

determine, and the Board may delegate to such Sub-Committee subject to such restrictions and conditions as they think fit, such functions relating to the sale of coal as in their opinion would be better regulated or managed by such Sub-Committee.

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

22. Clause 34 shall have effect as if—

- (a) it were renumbered "36"; and
- (b) the words "as soon as possible after their first election, and subsequently" were omitted.

23. Clause 35 shall have effect as if—

- (a) it were renumbered "37"; and
- (b) the words "except for the purposes of Clauses 38 to 45 (inclusive) of the Scheme" were omitted.

24. Clause 36 shall have effect as if—

- (a) it were renumbered "38"; and
- (b) for the words "all the Owners" there were substituted the words "the Owners concerned".

25. Clause 37 shall be renumbered 39.

26. For Clause 38 there shall be substituted the following Clause, that is to say:—

"40.—(1) The Board shall from time to time determine an annual output standard tonnage for every coal mine, but where in the opinion of the Board it would be unfair or inequitable, owing to fluctuations in the output of a coal mine to determine an annual output standard tonnage therefor, the Board may determine each month a special monthly output standard tonnage of that coal mine.

(2) The Board may, if they think fit, distribute the standard tonnages so determined among the various classes of coal produced therefrom:

Provided that such distribution of the standard tonnages among classes of coal shall have effect for all coal mines producing those classes of coal or any of them.

(3) The Board may at any time when they consider it fair and equitable to do so, fix an annual output standard tonnage for a coal mine in respect of which they have previously determined a special monthly output standard tonnage."

27. Clause 39 shall have effect as if—

- (a) it were renumbered "41";
- (b) for the word "every" where that word appears for the second time there were substituted the word "the"; and
- (c) the words from "and in the case of" to the end of the Clause were omitted.

28. Clause 40 shall have effect as if—

- (a) it were renumbered "42";
- (b) at the end of sub-clause (1) thereof for the words "such standard tonnages" there were substituted the words "the standard tonnage thereof"; and
- (c) sub-clauses (2) and (3) thereof were omitted.

29. For Clauses 41 to 45 inclusive there shall be substituted the following Clauses, that is to say:—

"43. Subject as hereinafter provided any Owner may at any time apply to the Board for a revision of the annual output standard tonnage of coal or any class of coal of his coal mine on the ground that the special

circumstances of that coal mine have changed and the Board shall determine such annual output standard tonnage having regard to those circumstances.

44.—(1) If any Owner refers any determination of the annual output standard tonnage of coal of his coal mine made under Clauses 40 and 43 of the Scheme to arbitration, notice of such reference shall forthwith be sent by the Board to every Owner for whose coal mine an annual output standard tonnage has been fixed. The annual output standard tonnage of coal of every such coal mine shall thereupon be referred to arbitration and the arbitrator shall determine the annual output standard tonnage of coal of each such coal mine.

(2) For a period of twelve calendar months, calculated from the first day of the month following that in which the award of the arbitrator is made, the annual output standard tonnages of coal thus determined shall, subject to the provisions of Clause 47 of the Scheme, remain in force without revision.

45. Forthwith upon any determination of the output standard tonnages of coal or any class of coal of any coal mine the Board shall send a notice of such standard tonnages to the Owner of that coal mine and in the case of any determination of the annual output standard tonnage of coal under Clauses 40 and 43 of the Scheme such notice shall also be sent to all the other Owners.

46. Within seven days of the date of the notice of any determination of the annual output standard tonnage of coal or any class of coal of his coal mine the Owner may give notice in writing to the Board specifying the proportion of such tonnage which he desires to be allocated to each month and subject to the approval of the Board such allocations shall be the monthly output standard tonnages of coal or that class of coal of that coal mine. In default of such notice or if the Board do not approve the proportions specified in such notice, the Board may divide such annual tonnage into monthly output standard tonnages in such proportions as may be fair and equitable. The Board may at any time revise such monthly tonnages where it is fair and equitable to do so. Notice of any determination of such monthly tonnages of any coal mine shall forthwith be given to the Owner thereof.

47.—(1) Where any person purchases or otherwise acquires part of an undertaking, the Board shall determine the amount/s of the annual output 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 output standard tonnages of coal and that class of coal of that coal mine. The amounts so determined shall be deducted from the respective annual output standard tonnages of the undertaking and the remainders shall be the annual output 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 output standard