

PART VII

THE REGULATORY COUNCIL

Article 28

1. The Regulatory Council is a body attached to the Galician Government Department for Agriculture, Livestock and Woodlands as a self-running body thereof with powers and functions as described herein and in accordance with the applicable Legislation.

2. Notwithstanding the terms described hereafter in Art. 29, its areas of influence are as follows:

- a) Covering all of the production, elaboration and maturation areas.
- b) Covering all of the cheeses with the Geographically Certified Label during all phases of production, elaboration, maturation, transit and commercialisation.
- c) Covering all of the persons who figure on the various Registers.

Article 29

The role of the Regulatory Council is to apply and guarantee compliance with the conditions described in the present Regulations, to which end the Council will exercise the functions ascribed to it in Art. 87 of Law 25/1970 and any further regulatory provisions, as well as any other functions as described herein.

Article 30

1. The Regulatory Council is made up of the following members:

- a) A President
- b) A Vice-president
- c) Four full members representing the interests of the farming sector as elected by the registered farmers who supply milk for making cheeses with the “Queixo Tetilla” Geographically Certified Label
- d) Four full members representing the interests of the cheese-making sector as elected by the cheese-makers registered as such with the Regulatory Council
- e) Two delegates of the Galician Government Administration, one of whom will be named by the Galician Government Department for Agriculture, Livestock and Woodlands and the other named by the Galician Government Department for Trade and Industry. Both delegates will sit at the meetings of the Council with the right to speak but without the right to vote.

2. The President and the Vice-president will be named by the Galician Government Department for Agriculture, Livestock and Woodlands following a proposal by the elected members in order to form the Regulatory Council, whereby the President will be elected from amongst the representatives of one of the affected sectors with the Vice-president elected from amongst the representatives of the remaining sector.
3. Each member of the Regulatory Council will also have a substitute to be elected following the same procedure as for the full representatives.
4. The post of full member must be renewed every four years, with the possibility of re-election.
5. Should any full member resign for legal reasons, the vacancy will be filled by the respective substitute, whose mandate will last up until such a time as the Regulatory Council is next renewed.
6. Full members are required to take up their posts of office no later than one month following their nomination.
7. Any full member who, either in a personal capacity or as the company to which they belong, is sanctioned for any serious breach of the terms and conditions described in the present Regulations, will be suspended from their post during the exercise thereof. Unjustified failure to attend two consecutive meetings or three alternate meetings in a one-year period, or the striking off of a member from the Geographically Certified Registers will also lead to the suspension of a member of the Council.

Article 31

1. Those members referred to in Subsections c) and d) of Section 1 of the previous Article must be have ties to the sector they represent either directly or as executives of companies involved in the activities described herein. Notwithstanding, no individuals or corporate persons may have dual representation on the Council, albeit directly or indirectly via sister companies or partners thereof.
2. Members elected owing to their executive functions within a registered company will cease to exercise the said function if and when they cease to be executives thereof, regardless of the fact that they may continue to belong to the sector in question by transferring to another company, whereupon their place will be taken by their respective substitute according to the procedure described herein to that effect.

Article 32

The President will have the following functions:

- a) To act as the representative of the Regulatory Council. This representation may be delegated to any other member of the Council as expressly stated as and when necessary.
- b) To ensure compliance with the legal and regulatory requirements.

c) To administer the income and funds of the Regulatory Council and to order payments in accordance with the decisions taken to that effect by the Council.

d) To convene and preside the meetings of the Council, to set the agenda calling upon the Council to pronounce itself on any matters within its powers, and to implement any decisions taken.

e) To contract, suspend and renew the staff attached to the Regulatory Council following an agreement to that effect by the latter.

f) To organise and provide services.

g) To inform superior bodies of any incidences which may arise in the production and the market.

h) To notify the Galician Government Department for Agriculture, Livestock and Woodlands of any agreements reached by the Council for their fulfilment in accordance with the powers accorded to it by the present Regulations together with any other such agreements deemed to be sufficiently important to be worthy of notification to the aforementioned Government Department.

i) Any other functions as agreed by the Council or as ascribed to it by the Galician Government Department for Agriculture, Livestock and Woodlands.

2. The presidential mandate lasts for four years, with the possibility of re-election.

3. The Presidential mandate terminates when any of the following occur:

a) The term of office expires

b) Upon due notification after handing in his/her resignation

c) Upon a decision to that effect taken by the Galician Government Department for Agriculture, Livestock and Woodlands following the initiation of disciplinary procedures.

d) For any other reasons acting to that effect as described in the applicable Legislation.

4. In the event of cessation or demise, the Regulatory Council will propose a candidate for the office of new president within a one-month period.

5. The constitutive sessions of the Regulatory Council as well as the sessions convened for the election of the office of President will be presided over by a board chosen on the basis of age, made up of the Council's most senior member plus its two youngest members.

6. The Regulatory Council will be deemed to have been duly constituted when all of its members are present and when agreed as such by unanimity.

Article 33

1. The Council will meet as and when convened by the President either of his/her own accord or as requested by at least one half of its members. A meeting must be held at least once every trimester.

2. The meetings of the Regulatory Council must be convened with at least eight days prior notice, to be accompanied by the agenda for the meeting to which may be further added items other than those previously stated in the initial draft.

Should the need arise and if and as required by the urgency of the situation, the President reserves the right to convene the members of the Council by telegraphic means with at least 24 hours' prior notice.

In order to add an item not previously included by the President to the agenda, it must be requested by at least three vote-holding members of the Council with at least four days' prior notice.

3. Should a full member of the Council be unable to attend a meeting, notification should be sent thereof to the Regulatory Council.

4. Decisions adopted by the Regulatory Council must have a majority vote of the members present and in order for such decisions to be legally binding, at least half of the vote-holding members must be present. The President reserves the right to cast a decisive vote.

5. In order to resolve any questions arising regarding procedures or any other affairs as deemed necessary, the Standing Committee can be convened, made up of the President of the Council together with two members, one from the cheese-making sector and the other from the dairy farming sector, as named to that effect by the Regulatory Council meeting in a Plenary Session.

The session of the Council convened to approve the constitution of the aforementioned Standing Committee will also approve the role and functions thereof.

The Plenary Session of the Regulatory Council must be notified of all and any decisions taken by the Standing Committee in the first meeting convened thereafter.

Article 34

1. The Regulatory Council will be provided with all of the staff necessary to carry out all of the duties invested in it, as approved by the Regulatory Council and as stated in its budget.

2. The Regulatory Council will have a Secretary named by the Council as proposed by the President. The Secretary will be immediately answerable to the President and will be responsible for the following:

a) To prepare the workings of the Council and to attend to all of the preliminary procedures necessary for the implementation of the agreements taken by it

- b) To sit at the meetings of the Council with the right to speak but without the right to vote, to send out notice of the meetings, to take the minutes and to keep the books and other documents of the Council
 - c) To attend to any internal affairs of the Council, be they personal or administrative in nature
 - d) To instruct any cases of disciplinary proceedings to be ruled on by the Regulatory Council
 - e) Any other functions as required by the President related to the preparation and running of the Council's affairs.
3. The Regulatory Council will also dispose of the necessary services to attend to all and any technical matters.
4. The Council will be provided with of its own corps responsible for carrying out the quality control and monitoring inspections. These inspectors will be named by the Regulatory Council and will be empowered to that effect by the Galician Government Department of Agriculture, Livestock and Woodlands with powers over the following areas:
- a) Dairy farms located within the designated production area.
 - b) Cheese dairies and other premises located within the designated production, elaboration and maturation areas.
 - c) Milk and cheeses produced within the designated production, elaboration and maturation area.
5. The Regulatory Council reserves the right to contract personnel to carry out urgent business following the necessary approval of the corresponding budgetary endowment.
6. Existing Labour Laws will apply to all personnel attached to the Regulatory Council, be they permanent and temporary staff.

Article 35

1. The Regulatory Council will set up a Qualification Committee for the cheeses, made up of three experts plus one delegate acting on behalf of the President of the Regulatory Council, to be responsible for reporting on the quality of the cheeses which opt to register as Geographically Certified cheeses and destined for sale. The Committee also reserves the right to call upon any technical assistance deemed necessary.
2. Following an inspection of the reports issued thereby, the President of the Council will make any final decisions as necessary including the eventual temporary disqualification of any cheeses for a ten-day period.

If the affected party appeals against the resolution within the allotted period, the must be brought before the Plenary Session of the Regulatory Council to issue a final decision. If within this period no such request is forthcoming, then the decision initially issued by the President will be considered binding.

Resolutions taken by the Regulatory Council can be appealed against with the Galician Government Department for Agriculture, Livestock and Woodlands.

3. The Regulatory Council will be responsible for issuing the regulations covering the setting up and running of the Qualification Committee

Article 36

1. The workings of the Council will be financed by the following sources of income:

1.1 With the product of the tax levies as described in Art. 90 of Law 25/1970 as applied at the following rates

a) 1% of the value of the milk delivered to the cheese dairies to be used for the production of “Queixo Tetilla” cheese

b) 1% levied on the value of the affected saleable goods

c) A forfeit of 100 Pesetas for the issue of the certificates and invoice visas

d) A quantity equivalent to twice the cost of the labels or seals

The parties affected by each of the aforementioned levies are as follows:

For a) the title-holders of the registered farms

For b) the title-holders of the cheese dairies or maturation premises as registered which produce cheese with the Geographically Certified Label

For c) the title-holders of registered companies who request invoice visas or certificates

For d) the title-holders of companies requesting the items described.

1.2 Any grants, bequests or donations received.

1.3 Any money forthcoming as a result of compensation for damages to the Regulatory Council or the interests represented by it.

1.4 The assets which make up its corporate equity together with the products and sales thereof.

2. The tax rates described in the present Article are subject to modification by the Galician Government Department for Agriculture, Livestock and Woodlands upon request by the Regulatory Council in order to satisfy the budgetary requirements of the latter as and when necessary.

3. The Regulatory Council will be responsible for administering the income and expenses as described in the corresponding budgets.

4. The Galician Government Department for Agriculture, Livestock and Woodlands will be responsible for approving the Council's budgets and for auditing the accounts in accordance with the terms described to that effect by the former and in accordance with the powers and functions accorded it in such affairs by the applicable Legislation.

Article 37

Any general, non-specific decisions taken by the Regulatory Council and which do not affect a group persons or companies involved with the production and/or elaboration of "Queixo Tetilla" cheeses must be made public by means of circulars to be posted in the offices of the Council in such a way and in such a place as deemed most accessible for the benefit of the interested parties.

Any agreements and resolutions adopted by the Regulatory Council can be appealed against with the Galician Government Department for Agriculture, Livestock and Woodlands with a one-month period as from the date of notification thereof.