
STATUTORY INSTRUMENTS

1993 No. 2665

The Agriculture (Northern Ireland) Order 1993

PART II

MILK MARKETING

Scheme of reorganisation

Information

10.—(1) Where the Board makes an application to the Department under Article 5, 8 or 9, the Department may by notice require any person to supply to it such information as may be specified in the notice, being information the supply of which the Department considers necessary or desirable for the purpose of enabling it to carry out its functions in relation to the application.

(2) A notice under paragraph (1) shall require the information to be supplied within such period as may be specified in the notice, being not less than 21 days from the date of the notice.

(3) Where the Department gives a notice under paragraph (1) to the Board, the Board shall be treated as having withdrawn the application unless—

- (a) it complies with the notice; or
- (b) before the end of the period allowed for compliance, it shows to the satisfaction of the Department that it has reasonable grounds for not complying with it.

(4) Where—

- (a) the Department gives a notice under paragraph (1) to the Board;
- (b) the Board purports to comply with the notice; and
- (c) it becomes apparent to the Department after the time allowed for compliance with the notice and before the application has been finally determined that the Board has not in fact complied with it,

the Department shall give the Board notice of that fact.

(5) Where, within 14 days of the date of a notice under paragraph (4), the person to whom the notice is given shows to the satisfaction of the Department that the failure to comply with the notice under paragraph (1) was accidental and not attributable to a failure to take reasonable care, paragraph (3) shall be treated as never having had any application in relation to it.

(6) If any person other than the Board fails without reasonable excuse to comply with a notice under paragraph (1), he shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(7) If any person, in purported compliance with a notice under paragraph (1), knowingly or recklessly supplies information which is false or misleading in a material respect, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.