(8) Any question or dispute under this Clause as to any method of calculation or as to the inclusion or exclusion of any tonnage shall be determined by the Executive Board.

(9) Every Owner of any undertaking which is or has been deemed to be an associated undertaking shall, immediately upon any change of circumstances which would or might result in its ceasing to be such, give notice thereof to the Executive Board, who may thereupon determine that such undertaking is to cease to be regarded as an associated undertaking under this Clause.

38. The Executive Board may amend the classification adopted or the minimum prices determined in respect of any class of coal for any reason in their opinion sufficient, and in particular may do so in the event of their being so directed by the Central Council and in the event of their being so advised by the Control Board.

39. The Executive Board may fix minimum prices either upon an f.o.b. basis in the case of coal supplied for export or on an f.o.b. or pithead basis in the case of inland coal sent coastwise or upon a pithead basis for coal supplied inland conveyed other than coastwise.

Regulation of Supply by Control Board.

46. Before such date as may be specified by the Executive Board not being later than the 10th day of August, 1936, every owner shall comply with the following provisions, namely, he shall forthwith communicate to the Control Board particulars of all contracts or arrangements (under which coal remains to be supplied after 31st July, 1936) for the sale of coal from his undertaking and if so requested furnish the Control Board with a copy thereof.

47. On and after 1st day of August, 1936 (herein called the " specified date ") no owner shall sell or supply or offer for sale or supply, any coal otherwise than in accordance with a supply permit issued or to be issued by the Control Board, except,

(a) coal which is sold or supplied under and by virtue of a contract or arrangement entered into and made before the specified date and which has been duly registered with the Control Board in accordance with the provisions of the Scheme.

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

(c) coal which under the terms of any mining lease is required to be supplied to and for the use of the lessor of the mine or the person entitled to receive the royalty payable therefrom.

(d) coal which is for the use of (but not for the sale or supply by) any other part of the undertaking of which the coal mine forms part.

48. The Control Board shall either file or register the particulars furnished by the Owner in writing relating to any contract or to any arrangement for the supply or disposal of coal made prior to the specified date and any other arrangement required to be registered by them under the Scheme.

49. Any Owner who fails to furnish the Control Board with particulars of any contract or arrangement or who fails to give any particulars in regard thereto required by them shall be liable to the penalties prescribed in Clause 70 of the Scheme.

50. The Control Board may issue supply permits notwithstanding that the tonnage of coal in respect of which such permits are issued, together with the tonnages of coal exempted from such permits, may in respect of any allocation period exceed the quota of coal or of any class of coal for any undertaking, or may result in any allocation for the district being exceeded, but this shall not excuse the Owner or the Board as the case may be, from any penalties or levies that may otherwise be payable or incurred by him or them.

51. The Control Board may fix approved prices in respect of any coal to be sold or supplied after the specified date, provided that such prices are not lower than the appropriate minimum price for that coal fixed by the Executive Board.

52.—(1) Each Owner shall ensure that particulars of all enquiries for and offers and contracts for the sale of coal produced in the district made to or by him or of which he has knowledge either by himself or by his agent shall be furnished to the Control Board. Provided that enquiries made in respect of coals which may be supplied under an Owner's provisional supply permit need not be referred to the Control Board prior to the sale but the Owner shall give full particulars of any sale resulting therefrom within one day of the sale or supply or within such other period as the Control Board may determine.

(2) (i) Any Owner having a supply permit for the purpose of authorising any quotation or offer of sale whose quotation or offer has not been accepted within the time stipulated for the selection of quotations or offers, or if no time has been stipulated, within a reasonable time, shall deliver up to the Control Board such supply permit; and no such supply permit shall be deemed to have effect after the said stipulated time or after such reasonable time, as the case may be.

(ii) This sub-clause shall not apply to a case where the Owner is authorised to quote or to sell by a provisional supply permit.

53.—(i) In the case of an enquiry for inland coal the price of which is to be quoted otherwise than on a pithead basis the Owner or Owners authorised to quote or tender shall advise the Control Board as to the amount to be added to the pithead price in order to cover railway rate, wagon hire and other charges.

(ii) In the case of an enquiry for coal for export the price for which is to be quoted otherwise than on an f.o.b. basis the Owner or Owners authorised to quote or tender shall advise the Control Board as to the amount to be added to the f.o.b. price in order to cover dock dues, insurances, freight, and other charges.

54. The Control Board shall then determine:

(i) the price or prices below which such coals may not be offered for sale, sold or supplied,