
STATUTORY INSTRUMENTS

1994 No. 160

FOOD

The Dairy Produce Quotas (Amendment) Regulations 1994

<i>Made</i>	- - - -	<i>31st January 1994</i>
<i>Laid before Parliament</i>		<i>1st February 1994</i>
<i>Coming into force</i>	- -	<i>22nd February 1994</i>

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) Regulations 1994 and shall come into force on 22nd February 1994.

Interpretation

2. In these Regulations, “the principal Regulations” means the Dairy Produce Quotas Regulations 1993⁽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) of the principal Regulations—

(a) for the definition of “Community legislation” there shall be substituted the definition:

““Community legislation”— means—

(a) the Council Regulation and the Commission Regulation;

(b) Council Regulation 2055/93; and

(1) S.I. 1972/1811.

(2) 1972 c. 68.

(3) S.I. 1993/923, amended by S.I. 1993/3234.

- (c) the Community compensation scheme;”;
- (b) after the definition of “Council Regulation” there shall be inserted the definition:
 - ““Council Regulation 2055/93” means Council Regulation (EEC) No.2055/93(4) allocating a special reference quantity to certain producers of milk and milk products;”;
- (c) after the definition of “replacement number” there shall be inserted the definition:
 - ““requirements in relation to special quota” means—
 - (a) the conditions for the award of special quota set out in Article 4(3) of the Council Regulation, Article 3a(1) and (2) of Council Regulation (EEC) No.857/84(5) and Article 1(1) of Council Regulation 2055/93; and
 - (b) the restrictions on special quota set out in Articles 6(1) and 7(1)(a) of the Council Regulation, Article 3a(4) of Council Regulation (EEC) No.857/84 and Article 4 of Council Regulation 2055/93;”;
- (d) for the definition of “special quota” there shall be substituted the definition:
 - ““special quota” means the quota referred to in Article 4(3) of the Council Regulation and in Article 1(1) of Council Regulation 2055/93;”.

5. In regulation 8(4) of the principal Regulations, for the words “the undertakings of his predecessor made consequent upon the provisions of Article 4(3) of the Council Regulation and Article 3a of Council Regulation (EEC) No.857/84 (which together deal with special quota)”, there shall be substituted the words “the requirements in relation to special quota in accordance with the undertakings of his predecessor.”

6. After regulation 30A of the principal Regulations there shall be inserted—

“Powers of entry and inspection in relation to special quota

30B.—(1) Where a producer has special quota registered in his name or has applied to the Minister to have special quota allocated to him, he shall permit any officer duly authorised by the Minister, accompanied by such persons acting under his instructions as appear to that officer to be necessary for the purpose, at all reasonable times and on production of his authority on demand, to enter upon that producer’s holding in order to inspect any document, record or land (other than land used only as a dwelling) with a view to verifying—

- (a) the accuracy of any particulars given in an application for special quota;
- (b) compliance with the requirements in relation to special quota; or
- (c) compliance with any of the undertakings referred to in regulation 8(4).

(2) A producer shall render all reasonable assistance to the authorised officer in relation to the matters mentioned in paragraph (1) above and in particular shall produce such document or record and supply such additional information relating to the allocation to him of special quota as that officer reasonably may require.”

7. At the end of regulation 32, there shall be inserted the following paragraph:

“(4) Where a producer has special quota registered in his name and it appears to the Minister that the producer has made a false or misleading statement in his application for special quota, has failed to comply with the requirements in relation to special quota, or has

(4) OJ No. L187, 29.7.93, p. 8.

(5) OJ No. L90, 1.4.84, p. 13; amended by Council Regulation (EEC) No. 764/89, OJ No. L84, 29.3.89, p. 2 and Council Regulation (EEC) No. 1639/91, OJ No. L150, 15.6.91, p. 35.

failed to comply with any of the undertakings referred to in regulation 8(4), the Minister may withdraw the whole or any part of the special quota.”.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on

L.S.

31st January 1994.

Gillian Shephard
Minister of Agriculture, Fisheries and Food

27th January 1994

Hector Monro
Parliamentary Under Secretary of State, Scottish
Office

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Dairy Produce Quota Regulations 1993 (“the principal Regulations”) and implement Council Regulation (EEC) No. 3950/92 and Council Regulation (EEC) No.2055/93 in relation to the allocation of special milk quotas to certain milk producers.

The Regulations amend the definitions of “Community legislation” and “special quota” in the principal Regulations and insert a new definition of “requirements in relation to special quota” (regulation 4). The Regulations further provide for powers of entry and inspection in relation to special quota (regulation 6) and for the withdrawal in certain circumstances of special quota (regulation 7).