

57. The Executive Board may prescribe conditions of sale for securing that the actual consideration obtained by the sale or supply of any class of coal shall not be less in value than the minimum price for the time being fixed for that class of coal, and every owner shall comply with such conditions of sale as may be so prescribed.

58. In the event of any owner, in consequence of complaint by a customer in regard to short weight or quality of coal in any consignment being required to furnish additional quantities or make a reduction or allowance in price for that particular consignment in order to meet such complaint, the owner concerned shall be entitled to supply such additional quantity or make such adjustment in his account as may be necessary, subject to making a report thereof in writing to the Board within ten days after the expiration of each calendar month during which any such concession is made; and any such concession which is not approved by the Board shall be deemed to be a breach of the provisions of the Scheme relating to the determination of prices and shall render the owner liable to the penalties prescribed in Clause 79 of the Scheme.

59. If any owner ships or causes to be shipped any cargo or consignment of coal otherwise than in pursuance of a *bona-fide* contract for the sale thereof, the actual consideration obtained by the sale or supply of the coal so shipped, being the amount remaining after deduction of the shipping and other charges incurred subsequent to shipment from the price ultimately obtained for the coal, shall not be less in value than the minimum f.o.b. price for coal of the same class ruling under the Scheme at the date of shipment, and any contravention of the provisions of this Clause shall render the owner, who shipped or caused to be shipped, the coal in respect of which the contravention occurs, liable to the penalties prescribed in Clause 79 of the Scheme.

60. In rendering to the Board such returns as the Board may prescribe of sales and deliveries with a view to ascertaining whether or not any coal has been sold below the minimum price therefor fixed for the time being under the Scheme, any owner who claims to have sold or delivered in accordance with the custom of the trade or otherwise, any coal at a price other than on the basis fixed under Clause 52, shall furnish to the Board full details of the costs and charges actually incurred or to be incurred which fall to be added to or deducted from the price received in order to arrive at the basis fixed under that Clause for the purposes of comparison with the appropriate minimum price under the Scheme.

#### Trustees.

61. At the General meeting called in pursuance of Clause 17 of the Scheme the owners shall appoint three persons to be the Trustees for the Board under the Scheme, in whom shall be vested the District Fund and all other property of the Board.

62. Any Trustee for the time being may retire, or may be removed from the office of Trustee by a Resolution of a general meeting, and any vacancy in the office of Trustee shall be filled by the owners at a general meeting:

Provided that the method of voting on a Resolution for removing a Trustee shall be

that prescribed in Clause 29 of the Scheme, and that the Resolution in order to be effective must be supported by at least 75 per cent. of the total number of votes that could be recorded under that Clause by all the owners.

63. The Trustees shall not be liable to make good any deficiency in the District Fund, but shall be liable only for moneys which shall be actually received by them.

64. The Owners shall save harmless and keep indemnified the Trustees and each of them against all actions, claims, demands, costs and expenses which they or he may incur or sustain by reason of or incidental to any matter which may be done in execution of the provisions of the Scheme.

65. The Trustees may sue and be sued for and on behalf and in the name of the Board and shall pay into the District Fund any moneys recovered by them in any proceedings taken on behalf of the Board and the Trustees shall be entitled to reimburse themselves out of the District Fund for any costs and expenses incurred by them in their capacity as Trustees under the Scheme:

Provided that the Trustees shall not commence any action or proceeding unless and until they are required so to do by the Board.

#### Levies.

66. Every owner shall pay to the Board, for the purposes of meeting the expenses of the Board in administering the Scheme, including any payments required under the Central Scheme, such levies as may be decided upon by the Board from time to time and notified to the owners.

67. Any levy made by the Board shall be calculated in proportion to the several owners' outputs or disposals of coal during such period as the Board may determine, so, however, that the same period shall be taken for all owners.

#### District Fund.

68. All contributions, levies, penalties and other moneys received by the Board, or any person on behalf of the Board, in connection with the administration of the Scheme, shall together form a fund to be called the District Fund, and shall be paid into a Bank in the names of the Trustees.

69. There shall be paid out of the District Fund such expenses as the Board or any other persons on behalf of the Board may properly incur in the exercise or performance of their functions under the Scheme.

70. The Trustees shall have discretion to invest any moneys standing to the credit of the District Fund which are in excess of the immediate requirements of the Board in any investments authorised by law for the investment of trust moneys and may from time to time change such investments for any other investment of the like nature or realise the same in order to meet expenses duly approved by the Board.

71. Auditors of the District Fund shall be appointed by the owners at the general meeting called in pursuance of Clause 17 of the Scheme and the audited accounts of the District Fund shall be presented at each annual general meeting, when the auditors shall be re-appointed or other auditors appointed in their place.