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WELSH STATUTORY INSTRUMENTS

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**2005 No. 537**

**The Dairy Produce Quotas (Wales) Regulations 2005**

**PART 7**

**PENALTIES AND MISCELLANEOUS PROVISIONS**

**Confiscation of quota**

**38.**—(1) In pursuance of Article 15 of the Council Regulation (which relates to the confiscation and restoration of quota in cases of inactivity), the National Assembly must notify a quota holder that his or her quota has been taken into the national reserve if it appears from information available to the National Assembly that he or she has made no deliveries or direct sales during the previous quota year.

(2) In pursuance of Article 11(4) of the Commission Regulation (which relates to the confiscation of quota in cases of failure to submit declarations of direct sales before 1 July), the National Assembly must notify any direct sales quota holder who contravenes Article 11 of that Regulation, by failing to submit an annual declaration to the National Assembly so that the annual declaration reaches it before 1 July, that his or her quota will be taken into the national reserve 30 days after notification.

(3) Any quota withdrawn pursuant to Article 15 of the Council Regulation must be placed in the national reserve with effect from 1 April following the quota year for which information became available to the National Assembly indicating to it that no deliveries or no direct sales, as the case may be, were made.

(4) A wholesale quota holder or direct sales quota holder who receives a notification of confiscation under paragraph (1) or, as the case may be, paragraph (2) must notify any person with an interest in the land comprised in the holding in question of the contents of that notification before the expiry of the period of 28 days beginning with the day on which he or she received it.