Determination of Quotas.

46.—(1) The Board shall from time to time determine the proportion (hereinafter in the Scheme referred to as "the quota") of the standard tonnage of each coal mine that may be produced therefrom.

(2) If standard tonnages have been determined in respect of any class of coal the Board may, if they think fit, determine a separate quota for such class.

47.—(1) All quotas shall be so calculated that during no period in respect of which allocations have been fixed by the Central Council shall any of such allocations be exceeded.

(2) Quotas shall be determined for such period as the Board may decide within the period of the allocation to which such quotas relate, and shall be notified by the Board to all the Owners not later than seven days before the commencement of the period to which they relate.

(3) The quotas and the periods for which they are fixed shall be determined by the Board having regard, among other matters, to the prospective demand for the coal to which those quotas relate.

(4) Any quota determined shall be the same proportion of the corresponding standard tonnage for all coal mines.

48. The Board may at any time after the determination of a quota increase it so, however, that the tonnage of coal permitted to be raised under any allocation shall not be exceeded. Any such increase shall be notified to all the Owners affected thereby in such manner as the Board may think suitable for informing them thereof without delay, and shall come into operation forthwith or at such time as may be specified in the notice.

49. Every Owner shall forward to the Board within seven days after the end of each period for which a quota has been determined a statement in writing in such form as the Board may prescribe, giving in respect of such period full particulars of the output of his coal mine, and the output of any class of coal for which a separate quota has been determined. The Board may require such other particulars as, in their opinion, may be necessary for ascertaining whether the tonnage permitted to be produced under the relevant quota for the coal mine has been exceeded."

29. Clause 48 shall have effect as if—

(a) it were renumbered "50";

(b) the words "or the supply of" were omitted;

(c) after the word "permitted" where that word first appears there were inserted the words "to be produced"; and

(d) the proviso thereto were omitted.

30. For Clauses 49 to 83 inclusive there shall be substituted the following Clauses, that is say:—

"51.—(1) At any time during any period for which a quota has been determined any Owner who considers that the output of coal or any class of coal from his coal mine will be less than that permitted under the relevant quota may inform the Selling Committee stating the amount of such quota tonnage which he is willing to transfer to the Pool constituted as hereinafter described.

(2) The Selling Committee shall open a Pool Account and shall register therein the amount of any tonnage (hereinafter called the "Pool Tonnage") offered for transfer thereto by any Owner and the date of each such offer.

(3) Any Owner desiring to acquire Pool Tonnage shall make a written application to the Selling Committee stating the amount of the tonnage he desires and unless the Board shall consider such application excessive and shall disallow it in whole or in part, the application shall also be registered in the Pool.

(4) Pool Tonnage shall be transferred from the Pool in order of date of registration, that is to say tonnage first registered shall be transferred before tonnage subsequently registered.

(5) Applications for Pool Tonnage shall also be dealt with in order of date, but when at any date the Pool Tonnage is not sufficient to meet in full the applications registered at that date then the Pool Tonnage shall be divided amongst the applicants registered at that date proportionately to the respective amounts of tonnage applied for.

(6) Each Owner shall not less than 14 days before the expiration of the period for which a quota has been determined make to the Selling Committee a return showing the number of tons by which the actual output of his coal mine has fallen short, if at all, of the proportion of the output permitted under the relevant quota of such coal mine for the period to the date of such return. Any Owner shall, unless he satisfies the Board that it is unlikely that for the whole of the quota period the output of his coal mine will not be less than the quota thereof, be deemed to have offered for transfer to the Pool on the fourteenth day before the expiration of such period the number of tons (if any) representing the deficiency less a reservation calculated by multiplying the number of tons forming the quota for that coal mine for the whole period of allocation by 18 and dividing the result by the number of working days in the period.

(7) An Owner to whom Pool Tonnage is transferred shall pay the Board therefor at the following rates:—

If the tonnage applied for from the Pool during any period for which a quota has been determined does not exceed the tonnage registered the rate shall be 3d. per ton.

If the tonnage applied for during such period exceeds the tonnage registered:—

(i) By not more than 10 per cent. the rate shall be 3½d. per ton.

(ii) By more than 10 per cent. and not more than 20 per cent. the rate shall be 4d. per ton.

(iii) By more than 20 per cent. the rate shall be 4½d. per ton.

(8) Payments received by the Board for Pool Tonnage shall (after deducting such sum for the expenses of the administration