This Statutory Instrument has been made to correct errors in S.I.No.1990/664 and is being issued
free of charge.

STATUTORY INSTRUMENTS

1990 No. 784

FOOD

The Dairy Produce Quotas
(Amendment) (No. 3) Regulations 1990

Made - - - -	*29th March 1990*
Laid before Parliament	*30th March 1990*
Coming into force - -	*31st March 1990*

The Minister of Agriculture, Fisheries and Food and the Secretary of State, being Ministers designated(**1**) for the purposes of section 2(2) of the European Communities Act 1972(**2**) in relation to the common agricultural policy of the European Economic Community, acting jointly in exercise of the powers conferred on them by that section and of all other powers enabling them in that behalf, hereby make the following Regulations:—

Title and commencement

1. These Regulations may be cited as the Dairy Produce Quotas (Amendment) (No. 3) Regulations 1990 and shall come into force on 31st March 1990.

Interpretation

2. In these Regulations "the principal Regulations" means the Dairy Produce Quotas Regulations 1989(**3**).

Amendment of the principal Regulations

3. The principal Regulations shall be amended in accordance with the following provisions of these Regulations.

4. In regulation 2(1)—

(**1**) S.I. 1972/1811
(**2**) 1972 c. 68
(**3**) S.I. 1989/380, amended by S.I. 1990/132, 1990/664

(a) in the definition of "appropriate date", after the word "Schedule" there shall be inserted the words "9A and";

(b) in the definition of "wholesale development quota" the words "or paragraph 5 of Schedule 9 to the principal Regulations" shall be omitted.

5. In Schedule 8B—

(a) in paragraph 1, after the word "producers" where it first occurs there shall be inserted the words "in respect of holdings in Scotland and Northern Ireland";

(b) for paragraph 4 there shall be substituted the following paragraph:

"**4.** The amount of quota which may be awarded to a producer under paragraph 1 shall be limited to—

(a) the amount by which on 1st April 1989 his wholesale development quota fell short of the amount which his determined amount would have been at that date had it been awarded to the producer at the time of the determination and reduced by the subsequent permanent cuts in quota, or

(b) the amount, which would have increased the producer's quota to 200,000 litres at the relevant date referred to in paragraph 1(b) had it been awarded then, reduced by the subsequent permanent cuts in quota,

whichever amount is less.";

(c) after paragraph 7 there shall be inserted the following paragraph:

"**8.** For the purposes of this Schedule "determined amount" means the amount determined in respect of a producer by the further examination body, or by the Tribunal, in accordance with paragraphs 9(2) and 10(1), respectively, of Schedule 2 to the 1984 Regulations.".

6. In Schedule 9—

(a) in paragraph 1, after the word "producers" there shall be inserted the words "in respect of holdings in Northern Ireland"; and

(b) in paragraph 2, after the word "which" there shall be inserted the words "on 1st April 1989".

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 29th March 1990.

L.S.

Trumpington
Minister of State, Ministry of Agriculture,
Fisheries and Food

Sanderson of Bowden
28th March 1990   Minister of State, Scottish Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Dairy Produce Quotas Regulations 1989 ("the principal Regulations"). The Regulations clarify Schedule 8B to the principal Regulations (small producer supplementary development provision) — regulation 5, and Schedule 9 to the principal Regulations (exceptional hardship provision) — regulation 6. In particular they make clear that Schedule 8B applies only to producers in respect of holdings in Scotland and Northern Ireland and that Schedule 9 applies only to producers in respect of holdings in Northern Ireland. Errors in the definitions of "appropriate date" and "wholesale development quota" are corrected — regulation 4.