

(v) The Complainant shall, as soon as the Arbitrator has been appointed, furnish to the Arbitrator a statement of Complaint in writing setting forth the matter or matters which the Complainant wishes to be referred to Arbitration and containing in numbered paragraphs particulars of the cause or causes of complaint, including the names, descriptions and addresses of any person or body of persons alleged to be responsible therefor, as well as particulars of any facts upon which the Complainant intends to rely and of the remedy or remedies which he proposes to claim in the arbitration, and the Complainant shall at the same time furnish a copy of such Statement of Complaint to every person or body of persons alleged to be responsible as aforesaid.

(vi) The Arbitrator shall upon receipt of the Statement of Complaint give such directions for the conduct of the Arbitration as he may think fit and shall fix a day for the hearing of the matter referred to him, and the Arbitrator shall give notice in writing of the day so fixed to the Complainant and to every person or body of persons alleged to be responsible as aforesaid.

(vii) Pending the award of an Arbitrator, on any reference to arbitration under the Scheme, the decision of the Board in the matter under dispute shall be operative subject to the provisions of Clause 19 (v) of the Scheme.

(viii) Where any determination or other decision of the Board is a subject of reference hereunder, the award of the Arbitrator shall, unless he otherwise directs, be operative in respect of such determination or other decision as from the date on which the determination or other decision was intended by the Board to be operative.

(ix) The expenses of the Board in connection with any Arbitration under the Scheme, or under the Central Scheme, shall be payable out of the District Fund.

(x) Every reference hereunder shall take place in Birmingham.

NOTE.—By the Act it is provided that the Arbitration Act, 1889, shall apply to Arbitrations under Part I of the Act, except in so far as the Arbitration Act, 1889, is inconsistent with Part I of the Act.

THE SCHEDULE.

1. The first Meeting of the Board shall be convened by Mr. Norman Dix Impey, of 37, Newhall Street, Birmingham, and shall be held as soon as practicable after the approval of the Scheme by the Board of Trade.

2. Subsequent Meetings of the Board shall be held at such times and places as the Board shall think fit and shall be convened by the Secretary.

3. The Secretary shall upon receipt of any requisition for a Meeting of the Board signed by not less than three Members, summon a Meeting of the Board:

Provided that the purpose for which the Meeting is required shall be specified in every such requisition, and in the notice summoning the Meeting. If the Secretary shall neglect to summon a Meeting of the Board as aforesaid for seven days from the date of service of the

requisition on him, the signatories of the requisition may themselves convene the Meeting.

4. The Board shall at the first Meeting elect an Independent Chairman and deputy Chairman, who shall hold office for a year, when they shall retire but shall be eligible for re-election. The Deputy Chairman need not be independent. The Chairman or failing him the deputy Chairman shall preside at all Meetings of the Board and in the event of an equality of votes shall have a casting vote. In the absence of the Chairman and deputy Chairman, the owners present may appoint a Chairman for that Meeting who shall preside thereat and have a second or casting vote.

5. Five members of the Board shall form a quorum at any Meetings of the Board.

6.—(i) On a show of hands every Member shall have one vote.

(ii) On a poll every Member shall have one vote for every ton of the output of the coal mine or colliery undertaking of the owner whom he represents for the quarter next but one before the time of the vote being taken or poll being demanded:

Provided that for the purpose of any meeting held before 1st July, 1931, the output of the owner during the quarter ended 31st March, 1928, shall be taken.

7.—(i) Voting on any Resolution shall in the first instance be by show of hands; but

(ii) Any Member present at the Meeting may challenge the result of such voting, in which case a poll shall be taken as herein provided.

(iii) Save as otherwise provided by the Scheme a Resolution shall be duly passed if carried by a simple majority of the persons entitled to vote present at the Meeting on a show of hands, or, if a poll is demanded, on a poll.

8. If a poll is required or demanded, it shall be taken forthwith.

9. The decision of the Chairman as to the result of the voting on any Resolution shall be final.

10. If a quorum is not present at any Meeting within half-an-hour after the time appointed for holding the same the Meeting shall stand adjourned until such reasonable time as the Chairman may decide and the Members actually present at such adjourned Meeting shall form a quorum.

11. A proper Minute Book of proceedings at Meetings of the Board shall be kept by the Secretary and all Resolutions shall be entered therein. The Minutes of each Meeting shall be signed by the Chairman of the Meeting at which they are approved and such signature shall be sufficient evidence of their accuracy. Copies of Minutes of Meetings of the Board shall be circulated to Members.

12.—(i) Five days' notice at least stating the date, the time and the place of every Meeting shall be given to every Member. Such notice shall state fully the nature of the business to be transacted at the Meeting and in case of a Resolution to be submitted pursuant to Clause 19 (ii) or Clause 22 of the Scheme shall embody a full copy of the proposed Resolution.

(ii) The proceedings at a Meeting shall not be invalidated by the non-receipt of such notice by any Member.