



**Cynulliad Cenedlaethol Cymru
The National Assembly for Wales**

ADRODDIAD GAN Y PWYLLGOR DEDDFAU

LEGISLATION COMMITTEE REPORT

The Dairy Produce Quotas (Wales) Regulations 2002

These regulations replace the Dairy Produce Quotas Regulations 1997 in providing for continued application of milk quotas.

Standing Order 11.5

It has been queried why regulation 31(2)(c) refers to “monthly” statistics when there does not appear to be anything in regulation 28(2) or in Article 3(2) of the Council Regulation which requires the statistics to be monthly. It has been confirmed to the Committee that neither regulation 28(2) nor Article 3(2) requires statistics to be monthly, although the power in regulation 28(2) could be so exercised as to require statistics to be submitted on a monthly basis.

It thus seems that regulation 31(2)(c) has been drafted by reference to an adopted (or intended) procedure whereby statistics are required on a monthly basis. The effect is that the penalty provision in regulation 31 will only apply if statistics are required on a monthly basis. If a different period was to be applied under regulation 28(2) there would be no penalty provision. Attention is accordingly drawn to this as an apparent drafting defect in that regulation 31(2)(c) has been drafted without due regard to the actual nature of the provision in regulation 28(2).

Mick Bates AM
Chair, Legislation Committee

23 April 2002