

61. 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.

62. 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.

63. 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 proceedings unless and until they are required so to do by the Board.

Levies.

64. 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.

65. 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.

66. 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.

67. 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.

68. 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.

69. 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.

Returns.

70. 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 in-

formation, 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.*

71. 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.

72. 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.

73. 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.

74. 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.†

75. 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

* Section 8 of the Act provides that no information with respect to any particular undertaking shall be included in any report published by the Board of Trade, the Central Council, an Executive Board, or a Committee of Investigation unless the owner agrees thereto. Any person who obtains any information in the exercise or performance of any powers or duties conferred upon the Board by the Scheme or otherwise under Part I of the Act, shall be required by the Board to make a declaration of secrecy in the form prescribed by the Board of Trade (which will be published in the London Gazette).

Any person who discloses any information obtained by him shall be guilty of a misdemeanour and liable, on conviction or indictment, to imprisonment for a term not exceeding two years, or to a fine not exceeding one hundred pounds, or to both such imprisonment and fine, or on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding fifty pounds, or to both such imprisonment and fine.

It is provided, however, that nothing in Section 8 of the Act shall apply to the publication or disclosure of any information in so far as it is required to be published or disclosed for the purposes of any legal proceedings (including arbitrations) under Part I of the Act or any scheme made thereunder, or for any report of such proceedings or in so far as it is required or authorised by Part I or any such scheme to be published or disclosed to the Board of Trade, the Central Council, or Committee of Investigation or to the Board.

† Under Section 4 (1) of the Act, a contract for the sale or supply of Coal, whether made before or after the passing of the Act shall not, unless the terms of the contract otherwise provide, be void or unenforceable as between the parties by reason that it cannot be performed without contravening the provisions of the Scheme.