29. Clause 48 shall have effect as if—

(a) it were renumbered "47";

(b) the words "or the supply of" were omitted; and

(c) the proviso thereto were omitted.

30. For Clauses 49 to 59 inclusive there shall be substituted the following Clauses, that is to say:—

Basic Tonnages.

"48.—(1) Before the 1st day of August, 1936, the Board shall determine the annual basic tonnage of every coal mine.

Subject as hereinafter provided such annual basic tonnage shall be the mean of the tonnages of coal supplied during the years 1934 and 1935 from that coal mine, after deduction of the tonnages of coal supplied in those years for the purposes specified in the proviso to Clause 32 of the Scheme:

Provided that the Board shall make a special addition in respect of any strike, lock-out or accident which prevented or restricted the supply of coal in either of those years from that coal mine equal to the additional tonnage which, in the opinion of the Board, would have been supplied from that coal mine but for that strike, lock-out or accident;

Provided further, that in any case where the Board consider that the annual basic tonnage so calculated does not fairly represent the trade of any coal mine they may make such special addition or deduction as is fair and equitable.

(2) The annual basic tonnages thus determined by the Board or awarded upon arbitration as hereinafter provided shall come into operation upon the 1st day of August, 1936, and shall remain in force without revision except in the manner hereinafter provided.

(3) If the operation of the Act be extended beyond the 31st day of December, 1937, the Board shall before the 1st day of December, 1937, and subsequently before the 1st day of December in each year make any revision of the annual basic tonnage of each coal mine required on the ground that the Owner has persistently failed to supply such quantities of coal as the Selling Committee direct or has persistently requested the Selling Committee not to direct supply.

(4) The annual basic tonnages determined by the Board under the last preceding subclause or awarded upon arbitration as hereinafter provided shall come into operation on the 1st day of January, 1938, and subsequently on the 1st day of January in each year and shall, subject to the provisions of the next following Clause, remain in force without revision during that year.

(5) Forthwith upon any determination of annual basic tonnages under this Clause the Board shall send a notice of all such basic tonnages determined to each Owner. If any Owner refers any such determination to arbitration, notice of such reference shall forthwith be sent by the Board to every Owner. The annual basic tonnage of every coal mine shall thereupon be referred to arbitration and the arbitrator shall determine the annual basic tonnage of each coal mine.

49.—(1) If at any time after the 1st day of January, 1933—

(a) a new colliery has been or shall be opened, or

(b) the working of any colliery has been, or shall be, recommenced following any abandonment or discontinuance of working,

the Board may from time to time during the period of development of the colliery (if such colliery forms part of an undertaking) determine the annual basic tonnage of the undertaking or (if such new colliery does not form part of an undertaking) determine the annual basic tonnage of the coal mine. Every such determination shall be made having regard to the development of the colliery and all other relevant circumstances and to the interests of the other Owners.

(2) Where any person purchases or otherwise acquires part of an undertaking the Board shall determine the amount of the annual basic tonnage of the undertaking which relates to that part of the undertaking and subject as hereinafter provided that amount shall be the annual basic tonnage of that coal mine. The amount so determined shall be deducted from the annual basic tonnage of the undertaking and the remainder shall be the annual basic tonnage of that part of the undertaking which has not been so acquired.

(3) Where an Owner purchases or otherwise acquires any coal mine or part of an undertaking, the Board shall determine the proportion of the annual basic tonnage of that coal mine, or of the amount determined under the last preceding sub-clause in respect of that part of the undertaking, as the case may be, which shall be added to the annual basic tonnage of the coal mine previously belonging to such Owner to constitute the annual basic tonnage of the undertaking. Such proportion shall be determined having regard to all relevant circumstances including the probable working life of the coal mine or part of an undertaking so acquired.

(4) If, in pursuance of the provisions of Clause 33 of the Scheme the Board at any time after the 1st day of August, 1936, declare any works to be an excluded works of that Owner, they may adjust the annual basic tonnage of his coal mine having regard to the tonnage of coal supplied to those works by the Owner during the years 1934 and 1935 and by the Board during some recent period.

(5) If in pursuance of the provisions of Clause 33 of the Scheme, the Board, at any time after the 1st day of August, 1936, declare that any works has ceased to be an excluded works of that Owner, they may adjust the annual basic tonnage of the coal mine, having regard to all relevant circumstances and to the interests of the other Owners.

50. For the purpose of assisting the Board in any determination of annual basic tonnages any Owner shall upon notice given to him by the Board furnish to the Board within the period specified in the notice, a statement in writing giving any information which the Board may require for that purpose, and any Owner who claims that a