
SCOTTISH STATUTORY INSTRUMENTS

2002 No. 110

The Dairy Produce Quotas (Scotland) Regulations 2002

Payment of levy

20.—(1) For the purposes of Article 2(3) of the Council Regulation and Article 6 of the Commission Regulation (both of which concern payment of levy by direct sellers), or Article 2(2) of the Council Regulation (which concerns payment of levy by purchasers in respect of wholesale deliveries) and the payment of other penalties for which provision is made in Articles 5 and 6 of the Commission Regulation, the levy and other penalties referred to in those provisions shall be paid to the Scottish Ministers.

(2) Where any part of the levy remains unpaid after 1st September in any year, the Scottish Ministers may recover from the direct seller or, as the case may be, the purchaser, the amount of the levy outstanding at that date together with interest at the rate of one percentage point above the sterling three month London interbank offered rate in respect of each day thereafter until the said amount is recovered.

(3) For the purposes of the third-sub-paragraph of Article 2(2) of the Council Regulation (which concerns deduction of levy liability), where a producer making wholesale deliveries to a purchaser exceeds that producer's wholesale quota, following adjustment of that quota where appropriate and in accordance with Article 4(1) of the Commission Regulation, that purchaser may immediately deduct from the sums owed to the producer in respect of the deliveries an amount corresponding to the amount of levy that would otherwise be payable by that purchaser in respect of the excess.