
STATUTORY RULES OF NORTHERN IRELAND

2005 No. 70

Dairy Produce Quotas Regulations (Northern Ireland) 2005

PART 6

INFORMATION AND RECORDS

Information

33.—(1) Every relevant person shall provide such information to the Department as the Department may reasonably require to perform its functions under these Regulations and the Community legislation.

(2) Each purchaser shall provide the Department with such information as it may reasonably require relating to deliveries made or to be made to the purchaser by such person or persons as the Department may identify for the purpose of monitoring deliveries in relation to the total national reference quantity for the United Kingdom referred to in Article 1(3) and Annex I of the Council Regulation.

(3) The information referred to in paragraph (2) shall be provided –

- (a) for such periods; and
- (b) in such form,

as the Department may reasonably require.

(4) The information referred to in paragraph (2) shall be submitted so as to reach the Department before the expiry of the period of three working days beginning with the end of the period to which the information relates or within seven working days beginning with the date of notification of the requirement, whichever is the later.

(5) Each purchaser shall provide the Department with a list of those quota holders registered with that purchaser at 31st March in each quota year (whether they have been so registered for the whole or part of that quota year) who –

- (a) hold quota in respect of that quota year that has not been acquired by temporary transfer for that quota year; and
- (b) have not made deliveries to that purchaser during that quota year,

and ensure that the list reaches it no later than 14th May following the end of that quota year.

(6) The Department shall provide each purchaser with a copy of such information as the purchaser may reasonably require for the purposes of –

- (a) that purchaser's registration obligations under regulation 6; and
- (b) Article 8 of the Commission Regulation (which concerns the submission of summaries of producers' statements of deliveries or declarations that no deliveries have been received).

Keeping and retention of records

34.—(1) For the purposes of Article 17 of the Commission Regulation (which requires Member States to take all necessary measures to ensure that the levy is correctly charged), a relevant person shall comply with the requirements of paragraph (2) in addition to meeting any relevant requirement of paragraphs 2 to 6 of Article 24 of the Commission Regulation (which concerns record keeping obligations of purchasers and producers).

(2) The requirements referred to in paragraph (1) are –

- (a) to keep and retain such records; and
- (b) to comply with sub-paragraph (a) for such periods,

as are specified in Schedule 2.

(3) Paragraph (1) shall be without prejudice to regulation 3 of the Common Agricultural Policy (Protection of Community Arrangements) Regulations 1992⁽¹⁾.

Annual declarations and summaries

35.—(1) If –

- (a) a producer in whose name any direct sales quota is registered pursuant to regulation 4 fails to submit to the Department any declaration which he is required to submit by Article 11(2) of the Commission Regulation so that the declaration reaches it on or before 14th May in any year; or
- (b) a purchaser fails to submit any summary which he is required to submit to it by Article 8(2) of the Commission Regulation so that the summary reaches it on or before 14th May in any year,

the Department may recover a reasonable charge from that producer or that purchaser, as the case may be, in respect of any visit to any premises which it reasonably considers an authorised officer should make in order to obtain the declaration or summary in question.

(2) If the Department sends to a purchaser a revised version of a summary submitted by him in accordance with Article 8(2) of the Commission Regulation, the purchaser shall submit either –

- (a) confirmation that the revised version is agreed; or
- (b) amendments to the revised version,

so that such confirmation or amendments, as the case may be, reaches the Department before the expiry of the period of ten working days beginning with the date on which the revised version was sent to the purchaser.

(3) In this regulation, “authorised officer” means a person (whether or not an officer of the Department) who is authorised by the Department, either generally or specifically, to act in matters arising under these Regulations and the Community legislation.

(1) S.I.1992/314; relevant amending instruments are S.I. 2001/3198 and S.I. 2001/3686