
STATUTORY INSTRUMENTS

1993 No. 923

The Dairy Produce Quotas Regulations 1993

Prospective apportionment of quota

11.—(1) The occupier of the holding in respect of which the prospective apportionment of quota is to be applied shall submit to the Minister a statement—

- (a) identifying the parts of the holding to which the prospective apportionment is to relate,
- (b) containing such information relating to the holding as may reasonably be required by the Minister, and
- (c) requesting either—
 - (i) that a prospective apportionment of quota relating to the holding be made taking account of areas used for milk production as at the date of the statement as specified in the statement, or
 - (ii) that a prospective apportionment of quota be ascertained by arbitration in accordance with Schedule 1 in England and Wales and Schedule 3 in Northern Ireland, and in Scotland in accordance with Schedule 2.

(2) The prospective apportionment of quota shall be made in accordance with Schedule 1, 2 or 3, as the case may be, unless a prospective apportionment has been specified in accordance with paragraph 1(c)(i) and the occupier sends to the Minister a consent or sole interest notice in respect of the entirety of the holding, in the case of which, subject to regulation 12, the prospective apportionment shall be as so specified.

(3) A prospective apportionment of quota may be revoked by a notice in writing to the Minister, signed by the occupier of the holding to which the prospective apportionment relates and accompanied by a consent or sole interest notice in respect of that holding, that the occupier no longer wishes that prospective apportionment to have effect.

(4) Where there is a change of occupation of part of a holding and within six months preceding that change of occupation—

- (a) the occupier of that holding has submitted a statement referred to in paragraph (1) in respect of that part of that holding, or
- (b) a prospective apportionment of quota relating to that part of that holding has been made by an arbitrator under Schedule 1 or 3, or under Schedule 2,

the apportionment of quota shall be carried out in accordance with—

- (i) any prospective apportionment of quota relating to that part of that holding made under paragraph (2) and not revoked under paragraph (3),
- (ii) if there is no such prospective apportionment, any prospective apportionment which is in the process of being made under paragraph (2) by virtue of a statement relating to that part of that holding under paragraph (1),
- (iii) in any other case, regulation 10.

(5) The Minister shall maintain a record of each prospective apportionment made under this regulation.