
STATUTORY INSTRUMENTS

1997 No. 733

FOOD

The Dairy Produce Quotas Regulations 1997

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THE DAIRY PRODUCE QUOTAS REGULATIONS 1997

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SCHEDULE 1 — MEANING OF COMMUNITY LEGISLATION

1. Council Regulation (EEC) No. 857/84, adopting general rules for the...
2. Council Regulation (EEC) No. 764/89, amending Regulation (EEC) No. 857/84,...
3. Council Regulation (EEC) No. 1639/91, amending Regulation (EEC) No. 857/84,...
4. Commission Regulation (EEC) No. 1756/93, fixing the operative events for...
5. Council Regulation (EEC) No. 2187/93, providing for an offer of...
6. Commission Regulation (EEC) No. 2562/93, laying down detailed rules for...
7. Commission Regulation (EEC) No. 2648/93, laying down detailed rules for...

SCHEDULE 2 — 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. (1) An arbitrator appointed in accordance with paragraphs 1(1) to...
4. (1) No application may be made to the President for...
5. Where the Intervention Board makes an application to the President...
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 paragraphs 1...
12. The remuneration of the arbitrator shall be—
13. Conduct of proceedings and witnesses
14. The parties to the arbitration shall, within thirty-five days of...
15. The parties to the arbitration and all persons claiming through...
16. Any person having an interest in the holding to which...
17. Witnesses appearing at the arbitration shall, if the arbitrator thinks...
18. The provisions of county court rules as to the issuing...
19. (1) Subject to sub-paragraphs (2) and (3), any person who—...
20. (1) Subject to sub-paragraph (2), the judge of the county...
21. The High Court may order that a writ of habeas...
22. Award
23. The award shall be final and binding on the parties...
24. The arbitrator shall have power to correct in the award...

25. Reasons for award
26. Costs
27. On the application of any party, any such costs shall...
28. (1) The arbitrator shall, in awarding costs, take into consideration—...
29. Special case, setting aside award and remission
30. (1) Where the arbitrator has misconducted himself, the county court...
31. (1) The county court may from time to time remit...
32. Miscellaneous
33. For the purposes of this Schedule, an arbitrator appointed by...
34. Any instrument of appointment or other document purporting to be...
35. The Arbitration Act 1996 shall not apply to an arbitration...

SCHEDULE 3 — APPORTIONMENTS AND PROSPECTIVE APPORTIONMENTS BY ARBITRATION OR SCOTTISH LAND COURT SCOTLAND

PART I — GENERAL

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

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 paragraphs 1...
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 Intervention...
28. Any person having an interest in the holding to which...

SCHEDULE 4 — APPORTIONMENTS AND PROSPECTIVE APPORTIONMENTS BY ARBITRATION—NORTHERN IRELAND

1. Paragraphs 3 to 19 shall apply to every arbitration in...
2. (1) Parts I, II and IV of the Arbitration Act...
3. Appointment of arbitrator

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4. (1) In any case where a prospective apportionment is to...
5. (1) An arbitrator appointed in accordance with paragraphs 3(1) to...
6. No application may be made to the President for an...
7. Where the Intervention Board makes an application to the President...
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...
11. Every appointment, application, notice, revocation and consent under paragraphs 1...
12. Persons with an interest in the holding
13. Statement of case
14. Award
15. The arbitrator shall notify the terms of his award to...
16. The arbitrator shall have power to correct in the award...
17. Reasons for award
18. For the purposes of this Schedule, an arbitrator appointed by...
19. Any person having an interest in the holding to which...

SCHEDULE 5 — REALLOCATION OF QUOTA AND CALCULATION OF LEVY LIABILITY

1. Wholesale quota
2. In making that determination the Intervention Board shall complete in...
3. The Intervention Board shall where necessary authorise an adjustment of...
4. The Intervention Board shall authorise the adjustment by purchasers (to...
5. The Intervention Board shall determine for each purchaser the amount,...
6. The Intervention Board shall determine the total amount, if any,...
7. The Intervention Board shall reallocate the amount, if any, referred...
8. Where a purchaser fails to notify the Intervention Board within...
9. The Intervention Board shall determine the total amount of the...
10. Where, for any quota year, a purchaser is unable to...
11. Direct sales quota
12. The Intervention Board shall make an award of a temporary...
13. The Intervention Board shall determine the aggregate amount, if any,...
14. The Intervention Board shall determine for each direct seller the...
15. The Intervention Board shall determine the aggregate of the amounts,...
16. The Intervention Board shall determine the total amount of the...
17. The Intervention Board shall calculate the rate of levy per...
18. Where a direct seller fails to notify the Intervention Board...
19. Where for any quota year a direct seller is unable...

SCHEDULE 6 — 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,...

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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...

Explanatory Note