
WELSH STATUTORY INSTRUMENTS

2005 No. 537

The Dairy Produce Quotas (Wales) Regulations 2005

PART 3

TRANSFERS OF QUOTA

Transfer of part of holding

10.—(1) Subject to regulations 14 and 16, this regulation applies where there is a transfer of part of a holding.

(2) Subject to regulations 11(4) and (5) and 12, where a notice of transfer has been duly submitted in accordance with regulation 9, an apportionment of the quota relating to the holding must —

- (a) be made in accordance with the agreed apportionment set out in that notice; or
- (b) if there is no such agreement, be determined by arbitration in accordance with Schedule 1.

(3) Subject to paragraph (4) and regulations 11(4) and (5) and 12, any dairy produce which has been —

- (a) the subject of a direct sale; or
- (b) delivered

from the holding during the quota year in which the change of occupation takes place and prior to the transfer of the part of the holding is treated for the purposes of any levy calculation as if it was sold, transferred free of charge or delivered, as the case may be, from each part of the holding in proportion to the apportionment under paragraph (2).

(4) Paragraph (3) does not apply if the parties agree otherwise and submit to the National Assembly a notice of that agreement.

(5) A notice referred to in paragraph (4) must be submitted —

- (a) in such form as the National Assembly may reasonably require; and
- (b) at the same time as the submission of the notice of transfer in accordance with regulation 9.