

tonnages of coal and any class of coal of that coal mine or the amounts determined under the last sub-clause in respect of that part of the undertaking, as the case may be, shall be added to the annual output standard tonnages of coal and that class of coal of the coal mine previously belonging to such Owner to constitute the annual output standard tonnages of the undertaking."

30. Clause 46 shall have effect as if—

(a) it were renumbered "48";

(b) for sub-clause (1) thereof there were substituted the following sub-clause, that is to say:—

"(1) The Board shall, from time to time, determine the proportion (hereafter in the Scheme referred to as "the quota") of the standard tonnage of each coal mine that may be produced therefrom"; and

(c) in sub-clause (7) the words "or supplied as the case may be" were omitted.

31. Clause 47 shall have effect as if—

(a) it were renumbered "49";

(b) for the words "quotas are" there were substituted the words "a quota has been"; and

(c) for the words "the tonnage of coal disposed of for export supply and for inland supply respectively and the output or supply as the case may be" there were substituted the words "and the output".

32. Clause 48 shall have effect as if—

(a) it were renumbered "50";

(b) the words "or the supply of" where those words first appear were omitted; and

(c) for the proviso thereto there were substituted the following proviso, that is to say:—

"Provided that where under the provisions of sub-clause (1) of Clause 40 of the Scheme a special monthly output standard tonnage has been determined for a coal mine the Owner of that coal mine may, subject to the provisions of Clause 57 of the Scheme, in the event of the output of the coal mine in any month falling short of the tonnage permitted by the quota for that month, carry forward the amount of such shortage as an addition to the tonnage permissible under the quota during the next succeeding month. No shortage shall be carried forward at the end of the period of the allocation to which such quota relates."

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

*"Supply Basic Tonnages."*

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

Subject as hereinafter provided such annual supply basic tonnage shall be the average of the tonnages of coal supplied from that coal mine during the year 1935 and such one of the years ended 31st December, 1931, 1932, 1933, or 1934, as may be selected by the Owner thereof, after deduction of the tonnages of coal supplied in the year 1935 for the purposes specified in the proviso to Clause 32 of the Scheme:

Provided—

(a) 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 those years from that coal mine equal to the average of the additional tonnages which, in the opinion of the Board, would have been supplied in the year 1935 and the year selected by the Owner from that coal mine but for that strike, lock-out or accident; and

(b) that the Board may make a special deduction in the case of a coal mine with a diminishing productive capacity equal to the amount by which the tonnage of coal supplied from that coal mine in the year 1936 is likely to fall below the tonnage supplied therefrom in the year 1935.

(2) The annual supply 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, 1938, and subsequently before the 1st day of December in each second year make any revision of the annual supply basic tonnage of each coal mine required on the ground that—

(a) 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; or

(b) the demand for any class of coal has increased relatively to the demand for other classes; or

(c) the productive capacity of the coal mine is diminishing:

Provided that in making any revision under paragraph (b) of this sub-clause the Board shall have regard to the extent to which such demand could have been met from the coal mines of other Owners.

(4) The annual supply basic tonnages determined by the Board under the last preceding sub-clause or awarded upon arbitration as hereinafter provided shall come into operation on the 1st day of January, 1939, and subsequently on the 1st day of January in each second year and shall, subject to the provisions of the next following Clause, remain in force without revision for a period of two years.

(5) Forthwith upon any determination of annual supply 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 supply basic tonnage of every coal mine shall thereupon be referred to arbitration and the Arbitrator shall determine the annual supply basic tonnage of each coal mine.

52.—(1) If at any time after the 1st day of January, 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 may from time to time during a