

as the Council having regard to the special circumstances of that coal mine may deem equitable.

(4) The Council may make and from time to time vary rules as to the procedure to be followed by owners of coal mines as aforesaid for making applications under this clause, and without prejudice to the generality of the foregoing provisions such rules may prescribe the limits of time after the end of any impairment quarter within which applications in respect of that quarter may be made by such owners to the Council.

(5) The Council shall appoint from among its members a War Emergency Assistance Committee (hereinafter in this clause referred to as "the Committee") and may delegate (subject to the directions from time to time of the Council) to such Committee such of its functions under this clause as the Council may from time to time determine.

The Council may from time to time appoint a chairman of the Committee either from among the members of the Council or otherwise. No decision of the Committee shall be subject to the approval of the Council unless the Council at any time before such decision is made so directs.

(6) There shall be opened an account (to be entitled the War Emergency Assistance Account) of the Central Fund to which shall be credited all amounts received by the Trustees on behalf of the Council for the purposes of this clause and against which shall be debited all amounts payable to owners of coal mines by the Council under this clause and no other amount whatsoever shall be credited to or debited against that account; so however that on the expiration of the last impairment quarter specified in sub-clause (1) of this clause and when the Council have paid all such amounts, if any, to such owners as aforesaid under the provisions of this clause any balance then standing to the credit of the War Emergency Assistance Account shall be transferred to such account as the Council may determine.

(7) The Council shall cause true and proper separate accounts to be kept of all moneys received and paid by them in the exercise of their functions under this clause.

(8) In connection with the exercise of their functions under this clause the Council may, in addition to the exercise of the powers conferred on them by clause XV of the scheme, require such evidence and documents in support thereof (duly authenticated in such manner as the Council may from time to time determine) from any Executive Board or from any owner of a coal mine situated in Great Britain as the Council may consider necessary and any coal owner concerned shall permit inspection by any person authorised in that behalf by the Council of any coal mine owned by him and of any premises used in connection with or for the purposes of his undertaking and such owner, his agents and servants shall furnish such means as may be required by that person to enable him adequately to make such inspection.

(9)—(i) Any Executive Board who is aggrieved by any act or omission of the Council, the Committee or any person acting on behalf of the Council or the Committee, in pursuance of their functions under this clause

and any owner who is aggrieved by any such act or omission relating to, in connection with, or arising out of any application made by that owner under sub-clause (1) of this clause shall, within twenty-one days of the date of any notice of the matter or where no notice is given within twenty-one days after such Executive Board or owner (as the case may be) first became aware of the matter, be entitled by giving notice in writing to the Council to require the matter to be referred to arbitration in accordance with the provisions of this clause.

(ii) Where any matter is required to be referred to arbitration under the provisions of this clause it shall be referred to the Coal Supply Tonnage Arbitrator, who shall be appointed by the Council and who shall not be financially interested, directly or indirectly, in any undertaking comprising coal mines. Such appointment shall be for such period and on such terms as may from time to time be decided by the Council.

(iii) The Coal Supply Tonnage Arbitrator shall give such directions as he thinks fit as to the conduct and hearing of the reference and the procedure in relation thereto.

(iv) The decision of the Coal Supply Tonnage Arbitrator shall be given, if possible, within fourteen days from the receipt by him of such reference and shall be final and binding upon all parties concerned.

(v) Where any act, decision, or resolution of the Council, the Committee, or any person acting on behalf of the Council or the Committee in pursuance of their functions under this clause has been referred to arbitration under this clause the Executive Board or owner concerned shall be bound thereby pending the decision of the Coal Supply Tonnage Arbitrator.

(10) The provisions of clauses XIII and XIX shall not apply to matters in respect of which provision for arbitration is made by this clause.

(11) Notwithstanding anything contained in the scheme the provisions of this clause shall govern the matters dealt with thereby and any provision contained in any other clause of the scheme shall be read, construed and have effect as altered or modified as may be necessary.

(12) In this clause, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

"Coal Supply" means, in relation to any coal mine or undertaking for any period the aggregate of the export supply and the inland supply of coal supplied from that coal mine or undertaking during such period as ascertained for the purposes of the Scheme by the Executive Board for the District in which the coal mine or undertaking is situate; and the expression "Supply" shall be construed accordingly.

"Hostile operations" includes enemy attack of any description and all measures taken by way of offence or defence against an enemy or against enemy attack or apprehended enemy attack.

"Maintenance tonnage" means the particular coal supply tonnage, if any, of an undertaking for a standard quarter or, if none, such number of tons of coal as