

person in the employment of the Associated Lothian Coal Owners Limited or any person appointed by such Owner as his sole agent for the sale of coal produced from a coal mine or coal mines belonging to him within the Area.

(4) Pending the first of such elections by the Owners who are not members of the said Associated Lothian Coal Owners Limited such Owners shall be represented on the Committee by a member or members and substitute member or substitute members provisionally nominated and appointed by the Co-ordinating Committee. When the first election has been made, the member or members and substitute member or substitute members so provisionally nominated and appointed shall retire and the elected member or members and substitute member or substitute members shall take their respective places.

(5) The procedure for the first election by the Owners in the Area who are not members of the said Associated Lothian Coal Owners Limited shall be regulated by the Committee as first constituted as aforesaid and for subsequent elections the procedure shall be regulated by the Committee.

(6) At all election meetings of the Owners who are not members of the Associated Lothian Coal Owners Limited votes may be given either personally by the Owners or by their duly authorised representative or by a proxy in writing. Resolutions put to the vote shall be decided on a show of hands unless a poll is demanded and unless a poll is so demanded a declaration by the Chairman of the meeting as to the result of the resolution or resolutions determining the election shall be conclusive without proof of the number or proportion of the votes recorded. The decision of the Chairman of the election meeting as to the result of the voting shall be final. Every Owner present or represented at the election meeting shall on a show of hands have one vote and at a poll one vote for each ton of output reckoned on the Owner's output from the coal mine or coal mines within the Area belonging to such Owner for the immediately preceding calendar year.

(7) Subject to the right of any member or substitute member to resign his appointment and to right of recall by the said respective groups of Owners of the appointment of their respective representative members and substitute members, the Control Committee (including the substitute members) shall remain in office for a period of twelve months, at the end of which period they shall retire; but retiring members and substitute members of the Control Committee shall be eligible for re-nomination and re-appointment. Casual vacancies occurring in the appointments of members or substitute members nominated and appointed by Owners who are members of the Associated Lothian Coal Owners Limited may be filled by such Owners with the

approval of the Co-ordinating Committee. Any casual vacancy occurring in the appointment of any member or members and substitute member or substitute members to be elected by the Owners who are not members of the Associated Lothian Coal Owners Limited may until the vacancy is filled by a further election, with the approval of the Co-ordinating Committee, be provisionally filled by the Co-ordinating Committee after consultation with the Owners entitled to make the election as aforesaid.

(8) The Control Committee may act notwithstanding that the Owners who are not members of the Associated Lothian Coal Owners Limited may not have exercised their right of election as hereinbefore provided.

#### *Functions of the Control Committees.*

48. Subject to the provisions of the Scheme and to the authority of the Board and to any directions which may from time to time be given by the Board either directly or through the Co-ordinating Committee, the Control Committee in each Area—which for the purposes of the Scheme shall be a Committee of the Co-ordinating Committee—shall have power to do such things as may be necessary for the effective administration of the control of the sale and supply of coal produced by Owners within such Area and, in particular, each Control Committee shall have and exercise the following functions, viz.:—

(1) To supervise and instruct the Sales Committee of the Area to be appointed as aftermentioned and to consider and dispose of all questions which may be referred to the Control Committee by the Sales Committee;

(2) To hear appeals by any Owner against any decision of the Sales Committee of the Area;

(3) To exercise their rights to require returns;

(4) To undertake all such negotiations and consultations with the Co-ordinating Committee as may be necessary or desirable for the purpose of co-ordinating the operation of the control of the sale or supply of coal in the District or in any of the Areas;

(5) To enter into any arbitration in terms of any obligation to that effect and to enter into voluntary arbitrations on such terms and conditions as may be deemed expedient and to implement any awards which may be pronounced;

(6) To use all practical means available to discover any evasions of the provisions of the Scheme relating to the control of the sale or supply of coal from coal mines in the Area and to report them to the Co-ordinating Committee; and

(7) To carry out all competent instructions and directions of the Board given either directly or through any Committee.

#### *Appointment of Officials.*

49. Each Control Committee shall have power to appoint a Manager or Executive Officer, Secretary, Treasurer, Auditors, and such other officials at such remuneration as