



STATUTORY INSTRUMENTS.

S.I. No. 90 of 2013.



EUROPEAN COMMUNITIES (MILK QUOTA) (AMENDMENT)
REGULATIONS 2013

S.I. No. 90 of 2013.

EUROPEAN COMMUNITIES (MILK QUOTA) (AMENDMENT)
REGULATIONS 2013

I, SIMON COVENEY, Minister for Agriculture, Food and the Marine, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972), for the purpose of giving full effect to Commission Regulation (EC) No. 228/2008 of 13 March 2008¹, Commission Regulation (EC) No. 258/2009 of 26 March 2009² and Commission Regulation (EC) No. 793/2009 of 31 August 2009³, hereby make the following regulations:

1. These Regulations may be cited as the European Communities (Milk Quota) (Amendment) Regulations 2013.

2. The European Communities (Milk Quota) Regulations 2008 (S.I. No. 227 of 2008) are amended—

(a) by substituting for Regulation 3, the following—

“3. (1) A producer shall not sell or supply milk unless a delivery quota or a direct sales quota attaches to land used by him or her for milk production.

(2) Subject to paragraph (7), a producer shall not sell or supply milk from—

(a) a premises (which a delivery quota or direct sales quota applies), and

(b) cows,

both of which are leased from a producer who has supplied milk in the current quota year.

(3) A producer shall not sell or supply milk unless the person to whom the milk is sold or supplied is the holder of a milk purchaser’s approval.

(4) A producer shall not sell or supply milk that has not been produced by his or her cows on a premises operated by him or her.

(5) A person shall not acquire milk produced, sold or supplied in contravention of paragraph (1).

¹O.J. No. L 70, 14.3.2008, p.7

²O.J. No. L 81, 27.3.2009, p.19

³O.J. No. L 228, 1.9.2009, p.7

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 19th March, 2013.*

(6) A person who contravenes paragraphs (1), (2) or (4) may be liable to an amount equivalent to the surplus levy rate on milk delivered by him or her during the quota year.

(7) Paragraph (2) shall not apply to a producer who is party to a lease under Regulation 9(1)(a).”.

(b) by substituting Regulation 9(1) for the following—

“9. (1) A person may only lease land with milk quota attached to—

(a) a qualified relative,

(b) a company, in which he or she holds a majority shareholding, or

(c) a company in which milk producers hold a majority shareholding where such a lease of land is signed, commenced and lodged with the relevant milk purchaser by 31 March 2013.”,

(c) by the deletion of Regulation 17(2), and

(d) by substituting Regulation 41(1) for the following-

“41. (1) The Minister may make detailed rules relating to—

(a) allocation of milk quota,

(b) attachment of milk quota to land,

(c) milk production partnerships,

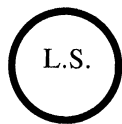
(d) appeals under Regulation 32(10),

(e) a direct sales milk quota restructuring scheme,

(f) a milk quota trading scheme,

(g) a temporary leasing scheme, or

(h) the administration of milk quota.”.



GIVEN under my Official Seal,
14 March 2013.

SIMON COVENEY,
Minister for Agriculture, Food and the Marine.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ón
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,
nó tríd an bpost ó
FOILSEACHÁIN RIALTAIS, AN RANNÓG POST-TRÁCHTA,
AONAD 20 PÁIRC MIONDÍOLA COIS LOCHA, CLÁR CHLAINNE MHUIRIS,
CONTAE MHAIGH EO,
(Teil: 01 - 6476834 nó 1890 213434; Fax: 094 - 9378964 nó 01 - 6476843)
nó trí aon díoltóir leabhar.

DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased directly from the
GOVERNMENT PUBLICATIONS SALE OFFICE
SUN ALLIANCE HOUSE, MOLESWORTH STREET, DUBLIN 2,
or by mail order from
GOVERNMENT PUBLICATIONS, POSTAL TRADE SECTION,
UNIT 20 LAKESIDE RETAIL PARK, CLAREMORRIS, CO. MAYO,
(Tel: 01 - 6476834 or 1890 213434; Fax: 094 - 9378964 or 01 - 6476843)
or through any bookseller.

€2.54



Wt. (B29428). 285. 3/13. Clondalkin. Gr 30-15.