

55. At the end of the Scheme there shall be inserted the following Schedule, that is to say:—

#### SCHEDULE.

"1. On and from the 1st day of August, 1936, (hereinafter referred to as 'the said date') the Board shall be deemed to take over and employ such of the members of the staff of each Owner as shall prior to the said date have been engaged solely upon or in connection with the sale of coal, and shall be willing so to be taken over and employed (such members being in this Schedule called 'Sales Employees').

2. The terms and conditions of employment by the Board of each Sales Employee shall be identical so far as practicable with the terms and conditions of his service with the owner at the said date:

Provided that the Board may by agreement with the Sales Employee vary any of such terms and conditions of service.

3. If any Sales Employee shall have been a member of any Staff Pension Fund in operation at the coal mine of the Owner employing him and if he shall (subject as hereinafter provided) be entitled to retain his membership of such Fund, the Board shall from the said date pay any proportion of the Employee's contribution due to such Fund formerly paid by the Owner on behalf of the Sales Employee.

4. If during a period of five years from the said date the Board shall dispense with the services of any Sales Employee for reasons other than misconduct or incapacity the Board shall pay to such Sales Employee compensation according to the scale set forth in the next following paragraph.

5. The scale of compensation above referred to shall be as follows and the compensation shall consist of a lump sum payment calculated according to the remuneration of the Sales Employee during the year 1935:

|                                                           | <i>No. of Years'<br/>remuneration payable.</i>              |
|-----------------------------------------------------------|-------------------------------------------------------------|
| If the Sales Employee shall be 64 years of age or over... | One.                                                        |
| If 61, 62 or 63 years of age ...                          | Two.                                                        |
| If 58, 59 or 60 years of age ...                          | Three.                                                      |
| If 55, 56 or 57 years of age ...                          | Four.                                                       |
| If 40 to 54 years of age (inclusive) ...                  | Five.                                                       |
| If between 30 and 39 years of age (inclusive) ...         | Two to three as the Board shall decide.                     |
| If between 21 and 29 years of age (inclusive) ...         | One; or one year's notice as the Board shall decide.        |
| If below 21 years of age ...                              | Half year; or six months' notice as the Board shall decide. |

6. The Board shall be entitled to reduce the amount of compensation payable to any Sales Employee under the foregoing scale in any of the following cases, namely:—

(i) Where the Employee is above 50 years of age and shall not have completed ten years of service with the Owner and the Board jointly;

(ii) Where the Employee is between the ages of 40 and 50 years (inclusive) and shall not have completed eight years of service with the Owner and the Board jointly;

(iii) Where the Employee is below the age of 40 years and shall not have completed five

years of service with the Owner and the Board jointly;

(iv) Any other case where in the opinion of the Board the circumstances justify a departure from the scale of compensation."

56. (A) Notwithstanding the repeal hereby made of Clauses 51 to 59 (inclusive) and Clause 78 such Clauses shall remain in full force and effect as regards coal supplied or shipped after the date when the amendments hereby made come into force under contracts made before such date.

(B) The amendments hereby made in the Scheme shall not—

(i) affect the previous operation of the Scheme or anything duly done or suffered thereunder:

(ii) affect any liability or penalty resulting from any contravention of or failure to comply with any of the provisions of the Scheme which took place before the date when the amendments hereby made came into force.

(C) All such investigations, legal and other proceedings may be had, instituted and continued and notices served as may be necessary or proper for the purpose of enforcing any liability or recovering any penalty resulting as aforesaid and so far as relates to such investigations legal and other proceedings and notices such of the provisions of the Scheme as are hereby amended or repealed shall remain in force.

#### COAL MINES ACT, 1930.

#### THE WARWICKSHIRE DISTRICT (COAL MINES) SCHEME, 1930.

Whereas by subsection (5) of Section 1 of the Coal Mines Act, 1930, it is provided that any Scheme may be amended with the approval of the Board of Trade in manner provided by the Scheme;

And whereas in pursuance of powers conferred upon them by subsection (4) of Section 3 of the said Act, the Board of Trade have made the Warwickshire District (Coal Mines) Scheme (Amendment) Order, 1936, which provides that the Warwickshire District (Coal Mines) Scheme, 1930, may be amended so as to provide for the matters specified in Part I of the Schedule to the said Order in substitution for the matters mentioned in paragraphs (a), (c), (e) and (f) of subsection (2) of the said Section 3 and for the matters specified in Part II of the said Schedule in addition to the matters mentioned in subsections (2) and (3) of the said Section 3;

And whereas it is provided by Clause 22 of the said Scheme (*inter alia*) that any alteration in the provisions of the Scheme shall be operative from such date as may be prescribed by the Board of Trade;

And whereas in pursuance of the said Clause 22 the amendments of the said Scheme set out in the Schedule hereto have been submitted to the Board of Trade by the Executive Board elected under the provisions of the said Scheme:

Now therefore the Board of Trade in pursuance of the powers conferred upon them by subsection (5) of Section 1 of the said Act hereby approve the amendments of the Warwickshire District (Coal Mines) Scheme, 1930, set out in the Schedule hereto and prescribe