

SCHEDULES

SCHEDULE 1

Regulations 3, 4 and 18

General provisions for payment scheme

Payment scheme requirements

1. Any payments required to be made by regulation 3 or by a direction given under regulation 4(2) (b) by a manufacturer or supplier to whom this Schedule applies must—
 - (a) be paid in accordance with table 1 so that they are made in respect of the period specified in column (1) within the period specified in column (2);
 - (b) be paid by electronic transfer no later than the last day of the period within which payment must be made; and
 - (c) be calculated, where relevant, in accordance with the rules in paragraphs 3 to 7.

Table 1

<i>Column (1)</i>	<i>Column (2)</i>
<i>Period to cover</i>	<i>Period within which payment must be made</i>
Each quarter	Within 30 days of the last day of that quarter
Each remaining period	Within 30 days of the last day of that remaining period

Information requirements

2. Information required by regulation 18 must be—
 - (a) provided in accordance with table 2 so that for the period specified in column (1), the information specified in column (2) must be provided within the period specified in column (3); and
 - (b) provided, where relevant, in accordance with the rules in paragraphs 3 to 7.

Table 2

<i>Column (1)</i>	<i>Column (2)</i>	<i>Column (3)</i>
<i>Period to cover</i>	<i>Information required</i>	<i>Period within which information must be supplied</i>
Each quarter	Sales report	Within 30 days of the last day of that quarter

Status: This is the original version (as it was originally made).

<i>Column (1)</i>	<i>Column (2)</i>	<i>Column (3)</i>
<i>Period to cover</i>	<i>Information required</i>	<i>Period within which information must be supplied</i>
Each remaining period	Sales report	Within 30 days of the last day of that quarter
Each financial year	Presentation report	Within 2 months of the last day of that financial year
Each financial year	Audited sales report	Within 9 months of the last day of that financial year
Each financial year	Statutory audited accounts	Within 9 months of the last day of that financial year

Rules

3. The end date of the final period in the manufacturer's or supplier's financial year, be that the final quarter or remaining period, must be treated as extended or reduced by not more than seven days before or after that period, if the end date of the supplier's or manufacturer's financial year has, in accordance with section 390(2)(b) of the Companies Act 2006, also been reduced or extended by the same period.

4. Where the requirement to make a payment set out in regulation 3(1) or under a direction given under regulation 4(2)(b) begins to apply to a manufacturer or supplier part way through any of their quarters, remaining period or financial year, the manufacturer or supplier must—

- (a) in respect of that quarter or remaining period, calculate the payment and provide the sales report for the period from the date on which the requirement to make a payment in regulation 3(1) or under a direction given under regulation 4(2)(b) begins to apply until the end of the relevant quarter or remaining period; and
- (b) in respect of that financial year provide the audited sales report and presentation report for the period from the date on which the requirement to make a payment in regulation 3(1) or a direction given under regulation 4(2)(b) begins to apply until the end of the financial year.

5. Where the requirement to make a payment set out in regulation 3(1) or under a direction given under regulation 4(2)(b) stops applying to a manufacturer or supplier part way through any of their quarters, remaining period or financial year, the manufacturer or supplier must—

- (a) in respect of that quarter or remaining period, calculate the payment and provide the sales report, for the period from the beginning of the quarter or remaining period to the date the requirement to make a payment in regulation 3(1) or under a direction given under regulation 4(2)(b) stops applying; and
- (b) in respect of that financial year provide the audited sales report and presentation report for the period from the beginning of the financial year to the date that the requirement to make a payment in regulation 3(1) or under a direction given under regulation 4(2)(b) stops applying.

6. Where a manufacturer or supplier changes the length of their current or previous accounting reference date under section 392 of the Companies Act 2006 so as to extend or shorten its current or previous accounting reference period, the manufacturer or supplier must in writing notify the Secretary of State of the new date of its accounting reference period and provide the Secretary of State with the relevant documents which show that the accounting reference period has changed within 30 days of the change.

7. A manufacturer's or supplier's "previous accounting reference period" means the one immediately preceding its current accounting reference period.