

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 excluded tonnages."

12. Clause 32 shall have effect as if—

(a) it were renumbered "34";

(b) in sub-clause (i) thereof for the words from "may be supplied by the Owner thereof as the case may be" there were substituted the words "subject to the provisions of Clause 40 of the Scheme may be supplied by the Owner thereof as the case may be and such quotas shall be the same proportions of the corresponding standard tonnages for all coal mines";

(c) sub-clauses (vi), (viii) and (x) thereof were omitted; and

(d) sub-clauses (vii) and (ix) thereof were renumbered (vi) and (vii) respectively.

13. Clauses 33 and 34 shall be renumbered 35 and 36 respectively.

14. Clause 35 shall have effect as if—

(a) it were renumbered "37";

(b) the words "export supply or inland" were omitted; and

(c) the references therein were to Clauses 67 and 67A of the Scheme instead of to Clauses 63 and 64.

15. Clause 36 shall have effect as if—

(a) it were renumbered "38"; and

(b) the reference therein were to Clause 37 of the Scheme instead of to Clause 35.

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

"38A. The Board may from time to time where it appears desirable to them to do so make rules defining, in relation to any trade, industry or other category of consumer supplied or to any mode of transport or delivery, when loading or supply shall be deemed to take place for any of the purposes of the Scheme."

17. For Clauses 37 to 45 inclusive of the Scheme there shall be substituted the following Clauses, that is to say:—

*"Permits.*

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

(ii) The Sales Committee may issue—

(a) a Special Permit for the supply of coal in pursuance of an enquiry made therefor, or

(b) a General Permit for the supply of coal in circumstances such that in the opinion of the Committee it is unnecessary, in order to avoid competition between Owners, that a Special Permit should be issued in respect of each enquiry for coal.

(iii) Every Permit 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.

(iv) In addition 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 (not exceeding 25 per cent. of the tonnage permitted to be supplied by such Permit) which may be supplied to any customer thereunder:

Provided that no General Permit shall be issued for the supply in any quarter of a tonnage of coal more than 10 per cent. of the quarterly basic tonnage or export supply quota as the case may be of the coal mine of that Owner for that quarter.

(v) Every Special Permit shall state the name of the customer to whom the coal may be supplied.

(vi) Any Permit for the supply of coal for re-sale by the customer may state—

(a) the market or area in which the coal may be re-sold; and

(b) the price below which the coal may not be re-sold, and the maximum discount, commission, or credit, which may be allowed by the customer.

It shall be a term of the Permit that coal shall be supplied by the Owner thereunder only if the customer agrees to observe such conditions.

40. No Owner shall supply coal from his coal mine otherwise than under and in accordance with the terms of a Permit issued to him:

Provided that an Owner may supply coal without a Permit—

(a) for use in working the coal mine;

(b) free or at reduced rates for the use of persons who are or have been employed in or about the coal mine and the dependants of persons who have been so employed; and

(c) in accordance with the provisions of Clause 33 of the Scheme for consumption in any excluded works of that Owner.

40A.—(i) No Owner shall supply coal under a Permit so that the actual consideration received by him is less in value than the price stated in the Permit below which that coal shall not be supplied, or differs from the actual price at which that coal may be supplied as the case may be, and in particular no Owner shall make, allow or give, or agree to make, allow or give, any gift, discount, commission, rebate, extended credit or allowance in respect of the price, quality or weight of the coal or otherwise, other than any discount, commission or credit allowed by the Permit.