

(4) 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.

(5) 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.

(6) 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.*

70.—(1) (a) Any Owner who, during any period for which a quota is determined, raises or allows to be raised an output of coal or any class of coal in excess of the corresponding quota for that period (after allowing for any adjustment under the provisions of Clause 51 of the Scheme) shall pay to the Board on demand a penalty in respect of each ton or part of a ton of such excess of the same amount per ton as is prescribed for the time being under rules made under Clause XI of the Central Scheme for exceeding the allocation of output of coal:

Provided that until the coming into force of such rules the penalty shall be 2s. 6d. (two shillings and sixpence) per ton.

(b) The Board shall before the coming into force of any Rules made under Clause XI of the Central Scheme notify each Owner of the amount per ton which will be payable in consequence thereof for exceeding any quota.

(2) Where the output of coal or any class of coal from any coal mine is in excess of the quota in respect thereof for any period, the corresponding quota for the coal mine may during such succeeding period as the Board may determine be reduced at the discretion of the Board by the amount of the excess but without prejudice to any penalty that may have been incurred by reason of the excess.

(3) Any Owner who during any month supplies to his excluded works a tonnage of coal in excess of the monthly tonnage permitted to be so supplied shall pay to the Board on demand a penalty of 2s. 6d. (two shillings and sixpence) per ton in respect of each ton or part of a ton of such excess.

(4) Any Owner who supplies any class of coal to an excluded works at a price below the appropriate minimum price fixed for the time being under the Scheme for that class or supplies any class of coal to an excluded works in such a manner that the actual consideration obtained by him is less in value than the minimum price so fixed, 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 supplied.

(5) Any Owner who fails to comply with any provision of the Scheme for a breach of which no specific penalty is herein provided or with any directions of the Board

or of the Selling Committee with regard to the supply of coal from his coal mine shall pay to the Board on demand a sum of £250 (two hundred and fifty pounds) in respect of each such failure, unless the Owner prove that compliance with such direction was not reasonably practicable by reason of any strike, lock-out or accident at his coal mine or other cause beyond the control of the Owner:

Provided that the Board may remit the whole or any part of such penalty having regard to the extent that, in the opinion of the Board, the breach has not injured and prejudiced the interests of the other Owners.

(6) Any Owner who omits to render to the Board or to the Selling Committee any statement, 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 two days next following the date of such notice, shall pay to the Board the following penalties:—

(a) in respect of the first three days of such default a sum not exceeding £20 (twenty pounds) per day as the Board may decide;

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

(7) 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 two days next following the date of the notice as aforesaid from the Secretary.

(8) 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—

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

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

or any Owner who neglects to afford or refuses or allows to be refused access to his coal mine, whether on the surface or underground, to a person duly appointed by the Board or the Selling Committee, shall pay to the Board a penalty not exceeding £20 (twenty pounds) for each day of such neglect or refusal.

(9) All penalties imposed by the Board under this Clause shall be recoverable by the Board through the Trustees:

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 sub-clause (10) of this Clause 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