

formation 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 class of coal in excess of that permitted by the quota (after allowing for any shortage carried forward under Clause 48 and any transfer of quota effected under Clause 49 of the Scheme) shall, subject to the provisions of Clause 82, pay to the Board on demand a penalty of 2s. 6d. 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 each 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, subject to the provisions of Clause 82, pay on demand to the Board a penalty of 2s. 6d. 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 without excuse satisfactory to the Board to furnish such return, account or information within the seven working 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 £10 per day;

(ii) In the event of such default continuing beyond 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 working 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 £10 for each day of such neglect or refusal.

82. All penalties imposed by the Board 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. Provided also that the Board may remit or reduce either wholly or partly any penalty in any case in which they shall be of opinion that the infringement of the scheme in respect of which the penalty was incurred was not due to any wilful act, neglect or default on the part of the owner and that the remission of the penalty will not give rise to unfairness or hardship to other owners.

83. In the event of any objection to 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 or ruling shall be deemed to exempt the appellant from liability for any contravention of or non-compliance with the Scheme in respect of such determination or other decision at any time when the same shall be or have been operative.

84. Notice in the form of a certificate in writing signed by the Secretary or other person authorised by the Board for the purpose specifying the contravention of or non-compliance with the Scheme in respect of which any monetary penalty is imposed by the Board and the amount of the penalty so imposed, shall be sent or delivered by the Secretary or such other persons as aforesaid to the owner upon whom the Board imposes the penalty, and shall be deemed to be sufficient notice that such penalty is payable, and the sum specified in the certificate shall be paid by such owner within ten days of the date of such notice,