

then the provisions of paragraphs (c) and (d) of Clause 28 of the Scheme shall apply.

(23) The Executive Board shall at any time if so authorised by a Resolution of the Coalowners of each Section duly passed as provided in Clause 8 of the Scheme take over and perform all the functions of the Standard Tonnage Committee prescribed for that Committee under this Clause and in such event as from a date to be fixed by Resolution of the Executive Board the Standard Tonnage Committee shall cease to function and their appointment and constitution as a Committee hereunder shall be entirely terminated.

Quota Committee.

16. (a) In this Clause the expression "Coal Mine" includes undertaking.

(b) The Quota Committee shall be constituted and appointed in the manner and upon the basis set forth in Clause 15 of the Scheme with regard to the constitution and appointment of the Standard Tonnage Committee:

Provided that the Executive Board shall appoint not more than five of their own number as additional Members of the Quota Committee.

Independent Chairman of Committee.

(c) Voting at meetings of the Quota Committee shall be by show of hands and a Chairman shall be appointed from the Members at each Meeting but when so required by any Member there shall preside as Independent Chairman one of the Members (sitting in rotation as far as may be) of the Panel of Arbitrators constituted under Clause 28 of the Scheme, and such Independent Chairman shall have power to decide any question relative to the determination of quotas on which the Members of the Quota Committee present at any meeting shall not arrive at a unanimous decision:

Provided that such Independent Chairman may not act as arbitrator in any reference to arbitration arising out of his decision.

Quorum.

(d) A Quorum at meetings of the Committee shall be eight members representing not less than three of the Sections hereinbefore referred to.

Functions of Quota Committee.

(e) Subject to the provisions of paragraphs (c) and (d) of Clause 14 of the Scheme the functions of the Quota Committee shall be—

(i) To determine in respect of each month the proportions (herein called "Quotas") of the various monthly standard tonnages which may be produced at or supplied from each coal mine in that month. The tonnages produced by applying the quotas to the respective monthly standard tonnages are hereinafter referred to as "quota tonnages";

(ii) To determine at their discretion any monthly quota in advance for more than one month but not for more than each of three succeeding months;

(iii) During any period for which any quota shall have been determined to increase such quota as may be necessary for

such period or part of the period as the Committee shall prescribe;

(iv) If so authorised by the Executive Board, to call for such returns, statements, or other information as, in the opinion of the Committee, will assist them in arriving at their determinations.

Determination of Quotas.

(f) Each quota shall in every month be expressed as a uniform percentage of the corresponding monthly standard tonnage fixed in respect of the particular month for each coal mine:

Provided that—

(i) All quotas shall be so calculated that during any period in respect of which allocations shall have been fixed for the District by the Central Council such allocations or any of them shall not be exceeded;

(ii) The quotas fixed and the periods for which they are fixed shall be determined having regard to the prospective demand for the coal to which each quota relates and to any other circumstances which in the opinion of the Committee are material or relevant.

(g) The Coalowners shall be notified of all quotas not later than the day preceding the first day of the month to which such quotas apply, and in the case of any increase thereof shall be notified of such increase forthwith.

(h) The expressions "Monthly Permitted Output" and "Monthly Permitted Supply" as applied to coal or any class of coal or coal for inland supply or coal for export supply or any class thereof (as the case may be) respectively mean—

(i) Quota tonnage derived from the corresponding standard tonnage; and

(ii) Quota tonnage derived from the corresponding standard tonnage carried forward month by month under the provisions of sub-clause (j) of this Clause:

Provided that in calculating Monthly Permitted Outputs and Monthly Permitted Supplies account shall be taken—

(i) Of Quota tonnage pooled under the provisions of sub-clause (h) of this Clause; and

(ii) Of any excess tonnages debited against a coal mine under the provisions of Clause 18 of the Scheme.

Shortages to be carried forward.

(j) (i) In the event of the output of coal or any class of coal or the supply of coal or any class of coal for inland supply or export supply from the coal mine of any Coalowner in any month falling short of the monthly permitted output or monthly permitted supply (as the case may be) of the coal mine in such month the Coalowner concerned shall be entitled to carry forward the amount of the shortage (being the difference between the monthly permitted output or monthly permitted supply, and the corresponding actual output or tonnage of coal supplied from the coal mine during the month) for raising or supply (as the case may be) in subsequent months. No shortages shall be carried forward beyond the 30th day of April in any year: