

2008 No. 240

AGRICULTURE

**Reporting of Prices of Milk Products Regulations (Northern
Ireland) 2008**

Made - - - - *3rd June 2008*

Coming into operation - *1st July 2008*

The Department of Agriculture and Rural Development is designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to the common agricultural policy of the European Community.

These Regulations make provision for a purpose mentioned in that section and it appears to the Department of Agriculture and Rural Development that it is expedient for the references in these Regulations to a Community instrument or to any provision of a Community instrument to be construed as a reference to that instrument or that provision as amended from time to time.

The Department of Agriculture and Rural Development makes the following Regulations in exercise of the powers conferred on it by section 2(2) of, and paragraph 1A of Schedule 2 to, the European Communities Act 1972(c).

Citation and commencement

1. These Regulations may be cited as the Reporting of Prices of Milk Products Regulations (Northern Ireland) 2008 and shall come into operation on 1st July 2008.

Interpretation

2.—(1) In these Regulations—

“Commission Regulation” means Commission Regulation (EC) No 562/2005 laying down rules for the implementation of Council Regulation (EC) No 1255/1999 as regards communications between the Member States and the Commission in the milk and milk products sector(d), as amended from time to time;

“the Department” means the Department of Agriculture and Rural Development;

(a) S.I. 2000/2812 to which there are amendments not relevant to the subject matter of these Regulations

(b) 1972 c.68.

(c) Paragraph 1A of Schedule 2 was inserted by section 28 of the Legislative and Regulatory Reform Act 2006 (c.51).

(d) OJ No L 95, 14.4.05, p 11. Council Regulation (EC) No 1255/1999 (OJ No L 160, 26.6.99, p 48) was repealed and replaced by Council Regulation (EC) No 1234/2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) (OJ No L 299, 16.11.07, p 1), as last amended by Council Regulation (EC) No 361/2008 (OJ No L 121, 7.5.08, p 1). Article 201(3) of Council Regulation (EC) No 1234/2007 contains transitional provisions relating to Council Regulation (EC) No 1255/1999. The effect of Article 201(3) of Council Regulation (EC) No 1234/2007 is that the repeal of Council Regulation (EC) No 1255/1999 is without prejudice to the maintenance in force of Community acts adopted on the basis of that Regulation.

“milk processor” means a person operating an establishment which manufactures milk products;

“milk products” means the products listed in Annex VI to the Commission Regulation.

(2) The Interpretation Act (Northern Ireland) 1954(a) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

Provision of information on prices of milk products

3.—(1) A milk processor shall provide to the Department such information relating to the prices of milk products as the Department may by notice require for the purposes of Article 6 of the Commission Regulation.

(2) The notice referred to in paragraph (1) may require the milk processor to provide the information on a regular basis, and may specify when, and in what format, the information shall be provided.

Offences

4. A person who fails to comply with a notice referred to in regulation 3(1) shall be guilty of an offence, and liable on summary conviction to a fine not exceeding level 5 on the standard scale.

Revocation

5. The Reporting of Prices of Milk Products Regulations (Northern Ireland) 2005(b) are revoked.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 3rd June 2008.

(L.S.)

Liam McKibben
A senior officer of the Department of Agriculture and Rural Development

(a) 1954 c.33 (N.I.)
(b) S.R. 2005 No. 286

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations, which come into operation on 1st July 2008, revoke and remake with amendments the Reporting of Prices of Milk Products Regulations (Northern Ireland) 2005 (S.R.2005 No. 286).

The Regulations implement Article 6 of Commission Regulation (EC) No. 562/2005 (OJ No L95, 14.4.05, p. 11) laying down rules for the implementation of Council Regulation (EC) No 1255/1999 as regards communications between the Member States and the Commission in the milk and milk products sector, as amended from time to time.

Regulation 3 requires milk processors to provide the Department of Agriculture and Rural Development with such information relating to the prices of certain milk products as the Department may require by notice. Regulation 4 sets out offences.

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