
WELSH STATUTORY INSTRUMENTS

2000 No. 972 (W. 42)

FOOD, WALES

**The Dairy Produce Quotas
(Amendment) (Wales) Regulations 2000**

Made - - - - *27th March 2000*

Coming into force - - *1st April 2000*

The National Assembly for Wales, being 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 Community, in exercise of the powers conferred on it by the said section 2(2) hereby makes the following Regulations —

Title and commencement

1. These Regulations may be cited as the Dairy Produce Quotas (Amendment) (Wales) Regulations 2000 and shall come into force on 1st April 2000.

Amendment of the Dairy Produce Quotas Regulations 1997

2. The Dairy Produce Quotas Regulations 1997⁽³⁾ shall be amended, in so far as they apply in Wales, in accordance with regulations 3 to 7 of these Regulations.

3. In regulation 2 (interpretation), in paragraph (1) —

(a) in the definition of “the Council Regulation”, for the words “Commission Regulation (EC) No. 1109/96” there shall be substituted the words “Council Regulation (EC) No. 1256/1999”⁽⁴⁾,

(b) in the definition of “Scottish Islands area”, sub-paragraph (a) shall be deleted.

4. In regulation 7 (transfer of quota with transfer of land) —

(a) in paragraph (1), for sub paragraph (a) there shall be substituted the following sub-paragraph —

“(a) a notice of transfer in such form as may reasonably be required by the Intervention Board —

(1) By virtue of The European Communities (Designation) (No. 3) Order 1999 (S.I. 1999/2788)

(2) 1972 c. 68.

(3) S.I. 1997/733, amended by S.I. 1997/1093, 1998/2880.

(4) OJ No. L160, 26.6.1999, p.73.

- (i) in the case of a transfer made by lease before 1st March, on or before 1st March in the quota year in which the transfer takes place;
 - (ii) in the case of a transfer made otherwise than by lease, on or before 31st March in the quota year in which the transfer takes place;

and in any case no later than 28 days after the change of occupation of the holding, or part of the holding; and”;
- (b) in paragraph (6), for the words “Where a transferee fails to submit the notice referred to in paragraph (1)(a) no later than seven working days after the end of the quota year in which the transfer takes place,” there shall be substituted the words —

“Where a notice of transfer in the form required by the Intervention Board has not been submitted (in the case of a transfer made by lease) on or before 1st March or (in the case of a transfer made otherwise than by lease) on or before 31st March in the quota year in which the transfer takes place,”.
- 5. In regulation 11 (transfer of quota without transfer of land) —
 - (a) in paragraph (1), for the words “the fifth indent of the first paragraph” there shall be substituted the words “sub-paragraph (e)”;
 - (b) in paragraph (5), for the words “no later than seven working days after the end of” there shall be substituted the words “not after 31st March in”.
- 6. In regulation 13 (temporary transfer of quota) —
 - (a) in paragraph (1), the words “and subject to paragraph (5) below”, shall be deleted;
 - (b) in paragraph (3), for the word “December” there shall be substituted the word “March”;
 - (c) paragraph (5) shall be deleted.
- 7. In regulation 30 (powers of authorised officers) —
 - (a) in paragraphs (2) and (3), after the word “holding” there shall be inserted the words “or any other premises of a relevant person”;
 - (b) in paragraphs (4) and (5), for the word “producer” there shall be substituted the words “relevant person”;
 - (c) after paragraph (5), there shall be inserted the following paragraph —

“(6) In this regulation, a “relevant person” means a producer, a purchaser, any employee or agent of a producer or of a purchaser, any milk haulier, or any person undertaking butterfat testing for purchasers in a laboratory.”.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(5).

27th March 2000

D Elis Thomas
The Presiding Officer of the National Assembly

EXPLANATORY NOTE

(This note does not form part of the Regulations)

These Regulations, which come into force on 1st April 2000, amend, in so far as they apply to Wales, the Dairy Produce Quotas Regulations 1997 (S.I. [1997/733](#)).

These Regulations implement for Wales a change to Article 6(1) of Council Regulation ([EEC](#)) [No. 3950/92](#) (OJ No. L405, 31.12.92, p.1) (as previously amended) establishing an additional levy in the milk and milk products sector, made by Article 1(7) of Council Regulation ([EC](#)) [No. 1256/1999](#) (OJ No. L160, 26.6.1999, p.73). Article 6(1) permits Member States, in respect of temporary transfers of quota, to specify any date in the quota year in question (hitherto, no later than 31st December) as the one no later than which, such transfers are authorised. These Regulations introduce a date of 31st March as the date by which notice of temporary transfer must be submitted to the Intervention Board (regulation 6).

In consequence, certain changes are made to the dates by which certain other notices etc. are required to be made to the Intervention Board (regulations 4 and 5).

In addition, these Regulations –

- (a) remove the Shetland Islands from the particular milk-quota arrangements applying in the Scottish Islands area (regulation 3);
- (b) include, in the classes of persons required to render reasonable assistance to authorised officers, producers, purchasers, the employees and agents of producers or purchasers, milk hauliers and persons undertaking butterfat testing for purchasers in a laboratory and align with this the premises in respect of which a power of entry may be exercised (regulation 7).