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DRAFT STATUTORY INSTRUMENTS

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**2024 No.**

**The Fair Dealing Obligations (Milk) Regulations 2024**

**PART 1**

**General**

**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
  - (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<sup>(1)</sup> 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<sup>(2)</sup>, that does not carry out processing activities<sup>(3)</sup>;

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<sup>(1)</sup> EUR 2013/1308; amended by [S.I. 2019/828](#). There are other amending instruments but none is relevant.

<sup>(2)</sup> 2014 c. 14.

<sup>(3)</sup> For the meaning of “processing activities” see section 29(11) of the Agriculture Act 2020.

“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).