
EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations (“the Regulations”) replace the Sheep Annual Premium and Suckler Cow Premium Quotas Regulations 1997 (S.I.1997/2844). The Regulations, which extend to the United Kingdom, make provision for the administration of the quota system for sheep annual premium established by Articles 4 to 10 of Council Regulation 2529/01 and the quota system for suckler cow premium established by Articles 6 to 10 of Council Regulation 1254/99. Definitions of those Council Regulations may be found in regulation 2(1) of the Regulations.

2. The Regulations—

- lay down rules for determining the location of a producer’s holding (*regulation 3 as read with Schedule 1*);
- lay down rules for notifying transfers and leases of quota (*regulation 4*);
- specify the proportion of quota that is transferred to the national reserve on a transfer of quota without a corresponding transfer of a holding (*regulation 5(1)*);
- lay down rules for determining whether or not a producer has transferred quota without also transferring his holding (*regulation 6 and Schedule 2*);
- lay down rules in relation to the place of origin, acquisition and use of quota from the national reserve (*regulation 7*);
- specify that in certain cases quota may be transferred or leased between sensitive zones as defined by regulation 2(1) (*regulation 8*);
- provide for the division of the national reserve into 6 divisions, each division to correspond with a sensitive zone (*regulation 9*);
- provide for the distribution of quota in the national reserve among the appropriate divisions (*regulation 10*);
- lay down the principles governing allocations of quota from the national reserve (*regulation 12, Schedules 3, 4 and 5*);
- establish a quota register and provide for the supply of copies of register entries in specified circumstances (*regulations 13 and 14*);
- give specified persons a number of powers which may be used for the purpose of verifying an application for an allocation of quota from the national reserve (*regulation 15*);
- create offences and penalties (*regulation 16*);
- ensure that reference in these regulations to the sheep annual premium quotas national reserve and the suckler cow premium quotas national reserve for a given scheme or calendar year includes a reference to sheep annual premium quota and suckler cow premium quota carried forward in accordance with The Sheep Annual Premium and Suckler Cow Premium Quotas Regulations 1997 (*regulation 17*);
- revoke S.I.1997/2844 (*regulation 18*).

3. The principal changes of substance made by the Regulations are as follows:

legislative references have been updated to reflect changes in Community and national legislation since 1997;

Changes to legislation: There are currently no known outstanding effects for the The Sheep Annual Premium and Suckler Cow Premium Quotas Regulations 2003. (See end of Document for details)

any quota acquired by the Secretary of State through the Sheep Quota Purchase Scheme and added to the national reserve may be allocated by the Secretary of State (*regulation 11(2)*);

any person who surrendered quota through the Sheep Quota Purchase Scheme shall not acquire additional quota, unless they have acquired land by purchase or tenancy or the Secretary of State is satisfied they have acquired land under written agreement for exclusive occupation for a defined period of time which is in addition to the land that formed part of their holding at the date of their Sheep Quota Purchase Scheme Agreement (*regulation 11(3)*);

revisions have been made to the conditions governing eligibility under category II and category V of the national reserve which are set out in Schedule 3 and to the rules entitling persons falling within category III group (b), category IV or category VI group (a) in the 2003 scheme year to enable them to apply for allocation of quota from the national reserve for the 2004 scheme year (*regulation 12(14)*).

4. A Regulatory Impact Assessment was not prepared for these Regulations.

Changes to legislation:

There are currently no known outstanding effects for the The Sheep Annual Premium and Suckler Cow Premium Quotas Regulations 2003.