

of the Pool as the Board shall incur) be distributed between the Owners whose quota tonnage has been registered *pro rata* to the amounts of those tonnages which have been transferred thereout.

(9) Pool Tonnage not distributed in any period for which a quota has been determined shall be cancelled and shall not be carried forward to a future period.

(10) Except as before mentioned no arrangement shall be made between one Owner and another for the transfer of quota tonnage.

Basic Tonnages.

52.—(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 tonnage of coal supplied during the year 1935 from that coal mine, after deduction of the tonnages of coal supplied in that year 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 that year from that coal mine equal to the additional tonnage which, in the opinion of the Board, would have been supplied in that year from that coal mine but for that strike, lock-out or accident.

(2) In the case of a coal mine comprising—

(a) a new colliery opened after the first day of January, 1935; or

(b) a colliery the working of which is recommenced after that date following any abandonment or discontinuance of working for a period exceeding six months;

the Board, in the determination of the annual basic tonnage thereof under the last preceding sub-clause, shall have regard to the development of the colliery and to all other relevant circumstances, and to the interests of the other owners.

(3) The annual basic tonnages thus determined by the Board shall come into operation upon the 1st day of August, 1936.

(4) The Board may at any time review whether or not at the request of an Owner any basic tonnage and determine such revised basic tonnage as may seem to the Board fair and proper having regard to all relevant circumstances and to the interests of the other owners and particularly to the fact that the owner has persistently failed to supply such quantities of coal as the Selling Committee have directed or has persistently requested the Selling Committee not to direct supply.

53.—(1) The Board shall determine the annual basic tonnage of any coal mine consisting of—

(a) a new colliery opened after the 31st day of July, 1936; or

(b) a colliery the working of which is recommenced after that date following abandonment or discontinuance of working before that date;

having regard in such first determination 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.

53A.—(1) Notice of any basic tonnage determined by the Board and of the results of any revision thereof under the provisions of Clause 52 of the Scheme shall immediately be given by the Board to each Owner.

(2) If any Owner is dissatisfied with any basic tonnage so determined and communicated to him as aforesaid 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.

54. 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 special addition, or a revision, under Clause 52 of the Scheme should be made, shall with such statement furnish to the Board a notice in writing, stating the addition or revised annual basic tonnage which he claims, together with any evidence required to substantiate the claim.

55.—(1) Within seven days of the date of the notice of any determination of the annual basic tonnage of his coal mine the owner may give notice in writing to the Board specifying the proportion of such tonnage which he desires to be allocated to each month and subject to the approval of the Board such allocations shall be the monthly basic tonnages of that coal mine. In default of such notice or if the Board do not approve the proportions specified in such notice the Board shall divide such annual tonnage into monthly tonnages in such proportions as may be fair and equitable. The Board may from time to time revise such monthly tonnages where it is fair and equitable to do so.