

(2) The Board shall allocate the coal supplied from each coal mine into such groups determined according to the nature, quality or size of the coal as the Board may decide and shall ascertain the proportions in which such groups were supplied from the coal mine in each month in the year 1935, otherwise than for the purposes specified in the proviso to Clause 32 of the Scheme. The monthly basic tonnages of each coal mine shall be divided in the proportions thus ascertained and the tonnages thus calculated shall be the group monthly basic tonnages of that coal mine:

Provided that in the case of a coal mine of which the annual basic tonnage has been determined under Clause 53 (1) of the Scheme, the Board shall ascertain the proportion in which such groups were supplied in a recent period.

(3) The proportions ascertained under the last preceding sub-clause may be varied by the Board at any time where by reason of the opening or closing of any seam the proportions of the groups of coal produced from the coal mine are substantially changed or where in the opinion of the Board and with the concurrence of the owner of the coal mine such variation is expedient for any other reason.

(4) Notice of any monthly basic tonnage determined under this Clause shall forthwith be given to the owner concerned.

*Purchase of Coal by the Board.*

56.—(1) Unless such supply is not reasonably practicable by reason of any strike, lock-out or accident at his coal mine, or any other cause beyond the control of the owner, each owner shall load and despatch coal from his coal mine for supply to the Board in accordance with the directions of the Selling Committee. Any owner who is unable so to load and despatch coal shall give immediate notice to the Selling Committee.

(2) The Board shall in each month so far as possible take coal and coal of each group from each owner in proportion to the respective monthly basic tonnages of his coal mine for that month, and the Selling Committee shall from time to time and as early as possible in each month inform each owner of the tonnage of coal which the Board expect to take from him during that month.

(3) Forthwith after the end of each month the Selling Committee shall determine the total tonnage of coal supplied to the Board despatched from all the coal mines in that month and also the total tonnage of each group of coal thus despatched. Each such total tonnage shall be divided in the proportions of the monthly basic tonnages of coal of all the coal mines for that month or all the monthly basic tonnages for that group of coal as the case may be, and the tonnage thus calculated for each coal mine shall, subject to any addition made under the following provisions, be the trade share of coal of that coal mine or shall be the trade share of that group of coal of that coal mine for that month.

(4) Unless otherwise agreed by the Owner thereof the Board shall take in each month from each coal mine a tonnage of coal at

least equal to 90 per cent. of the trade share of coal of that coal mine.

(5) If in any month the total tonnage of coal or of any group of coal supplied to the Board from any coal mine is less than the trade share of coal or of that group of coal for that month the Board shall credit the Owner with compensation in respect of such deficiency at the rate per ton prescribed in sub-clause (7) of this Clause, and if in any month the total tonnage of coal supplied to the Board from any coal mine is less than 90 per cent. of the trade share of coal for that month the Board shall in addition credit the Owner with supplementary compensation in respect of that deficiency at the rate of 2s. 6d. (two shillings and sixpence) per ton:

Provided that no compensation shall be payable in any case in respect of any deficiency or any part thereof which is due to the inability of the Owner to supply coal in accordance with the directions of the Selling Committee or where the Selling Committee have at the request of the Owner not directed supply:

Provided further that any tonnage of coal in respect of which no compensation is payable under the provisions of this sub-clause shall be divided in the proportions of the basic tonnages of coal or that group of coal of the other coal mines for that month and the tonnage thus determined for each coal mine shall be added to the trade share of coal thereof, calculated under sub-clause (3) of this Clause for that month.

(6) If in any month the total tonnage of coal or of any group of coal supplied to the Board from any coal mine is greater than the trade share of coal or of that group of coal for that month the Board shall debit the Owner with a contribution in respect of such excess at the rate per ton prescribed in sub-clause (7) of this Clause:

Provided that no such contribution shall be debited to any Owner whose supplies to the Board have exceeded his trade share of coal or that group of coal where such excess supplies have been made at the request of the Selling Committee and could not have been supplied by any other Owner.

(7) The compensation and contribution payable under the foregoing provisions in relation to the trade share of coal shall be at the rate of 2s. 6d. (two shillings and sixpence) per ton and the Board shall determine from time to time for each group of coal the sum per ton payable as compensation or contribution in relation to that group.

*Distribution of Allocations.*

57.—(1) The Board shall not in any period for which an allocation is fixed take from the Owners or supply a tonnage of coal or any class of coal such that the tonnage of coal or that class of coal produced in the district and supplied by the Board together with the tonnage of coal or that class of coal supplied by Owners from their respective coal mines to their excluded works during that period exceeds any allocation in respect thereof.

(2) The Board may at their discretion in distributing amongst the Owners any allocation of output of coal or any class of coal withhold such percentage of the allocation as they may decide for the whole or any part of the period of allocation.