

(i) sell or supply the coal at a price below the appropriate 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 appropriate 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."

22. Clause 38 shall have effect as if—

(a) in sub-clause (1) thereof—

(i) the words "Before the first day of December, 1934, and subsequently in the month of December in each year" were omitted;

(ii) after the word "shall" there were inserted the words "from time to time";

(iii) for the words "annual standard tonnages" there were substituted the words "the annual standard tonnage"; and

(iv) the words "(b) coal for inland supply and (c) coal for export supply" were omitted; and

(b) in sub-clause (2) thereof—

(i) for the word "tonnages" there were substituted the word "tonnage"; and

(ii) the words "determined according to the nature of the coal or of the trade, industry or other category of consumer supplied" were omitted.

23. Clause 39 shall be omitted.

24. Clause 40 shall have effect as if—

(a) it were renumbered "39";

(b) in sub-clause (1) thereof—

(i) the words "output of" where those words appear for the first time were omitted;

(ii) after the words "economic working" there were inserted the word "and"; and

(iii) the words from "and in the case of the first determination" to the end of the sub-clause were omitted; and

(c) sub-clause (2) thereof were omitted.

25. Clause 41 shall have effect as if—

(a) it were renumbered "40";

(b) after the word "tonnage" there were inserted the word "thereof"; and

(c) the words from "of his coal mine in respect of output" to the end of the Clause were omitted.

26. For Clauses 42 to 45 inclusive there shall be substituted the following Clauses, that is to say:—

"41. Subject as hereinafter provided any Owner may at any time apply to the Board for a revision of the annual standard tonnage of coal or any class of coal of his coal mine on the ground that the special circumstances of that coal mine have changed and the Board shall determine such annual standard tonnage having regard to those circumstances.

42.—(1) If any Owner refers any determination of the annual standard tonnage of coal of his coal mine made under Clauses 38 and 41 of the Scheme to arbitration, notice of such reference shall forthwith be sent by the Board to every owner. The annual standard

tonnage of coal of every coal mine shall thereupon be referred to arbitration and the arbitrator shall determine the annual standard tonnage of coal of each coal mine.

(2) For a period of twelve calendar months, calculated from the first day of the month following that in which the award of the arbitrator is made, the annual standard tonnages of coal thus determined shall, subject to the provisions of Clause 44 of the Scheme, remain in force without revision.

43. Forthwith upon any determination of the annual standard tonnages of coal or any class of coal of any coal mine the Board shall send a notice of such standard tonnages to the Owner of that coal mine and in the case of any determination of the annual standard tonnage of coal under Clause 41 of the Scheme such notice shall also be sent to all the other Owners.

44.—(1) Where any person purchases or otherwise acquires part of an undertaking, the Board shall determine the amounts of the annual standard tonnages of coal and any class of coal of the undertaking which relate to that part of the undertaking, having regard in such determination to the special circumstances of the undertaking. Subject as hereinafter provided those amounts shall be the annual standard tonnages of coal and that class of coal of that coal mine. The amounts so determined shall be deducted from the respective annual standard tonnages of the undertaking and the remainders shall be the annual standard tonnages of that part of the undertaking which has not been so acquired.

(2) Where an Owner purchases or otherwise acquires any coal mine or part of an undertaking the annual standard tonnages of coal and any class of coal of that coal mine or the amounts determined under the last preceding sub-clause in respect of that part of the undertaking, as the case may be, shall be added to the annual standard tonnages of coal and that class of coal of the coal mine previously belonging to such Owner to constitute the annual standard tonnages of the undertaking."

27. Clause 46 shall have effect as if—

(a) it were renumbered "45";

(b) in sub-clause (1) thereof—

(i) for the words "proportions", "quotas" and "tonnages" there were substituted the words "proportion", "quota" and "tonnage" respectively; and

(ii) the words "or which may be supplied by the Owner thereof, as the case may be" were omitted;

(c) in sub-clause (7) thereof the words "or supplied, as the case may be" were omitted; and

(d) sub-clause (8) thereof were omitted.

28. Clause 47 shall have effect as if—

(a) it were renumbered "46";

(b) for the words "quotas are" there were substituted the words "quotas have been"; and

(c) the words "the tonnage of coal disposed of for export supply and for inland supply, respectively" and the words "or supply, as the case may be" were omitted.