

*These notes refer to the Deregulation Act 2015 (c.20)
which received Royal Assent on 26 March 2015*

DEREGULATION ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Schedule 23: Legislation no longer of practical use

Part 6: Animals and food

Milk: cessation of production

966. *Paragraph 39* in Part 6 of this Schedule repeals the Milk (Cessation of Production) Act 1985. The Act forms part of the law of England and Wales, Scotland and (for certain purposes) Northern Ireland.
967. *Paragraph 40* in Part 6 of this Schedule revokes the Milk (Cessation of Production) (Northern Ireland) Order 1985. The Order forms part of the law of Northern Ireland only.
968. Council Regulation (EEC) No 857/84 established, with effect from 2 April 1984, a system under which each producer of milk or milk products was allocated an individual “reference quantity”. If a producer’s production exceeded their reference quantity, there was provision for them to pay a levy. The reference quantity is commonly referred to as “milk quota”.
969. Council Regulation (EEC) No 857/84 also allowed Member States to grant compensation to producers who undertook to discontinue milk production. Such cessation of production would involve surrender of the producer’s milk quota.
970. The 1985 Act enables schemes to be made allowing the payment of compensation on the cessation of milk production and the surrender of milk quota. Such schemes could only apply to producers registered in respect of land in Great Britain. Such schemes were made under that Act in relation to England, Wales and Scotland.
971. The 1985 Act forms part of the law of Northern Ireland only for a highly specialised purpose; to allow the identification of which Parliamentary procedure (affirmative or negative resolution) would apply to any separate legislation on this topic applying only to Northern Ireland.
972. The 1985 Order was made under the provisions of Schedule 1 to the Northern Ireland Act 1974, as modified by section 6 of the 1985 Act. The 1974 Act was repealed by the Northern Ireland Act 1998. However, the 1998 Act provided that Orders made under the 1974 Act were to continue in force.
973. The 1985 Order enables schemes to be made allowing the payment of compensation on the cessation of milk production and the surrender of milk quota. Such schemes could only apply to producers registered in respect of land in a part of Northern Ireland. A scheme was made applying to such producers.
974. The schemes made in relation to England, Scotland and Northern Ireland were revoked with effect from 6 April 2007. They have not been replaced, and there is no intention

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to replace them. The underlying milk quota system itself (whose provisions are now contained in Council Regulation (EC) No 1234/2007) will cease with effect from 31 March 2015.

975. The repeal of the 1985 Act forms part of the law of England and Wales and Northern Ireland only. The revocation of the 1985 Order forms part of the law of Northern Ireland only. The repeal and the revocation come into force at the end of the period of 2 months beginning with the day on which the Act is passed. The Scottish Government has confirmed that it intends to enact legislation to repeal the 1985 Act in relation to Scotland, and will do so at a later date.