

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 the undertaking so acquired.

(4) If, in pursuance of the provisions of Clause 52 of the Scheme, the Board at any time after the 1st day of August, 1936, declare any works to which an Owner supplied coal from his coal mine during the period from 1st July, 1935, to 30th June, 1936, to be an excluded works of that Owner, they shall adjust the annual basic tonnage of his coal mine having regard to the tonnage of coal supplied for inland supply in that period to those works.

(5) If in pursuance of the provisions of Clause 52 of the Scheme, the Board, at any time after the 1st day of August, 1936, declare that any works to which an Owner supplied coal from his coal mine during the period from 1st July, 1935, to 30th June, 1936, has ceased to be an excluded works of that Owner, they shall 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 special addition or a revision under Clause 48 or an adjustment under Clause 49 of the Scheme should be made, as the case may be, shall with such statement furnish to the Board a notice in writing stating the addition or revised or adjusted annual basic tonnage which he claims, together with any evidence required to substantiate the claim.

51.—(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 quarter, and, subject to the approval of the Board, such allocations shall be the quarterly 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 quarterly tonnages in such proportions as may be fair and equitable. The Board may from time to time revise such quarterly tonnages where it is fair and equitable to do so.

(2) Notice of any quarterly basic tonnage determined under this Clause shall forthwith be given to the Owner.

Excluded Works.

52.—(1) Any Owner who claims at any time to be the Owner of, or to control or to be controlled by the Owner of any works, and who desires to supply coal from his coal mine to those works, shall notify the Board and shall give such information about those works and the connection between those works and his coal mine as the Board may require. If they consider any such claim

established the Board shall declare that those works are excluded works of that Owner for the purposes of the Scheme.

(2) If at any time an Owner proves to the satisfaction of the Board that he no longer either controls or is the Owner of or is controlled by the Owner of any excluded works, or that the qualities of coal required by those works cannot be produced from his coal mine, the Board shall declare that those works shall cease to be excluded works.

53.—(1) Where, in pursuance of the provisions of Clause 52 of the Scheme, the Board have declared any works to be excluded works of any Owner, they shall, after consultation with him, forthwith determine the annual tonnage of coal which may be supplied in any year from his coal mine for consumption in his excluded works.

(2) Such annual tonnage shall be determined having regard to the tonnage of coal supplied from the coal mine during the period from 1st July, 1935, to 30th June, 1936, for consumption in those works, and to the prospective demand for coal from the coal mine for consumption in those works.

(3) Any such annual tonnage may be varied by the Board at any time—

(a) if the prospective demand for coal from the coal mine for consumption in those works in any year differs from the annual tonnage in respect thereof; or

(b) if the Board declare that any other works are excluded works of that Owner or that any works cease to be excluded works of that Owner.

(4) Notice of any determination of any such annual tonnage of any coal mine shall forthwith be given to the Owner thereof.

(5) Each Owner may within seven days before the beginning of each quarter give notice in writing to the Board specifying the proportion of such annual tonnage which he desires to be allocated to that quarter, and, subject to the approval of the Board, such allocation shall be the quarterly tonnage which may be supplied from the coal mine of that Owner in that quarter for consumption in his excluded works. In default of such notice, or if the Board do not approve the proportion specified in such notice, the Board shall allocate such quarterly tonnage as may be fair and equitable, and notice thereof shall forthwith be given to the Owner.

(6) The Sales Committee shall from time to time fix a price per ton for each commercial description of coal supplied for consumption in any excluded works, below which price that description of coal shall not be so supplied.

Such prices shall be fixed having regard to the prices prevailing in the district for coal of those or similar commercial descriptions.

(7) Any owner shall, upon notice given to him by the Board, furnish in writing, within the period specified in the notice, any information the Board may require to assist them in any determination of such annual or quarterly tonnages.

Permits.

54.—(1) The supply by Owners of coal from their coal mines shall be regulated by the issue of Permits by the Sales Committee.