

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.

*Procedure at Arbitrations.*

(d) The provisions of Clause 28 of the Scheme except as to the selection of an arbitrator or arbitrators shall apply to all references to arbitration under this sub-clause.

(e) When revising or varying under this sub-clause the annual output standard tonnage of any Non-Special Mine the arbitrator shall have regard to the special circumstances thereof.

*Sectional Tonnage not to be Exceeded.*

(f) Any variation made either by the Committee or an arbitrator in the annual output standard tonnage of a Non-Special Mine situate in the Section shall take place within the limits of the Sectional Tonnage for the time being of the Section.

*Power to vary Output Standard Tonnages in certain cases.*

(g) The Committee shall have power at any time to review (whether upon objection by a Coalowner or not) and, if necessary, revise and vary the annual output standard tonnage of any Non-Special Mine situate in the Section and to fix a revised annual output standard tonnage therefor having regard to the special circumstances of such Mine.

(h) The Coalowners of the Section shall have the right at any time to decide by resolution passed in manner provided by sub-clause (9) of this Clause to terminate their adoption of Appeal Procedure B and to adopt Appeal Procedure A in lieu thereof.

*Fixation of Annual Supply Standard Tonnages.*

(12) The Executive Board shall determine an Annual Supply Standard Tonnage for every Non-Special Coal Mine in respect of—

- (i) Coal for Inland Supply; and
- (ii) Coal for Export Supply;

and such standard tonnages shall come into operation on the 1st day of January, 1935.

*Method of Fixing Annual Supply Standard Tonnages.*

(13) The method of determining annual supply standard tonnages for inland supply and export supply respectively shall be as follows:—

*Inland and Export Percentages.*

(a) The Executive Board shall first ascertain from each Owner of a Non-Special Mine—

- (i) the tonnage of the inland supply from the Mine, and

- (ii) the tonnage of the export supply from the Mine during the three years ended on 31st December, 1933.

The Executive Board shall then ascertain—

- (i) the percentage (herein called "Inland Percentage") which the inland supply formed of the inland supply and export supply combined from the Mine during such period; and

- (ii) the percentage (herein called "Export Percentage") which the export supply formed of the inland and export supply combined from the Mine during the same period.

The figures produced by applying these percentages to the annual output standard tonnage of the mine shall for the purpose of the first determination of inland and export supply standard tonnages constitute the "annual inland basic figure" and the "annual export basic figure" of the coal mine respectively.

*Output and Supply Percentage.*

(b) The Executive Board shall further ascertain from each Owner of a Non-Special Mine the percentage (herein called "Output and Supply Percentage") which the inland supply and export supply combined from the Mine during the twelve months ended on 31st December, 1933, formed of the total output of the Mine during the same period. The Executive Board shall apply the percentage so ascertained to the annual inland basic figure and the annual export basic figure of the Mine. The tonnage resulting from the application of the percentage to the annual inland basic figure of the Mine shall (subject to variation on application or appeal as hereinafter provided) be the annual inland supply standard tonnage of the Mine, and the tonnage resulting from the application of the percentage to the annual export basic figure of the Mine shall (subject to variation on application or appeal as hereinafter provided) be the annual export supply standard tonnage of the Mine.

(c) The inland percentage, the export percentage, and the output and supply percentage or any of them shall after determination under paragraphs (a) and (b) of this sub-clause be adjusted by the Executive Board as may be necessary in order to have regard to relevant matters in the determination of inland supply and export supply standard tonnages.

*Application for variation.*

(d) Each Coalowner shall be notified in writing by the Secretary as soon as practicable of the inland and export percentages, the output and supply percentage, and the annual inland and export supply standard tonnages respectively determined under paragraphs (a), (b) and (c) of this sub-clause for his Non-Special Mine, and within twenty-one days of the receipt of such notification any Coalowner may apply to the Executive Board for a variation of any or all of such percentages, and of the annual inland and export supply standard tonnages of his Mine by forwarding an Application in writing to the Secretary specifying the