

colliery not being part of a colliery undertaking shall have been or shall be recommenced following any abandonment or discontinuance of working and in the opinion of the Board the circumstances of the coal mine comprising that colliery make it unfair or inappropriate that an annual standard tonnage in respect of output of coal should be determined therefor the Board shall from time to time determine the standard tonnage in respect of output of coal of such coal mine for each month or quarter. The Board shall determine the annual standard tonnage in respect of output of coal of such coal mine when in their opinion such determination can fairly be made, and thereupon if such coal mine forms part of a colliery undertaking, the standard tonnage so determined shall be added to the annual standard tonnage in respect of output of coal of the other part of that undertaking. For the purposes of this Clause, "colliery" means a shaft or shafts adit or adits with the equipment and development necessary for getting and drawing coal and "new colliery" means a colliery from which coal has not been gotten or drawn save incidentally to the process of development."

2. There shall be added to Clause 8 of the Scheme after paragraph (vii) thereof the following paragraph:—

"(viiia) The provisions of paragraph (iiia) of this Clause shall apply with the necessary modifications to the determination of standard tonnages in respect of coal or any class of coal for export supply."

3. In paragraph (xiv) of Clause 8 before the word "standard" wherever that word occurs there shall be inserted the word "annual".

4. In Clause 9 at the end of paragraph (iv) there shall be added the following words—

"other than any tonnage relating to a coal mine of which the standard tonnages are determined under paragraphs (iiia) and (viiia) of Clause 8".

5. There shall be substituted for paragraph (ix) of Clause 11 of the Scheme the following paragraph:—

"(ix) If at any time after the 31st day of July, 1936, (a) a new colliery shall have been or shall be opened, or (b) the working of any colliery not being part of a colliery undertaking shall have been or shall be recommenced following any abandonment or discontinuance of working the Board shall determine the basic tonnage of the coal mine comprising the colliery having regard to the development of the colliery and all other relevant circumstances and to the interests of the other owners. Such basic tonnage shall be the annual basic tonnage of the coal mine save that for any period during which in the opinion of the Board the circumstances of that coal mine make it unfair or inappropriate that an annual basic tonnage should be determined therefor the Board may from time to time determine the basic tonnage of that coal mine for each month or quarter having regard to the matters aforesaid. If such coal mine forms part of a colliery undertaking the annual basic tonnage thereof when first determined shall be added to the annual basic tonnage of the other part of that undertaking. Any annual basic tonnage determined under this paragraph shall be

reviewed in accordance with the provisions of paragraph (vi) of this Clause. For the purpose of this Clause the expressions 'colliery' and 'new colliery' shall have the same meanings respectively as are attached thereto under and for the purposes of paragraph (iiia) of Clause 8 of the Scheme."

6. In paragraphs (xii) (xiii) and (xiv) of Clause 11 the word "annual" shall be omitted.

7. There shall be substituted for the second proviso to paragraph (ii) of Clause 16B of the Scheme the following provision:—

"(iiia) Any tonnage in respect of which no compensation is payable under the provisions of the last preceding paragraph shall be divided in proportion to the respective basic tonnages for that month or quarter of the coal mines other than those which having so supplied in that month or quarter a tonnage of coal less than their respective trade shares for that month or quarter are not entitled to the compensation in respect of the whole of the deficiency by virtue of the provisions of the last preceding paragraph. The tonnage thus determined for any coal mine shall be added to the trade share thereof calculated under paragraph (i) of this Clause for that month or quarter, and whenever any such addition is made to any trade share the provisions of the last preceding paragraph and this paragraph shall have effect in relation to that trade share with such addition."

8. In paragraph (ii) of Clause 17 of the Scheme for the words "for the quarter next but one" there shall be substituted the following words:—"during the calendar year last".

War Office,  
5th July, 1938.

#### REGULAR ARMY.

The undermentioned Cols. are granted the temp. rank of Brig. :—

H. Finnis, M.C., whilst empld. as a Bde. Comdr. in India. 2nd May 1938.

E. E. Dorman-Smith, M.C., whilst empld. as Dir. of Mil. Trng., Army Hdqrs., India. 10th May 1938.

R. Dening, M.V.O., M.C., whilst empld. as a Bde. Comdr. in India. 18th May 1938.

Col. R. S. Abbott, C.I.E., M.C., A.D.C., is granted the hon. rank of Brig. on retirement. 18th June 1938.

#### COMMANDS AND STAFF.

The undermentioned appts. are made:—

Lt.-Col. C. Le B. Goldney, M.C., R.A.S.C., to be Asst. Dir. of Supplies & Trans., The British Troops in Egypt, and placed on the h.p. list (empld.). 16th June 1938.

Maj. O. G. Freeman, R.A., from Asst. Experimental Off. (Cl. CC), Chemical Def. Experimental Stn., Porton, to be Dep. Asst. Dir. of Arty., War Office. 7th June 1938.

Maj. C. L. Rougier, M.C., Lan. Fus., to be D.A.Q.M.G., W. Comd. 21st June 1938.

Capt. A. F. Fisher, 12th L., to be G.S.O. 3rd Grade, War Office. 20th June 1938.