#### WELSH STATUTORY INSTRUMENTS

### 2005 No. 537 (W.47)

#### FOOD, WALES

# The Dairy Produce Quotas (Wales) Regulations 2005 (revoked)<sup>F1</sup>

 Made
 8 March 2005

 Coming into force
 31 March 2005

## THE DAIRY PRODUCE QUOTAS (WALES) REGULATIONS 2005 (REVOKED)

#### PART 1

#### **PRELIMINARY**

- 1. Citation and commencement
- 2. Interpretation
- 3. Application

#### PART 2

#### REGISTRATION OF QUOTA

- 4. Registers and notices to be maintained and prepared by the National Assembly
- 5. Approval of purchasers
- 6. Obligations of producers and purchasers with respect to registration and deliveries
- 7. Inspection of entries in the National Assembly's registers
- 8. Registers as evidence

#### PART 3

#### TRANSFERS OF QUOTA

- 9. Transfer of quota with transfer of land: general
- 10. Transfer of part of holding
- 11. Prospective apportionment of quota
- 12. Cases where apportionment of quota by arbitration is required
- 13. Transfer of quota without transfer of land
- 14. Retention of quota at the end of a tenancy

- 15. Temporary transfer of quota
- 16. Restrictions on transfer of quota
- 17. Consequences of failure to duly submit a transfer notice

#### PART 4

#### ALLOCATIONS AND ADJUSTMENTS OF QUOTA

- 18. Allocation from national reserve
- 19. Temporary reallocation of quota
- 20. Special allocation of quota
- 21. Conversion of quota: general
- 22. Conversion of quota: restriction on transfers of converted quota in conversion year
- 23. Adjustment of purchaser quota
- 24. Restriction on use of quota in Scottish Islands Area

#### PART 5

#### THE LEVY

- 25. Determination whether reduction in downward butterfat adjustment is required in relation to deliveries
- 26. Determination whether levy on deliveries is payable
- 27. Reallocation of producers' quota
- 28. Determination of liability for levy on deliveries
- 29. Notification of levy liability
- 30. Determination of liability for levy on direct sales
- 31. Payment and recovery of levy
- 32. Prevention of avoidance of levy

#### PART 6

#### INFORMATION AND RECORDS

- 33. Information
- 34. Keeping and retention of records
- 35. Annual declarations and summaries

#### PART 7

#### PENALTIES AND MISCELLANEOUS PROVISIONS

- 36. Administrative penalties
- 37. Withholding or recovery of compensation
- 38. Confiscation of quota
- 39. Restoration of quota
- 40. Offences and criminal penalties
- 41. Revocations and amendments

Signature

#### SCHEDULE APPORTIONMENT AND PROSPECTIVE APPORTIONMENT

- 1 BY ARBITRATION
  - Appointment and remuneration of arbitrator
- 1. (1) Subject to paragraph (2), in any case where an...

- 2. (1) In any case where a prospective apportionment is to...
- 3. (1) An arbitrator appointed in accordance with paragraph 1(1) to...
- 4. (1) No application may be made to the President for...
- 5. Where the National Assembly makes an application to the President
- 6. Any appointment of an arbitrator by the President must be...
- 7. For the purposes of paragraph 1(2) the panel of arbitrators...
- 8. If the arbitrator dies, or is incapable of acting, or...
- 9. No party to the arbitration may revoke the appointment of...
- 10. Every appointment, application, notice, revocation and consent under paragraph 1,...
- 11. (1) The remuneration of the arbitrator —
- 12. Conduct of proceedings and witnesses
- 13. Within 35 days of the appointment of the arbitrator, or...
- 14. The parties to the arbitration and all persons claiming through...
- 15. Any person having an interest in the holding to which...
- 16. Witnesses appearing at the arbitration must, if the arbitrator thinks...
- 17. The provisions of county court rules as to the issuing...
- 18. (1) Subject to sub-paragraphs (2) and (3), any person who...
- 19. (1) Subject to sub-paragraph (2), upon application by any party...
- 20. The High Court may order that a writ of habeas...
- 21. Award
- 22. The award is final and binding on the parties and...
- 23. The arbitrator may correct any clerical mistake or error in...
- 24. Reasons for award
- 25. Costs
- 26. On the application of any party, any such costs are...
- 27. (1) The arbitrator must, in awarding costs, take into consideration...
- 28. Special case, setting aside award and remission
- 29. (1) Where the arbitrator has misconducted himself or herself, the...
- 30. (1) The county court may from time to time remit...
- 31. Miscellaneous
- 32. For the purposes of this Schedule, an arbitrator appointed by...
- 33. Any instrument of appointment or other document purporting to be...
- 34. The Arbitration Act 1996 does not apply to an arbitration...

#### SCHEDULE KEEPING AND RETENTION OF RECORDS

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- 1. Records to be kept by purchasers
- 2. Records to be kept by producers
- 3. A wholesale quota holder who makes deliveries to a purchaser...
- 4. Records to be kept by any person undertaking butterfat testing in a laboratory
- 5. Records to be kept by hauliers
- 6. Records to be kept by processors
- 7. Records to be kept by persons buying, selling or supplying milk or milk products obtained directly from a producer or purchaser
- 8. In this Schedule, in relation to any records "the... Explanatory Note

Changes to legislation:
There are currently no known outstanding effects for the The Dairy Produce Quotas (Wales)
Regulations 2005 (revoked).