
STATUTORY INSTRUMENTS

2024 No. 537

The Fair Dealing Obligations (Milk) Regulations 2024

PART 1

General

Citation, commencement, extent and application

- 1.—(1) These Regulations may be cited as the Fair Dealing Obligations (Milk) Regulations 2024.
- (2) They come into force on the commencement date.
- (3) They extend to England and Wales, Scotland and Northern Ireland.
- (4) Subject to paragraphs (5) and (6), these Regulations apply in relation to milk purchase contracts.
- (5) They do not apply in relation to any quantity of milk that the business purchaser⁽¹⁾ takes possession of before the transition date under a milk purchase contract that was in force immediately before the commencement date.
- (6) Part 4, excluding regulations 9 and 10, does not apply to a milk purchase contract—
- (a) where the terms that relate to the price of milk supplied under it were agreed to on behalf of the producer by a representative organisation, of which the producer is a member; or
- (b) where the business purchaser has an internal democratic structure and the contract relates to the purchase of milk from a producer member.
- (7) In this regulation—
- “the commencement date” is the day after the expiry of 12 weeks, beginning with the day on which these Regulations are made;
- “the transition date” is the day after the expiry of 12 months, beginning with the commencement date.

Interpretation

2. In these Regulations—
- “fixed-duration contract” has the meaning given in regulation 5(2);
- “fixed price” has the meaning given in regulation 7(2);
- “internal democratic structure”, in relation to a business purchaser, means an organisational structure—
- (a) which is established in the business purchaser’s constitution; and
- (b) within which is a decision-making body—
- (i) the membership of which includes a majority of individuals who are democratically elected by the producer members of the business purchaser; and

(1) For the meaning of “business purchaser” see section 29(3)(a) of the Agriculture Act 2020.

(ii) which has ultimate decision-making authority in relation to contracts for the purchase of milk;

“milk” means cow’s milk;

“milk constituent” means a substance contained in, or which can be extracted from, milk;

“milk purchase contract” means a contract made by a business purchaser for the purchase of milk from a producer;

“notice of intent” has the meaning given in regulation 23(2);

“producer” means a qualifying seller falling within section 29(3)(b)(i) of the Agriculture Act 2020;

“producer member” means a producer that has an ownership interest in the business purchaser in question;

“representative organisation” is—

- (a) a producer organisation or an association of producer organisations recognised under Chapter 3 of Title 2 of Part 2 of [Regulation \(EU\) No 1308/2013](#) of the European Parliament and of the Council of 17 December 2013⁽²⁾ establishing a common organisation of the markets in agricultural products; or
- (b) a pre-commencement society, within the meaning of section 150 of the Co-operative and Community Benefit Societies Act 2014⁽³⁾, that does not carry out processing activities⁽⁴⁾;

“the parties” in relation to a milk purchase contract, means the business purchaser and the producer who are party to the contract;

“variable price” has the meaning given in regulation 8(2).

⁽²⁾ EUR 2013/1308; amended by [S.I. 2019/828](#). There are other amending instruments but none is relevant.

⁽³⁾ [2014 c. 14](#).

⁽⁴⁾ For the meaning of “processing activities” see section 29(11) of the Agriculture Act 2020.