

(3) The Board may exercise the functions specified in this Clause under the name of South Staffordshire Associated Collieries.

*Classification and Minimum Prices.*

36.—(1) The Board shall allocate the coal produced at the coal mines into classes and fix a minimum price per ton of twenty hundredweights for each class of coal, below which price coal of that class shall not be sold or supplied by owners to excluded works or by the Board:

Provided that the Board may fix different minimum prices for any class of coal for supply to or for re-sale or consumption in different areas or places.

(2) The Selling Committee shall submit for the approval of the Board a classification and minimum prices in accordance with the preceding sub-clause.

(3) From time to time upon application by any Owner or upon the recommendation of the Selling Committee the Board may revise such classification or any minimum price as may appear to them desirable.

(4) Any classification or minimum price fixed by the Board shall forthwith be communicated to the Owners concerned.

(5) If any Owner is dissatisfied with any classification made by the Board or with any minimum price fixed for the time being by the Board in respect of any coal or class of coal supplied by that Owner to an excluded works, he may give notice of objection to the Board at any time and the Board shall thereupon reconsider the matter and deliver their decision thereon without delay.

37. As from the date when any minimum price is fixed by the Board for any class of coal under the provisions of the Scheme, neither an Owner supplying coal of that class to an excluded works nor the Board shall, either directly or indirectly—

(i) sell or supply the coal at a price below the appropriate price so fixed for the time being,

(ii) sell or supply the coal in any manner whereby the actual consideration obtained is less in value than the appropriate price so fixed, or

(iii) allow or give, or agree to allow or give, save as may expressly be permitted by the Scheme, any discount, commission, rebate, extended credit or allowance in respect of the price, quantity or weight of the coal or otherwise.

38. The Board may prescribe conditions of sale for securing that the actual consideration obtained by the sale or supply of any class of coal shall not be less in value than the appropriate minimum price for the time being fixed for that class of coal, and every owner shall comply with such conditions of sale as may be so prescribed."

23. Clause 38 shall have effect as if—

(a) it were renumbered "39"; and

(b) the words "determined according to the nature of the coal or of the trade, industry or other category of consumer supplied" were omitted.

24. Clause 39 shall have effect as if—

(a) it were renumbered "40";

(b) after the words "economic working" there were inserted the word "and"; and

(c) the words "and, in the case of the first determination, the proportion which the output of the coal mine bore to the output of the District during the twelve months ended the 30th June, 1930" were omitted.

25. Clause 40 shall have effect as if—

(a) it were renumbered "41";

(b) in sub-clause (1) thereof the words from "and, in particular" to the end of the sub-clause were omitted;

(c) in sub-clause (2) thereof the words "and the respective quantities of each class of coal comprised in the output for the period that he may select" were omitted; and

(d) sub-clause (3) thereof were omitted.

26. For Clauses 41, 41A and 42 there shall be substituted the following Clause, that is to say:—

"42. Immediately after the determination by the Board of standard tonnages and immediately after any revision thereof, notice shall be given to each owner of the standard tonnage so determined for his coal mine and of any special conditions attaching thereto and of any provisions relating to the distribution of such tonnage among the classes of coal produced from the coal mine."

27. Clause 44 shall have effect as if—

(a) for the words "of any standard tonnage in respect of output" there were substituted the word "thereof";

(b) after the word "mine" where that word first appears there were added the word "concerned"; and

(c) the words from "and in determining" to the end of the Clause were omitted.

28. For Clauses 45 to 47 inclusive there shall be substituted the following Clauses, that is to say:—

"45.—(1) Where any person purchases or otherwise acquires part of an undertaking, the Board shall determine the amounts of the annual standard tonnages of coal and any class of coal of the undertaking which relate to that part of the undertaking, having regard in such determination to the special circumstances of the undertaking. Subject as hereinafter provided those amounts shall be the annual standard tonnages of coal and that class of coal of that coal mine. The amounts so determined shall be deducted from the respective annual standard tonnages of the undertaking and the remainders shall be the annual standard tonnages of that part of the undertaking which has not been so acquired.

(2) Where an Owner purchases or otherwise acquires any coal mine or part of an undertaking the annual standard tonnages of coal and any class of coal of that coal mine or the amounts determined under the last preceding sub-clause in respect of that part of the undertaking, as the case may be, shall be added to the annual standard tonnages of coal and that class of coal of the coal mine previously belonging to such Owner to constitute the annual standard tonnages of the undertaking.