
SCOTTISH STATUTORY INSTRUMENTS

2005 No. 91

The Dairy Produce Quotas (Scotland) Regulations 2005

PART 2

REGISTRATION OF QUOTA

Approval of purchasers

5.—(1) For the purposes of Article 23 of the Commission Regulation (which concerns the approval of purchasers), a purchaser shall make an application to the Scottish Ministers for approval in such form as the Scottish Ministers may reasonably require.

(2) An application under paragraph (1) shall state the trading address of the purchaser, or, if there is more than one such address, each such address and the principal trading address of the purchaser.

(3) For the purposes of Article 23(2) of the Commission Regulation (which permits member States to lay down stricter rules on the approval of purchasers), the Scottish Ministers may only approve a purchaser if the purchaser has complied with the requirements of paragraph (4).

(4) The requirements referred to in paragraph (3) are that the purchaser—

- (a) has given an undertaking to the Scottish Ministers to comply with the provisions of these Regulations and the Community legislation;
- (b) has not materially contravened the provisions of any scheme for support in the agricultural sector derived from legislation; and
- (c) either—
 - (i) by submitting to the Scottish Ministers such information as they may reasonably require, has demonstrated to the reasonable satisfaction of the Scottish Ministers that that purchaser has a sound financial basis upon which to operate; or
 - (ii) if the Scottish Ministers consider that the purchaser has not been trading long enough for that to be so demonstrated, has provided such security as the Scottish Ministers may reasonably require.

(5) Each purchaser shall inform the Scottish Ministers of—

- (a) any change of trading address, or, where there is more than one such address, any change in any such trading address, any additional trading address and any change of principal trading address; and
- (b) any factor or change in circumstances which the Scottish Ministers might reasonably consider to affect materially any matter that was relevant to their consideration of the application for approval, or which affects the ability of the applicant to comply with the undertaking referred to in paragraph (4)(a).

(6) Each purchaser shall—

- (a) confirm to each wholesale producer supplying that purchaser that the purchaser is approved pursuant to Article 23 of the Commission Regulation and this regulation and provide details of the approval if requested; and

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(b) notify each wholesale producer supplying that purchaser if the approval is withdrawn.

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Commencement Information

II [Reg. 5](#) in force at 31.3.2005, see [reg. 1\(2\)](#)

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Changes and effects yet to be applied to :

- Regulations revoked by [S.S.I. 2018/391 sch. Pt. 2](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 2(1)(1A) substituted for reg. 2(1) by [S.S.I. 2011/83 Sch. para. 1](#)