

economy of the working of the coal mine, the extent to which it has been developed or is being developed for economic working, the extent to which its output has been increasing or decreasing, and, in the case of a first determination of an annual output standard tonnage therefor, the proportion which the output of the coal mine bore to the output of the District during the period of twelve calendar months ended on the 31st day of March, 1928;

"Relevant Matters" in relation to determination of standard tonnages of any coal mine of coal or any class of coal for export supply or inland supply means all matters relevant to such determination including the proportions in which coal supplied from the coal mine has been disposed of for export supply and inland supply respectively either during some recent period as determined by the Executive Board or as laid down in the Scheme.

Appointment of Standard Tonnage Committee.

(2) (a) The Standard Tonnage Committee (in this Clause referred to as "the Committee") shall consist of representatives appointed by the Coalowners of the District in the following manner, that is to say:—

The Coalowners in each Section shall appoint one representative of the Section, and one additional representative, in respect of each ten million tons of Sectional Tonnage. Where there shall be a balance of Sectional Tonnage in excess of such ten million tons or any multiple thereof, one further additional representative shall be appointed in respect of such excess if the excess amounts to more than two-and-a-half million tons of Sectional Tonnage:

Provided that each Section shall in any event be entitled to not less than two representatives.

(b) The Coalowners of each Section shall, when appointing representatives upon the Committee, also appoint for each representative a substitute representative to attend meetings of the Committee in the absence of any such representative, and the appointment of such substitute representatives shall be made in the manner and upon the basis in this sub-clause prescribed for the appointment of representatives.

Quorum.

(3) A quorum at meetings of the Committee shall be eight representatives or substitute representatives representing not less than three of the Sections.

Chairman of Committee.

(4) The Executive Board shall appoint an independent person as Chairman of the Committee, and such Chairman shall preside at all meetings of the Committee but shall have no right to vote.

Voting.

(5) Voting at meetings of the Committee shall be by show of hands.

Functions of Standard Tonnage Committee.

(6)—(a) Subject to the provisions of paragraphs (c) and (d) of Clause 14 of the Scheme the functions of the Committee shall be those

laid down in this Clause and any other functions in relation to the determination of standard tonnages from time to time delegated to them by resolution of the Executive Board.

(b) If so authorised by the Executive Board the Committee may call for such Returns, information, and particulars from any one or more of the Coalowners in the District as may be necessary to enable the Committee properly to perform their functions.

Method of fixing Sectional Tonnages.

(7) The Sectional Tonnage of each Section severally shall be arrived at and fixed as follows, that is to say:—

(a) There shall be ascertained from every Coalowner in each Section the average annual output of each Non-Special Mine of the Coalowner situate in the Section during the following four years, that is to say:—

The year ended 31st December, 1923;
The year ended 31st December, 1924;
The year ended 31st December, 1925;
The year ended 31st December, 1927.

(b)—(i) In each Section the aggregate of the average annual outputs ascertained as aforesaid shall, subject to any adjustment which may be agreed upon by the Coalowners of all Sections (such agreement to be expressed by Resolution of a Sectional Meeting in each Section as provided by Clause 8 of the Scheme) and to any variations under the subsequent provisions of this Clause, constitute the Sectional Tonnage of the Section.

Right of arbitration in regard to Sectional Tonnages.

(ii) Whether there shall have been a failure to agree upon any adjustment or not the Coalowners of any Section shall have the right to appeal annually to arbitration for a revision and adjustment of all the Sectional Tonnages. Notice in writing of any such appeal shall be given to the Secretary in the month of March in any year by the Secretary of the Section concerned, and the Executive Board shall thereupon cause the Secretary of each other Section to be informed of such notice of appeal and shall also arrange for the said revision and adjustment being referred to and determined by a single arbitrator sitting with a qualified Mining Engineer as assessor, such arbitrator and assessor to be appointed by unanimous vote of the Executive Board, and failing such unanimous vote then by the Lord Chief Justice of England.

(iii) The arbitrator shall give directions as to the procedure to be followed at the arbitration and after considering all evidence and particulars relating to the special circumstances of each Section submitted to him by the parties to the arbitration he shall award a Sectional Tonnage in respect of each of the five Sections.

(iv) The Sectional Tonnages as determined by award of an arbitrator as aforesaid shall come into operation as from the first day of May following the date of the notice of appeal and shall (except where