

Such account shall be sent not later than the last day of the following month and the Board shall not later than that day pay 85 per cent. of the sum shown on the balance of such account to the Owner and shall pay the remainder of such balance not later than the fourteenth day of the month next following:

Provided that the Board may by agreement with any Owner pay the amount shown within other periods or in other proportions.

78.—(1) At the end of each quarter the auditors shall determine and certify the profits or losses on the sale of coal by the Board. Such profits or losses shall be divided among the Owners proportionately to the tonnages of coal supplied by them during such quarter.

(2) The Board shall cause to be kept a Reserve Account for each Owner to which the share of that Owner in any such profits or losses and any moneys paid to the Owner under the following provisions shall be credited or debited as the case may be.

(3) If the sum standing to the credit of the Reserve Account of any Owner is insufficient to defray his share in any such losses, he shall forthwith pay to the Board the balance due.

(4) The Board may, if at any time they decide that the balance credited to the District Fund is greater than is required for the purposes of the Scheme, distribute any part of the sums standing at the credit of their Reserve Accounts to the Owners. The amounts distributed to the Owners shall be proportionate to the amounts standing to the credit of their respective Reserve Accounts at the date of distribution.

(5) Any Owner who abandons his coal mine or becomes bankrupt or in the case of a Company enters into a liquidation other than a voluntary liquidation for the purposes of reconstruction, shall be liable to pay or entitled to receive the balance then at the debit or credit of his Reserve Account."

39. Clause 71 shall be renumbered 79.

40. Clause 72 shall have effect as if—

(a) it were renumbered "80"; and

(b) after the words "verify any" there were inserted the word "statement".

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

"81. Any person appointed for that purpose by the Board may at any time inspect and take samples of coal of any commercial description which is supplied to the Board and any seam from which such coal is obtained, and may inspect any process used in the preparation of such coal and the weighing and despatch thereof. Any Owner shall give all facilities required for such inspection including the production of any books and records."

42. Clauses 73 to 75 shall be renumbered 82 to 84, respectively.

43. For Clause 76 there shall be substituted the following Clause, that is to say:—

"85.—(1) Any Owner who, during any period for which a quota is determined, raises or allows to be raised an output of coal or any class of coal, in excess of the corresponding quota (after allowing for any adjustment made under Clause 53 of the Scheme),

shall pay to the Board on demand a penalty in respect of each ton or part of a ton of such excess of the same amount per ton as is prescribed for the time being under rules made under Clause XI of the Central Scheme for exceeding the allocation of output of coal:

Provided that until the coming into force of such rules the penalty shall be 2s. 6d. (two shillings and sixpence) per ton.

(2) The Board shall before the coming into force of any rules made under Clause XI of the Central Scheme notify each owner of the amount per ton which will be payable in consequence thereof for exceeding any quota."

44. Clause 77 shall have effect as if—

(a) it were renumbered "86"; and

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

45. For Clause 78 there shall be substituted the following Clauses, that is to say:—

"87. Any Owner who during any month supplies to his excluded works a tonnage of coal in excess of the monthly tonnage permitted to be so supplied shall pay to the Board on demand a penalty of 2s. 6d. (two shillings and sixpence) per ton in respect of each ton or part of a ton of such excess.

88. Any Owner who supplies any class of coal to an excluded works at a price below the appropriate minimum price fixed for the time being under the Scheme for that class or supplies any class of coal to an excluded works in such a manner that the actual consideration obtained by him is less in value than the minimum price so fixed, shall pay on demand to the Board a penalty at the rate of 2s. 6d. (two shillings and sixpence) per ton in respect of each ton or part of a ton so supplied."

46. Clause 79 shall have effect as if—

(a) it were renumbered "89";

(b) in sub-clause (1) thereof after the word "Board" where that word appears for the first time there were inserted the words "or to any person authorised on their behalf"; and

(c) after the word "any" where that word appears for the second time there were inserted the word "statement".

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

"90. Any Owner who fails to comply with the provisions of Clauses 80 and 81 of the Scheme shall pay to the Board a penalty not exceeding £20 (twenty pounds) for each day of such default.

91. Any Owner who fails to comply with any provision of the Scheme for a breach of which no specific penalty is herein provided or with any directions of the Board or of the Selling Committee with regard to the supply of coal shall pay to the Board on demand a sum of £250 (two hundred and fifty pounds) in respect of each such failure, unless the Owner prove that compliance with such direction was not reasonably practicable by reason of any strike, lock-out or accident or other cause beyond the control of the Owner: