

(ii) No Owner shall without the consent of the Sales Committee supply any additional tonnage of coal or make any allowance or reduction in price, in consequence of complaint by a customer in regard to short weight or the quality of coal in any consignment.

(iii) If any part of the consideration payable for any coal supplied under a Permit has not been received by the Owner by the due date, he shall inform the Sales Committee thereof, and shall take such steps as they may direct to enforce the contract.

(iv) Any Owner having a cause of action against any person in respect of any breach of the conditions of the sale of coal imposed by virtue of any Permit shall forthwith give notice thereof to the Sales Committee and if so required by the Committee take any steps reasonably necessary to proceed against such person in respect of such breach.

(v) Any Owner who acts in contravention of any of the provisions of this Clause shall be deemed to have supplied coal otherwise than in accordance with the terms of the Permit issued in respect of the supply of that coal.

41.—(i) Permits may be issued upon an application therefor by an Owner or otherwise.

(ii) Any Owner, who receives an enquiry for the supply of coal from his coal mine (other than an enquiry for coal which he is permitted and intends to supply under a General Permit or without a Permit), shall forthwith inform the Sales Committee thereof, stating by whom the coal is required, and giving particulars of the quantity and description of coal and the date for delivery thereof, and any other particulars which may be required by the Committee.

42.—(i) The Sales Committee shall allocate Permits to the Owners in such manner as is fair and equitable, and so that as far as possible the Owners can in every quarter supply—

(a) coal for inland supply (otherwise than for consumption in their excluded works) in proportion to the quarterly basic tonnages of their respective coal mines;

(b) coal for export supply, in proportion to the export supply standard tonnages of their respective coal mines; and

(c) the various commercial descriptions of coal in the proportions in which they are produced from their coal mines.

(ii) The Committee shall also have regard to the customers to whom, and the markets in which, each Owner has been accustomed to sell the coal from his coal mine, and generally to the goodwill of each Owner.

(iii) Before issuing a Permit for the supply of coal otherwise than at a pithead price, the Committee shall consider any representations made by the Owner to whom the Permit is to be issued with regard to the costs and charges which would be incurred by him in connection with the conveyance of that coal.

(iv) Any Owner, who is not able or does not intend to supply coal under any Special

Permit issued to him or to supply the maximum tonnage permitted thereunder, shall give notice thereof to the Sales Committee as soon as possible after receipt of the Permit, stating the reason therefor.

43.—(i) Each Owner shall forthwith give to the Sales Committee particulars of any agreement for the supply of coal entered into in pursuance of a Special Permit.

(ii) The Sales Committee may at any time require any Owner to supply to the Sales Committee duplicate invoices of all coal supplied from his coal mine during any period together with such other particulars as they may require.

44. The Sales Committee shall from time to time and as early as possible in each quarter inform each Owner of the total tonnage of coal produced in the District which the Committee anticipate will be supplied for inland supply (otherwise than by Owners for consumption in their excluded works) from all the coal mines during that quarter.

45. As soon as possible after the end of each week each Owner shall inform all other Owners of the total tonnages of coal produced at his coal mine supplied for inland supply (otherwise than for consumption in his excluded works) during that week.

46. On or before the 1st day of August, 1936, each Owner shall give to the Sales Committee particulars of all agreements made before the 1st day of August, 1936, under which coal from his coal mine is to be supplied after that date (other than agreements in respect of which no Permit is required) and the Committee shall issue a Permit enabling such coal to be supplied in accordance with the agreement.

47. The Board shall have power to enter into agreements with any persons for the purpose of facilitating the operation of the provisions of the Scheme:

Provided that if any Owner dissent from the making of any such agreement and require that the matter shall be referred to arbitration it shall not be entered into save in accordance with a decision of the arbitrator or arbitrators as the case may be.

Maintenance of Quality.

48.—(i) Every Owner shall clean and prepare for the market coal of each commercial description in such a manner as to maintain the standard of quality of coal of that commercial description supplied otherwise than to excluded works during the year 1935, and the Board may formulate a reasonable specification for any commercial description of coal for the purpose of testing that the standard is maintained.

(ii) No Owner shall, without the consent of the Board, which shall not be unreasonably withheld, alter the methods employed in the preparation for the market of any coal produced from his coal mine.

(iii) The Sales Committee in fixing in any Permit the price below which any coal shall not be supplied or the actual price at which any coal may be supplied, shall have regard to any alteration in the methods employed in the preparation of that coal for the