

THE LEADERSHIP OF THE NUM WERE TODAY FACING THE 'DAY OF RECKONING,' FORESHADOWED BY A HIGH COURT JUDGE EARLIER THIS WEEK, IN THEIR FIGHT TO RETAIN CONTROL OF THE UNION'S FUNDS.

AT THE HIGH COURT IN LONDON LAWYERS ACTING FOR 16 WORKING MINERS WERE ASKING MR JUSTICE MERVYN DAVIES TO APPOINT A RECEIVER TO RUN THE AFFAIRS OF THE UNION.

IF THEY SUCCEED AT THE HEARING, WHICH BEGAN JUST AFTER 3PM TODAY AND IS STILL GOING ON, ALL CONTROL OF THE UNION'S ASSETS WILL PASS OUT OF THE HANDS OF THE THREE TRUSTEES OF ITS FUNDS, PRESIDENT ARTHUR SCARGILL, SECRETARY PETER HEATHFIELD AND VICE-PRESIDENT NICK MCGAHEY.

THE WORKING MINERS ALLEGE THAT THE 'SERIOUS AND FLAGRANT' CONTEMPTS OF COURT ORDERS COMMITTED BY THE THREE MADE THEM UNFIT TO CONTINUE AS TRUSTEES OF FUNDS TOTALLING £8.9 MILLION.

THE MOVE TO SEEK THE APPOINTMENT OF A RECEIVER FOLLOWED A SURPRISE COURTROOM MOVE BY THE JUDGE.

THE UNION LEADERS HAD OFFERED TO UNDERTAKE NOT TO MOVE OR TOUCH FOR SEVEN DAYS £4.63 MILLION HELD IN A LUXEMBOURG BANK ACCOUNT UNTIL IT WAS UNFROZEN BY A LUXEMBOURG COURT YESTERDAY.

BUT THE JUDGE REFUSED TO ACCEPT THE UNDERTAKINGS, WHICH WOULD HAVE LED TO THE CASE BEING ADJOURNED, UNLESS THE LEADERSHIP AGREED TO ACCEPT THE JURISDICTION OF THE COURT WHICH THEY HAD NOT PREVIOUSLY GIVEN.

THE JUDGE SPELLED OUT TO THE MINERS' LEADERS THAT GIVING SUCH A PLEDGE TO ACCEPT THE COURT'S JURISDICTION WOULD MEAN COMPLYING WITH ALL COURT ORDERS, INCLUDING ONE MADE LAST FRIDAY ORDERING THEM TO BRING THEIR FUNDS BACK FROM LUXEMBOURG, SWITZERLAND AND IRELAND.

BUT THEIR COUNSEL, WILLIAM STUBBS, Q.C., DECLINED TO GIVE THAT ASSURANCE.

HE SAID WITH MR SCARGILL 'HALF WAY UP THE M1' ON HIS WAY TO TONIGHT'S MINERS' RALLY AT WHICH HE IS TO SHARE THE PLATFORM WITH THE LABOUR LEADER NEIL KINNOCK, IT WAS IMPOSSIBLE FOR HIM TO GET AUTHORITY TO DO SO.

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URGENT - MINERS

A HIGH COURT JUDGE TODAY APPOINTED A RECEIVER TO RUN THE AFFAIRS  
OF THE NUM AND ORDERED THE REMOVAL OF THREE MINERS LEADERS - ARTHUR  
SCARGILL, NICK MCGAHEY AND PETER HEATHFIELD - AS TRUSTEES OF THE  
NUM'S FUNDS UNTIL A FULLER HEARING NEXT THURSDAY.

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