
STATUTORY INSTRUMENTS

2007 No. 477

The Dairy Produce (Miscellaneous Provisions) Regulations 2007

Title and commencement

1. These Regulations may be cited as the Dairy Produce (Miscellaneous Provisions) Regulations 2007 and come into force on 6th April 2007.

Abolition of Dairy Produce Quota Tribunals

2. The Dairy Produce Quota Tribunals, re-constituted under regulation 7(1) of the Dairy Produce Quotas (General Provisions) Regulations 2002(1), are abolished.

Amendment of the Dairy Produce Quotas (General Provisions) Regulations 2002

3.—(1) The Dairy Produce Quotas (General Provisions) Regulations 2002 are amended as follows.

(2) In regulation 2 (interpretation)—

(a) for the definition of “the Commission Regulation” substitute—

““the Commission Regulation” means [Commission Regulation \(EC\) No 595/2004](#) laying down detailed rules for applying [Council Regulation \(EC\) No 1788/2003](#) establishing a levy in the milk and milk products sector”(2);

(b) omit the definition of “Commission Regulation 1756/93”;

(c) in the definition of “the Community legislation”, for “, the Commission Regulation, and Commission Regulation 1756/93” substitute “and the Commission Regulation”(3);

(d) for the definition of “the Council Regulation” substitute—

““the Council Regulation” means [Council Regulation \(EC\) No 1788/2003](#) establishing a levy in the milk and milk products sector”(4);

(e) omit the definition of “Tribunal”.

(3) Omit regulation 7 (dairy produce quota tribunals).

(4) Omit the Schedule (constitution, staffing and procedures of dairy produce quota tribunals).

Amendment of the Agriculture Act 1986

4.—(1) The Agriculture Act 1986(5) is amended as follows.

(2) In paragraph 6 of Part 2 of Schedule 1 (tenants’ compensation for milk quota)—

(1) [S.I. 2002/458](#) as amended by [S.I. 2005/466](#).

(2) As last amended by [Commission Regulation \(EC\) No. 1913/2006](#) (OJ No. L365, 21.12.2006, p 52).

(3) The definition of “the Community legislation” was substituted by [S.I. 2005/466](#), regulation 2(c).

(4) As last amended by [Council Regulation \(EC\) No. 1406/2006](#) (OJ No. L265, 26.9.2006, p 8).

(5) [1986 c.49](#).

- (a) in sub-paragraph (3), after “Wales” insert “, or by the Secretary of State or the National Assembly for Wales following the appeals procedure,”;
- (b) after sub-paragraph (3) insert—
 - “(3A) In sub-paragraph (3) above “the appeals procedure” means—
 - (a) in England, the appeals procedure established under the Common Agricultural Policy Non-IACS Support Schemes (Appeals) (England) Regulations 2004 ([S.I. 2004/590](#)); and
 - (b) in Wales, the appeals procedure established under the Common Agricultural Policy Non-IACS Support Schemes (Appeals) (Wales) Regulations 2004 ([S.I. 2004/685 \(W.73\)](#)).”.
- (3) In paragraph 6 of Schedule 2 (tenants’ compensation for milk quota: Scotland)—
 - (a) in sub-paragraph (3), after “Scotland” insert “, or following the appeals procedure by the Scottish Ministers or the Scottish Land Court,”;
 - (b) after sub-paragraph (3) insert—
 - “(3A) In sub-paragraph (3) above “the appeals procedure” means the appeals procedure established under the Common Agricultural Policy Non-IACS Support Schemes (Appeals) (Scotland) Regulations 2004 ([S.S.I. 2004/278](#)).”.

Consequential provisions

- 5. The enactments listed in Part 1 of the Schedule are repealed or revoked as specified.

Revocation of the Milk (Community Outgoers) Schemes

- 6. The instruments listed in Part 2 of the Schedule are revoked.

18th February 2007

Jeff Rooker
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Affairs