

may be amended with the approval of the Board of Trade in manner provided by the Scheme;

And whereas in pursuance of the powers conferred upon them by subsection (4) of Section 3 of the said Act, the Board of Trade have made the Midland (Amalgamated) District (Coal Mines) Scheme (Amendment) Order, 1941, which provides that the Midland (Amalgamated) District (Coal Mines) Scheme, 1930, may be amended so as to provide for the matters specified in the Schedule to the said Order in addition to the matters mentioned in subsections (2) and (3) of the said Section 3;

And whereas it is provided by Clause 39 of the said Scheme (*inter alia*) that any amendment of the Scheme shall, if approved by the Board of Trade, and, in the case of an amendment under the provisions of subsection (4) of Section 3 of the Act, if the same shall first have been sanctioned by an Order as therein provided, have effect accordingly from such date as the Board of Trade may appoint;

And whereas in pursuance of the said Clause 39 the amendments of the said Scheme set out in the Schedule hereto have been submitted to the Board of Trade by the Executive Board nominated under the provisions of the said Scheme;

Now therefore the Board of Trade in pursuance of the powers conferred upon them by subsection (5) of Section 1 of the said Act hereby approve the amendments of the Midland (Amalgamated) District (Coal Mines) Scheme, 1930, set out in the Schedule hereto and determine that the same shall be operative from the twenty-sixth day of November, 1941; So however that notwithstanding the amendment of the Scheme by the substitution of the clauses set out in the Schedule hereto for clauses 11 and 12 thereof, clauses 11 and 12 shall remain in full force and effect as regards War Emergency Assistance Contributions in relation to any month commencing on the 1st day of January, 1941, and ending on the 31st day of October, 1941, and such amendment shall not:—

(i) affect the previous operation of the Scheme or anything duly done or suffered thereunder;

(ii) affect any liability or penalty resulting from any contravention of or failure to comply with any of the provisions of the Scheme which took place before the date when such amendment came into force;

and all such investigations legal and other proceedings may be had, instituted and continued and notices served as may be necessary or proper for the purpose of enforcing any liability or recovering any penalty resulting as aforesaid and so far as relates to such investigations legal and other proceedings and notices the provisions of clauses 11 and 12 in force immediately before the coming into force of such amendment shall remain in force.

Dated this 24th day of November, 1941.

D. R. Grenfell, Secretary for Mines.

Board of Trade,
Mines Department,
Dean Stanley Street,
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THE SCHEDULE.

The Midland (Amalgamated) District (Coal Mines) Scheme, 1930, shall have effect as if the following clauses were substituted for clauses 11 and 12 respectively:—

11.—(a) Subject to the provisions of clause 20(11) of the Scheme the moneys required from time to time for working expenses in constituting and carrying on the Scheme and for paying any penalties imposed by or levies payable to the Central Council under the provisions of the Central Scheme and also for providing the expenses of the Trustees shall be fixed from time to time by resolution of the Executive Board.

(b) All such moneys payable by way of levies (except as hereinafter mentioned in this clause in relation to War Emergency Assistance Contributions and Essential Work Order Contributions) shall be subscribed and paid by the coalowners to the Trustees rateably and in proportion to the actual aggregate output of all the coalowners and in manner following, that is to say:—

(i) the total output of each coalowner during each quarter of the year shall be ascertained and communicated by every such coalowner to the Secretary not later than the fifth day of the next succeeding quarter;

(ii) the Executive Board shall as soon as possible thereafter fix a rate of levy per ton and shall apply such rate to the output of each coalowner during the said period. The amounts of the

several levies so ascertained shall be certified in writing by the Executive Board to the Trustees who shall demand the same from the several coalowners with all possible despatch;

(iii) all such several levies shall be paid by the respective coalowners to the Trustees on or before the last day of the month in which the demand therefor is made.

(c) All War Emergency Assistance Contributions and all Essential Work Order Contributions shall in respect of each month commencing on the 1st day of November, 1941, be subscribed and paid by the coalowners to the Trustees rateably and in proportion to the coal supply of the respective coal mines of the coalowners and in manner following, that is to say:—

(i) the coal supply of the coal mines of each coalowner during each month commencing on the 1st day of November, 1941, shall be ascertained and communicated by each coalowner to the Secretary not later than the fifth day of the next succeeding month;

(ii) the Executive Board shall from time to time fix the respective rates per ton of War Emergency Assistance Contributions and Essential Work Order Contributions as mentioned in this sub-clause and shall apply the same to the coal supply of the coal mines of each coalowner during each month as mentioned in this sub-clause. The amounts of such several War Emergency Assistance Contributions and Essential Work Order Contributions shall be certified in writing by the Executive Board to the Trustees who shall demand the same from the several coalowners with all possible despatch;

(iii) all such War Emergency Assistance Contributions and Essential Work Order Contributions shall be paid by the respective coalowners to the Trustees in relation to each month as mentioned in this sub-clause on or before the 15th day of the month in which the demand is made.

(d) The amount of such moneys by way of levies and of such War Emergency Assistance Contributions and Essential Work Order Contributions payable by each coalowner shall be collected by the Trustees upon a certificate in writing signed by the Chairman of the Executive Board and the Secretary and shall be paid upon demand therefor in writing signed by or on behalf of the Trustees.

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

"War Emergency Assistance Contributions" means moneys required or raised (as the case may be) from time to time for the purpose of paying contributions payable to the Central Council under the provisions of clause XV_A of the Central Scheme.

"Essential Work Order Contributions" means moneys required or raised (as the case may be) from time to time for the purpose of paying contributions payable to the Central Council under the provisions of clause XV_B of the Central Scheme.

"Coal Supply" means, in relation to a coal mine for any month, the aggregate of the export supply and the inland supply of coal supplied from that coal mine during such month as ascertained for the purposes of the Central Scheme by the Executive Board.

12.—(1) The moneys collected by the Trustees under the provisions of clause 11 of the Scheme and under the provisions of any other clause of the Scheme shall constitute the District Fund and shall (except in the cases of War Emergency Assistance Contributions and Essential Work Order Contributions save as hereinafter appears) be expended by the Trustees as follows, that is to say:—

(a) in paying the expenses of the constitution, working and administration of the Scheme and the expenses of the Trustees;

(b) in making such payments to the Central Council by way of levies and penalties under the Central Scheme (other than contributions under the provisions of clauses XV_A and XV_B thereof) as may from time to time be so payable.

(2) War Emergency Assistance Contributions and Essential Work Order Contributions collected by the Trustees shall be expended by them only in making payments to the Central Council by way of contributions under the provisions of clauses XV_A and XV_B respectively of the Central Scheme; so however that when the provisions of such clauses