
STATUTORY INSTRUMENTS

2017 No. 599

The Single Common Market Organisation (Emergency Aid) (England and Northern Ireland) Regulations 2017

PART 2

Emergency payments

Emergency payments to milk producers

3.—(1) Before making any emergency payment, the Secretary of State must determine—

- (a) the formula for calculating the amount of any emergency payment to be paid to a milk producer in England, and
- (b) the formula for calculating the amount of any emergency payment to be paid to a milk producer in Northern Ireland.

(2) After determining the formulae referred to in paragraph (1) and before making any emergency payment, the Secretary of State must publish, on a website maintained by or on behalf of the Secretary of State, information setting out and explaining the formulae.

(3) After publishing the information referred to in paragraph (2), the Secretary of State must provide that information to any person who requests it.

(4) The Secretary of State must make an emergency payment, calculated in accordance with the applicable formula determined under paragraph (1), to each milk producer who—

- (a) submits an application, in a form approved by the Secretary of State, so that it is received by the Secretary of State on or before 31st May 2017,
- (b) during the relevant period and on the date the application was made, managed a holding—
 - (i) that is situated in England or Northern Ireland, and
 - (ii) on which milk was produced to be marketed, or to manufacture any other milk product to be marketed, and
- (c) marketed a combined volume of not more than 1 million litres of milk and milk equivalent during the relevant period.

(5) For the purposes of paragraph (4)(b)(i), a holding is situated—

- (a) in England, if the Secretary of State is the competent authority for the holding under regulation 3 of the 2014 Regulations;
- (b) in Northern Ireland, if the Department of Agriculture, Environment and Rural Affairs is the competent authority for the holding under that provision.

(6) An emergency payment may be paid—

- (a) in pounds sterling, after applying the exchange rate determined in accordance with Article 1(2) of Commission Regulation 2016/1613, or
- (b) in euro.

(7) In this regulation—

“farmer” and “holding” have the same meaning as in the Direct Payments Regulation;

“markets” means delivers or makes direct sales of a product, and “marketed” is to be construed accordingly;

“milk” means the product of milking one or more cows;

“milk equivalent” means the quantity of milk used to manufacture any other milk product;

“milk producer” means a farmer who produces and markets milk;

“other milk product” means any milk product other than milk, and includes skimmed and semi-skimmed milk, cream, butter, yoghurt and cheese;

“the relevant period” means the period beginning on 1st April 2015 and ending on 31st March 2016.