

to meet the administrative expenses incurred by the Council for the purposes of their functions under the Scheme.

#### *Complaints.*

XIII.—(1) If at any time representations are made to the Council by an Executive Board that it is aggrieved by any act or omission of the Council or of any other Executive Board or of any other persons in respect of their functions under a scheme in force under the Act, the Council shall consider such representations and subject to the provisions of Clause IX. (3) of the Scheme shall make such recommendations, if any, in relation thereto as it may determine.

(2) If at any time after the Council has decided either to make or to refrain from making recommendations in relation to representations made to it in accordance with sub-clause (1) of this Clause any Executive Board represents to the Council that it is aggrieved by such decision or by the failure of the Council or of any other Executive Board or of any other persons in respect of their functions under a scheme in force under the Act to act in accordance with such recommendations and that it desires to refer the matter to arbitration notwithstanding anything in Clause IX. or Clause X. of the Scheme the same shall forthwith be referred to arbitration accordingly.

#### *Advising Executive Boards.*

XIV. The Council shall from time to time consider the operation of the district schemes and shall give to the Executive Boards for the several districts any advice which may as a result of such consideration appear to the Council desirable with a view to co-ordinating the operation of the district schemes.

#### *Returns by Executive Boards.*

XV. Each Executive Board shall on demand furnish to the Council or any person authorised by the Council such returns accounts and other information as the Council may consider necessary for the operation of the Scheme duly authenticated in such manner as the Council may from time to time determine.

#### *Amendments.*

XVI.—An Executive Board may at any time propose to the Council that the provisions of the Scheme other than those of this Clause may be varied, rescinded or added to and in the event of any such proposal being made the following provisions shall have effect:—

(1) The proposal shall be communicated by the Council to all of the other Executive Boards.

(2) It shall be considered at the next meeting of the Council after the expiration of fourteen days from the date of its communication to the Executive Boards.

(3) If a resolution in favour of the proposal with or without amendment is carried by votes amounting to not less than 85 per cent. of the voting power on a poll of all the members of the Council the proposal so carried shall be deemed to be adopted by the Council, provided that any dissentient Executive Board shall have the right to refer to arbitration the question whether it shall be adopted or not.

(4) If the proposal, with or without amendment, is supported by less than the number of votes aforesaid no further action shall be taken upon it by the Council.

(5) If a proposal adopted in accordance with paragraph (3) of this Clause involves the provision for any matters in addition to or in substitution for the matters mentioned in sub-sections (2) and (3) of Section 2 of the Act the Council shall make representations to the Board of Trade that it is necessary or expedient that such provision should be made.

(6) Subject to the approval of the Board of Trade in accordance with Section 1 (5) of the Act and to the making of any necessary Order by the Board of Trade under sub-section (4) of Section 2 of the Act the Council shall amend the Scheme in accordance with any proposal adopted under this Clause.

#### *Dissolution.*

XVII. In the event of the Scheme ceasing to have effect the Trustees shall collect all monies due or belonging to the Council and convert into money any property of the Council (including any monies and investments of the Central Fund) and after discharging thereout all liabilities of the Council shall distribute the surplus, if any, amongst the Executive Boards in proportion as nearly as possible to the total contributions made by each under Clause XII. of the Scheme.

XVIII. If, upon the Scheme ceasing to have effect the assets of the Council are insufficient to discharge their liabilities the Executive Boards shall notwithstanding such cessation pay to the Trustees on the demand of the Council such contributions calculated in accordance with Clause XII. as may be necessary to make up the deficiency.

#### *Arbitration.*

XIX.—(1) All references to arbitration under the Scheme shall unless the parties to the reference otherwise agree be to three arbitrators.

(2) The provisions set forth in the Schedule hereto as to the appointment of arbitrators for the purposes of the Scheme, the selection of arbitrators for the purposes of each reference, the manner of hearing and determining references and the procedure in relation thereto shall have effect as part of the Scheme.

(3) Upon any reference to arbitration the decision of the arbitrators acting therein or a majority of them, or where the reference is by agreement to a sole arbitrator, the decision of such arbitrator, shall be final and binding on all parties subject always to the provisions of the Arbitration Act, 1889, except in so far as such provisions are inconsistent with Part I. of the Act or are modified by Section 16 (2) of the Act.

#### *General.*

XX. In the determination of all questions arising under the Scheme the Council and the arbitrators shall endeavour to secure that the foregoing provisions thereof shall operate fairly and equitably as between all districts and all branches of the coal mining industry affected thereby from time to time.