
STATUTORY RULES OF NORTHERN IRELAND

2013 No. 4

The Single Use Carrier Bags Charge
Regulations (Northern Ireland) 2013

PART 6

Enforcement and Non-compliance

Enforcement costs recovery

16.—(1) The Administrator may serve an enforcement costs recovery notice on a seller on whom a discretionary requirement is imposed requiring that seller to pay the costs incurred by the Administrator in relation to that discretionary requirement up to the time of its imposition (“enforcement costs”).

(2) Enforcement costs shall include, in particular—

- (a) investigation costs;
- (b) administration costs;
- (c) costs of obtaining expert advice (including legal advice).

(3) An enforcement costs recovery notice shall specify the amount required to be paid and shall include information as to—

- (a) how payment may be made;
- (b) the date by which payment shall be made;
- (c) the consequences of failure to make payment by the date it is due; and
- (d) the right of appeal.

(4) The date referred to in paragraph (3)(b) shall be at least 28 days later than the date on which the enforcement costs recovery notice is served on the seller.

(5) Enforcement costs shall be paid by the seller by the date specified in the enforcement costs recovery notice.

(6) Paragraph (5) is subject to the remaining provisions of this regulation and to regulation 20(4) (suspension of requirements and notices pending appeal).

(7) If a decision of the Administrator under this regulation is the subject of an appeal, then to the extent that that decision is upheld, the seller shall pay the enforcement costs within 28 days of the day on which the appeal is determined.

(8) The Administrator shall provide a detailed breakdown of the costs specified in an enforcement costs recovery notice if requested to do so by the seller on whom that notice is served.

(9) A seller is not liable to pay any costs shown by that seller to have been unnecessarily incurred.

(10) A seller may appeal against—

- (a) a decision of the Administrator to impose a requirement to pay costs;

(b) a decision of the Administrator as to the amount of those costs.