

(ii) If at any time an Owner proves to the satisfaction of the Board that he no longer either 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.

(iii) Where in pursuance of the provisions of this Clause the Board have declared any works to be excluded works of any Owner they shall, after consultation with him, forthwith determine the annual tonnage of coal which may be supplied in any year from his coal mine for consumption in his excluded works.

(iv) Such annual tonnage shall be determined having regard to the tonnage of coal supplied from the coal mine during the year 1935 for consumption in those works and to the prospective demand for coal from the coal mine for consumption in those works.

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

(a) If 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.

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

(vii) Each Owner may within seven days before the beginning of each month or quarter (as the Board may decide) give notice in writing to the Board specifying the proportion of such annual tonnage which he desires to be allocated to that month or quarter and subject to the approval of the Board such allocation shall be the monthly or quarterly tonnage which may be supplied from the coal mine of that Owner in that month or quarter 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 or quarterly tonnage as may be fair and equitable and notice thereof shall forthwith be given to the Owner.

(viii) The Sales Committee shall from time to time fix a price for each commercial description of coal supplied for consumption in any excluded works, below which price that description of coal shall not be so supplied.

Such prices shall be fixed having regard to the prices prevailing in the district for coal of those or similar commercial descriptions.

(ix) 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 or quarterly tonnages."

13. Clause 12 shall have effect as if in paragraph (i) thereof the words "as soon as possible after the Scheme comes into force and subsequently" were omitted.

14. Clause 13 shall have effect as if—

(a) for paragraph (i) thereof there were substituted the following paragraphs, that is to say:—

"(i) The Board shall fix a minimum price per ton of 20 cwt. for each class of coal produced in the District below which price coal of that class shall not be sold or supplied by Owners, otherwise than free or at reduced rates for the use of persons who are or have been employed in or about the mine and the dependants of persons who have been so employed, and coal supplied pursuant to any lease under which a coal mine is held:

Provided that the Board may fix different minimum prices for any class of coal for supply to or for resale or consumption in different areas or places";

(b) the proviso to paragraph (ii) thereof were omitted;

(c) in paragraph (iii) thereof for the words "the price" there were inserted the words "any price";

(d) in paragraph (iv) thereof after the word "price" there were substituted the words "or prices"; and

(e) paragraphs (vi) to (x) thereof inclusive were omitted.

15. Clause 14 shall be omitted.

16. Clause 15 shall be renumbered 14.

17. For Clause 16 there shall be substituted the following Clauses, that is to say:—

"Permits.

15.—(i) The supply by Owners of coal from their coal mines shall be regulated by the issue of Permits by the Sales Committee.

The Committee may issue:—

(a) Special Permits for the supply of coal to named customers; or

(b) General Permits for the supply of coal in circumstances such that in the opinion of the Committee it is unnecessary that Special Permits should be issued.

(ii) Every Permit shall be signed on behalf of the Sales Committee by the Controller or by some other members of the Committee appointed by the Committee for that purpose and shall state:—

(a) the name of the Owner to whom it is issued;

(b) the maximum tonnage of coal, and the commercial description of coal, which may be supplied thereunder;

(c) the price below which the coal shall not be supplied, or the actual price at which the coal may be supplied, and the maximum discount, commission or credit which may be allowed by the Owner;

(d) the period within which the coal may be supplied, and any limitation upon the tonnages which may be supplied during any part of such period; and

(e) any special conditions of sale.

(iii) In addition—

(a) every Special Permit shall state the name of the customer to whom the coal may be supplied; and

(b) every General Permit shall state the class of customer to whom, or the markets in which, the coal may be supplied, and the maximum tonnage of coal which may be supplied to any customer under any one