
STATUTORY INSTRUMENTS

1993 No. 3234

FOOD

The Dairy Produce Quotas (Amendment) Regulations 1993

	<i>22nd December</i>
<i>Made</i> - - - -	<i>1993</i>
<i>Laid before Parliament</i>	<i>23rd December 1993</i>
<i>Coming into force</i> - -	<i>24th December 1993</i>

The Minister of Agriculture, Fisheries and Food and the Secretary of State, being Ministers 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 Economic Community, acting jointly, in exercise of the powers conferred on them by that section and of all other powers enabling them in that behalf, hereby make the following Regulations:

Title and commencement

1. These Regulations may be cited as the Dairy Produce Quotas (Amendment) Regulations 1993 and shall come into force on 24th December 1993.

Interpretation

2. In these Regulations, “the principal Regulations” means the Dairy Produce Quotas Regulations 1993⁽³⁾.

Amendment of the principal Regulations

3. The principal Regulations shall be amended in accordance with the following provisions of these Regulations.

Definitions

4. In regulation 2(1) of the principal Regulations—

(a) after the definition of “Commission Regulation” there shall be inserted the definition:

““Community compensation scheme” means the scheme instituted by Council Regulation (EEC) No.2187/93 providing for an offer of compensation to certain

(1) S.I.1972/1811.

(2) 1972 c. 68.

(3) S.I. 1993/923.

producers of milk and milk products temporarily prevented from carrying on their trade⁽⁴⁾ and Commission Regulation (EEC) No.2648/93 laying down detailed rules for the application of Council Regulation (EEC) No.2187/93⁽⁵⁾”;

- (b) for the definition of “Community legislation” there shall be substituted the definition; ““Community legislation” means the Council Regulation, the Commission Regulation and the Community compensation scheme;”.

Withholding or recovery of compensation

5. After regulation 30 of the principal Regulations there shall be inserted—

“Withholding or recovery of compensation

30A. Where a producer has submitted an application for compensation in accordance with the Community compensation scheme and it appears to the Minister that the producer has made a false or misleading statement in his application, or has failed to comply with any of the requirements of that scheme, the Minister may withhold or recover on demand from that producer the whole or any part of the compensation payable or paid to him.”.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 22nd December 1993.

Gillian Shephard
Minister of Agriculture, Fisheries and Food

Allan Stewart
Parliamentary Under Secretary of State, Scottish
Office

21st December 1993

(4) OJ No. L196, 5.8.93, p. 6.
(5) OJ No. L243, 29.9.93, p. 1.

EXPLANATORY NOTE

(This note is not part of the Regulation)

These Regulations amend the Dairy Produce Quotas Regulations 1993 (“the principal Regulations”) and implement Council Regulation (EEC) No. 2187/93. Under that Council Regulation, compensation is offered to certain milk producers who were temporarily prevented from carrying on their trade because, during the reference year for the allocation of milk quotas, they were participating in a scheme for the non-marketing of milk and milk products and for the conversion of dairy herds⁽⁶⁾ and therefore did not have quota allocated to them.

These Regulations expand the definition of “Community legislation” in the principal Regulations (regulation 4) and provide that the Minister may withhold or recover compensation in whole or in part where a producer has made a false or misleading statement in his application for compensation or has failed to comply with the relevant Community rules (regulation 5).

(6) That scheme was instituted by Council Regulation (EEC) No.1078/77, OJ No.L131, 26.5.1977, p. 1.