice to the generality of such powers may—

(a) acquire any land, premises or plant required for such purposes, and dispose of any land, premises or plant held by them not then so required;

(b) acquire or arrange for the provision of any trucks, wagons, lorries, barges or other vehicles or vessels for the transport of coal and dispose of any such vehicles or vessels;

(c) enter into agreements with any persons or bodies of persons relating to the terms and conditions of the supply or sale of coal whether produced in the District or elsewhere; and

(d) grant loans to any owner in respect of any increase of the stocks of coal normally held by him.

(2) The Board shall appoint a Selling Committee who may be members of the Board or other persons, and who may be paid such remuneration as the Board may determine, and the Board may delegate to such Committee subject to such restrictions and conditions as they think fit, such functions relating to the sale of coal (in addition to the functions expressly provided in the Scheme) as in their opinion would be better regulated or managed by such Committee.

(3) The Board may exercise the functions specified in this Clause under the name of Forest of Dean Collieries.

Classification and Minimum Prices.

36.—(1) The Board shall allocate the coal produced at the coal mines into classes and fix a minimum price per ton of twenty hundredweights for each class of coal, below which price coal of that class shall not be sold or supplied by Owners to excluded works or by the Board:

Provided that the Board may fix different minimum prices for any class of coal for supply to or for re-sale or consumption in different areas or places.

(2) The Selling Committee shall submit for the approval of the Board a classification and minimum prices in accordance with the preceding sub-clause.

(3) From time to time upon application by any owner or upon the recommendation of the Selling Committee the Board may revise such classification or any minimum price as may appear to them desirable.

(4) Any classification or minimum price fixed by the Board shall forthwith be communicated to the Owners concerned.

(5) If any Owner is dissatisfied with any classification made by the Board or with any minimum price fixed for the time being by the Board in respect of any coal or class of coal supplied by that Owner to an excluded works, he may give notice of objection to the Board at any time and the Board shall thereupon reconsider the matter and deliver their decision thereon without delay.

37. As from the date when any minimum price is fixed by the Board for any class of coal under the provisions of the Scheme, neither an Owner supplying coal of that class to an excluded works nor the Board shall, either directly or indirectly—