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STATUTORY INSTRUMENTS

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**1991 No. 2232**

**FOOD**

**The Dairy Produce Quotas Regulations 1991**

*Made - - - - 8th October 1991*  
*Laid before Parliament 8th October 1991*  
*Coming into force 29th October 1991*

**THE DAIRY PRODUCE QUOTAS REGULATIONS 1991**

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SCHEDULE 4 — APPORTIONMENTS AND PROSPECTIVE APPORTIONMENTS  
BY ARBITRATION—ENGLAND AND WALES

1. Appointment and remuneration of arbitrator
2. (1) In any case where a prospective apportionment is to...
3. An arbitrator appointed in accordance with paragraphs 1 and 2...
4. (1) No application may be made to the President for...
5. Where the Minister makes an application to the President under...
6. Any appointment of an arbitrator by the President shall be...
7. A person appointed by the President as arbitrator shall, where...
8. For the purposes of paragraph 1(2) the panel of arbitrators...
9. If the arbitrator dies, or is incapable of acting, or...
10. No party to the arbitration shall have power to revoke...
11. Every appointment, application, notice, revocation and consent under the foregoing...
12. The remuneration of the arbitrator shall be—
13. Conduct of proceedings and witnesses
14. The parties to the arbitration and all persons claiming through...
15. Any person having an interest in the holding to which...
16. Witnesses appearing at the arbitration shall, if the arbitrator thinks...
17. The provisions of county court rules as to the issuing...
18. (1) Subject to subparagraphs (2) and (3) below, any person...
19. (1) Subject to subparagraph (2) below, the judge of the...
20. The High Court may order that a writ of habeas...
21. Award
22. The award shall be final and binding on the parties...
23. The arbitrator shall have power to correct in the award...
24. Reasons for award
25. Costs
26. On the application of any party, any such costs shall...
27. (1) The arbitrator shall, in awarding costs, take into consideration—...
28. Special case, setting aside award and remission
29. (1) Where the arbitrator has misconducted himself, the county court...
30. (1) The county court may from time to time remit...
31. Miscellaneous
32. For the purposes of this Schedule, an arbitrator appointed by...

33. Any instrument of appointment or other document purporting to be...
34. The Arbitration Act 1950 shall not apply to an arbitration...

SCHEDULE 5 — APPORTIONMENTS AND PROSPECTIVE APPORTIONMENTS  
BY ARBITRATION OR SCOTTISH LAND COURT—  
SCOTLAND

PART I — GENERAL

1. (1) Subject to subparagraphs (2) and (3) below, all apportionments...
2. An arbiter or the Scottish Land Court, as the case...

PART II — APPORTIONMENTS CARRIED OUT BY ARBITRATION

3. Appointment and remuneration of arbiter
4. (1) In any case where a prospective apportionment is to...
5. (1) Where, in terms of a notice given by the...
6. If the person appointed arbiter dies, or is incapable of...
7. No party to the arbitration shall have power to revoke...
8. Every appointment, application, notice, revocation and consent under the foregoing...
9. The remuneration of the arbiter shall be—
10. Conduct of proceedings and witnesses
11. The parties to the arbitration, and all persons claiming through...
12. Any person having an interest in the holding to which...
13. The arbiter shall have power to administer oaths, and to...
14. Award
15. The award to be made by the arbiter shall be...
16. The arbiter may correct in an award any clerical mistake...
17. Expenses
18. (1) The arbiter shall, in awarding expenses, take into consideration—...
19. It shall not be lawful to include in the expenses...
20. Statement of case
21. Removal of arbiter and setting aside of award
22. When an arbiter has misconducted himself, or an arbitration or...
23. Miscellaneous
24. The Arbitration (Scotland) Act 1894 shall not apply to any...

PART III — APPORTIONMENTS CARRIED OUT BY THE SCOTTISH  
LAND COURT

25. The provisions of the Small Landholders (Scotland) Acts 1886 to...
26. Where an apportionment or prospective apportionment is to be dealt...
27. Where, in terms of a notice given by the Minister...
28. Any person having an interest in the holding to which...

SCHEDULE 6 — APPORTIONMENTS AND PROSPECTIVE APPORTIONMENTS  
BY ARBITRATION—NORTHERN IRELAND

1. Paragraphs 3 to 18 below shall apply to every arbitration...
2. (1) The Arbitration Act (Northern Ireland) 1937 shall, except insofar...
3. Appointment of arbitrator
4. (1) In any case where a prospective apportionment is to...
5. An arbitrator appointed in accordance with paragraphs 1, 3 and...
6. No application may be made to the President for an...
7. Where the Minister makes an application to the President under...
8. Any appointment of an arbitrator by the President shall be...
9. If the arbitrator dies, or is incapable of acting, or...
10. A party to the arbitration shall have power to revoke...

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11. Every appointment, application, notice, revocation and consent under the foregoing...
12. Statement of case
13. Award
14. The arbitrator shall notify the terms of his award to...
15. The arbitrator shall have power to correct in the award...
16. Reasons for award
17. For the purposes of this Schedule, an arbitrator appointed by...
18. Any person having an interest in the holding to which...

#### SCHEDULE 7 — CONVERSION OF DIRECT SALES QUOTA AND WHOLESALE QUOTA

1. An applicant for the conversion of direct sales quota into...
2. An application referred to in paragraph 1 shall, in respect...
3. The Minister shall calculate the amount of the applicant's direct...
4. The Minister shall convert into wholesale quota or direct sales...

#### SCHEDULE 8 — CALCULATION OF LEVY LIABILITY

1. Wholesale quota
2. The Minister shall determine the amount of levy to be...
3. The Minister shall determine the amount, if any, by which...
4. The Minister shall determine for each purchaser the amount, if...
5. The Minister may, at the request of a purchaser which—...
6. The Minister shall— (a) determine the amount, if any, of...
7. The Minister shall reallocate the amount, if any, referred to...
8. The Minister shall determine the amount, if any, by which...
9. Direct sales quota
10. The Minister shall determine for each direct seller the amount,...
11. The Minister shall determine the aggregate of the amounts, if...
12. The Minister shall determine the total amount of levy payable...
13. The Minister shall calculate the rate of levy per litre,...
14. Where a direct seller fails to notify the Minister within...

#### SCHEDULE 9 — ADDITIONAL MILK PRODUCTS

1. The Minister shall award quota under regulation 24 to a...
2. Primary quota
3. (1) The amount of primary quota shall be 90 per...
4. Secondary quota
5. The Minister shall award quota (in this Schedule called “secondary...
6. (1) For the purposes of an award of secondary quota...
7. The Tribunal shall send to the Minister and to the...
8. The Minister shall— (a) in respect of each determination made...
9. (a) If the aggregate determined under paragraph 8(b) exceeds the...
10. The Register
11. Interpretation

#### SCHEDULE 10 — DAIRY PRODUCE QUOTA TRIBUNALS

##### PART 1 — DAIRY PRODUCE QUOTA TRIBUNALS (OTHER THAN FOR SCOTLAND)

1. Each Dairy Produce Quota Tribunal shall consist of up to...
2. The quorum for any determination by a Dairy Produce Quota...
3. Any determination to be made by a Dairy Produce Quota...
4. Each Dairy Produce Quota Tribunal may be serviced by a...

5. Any document purporting to be signed by the Chairman or...
6. The terms of appointment and the remuneration of the members,...
7. Except as otherwise provided in these Regulations, the procedure of...  
PART II — THE DAIRY PRODUCE QUOTA TRIBUNAL FOR SCOTLAND
8. The Dairy Produce Quota Tribunal shall consist of up to...
9. The Dairy Produce Quota Tribunal shall sit in separate panels,...
10. Each panel constituted under paragraph 9 shall choose their own...
11. The quorum for any determination by the Dairy Produce Quota...
12. Any determination to be made by the Dairy Produce Quota...
13. Each panel constituted under paragraph 9 shall be serviced by...
14. Any document purporting to be signed by the Chairman of,...
15. The terms of appointment and the remuneration of—
16. Except as otherwise provided in these Regulations, the procedure of...
17. A panel constituted under paragraph 9 may consult with any...  
PART III — GENERAL
18. The Dairy Produce Quota Tribunals for England and Wales, Scotland...

#### SCHEDULE 11 — REVOCATIONS

##### Explanatory Note