Groceries Code Adjudicator Act 2013

2013 CHAPTER 19

How may the Adjudicator be funded?

19   Levy funding

(1) The Adjudicator may require the specified retailers to pay a levy towards the Adjudicator's expenses.

(2) Before imposing a levy the Adjudicator must obtain the Secretary of State's consent.

(3) In deciding the amount of a levy the Adjudicator must take into account any sums received or expected to be received from other sources.

(4) The Adjudicator may take into account estimated as well as actual expenses.

(5) The Adjudicator may require different specified retailers to pay different amounts of levy but any differences must be based on criteria broadly intended to reflect the expense and time that the Adjudicator expects (in the light of previous experience) to spend in dealing with matters relating to different specified retailers and any subsidiaries.

(6) The Adjudicator must inform each specified retailer of —
    (a)   the amount of any levy payable by the retailer; and
    (b)   when payments are due.

(7) A levy required to be paid under this section is recoverable by the Adjudicator as a debt.

(8) The Adjudicator must publish details of levies and an explanation of how the amounts have been decided (including any criteria under subsection (5)).

(9) If the Adjudicator has a surplus, the Adjudicator may repay some or all of it to the specified retailers.

(10) In this section—

    "specified retailer" means a retailer mentioned in Article 4(1)(a) or (b) of the Groceries Supply Order;

"surplus" means money held by the Adjudicator at the end of a financial year less—

(a) liabilities shown in the Adjudicator's statement of accounts for that financial year; and

(b) the total amount of any grants made by the Secretary of State under section 20 during that financial year or earlier ones.

20   Payments by Secretary of State

(1) The Secretary of State may make grants or loans to the Adjudicator.

(2) The grants or loans may be subject to conditions (including conditions as to repayment with or without interest).