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STATUTORY INSTRUMENTS

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**1994 No. 672**

**The Dairy Produce Quotas Regulations 1994**

**Prospective apportionment of quota**

**11.**—(1) The occupier of the holding in respect of which a prospective apportionment of quota is to be applied shall submit to the Intervention Board an application in a form from time to time prescribed for this purpose by the Intervention Board, requesting either:

- (a) that a prospective apportionment of quota relating to the holding be made taking account of areas used for milk production as set out in the application; or
- (b) that a prospective apportionment of quota be ascertained by arbitration in accordance with Schedule 2 in England and Wales, Schedule 4 in Northern Ireland, or in Scotland in accordance with Schedule 3.

(2) A request for a prospective apportionment of quota may be revoked by a notice in writing to the Intervention Board, signed by the occupier of the holding to which the prospective apportionment relates.

(3) Where the occupier of a holding requests that a prospective apportionment be made in accordance with paragraph (1)(a), or gives notice of the revocation of such a request under paragraph (2), that request or notice shall be accompanied by a consent or sole interest notice in respect of the entirety of the holding.

(4) Where there is a change of occupation of part of a holding and within the six months preceding that change of occupation:

- (a) the occupier of that holding has requested a prospective apportionment of quota in respect of that part of the holding and has submitted a notice in accordance with regulation 7(1)a, indicating that an apportionment of quota has been agreed; or
- (b) a prospective apportionment of quota relating to that part of that holding has been made by virtue of Schedule 2, 3 or 4,

the apportionment of quota shall be carried out in accordance with:

- (i) any prospective apportionment of quota relating to that part of that holding made under paragraph (1) and not revoked under paragraph (2);
- (ii) if no such prospective apportionment has been made, any prospective apportionment which is in the process of being made under paragraph (1); or
- (iii) in any other case, regulation 10.