

Statutory Instrument 2000 No. 698

The Dairy Produce Quotas (Amendment) (England) Regulations 2000

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STATUTORY INSTRUMENTS

2000 No. 698

FOOD, ENGLAND

The Dairy Produce Quotas (Amendment) (England) Regulations 2000

<i>Made</i>	<i>9th March 2000</i>
<i>Laid before Parliament</i>	<i>10th March 2000</i>
<i>Coming into force</i>	<i>1st April 2000</i>

The Minister of Agriculture, Fisheries and Food, being a Minister designated^[1] for the purposes of section 2(2) of the European Communities Act 1972^[2] in relation to the common agricultural policy of the European Community, in exercise of the powers conferred on him by the said section 2(2) and of all other powers enabling him in that behalf, hereby makes the following Regulations-

Title and commencement

1. These Regulations may be cited as the Dairy Produce Quotas (Amendment) (England) Regulations 2000 and shall come into force on 1st April 2000.

Amendment of the Dairy Produce Quotas Regulations 1997

2. The Dairy Produce Quotas Regulations 1997^[3] shall be amended, in so far as they apply in England, in accordance with regulations 3 to 7 of these Regulations.

3. In regulation 2 (interpretation), in paragraph (1)-

(a) in the definition of "the Council Regulation", for the words " Commission Regulation (EC) No. 1109/96" there shall be substituted the words "Council Regulation (EC) No. 1256/1999^[4]";

(b) in the definition of "Scottish Islands area", sub-paragraph (a) shall be deleted.

4. In regulation 7 (transfer of quota with transfer of land)-

(a) in paragraph (1), for sub-paragraph (a) there shall be substituted the following sub-paragraph-

" (a) a notice of transfer in such form as may reasonably be required by the Intervention Board-

(i) in the case of a transfer made by lease before 1st March, on or before 1st March in the quota year in which the transfer takes place;

(ii) in the case of a transfer made otherwise than by lease, on or before 31st March in the quota year in which the transfer takes place;

and in any case not later than 28 days after the change of occupation of the holding, or part of the holding; and";

(b) in paragraph (6), for the words "Where a transferee fails to submit the notice referred to in paragraph (1) (a) no later than seven working days after the end of the quota year in which the transfer takes place," there shall be substituted the words-

" Where a notice of transfer in the form required by the Intervention Board has not been submitted (in the case of a transfer made by lease) on or before 1st March or (in the case of a transfer made otherwise than by lease) on or before 31st March in the quota year in which the transfer takes place,".

5. In regulation 11 (transfer of quota without transfer of land)-

(a) in paragraph (1), for the words "the fifth indent of the first paragraph " there shall be substituted the words "sub-paragraph (e)";

(b) in paragraph (5), for the words "no later than seven working days after the end of" there shall be substituted the words "not after 31st March in".

6. In regulation 13 (temporary transfer of quota)-

(a) in paragraph (1), the words "and subject to paragraph (5) below," shall be deleted;

(b) in paragraph (3), for the word "December" there shall be substituted the word "March";

(c) paragraph (5) shall be deleted.

7. In regulation 30 (powers of authorised officers)-

(a) in paragraphs (2) and (3), after the word "holding" there shall be inserted the words "or any other premises of a relevant person";

(b) in paragraphs (4) and (5), for the word "producer" there shall be substituted the words "relevant person";

(c) after paragraph (5), there shall be inserted the following paragraph-

" (6) In this regulation, a "relevant person" means a producer, a purchaser, any employee or agent of a producer or of a purchaser, any milk haulier, or any person undertaking butterfat testing for purchasers in a laboratory.".

Joyce Quin
Minister of State, Ministry of Agriculture, Fisheries and Food

9th March 2000

XPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which come into force on 1st April 2000, amend, in so far as they apply to England, the Dairy Produce Quotas Regulations 1997 (S.I. 1997/733).

These Regulations implement for England a change to Article 6(1) of Council Regulation (EEC) No. 3950/92 (OJ No. L405, 31.12.92, p.1) (as previously amended) establishing an additional levy in the milk and milk products sector, made by Article 1(7) of Council Regulation (EC) No. 1256/1999 (OJ No. L160, 26.6.1999, p.73). Article 6(1) permits Member States, in respect of temporary transfers of quota, to specify any date in the quota year in question (hitherto, no later than 31st December) as the one no later than which such transfers are authorised. These Regulations introduce a date of 31st March as the date by which notice of the temporary transfer must be submitted to the Intervention Board (*regulation 6*).

In consequence, certain changes are made to the dates by which certain other notices etc. are required to be made to the Intervention Board (*regulations 4 and 5*).

In addition, these Regulations-

(a) remove the Shetland Islands from the particular milk-quota arrangements applying in the Scottish Islands (*regulation 3*);

(b) include, in the classes of persons required to render reasonable assistance to authorised officers, producers, purchasers, the employees and agents of producers or purchasers, milk hauliers and persons undertaking butterfat testing for purchasers in a laboratory, and align with this the premises in respect of which a power of entry may be exercised (*regulation 7*).

No Regulatory Impact Assessment has been prepared in respect of these Regulations.

Notes:

[1] S.I. 1972/1811.[back](#)

[2] 1972 c. 68.[back](#)

[3] S.I. 1997/733, amended by S.I. 1997/1093, 1998/2880.[back](#)

[4] OJ No. L160, 26.6.1999, p.73.[back](#)

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