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STATUTORY INSTRUMENTS

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**1994 No. 2591**

The Scottish Milk Marketing Board  
(Residual Functions) Regulations 1994

PART VIII

MISCELLANEOUS

**Proof of posting**

**32.** Section 50 of the marketing scheme is preserved, subject to the modification that the words “(other than that contained in subsection (2) of section 34)” shall be omitted.

**Indemnity**

**33.**—(1) Subject to paragraph (2) below, every member or officer or auditor of the Board shall be indemnified out of the assets of the Board and against—

- (a) any action, cost, charge, loss, damage and expense which he may incur; and
- (b) any liability which by virtue of any rule of law or equity would otherwise attach to him,

by reason of, or in connection with, any act done, incurred in, or omitted in or about the execution of his duty in relation to the affairs of the Board.

(2) Paragraph (1) above shall not apply where—

- (a) the Board has purchased and maintains for any such member, officer or auditor insurance against any such action, cost, charge, loss, damage, expense or liability; or
- (b) such action, cost, charge, loss, damage, expense or liability has arisen from or been contributed to by any dishonest, fraudulent or wilfully negligent act or omission of such member, officer or auditor.