

period of three years from the opening or re-opening of the colliery (if such colliery forms part of an undertaking) determine the annual supply basic tonnage of the undertaking, or (if such colliery does not form part of an undertaking) determine the annual supply 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 supply basic tonnage of the undertaking which relates to that part of the undertaking and subject as hereinafter provided that amount shall be the annual supply basic tonnage of that coal mine. The amount so determined shall be deducted from the annual supply basic tonnage of the undertaking and the remainder shall be the annual supply 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 supply 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 supply basic tonnage of the coal mine previously belonging to such Owner to constitute the annual supply 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 supply basic tonnage of his coal mine having regard to the tonnage of coal supplied to those works by the Owner during the year 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 supply basic tonnage of the coal mine, having regard to all relevant circumstances and to the interests of the other Owners.

(6) If, at any time the consumption at any coal mine of electricity generated at a central electricity generating station has led to an increased demand for coal from that coal mine by that generating station, the Board shall adjust the annual supply basic tonnage of that coal mine in such manner as may be fair and equitable.

53. For the purpose of assisting the Board in any determination of supply 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 any adjustment or revision should be made shall with such statement furnish to the Board a notice in writing stating the adjusted or revised supply basic tonnage which he claims, together with any evidence required to substantiate the claim.

54. Within seven days of the date of the notice of any determination of the annual supply 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 supply 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 when it is fair and equitable to do so.

55.—(1) The Board shall allocate the coal supplied from each coal mine into the following classes:—

- (a) House coal above 2 in.,
- (b) Industrial coal above 2 in.,
- (c) Locomotive coal,
- (d) Coal other than the above,

and shall ascertain the proportions in which such classes were supplied from the coal mine in each quarter of the year 1935 otherwise than for the purposes specified in the proviso to Clause 32 of the Scheme. The quarterly supply basic tonnages of each coal mine shall be divided in the proportions thus ascertained and the tonnages thus calculated shall be the class quarterly supply basic tonnages of that coal mine:

Provided that in the case of a coal mine of which the annual supply basic tonnage is determined under Clause 52 (1) of the Scheme the Board shall ascertain the proportions in which such classes were supplied in a recent period.

(2) The proportions ascertained under the last preceding sub-clause may be varied by the Board at any time where by reason of the opening or closing of any seam the proportions of such classes of coal produced from the coal mine are substantially changed or where in the opinion of the Board and with the concurrence of the Owner of the coal mine such variation is expedient for any other reason.

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

Purchase of Coal by the Board.

56.—(1) Unless such supply is not reasonably practicable by reason of any strike, lock-out or accident at his coal mine, or any other cause beyond the control of the Owner, each Owner shall load and despatch coal from his coal mine for supply to the Board in accordance with their directions. Any Owner who is unable so to load and despatch coal shall give immediate notice to the Board.

(2) The Board shall in each quarter so far as possible take coal and coal of each class specified in the last preceding Clause from