
STATUTORY INSTRUMENTS

1984 No. 702

The Agriculture (Miscellaneous Provisions) (Northern Ireland) Order 1984

Levy on seed potato industry

Levy on seed potato industry

3.—(1) The Department may, for the purpose of raising money to be expended in accordance with paragraphs (3) to (5), from time to time by order subject to negative resolution impose a levy on persons engaged by way of business in the production or marketing of seed potatoes.

(2) An order under paragraph (1) shall make provision as to—

- (a) the manner in which a person's liability to the levy is to be established, assessed and notified to him;
- (b) the time at which any amount payable by any person by way of levy becomes due and (in default of payment) recoverable by the Department as a civil debt;
- (c) the manner in which any such amount is to be paid to the Department;
- (d) such other matters as appear to the Department to be necessary or expedient in connection with the assessment or collection of the levy.

(3) Subject to paragraphs (4) to (6), all money paid to the Department by way of levy under this Article shall be held and expended or applied by the Department for the benefit, whether direct or indirect, of persons engaged by way of business in the production or marketing of seed potatoes.

(4) The Department may, if it thinks fit, pay to the organisation or body prescribed for the purposes of this Article all or part of the money held by the Department by virtue of paragraph (3) and all such money paid to such organisation or body shall be held and expended or applied by that organisation or body for the purpose mentioned in paragraph (3).

(5) Without prejudice to the generality of paragraphs (3) and (4) the Department or, as the case may be, the organisation or body prescribed for the purposes of this Article may expend or apply money held by it by virtue of the preceding provisions of this Article—

- (a) to grow and produce stocks of, or encourage the growing and production of stocks of, seed potatoes which have a high degree of freedom from disease;
- (b) to increase publicity relating to the seed potato industry;
- (c) to conduct, or assist the conduct or, research and development and work of an experimental nature in connection with the seed potato industry;
- (d) to survey and develop markets for seed potatoes;

(6) An order under paragraph (1) may—

- (a) prescribe an organisation or body for the purposes of this Article;
- (b) make provision as to the administration and control of money held under this Article by the Department or the prescribed organisation or body and in particular as to—
 - (i) the manner in which such money may be invested; and
 - (ii) the preparation and auditing of accounts in relation to such money;

(c) make provision requiring the prescribed organisation or body to furnish to the Department such information or documents relating to the exercise by the organisation or body of its functions under this Article as the Department may from time to time require.

(7) Without prejudice to the right of the Department to recover the amount of any unpaid levy as a civil debt, any person who, within one month of the time at which any amount payable by him by way of levy becomes due, fails to pay that amount to the Department shall be guilty of an offence and liable on summary conviction to a fine not exceeding £500.

(8) Seed regulations under the Seeds Act (Northern Ireland) 1965^{F1} may include provision empowering the Department or any officer of the Department to refuse to issue any certificate or seal any package or container on the application of any person on the grounds that that person has failed to pay any levy due to the Department under this Article.

(9) Before making any order under paragraph (1), the Department shall consult with such organisations, bodies and persons as appear to it to be representative of persons engaged by way of business in the production or marketing of seed potatoes.

F1 1965 c. 22 (N.I.).

Changes to legislation:

There are currently no known outstanding effects for the The Agriculture (Miscellaneous Provisions) (Northern Ireland) Order 1984, Section 3.