1987 No. 357

AGRICULTURE

Milk (Cessation of Production) Scheme (Northern Ireland) 1987

Made	*9th September 1987*
Coming into operation . .	*2nd October 1987*

The Department of Agriculture, in exercise of the powers conferred on it by Article 3(3), (4), (5) and (7) of the Milk (Cessation of Production) (Northern Ireland) Order 1985(**a**) and of every other power enabling it in that behalf, hereby makes the following scheme:

Citation and commencement

1. This scheme may be cited as the Milk (Cessation of Production) Scheme (Northern Ireland) 1987 and shall come into operation on 2nd October 1987.

Interpretation

2. In this scheme:—

"application" means an application for payments under this scheme;

"farming press" means any newspaper, journal or similar publication considered by the Department to be likely to be read by persons eligible for payments under this scheme;

"holding" has the same meaning as in the 1986 Regulations;

"landlord" includes a superior landlord and a licensor;

"milk" means cows' milk;

"quota" in relation to a holding, means milk quota;

"tenant" means a person who occupies a holding or part of a holding by virtue of a tenancy or licence to occupy; and

"the 1986 Regulations" means the Dairy Produce Quotas Regulations 1986(**b**).

Persons eligible for payments

3.—(1) Subject to the provisions of this scheme the Department may make payments as compensation to any person who is or has been a registered milk producer, and who—

(*a*) undertakes to cease producing milk for sale or for the manufacture of any milk product for sale and to surrender all his quota to the reserve; or

(**a**) S.I. 1985/958 (N.I. 9)
(**b**) S.I. 1986/470

(*b*) (i) is entitled to a quota of at least 242,790 litres, and

(ii) undertakes to reduce his production of milk for sale or for the manufacture of any milk product for sale and to surrender such part (representing not less than 50%) of his quota to the reserve, as he shall specify in his application.

(2) The Department shall not make payments under paragraph (1) to a person who has, at any time, received as applicant a payment under—

(*a*) Council Regulation (EEC) No. 1353/73(**a**) and Commission Regulation (EEC) No. 1821/73(**b**) (which together lay down a scheme to encourage the reduction of the production of milk and milk products);

(*b*) the Farm Structure (Payments to Outgoers) Scheme 1967(**c**); the Farm Structure (Payments to Outgoers) Scheme 1970(**d**); the Farm Structure (Payments to Outgoers) Scheme 1973(**e**); the Farm Structure (Payments to Outgoers) Scheme 1976(**f**);

(*c*) Council Regulation (EEC) No. 1078/77(**g**) and Commission Regulation (EEC) No. 1307/77(**h**) (which together lay down schemes to encourage the reduction of the production of milk and milk products);

(*d*) a non-statutory scheme under which a person receiving payments from public funds undertook to cease milk production for the period specified in, and in accordance with the terms of, that scheme;

(*e*) the Milk (Community Outgoers Scheme) Regulations (Northern Ireland) 1986(**i**);

(*f*) the Milk (Partial Cessation of Production) Scheme (Northern Ireland) 1986(**j**); or

(*g*) any scheme which corresponds to this scheme and which applies in any other part of the United Kingdom.

Applications for payments

4.—(1) The Department shall, by advertisement published in the Belfast Gazette and the farming press, invite applications from persons eligible for payments under Article 3.

(2) For the purposes of any application, an applicant's quota shall be taken to be the amount of quota to which he is entitled at the date of the application.

(3) Applications shall be made in such form, contain such particulars and be accompanied by such documents as the Department shall determine.

(**a**) O.J. No. L. 141, 28.5.1973, p. 18
(**b**) O.J. No. L. 184, 6.7.1973, p. 24
(**c**) S.I. 1967/1609
(**d**) S.I. 1970/2026
(**e**) S.I. 1973/1403
(**f**) S.I. 1976/2126
(**g**) O.J. No. L. 131, 26.5.1977, p. 1
(**h**) O. J. No. L. 150, 18.6.1977, p. 24
(**i**) S.R. 1986 No. 299 as amended by S.R. 1987 No. 114 and S.R. 1987 No. 225
(**j**) S.R. 1986 No. 300 as amended by S.R. 1987 No. 64