

*Returns.*

72. Every owner shall furnish to the Board, or any person authorised by the Board in that behalf, in such manner as the Board may prescribe, such returns, accounts, and other information, certified by the owner, his manager or accounting officer, or a person authorised to act on his behalf, as the Board may think fit to require for the purposes of their functions under the Scheme.

73. In order that the Board may be able to verify any return, account or other information furnished to them by any owner, or for the purpose of enabling the Board to secure any information that they consider necessary for the exercise or performance of any of their functions under the scheme, any owner shall, on demand from the Board, produce the books and accounts relating to his coal mine or undertaking for the inspection of an accountant authorised by the Board, who shall report to the Board on the results of his inspection.

74. The Board shall furnish to the Board of Trade such accounts, returns and other information with respect to the operation of the Scheme as the Board of Trade may from time to time require.

75. The Board shall supply to the Central Council such returns, accounts and other information as the Central Council may require for the purposes of the Central Scheme.

76. The Board shall furnish to the Committee of Investigation for the District, constituted under Section 5 of the Act, such returns, accounts and other information relating to the operation of the Scheme as that Committee may consider to be relevant to any complaint that it is investigating.

*Penalties.*

77. Any owner who raises or allows to be raised from his coal mine or undertaking, during any period for which a quota is operative, an output of coal or of any class of coal in excess of that permitted by the quota for the coal or for that class of coal (after allowing for any shortage carried forward under Clause 48 and any transfer of quota effected under Clause 49 of the Scheme) shall pay to the Board on demand a penalty not exceeding 3s. per ton in respect of each ton or part of a ton of such excess.

78. In addition to any monetary penalty payable under the last preceding Clause, where coal or any class of coal is produced in excess of the quota for any period, the quota for the coal mine or undertaking of the owner so penalised may be reduced at the discretion of the Board by the amount of the excess during such succeeding period as the Board may determine.

79. Any owner who sells or disposes of any coal or class of coal at a price below the minimum price fixed for the time being under the Scheme for such coal, or sells or disposes of any coal or class of coal in such a manner that the actual consideration obtained by him is less in value than the minimum price so fixed, or ships or causes to be shipped any coal in contravention of Clause 59 of the Scheme, or allows any such sale, disposal, or shipment of any part of the output of his coal mine or undertaking to take place, shall pay on demand to the Board a penalty not exceeding

3s. per ton in respect of each ton or part of a ton so sold, disposed of, or shipped.

80.—(1) Any owner who omits to render to the Board any return, account or information required or prescribed by the Board under the provisions of the Scheme, and after notice in writing from the Secretary fails to furnish such return, account or information within the seven days next following the date of such notice, shall pay to the Board the following penalties:—

(i) In respect of the first seven days of such default a sum not exceeding 1d. per ton per day on his quarter's output as last ascertained or, if such output is not known, on a fourth of his standard tonnage on an annual basis;

(ii) In the event of such default continuing beyond the first seven days, for each day of such continued default a sum not exceeding twice the sum contributable in respect of each of the first seven days.

(2) For the purpose of calculating the amount of any penalty payable under the provisions of this Clause the default shall be regarded as commencing on the first day after the expiration of the said seven days next following the date of the notice as aforesaid from the Secretary.

81. Any owner who neglects to afford or refuses or allows to be refused the inspection of his books by an accountant duly authorised on behalf of the Board—

(i) for the purpose of verifying any return, account or other information required by the Board, or

(ii) for the purpose of supplying any other information to the Board that they may require in connection with their functions under the Scheme,

shall pay to the Board a penalty not exceeding £20 for each day of such neglect or refusal.

82. All penalties imposed by the Board under Clauses 77, 79, 80 or 81 of the Scheme shall be recoverable by the Board through the Trustees and shall be paid, as and when received into the District Fund:

Provided that no proceedings in default of payment of any such penalty shall be commenced until a period of ten days shall have elapsed from the date of notice of the penalty being given under the provisions of Clause 84 of the Scheme and, in the event of an application being made within that period by the owner upon whom the penalty is imposed, that the matter be referred to arbitration in accordance with the provisions of the Scheme, no such proceedings as aforesaid shall be commenced unless and until the arbitrator shall have made his award as to the amount of penalty (if any) payable by such owner, or the owner shall have abandoned his appeal, whichever shall first occur.

83. In the event of any objection by an owner under the provisions of Clauses 37, 43, or 55 of the Scheme to any determination or decision of the Board the determination or other decision of the Board to which objection is made shall be operative and shall, unless in any case the Board otherwise determine, continue to have full force until the same shall be varied (if at all) by the ruling of the Board on the objection, and no such objection