

hereinafter otherwise specifically provided) be final and binding upon the Coalowners of every Section until further adjusted by agreement as aforesaid or by the award of an arbitrator hereunder.

(v) The Aggregate Annual Sectional Standard Tonnages in force immediately prior to the date when these amendments come into operation shall be deemed to be the Sectional Tonnages determined under the provisions of the Scheme until such time in the year 1935, as the procedure in this sub-clause (7) set forth relative to the determination and adjustment of Sectional Tonnages shall have operated.

*Annual Standard Tonnages.*

(c) There shall be determined for each Non-Special Mine in the several Sections:—

- (i) an annual output standard tonnage;
- (ii) an annual inland supply standard tonnage; and
- (iii) an annual export supply standard tonnage.

(d) The Executive Board may further distribute the standard tonnages so determined in respect of any class of coal determined according to the nature of the coal or of the trade, industry, or other category of consumer supplied:

Provided that—

- (i) any such distribution shall be made for all coal mines producing the class of coal concerned;
- (ii) in any distribution of output standard tonnages regard shall be had to the special circumstances of the coal mines; and
- (iii) in any distribution of supply standard tonnages regard shall be had to the relevant matters.

(e) As from the 1st day of January, 1935, the Committee shall determine a Monthly Coking Supply Standard Tonnage for every coal mine entitled thereto under the provisions of sub-clause (17) of this Clause.

*Annual Output Standard Tonnages. (Division of Sectional Tonnages.)*

(f) In order to determine the annual output standard tonnage of each Non-Special Mine in the several Sections the Sectional Tonnage of each Section respectively shall be divided by the Committee among the Non-Special Mines in the Section having regard to the special circumstances of each such Non-Special Mine, and the standard tonnages so determined shall come into force on the first day of January, 1935.

*Provisions for Appeal.*

(8) The annual output standard tonnages or any of them determined in accordance with the provisions of paragraph (f) of sub-clause (7) of this Clause shall, subject to the provisions of sub-clause (18) of this Clause, be reviewed, revised and varied only according to one or other of the two methods of Appeal Procedure set forth in sub-clauses (10) and (11) of this Clause.

*Selection of Appeal Procedure.*

(9) Prior to the 15th day of January, 1935, the Secretary of each Section shall convene a Meeting of the Coalowners of the section, and at such Meeting the Coalowners shall consider and vote upon the question whether the Section shall adopt the method of Appeal Procedure set forth in sub-clause (10) of this Clause (hereinafter referred to as "Appeal Procedure A") or that set forth in sub-clause (11) of this Clause (hereinafter referred to as "Appeal Procedure B"):

Provided that the method of voting shall be as laid down in Clause 8 of the Scheme and that unless votes representing at least 51 per cent. of the Sectional Tonnage of the Section are cast in favour of adopting Appeal Procedure A, the Coalowners of the Section shall be deemed to have adopted Appeal Procedure B on and from the date of the said meeting.

*Appeal Procedure A.*

(10) (a) If any Coalowner in a Section by which Appeal Procedure A has been adopted (in this sub-clause referred to as "the Section") is dissatisfied with the annual output standard tonnage of his coal mine he may request the Committee to make a revised division of the Sectional Tonnage of the Section and the Committee shall thereupon make such revised division unless they are of opinion that the request is unjustified. If any Coalowner in the Section is aggrieved by, or if the Committee shall refuse or fail to make, such revised division, the dissatisfied Coalowner or Coalowners may refer the matter to arbitration in the manner following, that is to say:—

The annual output standard tonnages of all the Non-Special Mines in the Section as then determined under the provisions of the Scheme shall be referred for revision to an independent arbitrator appointed either—

(i) by unanimous resolution of the Coalowners of the Section passed at a meeting to be called by the Secretary of the Section within ten days of notice of appeal being lodged with him by any dissatisfied Coalowner; or

(ii) failing such unanimous resolution by the President of the Incorporated Law Society.

Such arbitrator shall, if the Coalowners of the Section shall so decide by resolution passed in the manner in Clause 8 of the Scheme provided, sit with any Mining Engineer, Accountant, or other assessor or assessors as provided in the Resolution, such assessor or assessors to be appointed by unanimous resolution of the Coalowners of the Section, and failing such unanimous resolution the appointment shall be made on request of the Secretary of the Section in the following manner, that is to say:—

in the case of an assessor being a Mining Engineer, by the President of the Institution of Mining Engineers; in the case of an assessor being an Accountant, by the President of the Institute of Chartered Accountants; and in the case of any other assessor, by the President of the Incorporated Law Society.