

STATUTORY INSTRUMENTS

S.I. No. 282 of 2001

**TELECOMMUNICATIONS (MISCELLANEOUS PROVISIONS) ACT, 1996
(SECTION 6) POSTAL LEVY ORDER, 2001**

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S.I. No 282 of 2001
TELECOMMUNICATIONS (MISCELLANEOUS PROVISIONS) ACT, 1996
(SECTION 6)

POSTAL LEVY ORDER, 2001

I, ETAIN DOYLE, Director of Telecommunications Regulation, in exercise of the powers conferred on me by section 6 of the Telecommunications (Miscellaneous Provisions) Act, 1996 (No. 34 of 1996) as amended by the European Communities (Postal Services) Regulations, 2000, hereby make the following Order:

1. This Order may be cited as the Telecommunications (Miscellaneous Provisions) Act, 1996 (Section 6) Postal Levy Order, 2001.

2. (1) In this Order—

"the Act of 1996" means the Telecommunications (Miscellaneous Provisions) Act, 1996 (No. 34 of 1996) as amended by the European Communities (Postal Services) Regulations 2000 (SI No.310/2000);

"Director" means the Director of Telecommunications Regulation appointed under the Act of 1996;

"levy year" means a financial year of the office;

"Minister" means the Minister for Public Enterprise;

"Regulations" means the European Communities (Postal Services) Regulations, 2000 (S.I. No. 310 of 2000);

"the office" means the office of the Director established by section 2 of the Act of 1996;

and any cognate words shall be construed accordingly.

(2) In this Order—

(a) a reference to an article is to an article of this Order unless it is indicated that reference to some other Order is intended;

(b) a reference to a sub-article is to the sub-article of the provision in which the reference occurs unless it is indicated that reference to some other provision is intended.

3. This Order shall apply to An Post.

4. (1) A levy of £250,000 is hereby imposed on An Post in respect of the levy year ending 30 June 2001.

(2) The levy imposed by sub-article (1) shall be payable in one instalment on or before the last day of the year ending 30 June, 2001.

5. (1) If the amount collected by the Director under this Order exceeds the amount authorised by section 6 (1) of the Act of 1996, the Director shall, as soon as may be after the end of the levy year, repay to An Post the amount of the excess amount collected.

(2) If the amount collected by the Director under this Order is less than the amount authorised by section 6 (1) of the Act of 1996, the Director shall, as soon as may be after the end of the levy year, impose an additional levy on An Post equal to the difference between the amount authorised by section 6 (1) of the Act of 1996 and the amount of the levy imposed by article 4(1).

6. (1) A levy or portion thereof payable in accordance with the terms of this Order shall be paid in cash or by cheque, money order or postal order to the Director of Telecommunications Regulation.

(2) A payment referred to in sub-article (1) may be delivered or (save in the case of a payment in cash) sent by post to the Director at Abbey Court, Irish Life Centre, Abbey Street, Dublin 1.

(3) A request or repayment by the Director to An Post under this Order may be delivered or sent by post to An Post at the last address of the company.

(4) In this article "last address" in relation to An Post means the last address notified to the Director for the purposes of this Order.

GIVEN under my hand, this 22 day of June, 2001.

ETAIN DOYLE.

EXPLANATORY NOTE.

This Order makes provision for a levy on An Post for the purpose of meeting expenses properly incurred by the Director in the discharge of his or her functions in respect of postal services.