STATUTORY INSTRUMENTS

1987 No. 881 (S. 73)

AGRICULTURE

The Milk (Community Outgoers' Scheme) (Scotland) Amendment (No. 2) Regulations 1987

Made - - - -	*14th May 1987*
Laid before Parliament	*15th May 1987*
Coming into force	*10th June 1987*

The Secretary of State, being a Minister designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to the common agricultural policy of the European Economic Community, in exercise of the powers conferred on him by that section and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Title and commencement

1. These Regulations may be cited as the Milk (Community Outgoers' Scheme) (Scotland) Amendment (No. 2) Regulations 1987 and shall come into force on 10th June 1987.

Amendment of principal Regulations

2.—(1) The Milk (Community Outgoers' Scheme) (Scotland) Regulations 1986(c) (the principal Regulations) shall have effect with the following amendments.

(2) For regulation 5 there shall be substituted the following regulation:–

"**5.** For the purpose of Articles 1 and 3(2) of the Commission Regulation (Member States to make rules for the acceptance of applications) and subject to Article 1(2) 2nd indent of the Council Regulation (Member States' authority to ensure that reductions are spread equally), where the sum of valid applications throughout the United Kingdom together relate to a quantity of eligible quota which exceeds 152, 714, 910 litres, applications representing the excess quantity shall be refused according to the following rule:–

the Secretary of State shall give preference to applications in order of their receipt by him.".

(3) In regulation 6(2) for the words "13th March 1987" there shall be substituted the words "30th December 1987".

(4) In regulation 7(3) for the words "13th March 1987" there shall be substituted the words "30th December 1987".

(5) For the Schedule thereto there shall be substituted the following Schedule.

(a) S.I. 1972/1811.
(b) 1972 c.68.
(c) S.I. 1986/1613, as amended by S.I. 1987/425.

John J. MacKay
Parliamentary Under Secretary of State,
Scottish Office

New St. Andrew's House, Edinburgh
14th May 1987

SCHEDULE

Article 2

(1) *Breed*	(2) *Severely disadvantaged land*		(3) *Disadvantaged land*		(4) *Other land*	
	(a) Standard Yield/Hectare	*(b) Average Yield/Hectare*	*(a) Standard Yield/Hectare*	*(b) Average Yield/Hectare*	*(a) Standard Yield/Hectare*	*(b) Average Yield/Hectare*
	litres	*litres*	*litres*	*litres*	*litres*	*litres*
Channel Is. South Devon, and breeds with similar characteristics	4,580	5,270	5,825	6,694	6,660	7,650
Ayrshire and Dairy Shorthorn, and breeds with similar characteristics	5,235	6,028	6,660	7,656	7,615	8,750
Others	5,385	6,200	6,850	7,875	7,830	9,000

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations implement Commission Regulation (EEC) No. 261/87 (O.J. No. L26, 29.1.1987, p.18) amending Commission Regulation (EEC) No. 2321/86 (O.J. L202, 25.7.1986, p.13), and Council Regulation (EEC) No. 776/87 (O.J. L78, 20.3.1987, p.8) amending Council Regulation (EEC) No. 1336/86 (O.J. No. L119, 8.5.1986, p.21) as regards the submission of applications for compensation for the definitive discontinuation of milk production. They amend the Milk (Community Outgoers' Scheme) (Scotland) Regulations 1986 ("the principal Regulations") to provide for the 1987/88 round of applications.

The total sum of eligible quota for which valid applications shall be accepted within the United Kingdom has been reduced to 152, 714, 910 litres. Preference shall be given to applications in order of their receipt (regulation 2(2)).

The time limit (set by regulation 6 of the principal Regulations) after which an applicant may not withdraw his application is extended to 30th December 1987 (regulation 2(3)).

Where a landlord's consent is required (under regulation 7 of the principal Regulations) an application will only be valid if that consent has been given or unreasonably refused by 30th December 1987 (regulation 2(4)).

These Regulations substitute for the Schedule to the principal Regulations a new Schedule in which the "standard yield per hectare" prescribed by the principal Regulations is revised.

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