

36. Any classification made by the Board under the scheme shall immediately be communicated to all the owners.

37. If any owner is dissatisfied with any classification made by the Board in respect of his coal mine or mines, he may give notice of objection to the Board at any time within fourteen days after such classification being communicated to him as aforesaid, and the Board shall thereupon reconsider the matter and deliver their decision thereon without delay.

*Determination of Standard Tonnage.*

38. The Board shall determine at such times as they may think fit an annual standard tonnage for each coal mine or undertaking and may, if they think fit, further distribute the standard tonnage fixed for any such mine or undertaking among the various classes of coal produced therefrom:

Provided that such distribution of the standard tonnages among classes of coal shall be effected for all coal mines or undertakings producing those classes of coal or any of them.

39. In the determination of such standard tonnages the Board shall have regard to the special circumstances of every coal mine (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, the extent to which its output has been increasing or decreasing) and, in the case of the first determination, the proportion which the output of the coal mine bore to the output of the District during the twelve months ended the 30th June, 1930.

40.—(1) For the purpose of assisting the Board in the determination of standard tonnages, every owner shall furnish to the Board, upon notice given to him by the Board, a statement, in writing, giving any information which the Board may require for the purposes of fixing standard tonnages, and in particular, specifying the name and situation of every coal mine or undertaking owned by him within the district and the output of such mine or undertaking for each month during the period commencing on the 1st January, 1927, and ending on the 30th June, 1930. In this statement the Owner may indicate his output in any twelve consecutive months between the 31st day of December, 1926, and the 30th day of June, 1930, as the basis which he would wish, in the absence of any special circumstances calling, in the opinion of the Board, for special treatment, to have adopted for fixing the standard tonnage of his coal mine or undertaking.

(2) Every owner may also include in the aforesaid statement particulars of any seasonal fluctuations in trade and the respective quantities of each class of coal comprised in the output for the period that he may select, and it may be accompanied by particulars in writing of any claim (together with the evidence necessary to substantiate the same) for special consideration to be given to his mine or undertaking in view of the special circumstances pertaining thereto, and upon such an application being submitted the Board shall consider the same and fix the standard tonnage having regard to such application.

(3) In any other case where the standard tonnage cannot be ascertained by means of the above provisions, the Board shall decide the basis of the standard tonnage, and shall fix the same, having regard to the special circumstances of the mine.

41. When an annual standard tonnage has been determined by the Board for any coal mine or undertaking and the Owner thereof desires that such annual standard tonnage shall be distributed in unequal monthly quantities, such Owner shall notify the Board of the manner in which he desired such annual standard tonnage to be distributed and if the Board shall be satisfied that the suggested distribution is not prejudicial to the interests of other Owners they shall accordingly divide the annual standard tonnage into monthly standard tonnages which shall not be alterable during the then current year unless the annual standard tonnage has been varied. For the purposes of this Clause a year shall be deemed to end on the 30th April.

42. Notice of the standard tonnages so determined by the Board (including any special conditions attaching thereto and any provisions relating to the distribution of the standard tonnage for the year in unequal monthly quantities or the distribution of the tonnage among the classes of coal produced) and of the results of any such revision thereof as is hereafter mentioned in Clause 44 of the Scheme, shall immediately be given by the Board to all the Owners.

43. If any Owner is dissatisfied with any standard tonnage so determined and communicated to him as aforesaid, or with any special condition attaching thereto, or with the omission of any special condition desired by the Owner, he may give notice of objection to the Board at any time within fourteen days of such communication and the Board shall thereupon reconsider the matter and deliver their decision thereon without delay.

44. Subject to the provisions of Clause 45 of the Scheme the standard tonnages determined by the Board shall, save in so far as the Board's determination may be varied by an arbitrator, remain unchanged unless and until a general revision of all the standard tonnages for the District shall be required by a Resolution of a general meeting of the Owners:

Provided, however, that the Board may, on the determination of the standard tonnage for any mine which in their opinion is a developing mine or one with a diminishing output, attach a special condition to the standard tonnage for that mine that it shall be subject to revision by the Board at such intervals as the Board may prescribe.

45. 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 deter-