

appealing to arbitration against the decision of the Council, shall at once communicate such decision to all of the Executive Boards. In the event of an appeal to arbitration under Clause IX. (3) the matter shall forthwith be referred to arbitration accordingly. The Council shall use its best endeavours to secure that the decision of the Council or of the arbitrators as the case may be shall be communicated to all the Executive Boards as soon as practicable after the receipt of the application, but delay in the making or communication of the decision of the Council or the arbitrators as the case may be shall not entitle the applicant district to exceed any allocation already made to it in accordance with the provisions of this Clause.

X.A.—(1) No Executive Board shall have the right to transfer to any other district any part of any allocation made to it under the Scheme.

(2) If in any period of allocation any district fail to produce or to supply, as the case may be, the whole tonnage of coal allocated to it in respect of that period such deficiency in production or supply shall not entitle it to exceed any allocation in any subsequent period and the allocations to it in such subsequent periods shall continue to be fixed in the manner provided by Clause X.

XI.—(1) The Executive Board of each district shall regulate the output and supply of coal by that district so that no allocation made to it is exceeded, but if in any period of allocation any such allocation is exceeded the Executive Board for that district shall pay to the Trustees within fourteen days after demand therefor by the Council the penalty in respect of such excess payable under Rules made under the provisions of this Clause:

Provided that until the coming into force of Rules made by the Council under this Clause the penalty payable in respect of an excess over any allocation shall be at the rate of two shillings and sixpence per ton of such excess, so, however, that where during the same period of allocation a penalty has been incurred in respect of an excess over an allocation of output of coal or any class of coal and also in respect of an allocation of inland supply or of export supply or of allocations of both such supplies of coal or any class of coal, the tonnage of coal upon which the penalty shall be payable shall be the quantity by which the allocation of output of coal is exceeded or the sum of the quantities by which the other allocations have been exceeded, whichever is the greater.

(2) The Trustees shall pay all such penalties received by them into the Central Fund.

(3) The Council shall from time to time make Rules prescribing the sum payable per ton of coal by which any allocation is exceeded and different sums may be prescribed in respect of different allocations, but such sums shall in no case be less than two shillings and sixpence.

(4) The Rules shall prescribe whether, and to what extent if any, the amount of any penalty payable in respect of an excess over any allocation of output or of inland supply or of export supply of coal or of any class of coal shall be remitted where during the same period of allocation a penalty has been incurred in respect of any excess over any other allocation.

(5) Rules made by the Council under this

Clause shall come into force after the expiry of such period not being less than two months as may be specified therein and in no case earlier than the beginning of the next following period of allocation."

3. Clause XIII. (1) of the Scheme shall have effect as if there were inserted after the word "Act" the words "other than such functions as are specified in Clause XIII.A hereof".

4. The following Clause shall be inserted after Clause XIII. of the Scheme, that is to say:—

"XIII.A.—(1) The Council shall inquire into any complaint made to it by any Executive Board as to any act or omission of any other Executive Board or of any person having functions under any district scheme in relation to the operation of the provisions of that district scheme with regard to the determination and enforcement of the minimum prices for coal produced in that district.

(2) The Council shall give notice of any such inquiry to all other Executive Boards and the Council shall take into consideration any representations made by any Executive Board.

(3) After any such inquiry the Council may give directions in regard to the matter complained of to any Executive Board which in the opinion of the Council is affected thereby and, subject to any reference to arbitration, such directions shall be binding upon the Executive Boards to which they are given.

(4) If at any time any Executive Board represents to the Council that owing to a change in circumstances any direction given by the Council under subclause (3) of this Clause should be varied, the Council shall give notice of such representation to all the other Executive Boards and shall consider any representations made by any such other Executive Board with respect thereto, and after inquiry the Council may give new directions in the matter, whether or not a decision of an arbitrator or arbitrators is in force in relation thereto.

(5) If any Executive Board for a district to which any directions have been given by the Council in accordance with subclause (3) of this Clause, or any persons having functions under the scheme for that district fail to comply with such directions or if that Board or such persons fail to enforce any provision of that scheme with respect to the enforcement of the minimum prices for coal produced in that district and the Council find upon representations made to it by any other Executive Board that such other Board is aggrieved or dissatisfied by the failure to enforce any such provision the first-named Executive Board shall pay to the Trustees a penalty of two shillings and sixpence per ton of the tonnage of coal which, in the opinion of the Council has been supplied in contravention of such directions, or in respect of which the provisions of the district scheme relating to the enforcement of minimum prices have not been enforced. Such penalty shall be paid to the Trustees within fourteen days after demand therefor by the Council, and the Trustees shall pay all such penalties received by them into the Central Fund.

(6) If any Executive Board represents to the Council that it is aggrieved or dissatisfied

(a) by any direction given by the Council under subclause (3) of this Clause; or