
STATUTORY INSTRUMENTS

1982 No. 1080

The Agricultural Marketing (Northern Ireland) Order 1982

PART II

AGRICULTURAL MARKETING SCHEMES

Supplementary

Payment of certain expenses incurred in connection with preparation of schemes

28^{F1}.—(1) Subject to the following provisions of this Article, the board administering a scheme, not being a substitutional scheme, shall pay to the persons by whom the scheme was submitted, such sum, if any, as may be certified by the Department to represent the expenses reasonably incurred by those persons in connection with the promotion, submission or bringing into operation of the scheme.

(2) The board administering a scheme, not being a substitutional scheme, shall not make any payment under this Article before the expiration of the suspensory period, and if a scheme ceases to have effect at or before the expiration of the suspensory period, no payment under this Article shall be made at any time by the board.

(3) Any expenses incurred by a board by virtue of this Article shall be deemed to be expenses incurred under the scheme.

(4) Where a motion made in the Assembly for the approval of a scheme the draft of which has been laid before the Assembly in accordance with Article 4 (6) is negatived or withdrawn, there shall be paid by the Department to the persons by whom the scheme was submitted such sum, if any, as may be certified by the Department to represent the expenses reasonably incurred by those persons in connection with the promotion or submission of the scheme.

F1 mod. by [1984 NI 12](#), SR 1995/103

Restrictions on disclosing certain information obtained under Part II

29^{F2}.—^{F3}(1) No information with respect to any particular undertaking (other than the undertaking of a board) shall, without the consent of the owner of that undertaking, be included in any report laid before the Assembly in pursuance of this Part.

(2) Subject to paragraph (3), no information obtained by any person in the exercise of any power conferred on him by or under the provisions of this Part relating to polls, or in the exercise of any power conferred by or under^{F4} this Part on any board].

(3) Nothing in paragraph (2) shall restrict the disclosure of information—

- (a) made by a board in compliance with a requirement of the Department of Agriculture under Article 43 of the Diseases of Animals (Northern Ireland) Order 1981^{F5};
- (b) made for the purposes of legal proceedings (including arbitrations) under this Part of any scheme, or for the purpose of any report of such proceedings;

Changes to legislation: The Agricultural Marketing (Northern Ireland) Order 1982, Cross Heading: Supplementary is up to date with all changes known to be in force on or before 23 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- [^{F6}(c) made to the Competition and Markets Authority, if it is made for the purpose of enabling the Authority to perform any of its functions under the Fair Trading Act 1973, the Competition Act 1980 or Part 3 of the Enterprise and Regulatory Reform Act 2013;]
- (d) if, and in so far as, the disclosure is required or authorised by this Part or any scheme^{F7}. . .
- (4) Any person who discloses any information in contravention of paragraph (2) shall be guilty of an offence and be liable—
- (a) on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding[^{F8} level 5 on the standard scale], or both;
- (b) on conviction on indictment to imprisonment for a term not exceeding two years or to a fine, or both.

F2 mod. by [1984 NI 12](#), SR 1995/103

F3 mod. by SR 1994/672

F4 Words substituted (1.10.2006) by [Natural Environment and Rural Communities Act 2006 \(c. 16\)](#), ss. 105(1), 107, [Sch. 11 para. 101\(2\)](#); S.I. 2006/2541, [art. 2](#)

F5 [1981 NI 22](#)

F6 Art. 29(3)(c) substituted (1.4.2014) by [The Enterprise and Regulatory Reform Act 2013 \(Competition\) \(Consequential, Transitional and Saving Provisions\) Order 2014 \(S.I. 2014/892\)](#), art. 1(1), [Sch. 1 para. 210\(3\)](#) (with art. 3)

F7 Words in art. 29(3) repealed (1.10.2006) by [Natural Environment and Rural Communities Act 2006 \(c. 16\)](#), ss. 105(1)(2), 107, [Sch. 11 para. 101\(3\)](#), [Sch. 12](#); S.I. 2006/2541, [art. 2](#)

F8 [1984 NI 3](#)

Changes to legislation:

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Changes and effects yet to be applied to :

- Instrument mod. (prosp.) by [1998 c. 41 s.45\(7\)Sch.7 Pt.II para.20\(2\)\(c\)](#)

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Sch.8 rev.inpt. and am. (prosp.) by [1998 c. 41 s.74\(1\)\(3\)Sch.12 para.6Sch.14 Pt.II](#)