

3. Sub-clause (3) of Clause 56 shall have effect as if—

(a) after the word "thereto" where that word appears for the second time there were inserted the words "and that sums actually received during that period in respect of the supply of coal conform with the prices recorded in the accounts in relation to that supply"; and

(b) for the word "one" there were substituted the words "a person who is not a member of the staff of the owner, and".

4. Clause 58 shall have effect as if—

(a) in sub-clause (5) thereof for the words "month" and "monthly" wherever those words occur there were substituted the words "quarter" and "quarterly" respectively; and

(b) in sub-clause (7) thereof for the word "monthly" there were substituted the word "quarterly".

5. Clause 60 shall have effect as if at the end of sub-clause (2) there were added the words "or that exceptional mining difficulties, which substantially reduced the output of the coal mine of the owner during the year 1935, have been overcome, or that exceptional development has been undertaken by the owner by virtue of which additional tonnage may be expected to be supplied from the coal mine."

6. Clause 63 shall have effect as if in sub-clause (1) thereof the number "61" were substituted for the number "59".

7. Clause 65 shall have effect as if—

(a) for paragraph (a) of sub-clause (3) there were substituted the following paragraph:—

"(a) If during any quarter an owner shall have so supplied a tonnage of coal, or of that class of coal in excess of his relevant trade share, the Board shall debit him with a contribution calculated as follows:—

On excess tonnage not exceeding 5 per cent. of the relevant Trade Share 3d. per ton.

On the next 5 per cent. 1s. per ton.

On the remainder of such excess 2s. per ton."

(b) for paragraph (b) of sub-clause (3) there were substituted the following paragraph:—

"(b) If during any quarter an owner shall have so supplied a tonnage of coal or of that class of coal which falls short of his relevant Trade Share, the Board shall credit him with compensation calculated as follows:—

On a deficiency not exceeding 5 per cent. of the relevant Trade Share 3d. per ton.

On the next 5 per cent. 1s. per ton.

On the remainder of such shortage 2s. per ton";

(c) for paragraph (c) of sub-clause (3) there were substituted the following paragraph:—

"(c) No compensation shall be payable in respect of a deficiency or part thereof due to a request to the Sales Committee by

the owner not to issue any Consent to him, or to the inability of the owner to produce or deliver the coal from his coal mine, or to the failure of the owner to supply the tonnage of coal for which any Consent relating to supply within that quarter has been issued to him, unless he shall satisfy the Board that having taken all reasonable steps so to supply he was unable to secure the contract for such supply:

Provided that any tonnage in respect of which no compensation is payable under the provisions of this paragraph shall be divided in the proportions of the Sales Percentages in respect of coal or that class of coal of the other owners and the tonnage thus determined for each owner shall be added to the Trade Share thereof calculated under sub-clause (2) of this Clause for that quarter:

Provided further that coal for supply to his excluded works shall not be taken into account in relation to the ability of an owner to produce or deliver coal."

(d) sub-clause (4) were deleted;

(e) for sub-clause (5) thereof there were substituted the following sub-clause:—

"(4) The Board shall after the end of every quarter, send an account to each owner showing the sums due to or from that owner under the provisions of this Clause. The balance of such amounts shall be paid by the Board or the owner, as the case may be, forthwith at the end of every fourth quarter."; and

(f) for sub-clause (6) thereof there were substituted the following sub-clause:—

"(5) The operation of this Clause shall be suspended during the period commencing on the 31st day of May, 1937, and ending on the 30th day of September, 1937."

8. Clause 96 shall have effect as if for the words after "sale of coal" there were substituted the words "and in any case a person shall not be eligible to act as arbitrator in any reference if within the three years immediately preceding such reference he was professionally employed by or on behalf of an owner who is a party to that reference."

9. Clause 98 shall have effect as if for the words after "sale of coal" there were substituted the words "and in any case a person shall not be eligible to act as arbitrator in any reference if within the three years immediately preceding such reference he was professionally employed by or on behalf of an owner who is a party to that reference."

Admiralty, 29th May, 1937.

R.N.R.

His Majesty the KING has been graciously pleased to approve of the award of the Royal Naval Reserve Officers' Decoration to Lieutenant-Commander Ivan Ernest Goodman Goldsworthy, R.N.R.