

(2) For a period of twelve calendar months, calculated in the case of output standard tonnages from the first day of the month following that in which the award of the arbitrator is made, and in the case of export supply standard tonnages, from the 1st day of January next following the award, the annual standard tonnages of coal thus determined shall, subject to the provisions of Clause 47 of the Scheme, remain in force without revision.

47.—(1) Where any person purchases or otherwise acquires part of an undertaking, the Board shall determine the amounts of the annual output and export supply standard tonnages of coal and any class of coal of the undertaking which relate to that part of the undertaking, having regard in such determination to the special circumstances of the undertaking or to the matters relevant to such determination, as the case may be. Subject as hereinafter provided those amounts shall be the annual output and export supply standard tonnages respectively of coal and that class of coal of that coal mine. The amounts so determined shall be deducted from the respective annual output and export supply standard tonnages of the undertaking, and the remainders shall be the respective annual output and export supply standard tonnages of that part of the undertaking which has not been so acquired.

(2) Where an Owner purchases or otherwise acquires any coal mine or part of an undertaking, the annual output and export supply standard tonnages of coal and any class of coal of that coal mine, or the amounts determined under sub-clause (1) of this Clause in respect of that part of the undertaking, as the case may be, shall be added to the respective annual output and export supply standard tonnages of coal and that class of coal of the coal mine previously belonging to such Owner to constitute the annual output and export supply standard tonnages of the undertaking.

Basic Tonnages.

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

Subject as hereinafter provided such annual basic tonnage shall be the tonnage of coal supplied for inland supply during the period from 1st July, 1935, to 30th June, 1936, from that coal mine after deduction of any tonnage of coal supplied in that period for consumption in the excluded works of the Owner of that coal mine:

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

(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) The Board shall before the 1st day of June, 1937, and if the operation of the Act be extended beyond the 31st day of December, 1937, subsequently before the 1st day of June in each year make any revision of the annual basic tonnage of each coal mine required on the ground that—

(a) the Owner has persistently failed to supply coal in pursuance of permits issued to him or has persistently requested the Sales Committee not to issue permits to him; and

(b) there are particular circumstances relating to the supply of coal by that coal mine which justify such revision.

(4) The annual basic tonnages determined by the Board under sub-clause (3) of this Clause or awarded under arbitration as hereinafter provided shall come into operation on the 1st day of July, 1937, and subsequently on the 1st day of July in each year and shall, subject to the provisions of the next following Clause, remain in force without revision for a period of one 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 October, 1935

(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 shall (if such colliery forms part of an undertaking) determine the annual basic tonnage of the undertaking or (if such 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 sub-clause (2) of this 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