

1984 No. 132

AGRICULTURE

**Agricultural Marketing (Public Inquiry) Regulations
(Northern Ireland) 1984***Made* 19th April 1984*Coming into operation* 11th June 1984

The Department of Agriculture, in exercise of the powers conferred on it by Article 4(10) of the Agricultural Marketing (Northern Ireland) Order 1982(a) and of every other power enabling it in that behalf, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Agricultural Marketing (Public Inquiry) Regulations (Northern Ireland) 1984, and shall come into operation on 11th June 1984.

Interpretation

2. In these Regulations—

“the appointed person” means the person appointed by the Department to hold an inquiry;

“inquiry” means a public inquiry held under Article 4(3) of the Agricultural Marketing (Northern Ireland) Order 1982; and

“scheme” means an agricultural marketing scheme or an amendment to an agricultural marketing scheme submitted to the Department under Part II of the Agricultural Marketing (Northern Ireland) Order 1982.

Notice

3. Not less than 21 days’ notice of the time and place fixed for the holding of an inquiry shall be sent by or on behalf of the appointed person to—

- (a) the persons who submitted the scheme, or in the case of an amendment to a scheme, the board administering the scheme; and
- (b) to the persons who have made objections.

Publication

4. The appointed person shall, not less than 21 days before the time fixed for the holding of an inquiry, cause to be published in one or more newspapers circulating throughout Northern Ireland a notice informing persons who might be affected by the scheme of the holding of the inquiry.

Appearance and representation

5. The persons who submitted this scheme, any person who made an objection and any other affected person, may appear at the inquiry either in person or by counsel, solicitor, agent or representative.

(a) S.I. 1982/1080 (N.I. 12)

Expenses

6. The persons submitting a scheme, the persons objecting to a scheme, and all other persons appearing at the inquiry shall bear their own expenses.

Application of Schedule 8 to the Health and Personal Social Services (Northern Ireland) Order 1972

7. Paragraphs 6, 7 and 8 of Schedule 8 to the Health and Personal Social Services (Northern Ireland) Order 1972(a) shall not have effect in relation to an inquiry.

Sealed with the Official Seal of the Department of Agriculture for Northern Ireland on 19th April 1984.

(L.S.)

R. E. Aiken

Assistant Secretary

(a) S.I. 1972/1265 (N.I. 14)

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations provide for such matters as notice, representation and expenses in relation to public inquiries held where objections are made to an agricultural marketing scheme (or an amendment to an agricultural marketing scheme) which has been submitted to the Department of Agriculture under Part II of the Agricultural Marketing (Northern Ireland) Order 1982, S.I. 1982/1080 (N.I. 12).

The provisions of Article 54 of, and Schedule 8 to, the Health and Personal Social Services (Northern Ireland) Order 1972, S.I. 1972/1265 (N.I. 14) other than those which these Regulations exclude, also apply to the holding of such inquiries. Under paragraph 5 of Schedule 8 any person who—

- (a) refuses or wilfully neglects to attend an inquiry in obedience to a notice under paragraph 3 of that Schedule, or to give evidence; or
- (b) wilfully alters, suppresses, conceals, destroys or refuses to produce any book or documents which he may be required to produce by any such notice; or
- (c) refuses or wilfully neglects to furnish any information which he is required to furnish under paragraph 3(1)(b) of that Schedule; shall be guilty of an offence and shall be liable on summary conviction to imprisonment for a term not exceeding 3 months or to a fine not exceeding £20.