

during the twelve months ended 31st March, 1928, and having regard also to the special circumstances of each coal mine or undertaking.

(4) The respective tonnages so determined shall be deemed to be the annual standard tonnage of each coal mine or undertaking, but the Board may at any time review (whether upon appeal by any Owner or not), and, if necessary, revise and vary the annual standard tonnages of each coal mine or undertaking, or any of them, and fix such revised annual standard tonnages as may seem to the Board both fair and proper, and the Board shall, when fixing, revising or varying the annual standard tonnages of each coal mine or undertaking, or any of them, have regard to the special circumstances of each coal mine or undertaking, including the efficiency and economy of the working of the coal mine, the extent to which it has been developed or is being developed for economic working and the extent to which its output has been increasing or decreasing.

(5) The Board shall also have the right to exercise at any time the following powers, namely:—

(i) To increase the annual standard tonnage of any mine on the ground that it is a new or expanding mine, or for any other reason which may fairly warrant an increase.

(ii) To reduce the annual standard tonnage of any coal mine on the ground that it is a diminishing mine or for any other reason which may fairly warrant a reduction.

40.—(1) In any other case where the standard tonnage of a mine or undertaking cannot be ascertained in accordance with the provisions of Clause 39, the Board shall decide the basis of the standard tonnage and shall fix the same having regard to the special circumstances of the mine.

(2) The Board may, in determining the standard tonnage of any coal mine or undertaking which in their opinion has an increasing or diminishing output, or in determining the standard tonnage of a coal mine or undertaking under the provisions of sub-clause (1) of this Clause, fix the standard tonnage for a period of less than twelve months, and shall in such cases revise the standard tonnage at the end of the period fixed.

(3) The Board may, in those cases where they fix a standard tonnage for a coal mine or undertaking on other than an annual basis, at any time decide to fix an annual standard tonnage for the mine or undertaking and shall determine that annual standard tonnage having regard to the special circumstances of the coal mine or undertaking.

(4) The annual standard tonnage so fixed shall then be added to the aggregate standard tonnage of the District.

41. The Board shall appoint a special committee to be known as the "Standard Tonnages Committee" whose duty shall be to advise the Board on all points arising in relation to the determination of standard tonnage.

42. After the determination of the annual standard tonnage every Owner shall notify to the Secretary, in writing, the proportion of the annual standard tonnage he desires to be allocated each month for the period ending

31st December in each year, and subject to the approval of the Board these allocations shall be deemed to be the monthly standard tonnages of the mine or undertaking.

43. Notice of the standard tonnages determined by the Board (including any special conditions attaching thereto, and any provisions relating to the distribution of the standard tonnages for the year in unequal monthly quantities, or to the distribution of the tonnage among the classes of coal produced) and of the results of any revisions thereof as referred to in Clauses 39 (4) and (5) and 40 (2) of the Scheme, shall immediately be given by the Board to all the Owners.

44. If any Owner feels aggrieved by any decision of the Board in determining the standard tonnage of any of his coal mines, he shall be at liberty to submit his case to the Standard Tonnages Committee within fourteen days of such decision having taken place, and the Committee shall investigate the complaint and advise the Board, whose decision shall be given without delay.

45. In the event of any Owner being still dissatisfied with the decision of the Board, he shall be at liberty to appeal against such decision in accordance with the provisions of Clause 61 of the Scheme.

46. Where after the commencement of the Scheme an Owner purchases or otherwise acquires any coal mine or undertaking, the standard tonnage of the coal mine or undertaking so acquired, added to the standard tonnage of any other coal mine or undertaking belonging to such Owner, shall, if the Owner so desires, constitute the standard tonnage of the combined undertaking, and on any subsequent determination of standard tonnages, such combined undertaking shall be treated in the same way as if the standard tonnage so constituted were the standard tonnage of the combined undertaking under the last previous determination of standard tonnages for the District:

Provided that where an Owner purchases or otherwise acquires part only of an undertaking in respect of which a standard tonnage has been determined under the Scheme, the proportion of that standard tonnage to be added to the standard tonnage of any other coal mine or undertaking belonging to such Owner, shall be determined by the Board, and that amount shall be deducted from the standard tonnage of the undertaking of which part has been so acquired.

Determination of Quotas.

47. The Board shall, as soon as the first District Allocation has been settled, and thereafter, before the expiration of each month, decide upon the proportion (hereinafter referred to as "the quota percentage") of the standard tonnage which each Owner in the District is to be allowed to produce during the ensuing month.

The quota percentage decided upon shall be communicated to the Owners not later than the day preceding the commencement of the month to which it applies.

48. Such quota percentage must be applied uniformly to the standard tonnage of every coal mine or undertaking in the District: