COAL MINES ACT, 1930.

THE KENT 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 Kent District (Coal Mines) Scheme (Amendment) Order, 1936, which provides that the Kent 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), 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 58 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 58 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 Kent District (Coal Mines) Scheme, 1930, set out in the Schedule hereto and prescribe the 1st day of August, 1936, as the date from which the said amendments shall come into force:

Provided that where under the said Scheme as amended the Executive Board are empowered to make any determination or appointment or to obtain any information which is necessary or expedient for bringing the said Scheme as amended into operation on the said 1st day of August, and any owner is required to furnish such information to the Executive Board, the provisions of the said Scheme as amended in relation to the matters aforesaid shall come into force on the 27th day of July, 1936.

Harry Crookshank,
Secretary for Mines.

Board of Trade,
Mines Department,
Dean Stanley Street,
Millbank, London, S.W.1.
27th day of July, 1936.

SCHEDULE.

The Kent District (Coal Mines) Scheme, 1930, shall be amended in the following manner:—

1. Clause 1 shall have effect as if the reference therein were to Clause 61 of the Scheme instead of to Clause 58.

2. Clause 2 shall have effect as if after the word " regulation " there were insered the words " and facilitation ".

3. Clause 3 shall have effect as if there were added the following definition, that is to say:—

" Supply " includes Sale.

4. For Clause 15 there shall be substituted the following Clause, that is to say:—

" 15.—(i) (a) The Board shall appoint a Sales Committee consisting of persons approved by the Board nominated by the Owners and of any independent Chairman appointed by the Board, to perform the functions allotted to them on behalf of and in the name of the Board. The members of the Committee may be paid such remuneration as the Board may determine.

(b) Each Owner shall be entitled to nominate one representative for this purpose and from time to time to nominate another representative in the place of the representative originally nominated. Each Owner may nominate some other person to act as the substitute of any such representative at meetings of the Committee. Any person so nominated as a substitute may attend meetings of the Committee with or in the absence of the representative for whom he is a substitute but shall vote only in the absence of such representative. Any appointment whether of a representative or of a substitute may at any time be terminated.

(c) If any Owner shall by a notice in writing addressed to the Secretary request that the Board shall appoint an Independent Chairman the Board shall forthwith proceed to make such appointment or cause the same to be made in the manner provided by the Scheme.

(d) The Independent Chairman may be appointed only by a majority of at least 66⅔ per cent. on a poll taken in accordance with the provisions of Clause 26 of the Scheme or in default of such a majority may be appointed by the President for the time being of the Institute of Chartered Accountants or the President for the time being of the Law Society or the President for the time being of the Institute of Civil Engineers. The Independent Chairman may be dismissed only by a like majority as is hereby required for the appointment by the Board of an Independent Chairman.

(ii) The Independent Chairman shall within three months after his appointment sell or dispose of any interest or shares or securities which he may hold in his own name or in the name of a nominee for his own benefit, in any undertaking carrying on in Great Britain the business of coal mining or supplying coal, or the manufacture or sale of by-products of coal or machinery or plant for coal mining. The Independent Chairman while he holds office shall not acquire for his own benefit any interest or shares or securities in any such undertaking, and if under any will or succession or otherwise he becomes entitled for his own benefit to any interest or shares or securities in any such undertaking, he shall sell or dispose of it or them within three months after he has become entitled thereto.

(iii) The Independent Chairman shall decide any question upon which the other members of the Committee shall not come to a unanimous decision: