

45. 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.

46. 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.*

47. 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.

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

#### *District Fund.*

49. 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.

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

51. 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 investments of the like nature or realise the same in order to meet expenses duly approved by the Board.

52. Auditors of the District Fund shall be appointed by the Board and the audited accounts of the District Fund shall be presented annually to the Board, when the auditors shall be re-appointed or other auditors appointed in their place.

#### *Returns.*

53. 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.

54. 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.

#### *Penalties.*

55. 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 transfer of quota effected under Clause 33 of the Scheme) shall pay to the Board on demand a penalty at the rate of 2s. 6d. (two shillings and sixpence) per ton in respect of each ton or part of a ton of such excess.

56. 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.

57. 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 40 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 at the rate of 2s. 6d. (two shillings and sixpence) per ton in respect of each ton or part of a ton so sold, disposed of, or shipped.

58. 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 (twenty pounds) for each day of such neglect or refusal.

59. All penalties imposed by the Board under Clauses 55, 57 or 58 of the Scheme shall be recoverable by the Board through the Trustees and shall be paid, as and when received, into the District Fund; and shall form a separate account in that Fund:

Provided that no proceedings in default of payment of any such penalty shall be com-