WELSH STATUTORY INSTRUMENTS

2004 No. 685 (W.73)

AGRICULTURE, WALES

The Common Agricultural Policy Non-IACS Support Schemes (Appeals) (Wales) Regulations 2004

Made - - - -	*9th March 2004*
Coming into force - -	*1st April 2004*

The National Assembly for Wales being designated [F1] for the purposes of section 2(2) of the European Communities Act 1972 [F2] in relation to the common agricultural policy of the European Community, in exercise of the powers conferred upon it by that section, hereby makes the following Regulations —

F1 By virtue of the European Communities (Designation) (No.3) Order 1999 (S.I. 1999/2788).
F2 1972 c. 68.

Title and commencement

1. These Regulations may be cited as the Common Agricultural Policy Non-IACS Support Schemes (Appeals) (Wales) Regulations 2004 and shall come into force on 1st April 2004.

Interpretation

2. In these Regulations —

"appellant" ("*apelydd*") means a person in respect of whom an initial determination has been made by or on behalf of the National Assembly in connection with the administration of any of the Schemes **[**[F3]established under provisions in Regulation (EU) 1308/2013, Regulation (EU) 1379/2013, Regulation (EU) 510/2014 and Regulation (EU) 1144/2014**]** and who wishes to have that initial determination reconsidered by or on behalf of the National Assembly;

[[F4]"Regulation (EU) 1308/2013" ("*Rheoliad (EU) 1308/2013*") means Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001, and (EC) No 1234/2007 as last amended by Regulation 2017/2393;**]**

[[F5]"Regulation (EU) 1379/2013" ("*Rheoliad (EU) 1379/2013*") means Regulation (EU) No 1379/2013 of the European Parliament and of the Council of 11 December 2013 on the common organisation of the markets in fishery and aquaculture products, amending Council

Regulations (EC) No 1184/2006 and (EC) No 1224/2009 and repealing Council Regulation (EC) No 104/2000 as last amended by Regulation (EU) 2015/812;**]**

[[F6]"Regulation (EU) 510/2014" ("*Rheoliad (EU) 510/2014*") means Regulation (EU) No 510/2014 of the European Parliament and of the Council of 16 April 2014 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products and repealing Council Regulations (EC) No 1216/2009 and (EC) No 614/2009;**]**

[[F7]"Regulation (EU) 1144/2014" ("*Rheoliad (EU) 1144/2014*") means Regulation (EU) No 1144/2014 of the European Parliament and of the Council of 22 October 2014 on information provision and promotion measures concerning agricultural products implemented in the internal market and in third countries and repealing Council Regulation (EC) No 3/2008**]**

"relevant date" ("*dyddiad perthnasol*") means the date on which the initial determination was made; [F8]...

"the National Assembly" ("*y Cynulliad Cenedlaethol*") means the National Assembly for Wales.

F3 Words in reg. 2 substituted (29.4.2019) by The Rural Affairs (Miscellaneous Amendments) (Wales) Regulations 2019 (S.I. 2019/799), regs. 1(2), **2(2)(a)** (with reg. 3)
F4 Words in reg. 2 inserted (29.4.2019) by The Rural Affairs (Miscellaneous Amendments) (Wales) Regulations 2019 (S.I. 2019/799), regs. 1(2), **2(2)(c)(i)** (with reg. 3)
F5 Words in reg. 2 inserted (29.4.2019) by The Rural Affairs (Miscellaneous Amendments) (Wales) Regulations 2019 (S.I. 2019/799), regs. 1(2), **2(2)(c)(ii)** (with reg. 3)
F6 Words in reg. 2 inserted (29.4.2019) by The Rural Affairs (Miscellaneous Amendments) (Wales) Regulations 2019 (S.I. 2019/799), regs. 1(2), **2(2)(c)(iii)** (with reg. 3)
F7 Words in reg. 2 inserted (29.4.2019) by The Rural Affairs (Miscellaneous Amendments) (Wales) Regulations 2019 (S.I. 2019/799), regs. 1(2), **2(2)(c)(iv)** (with reg. 3)
F8 Word in reg. 2 omitted (29.4.2019) by virtue of The Rural Affairs (Miscellaneous Amendments) (Wales) Regulations 2019 (S.I. 2019/799), regs. 1(2), **2(2)(b)** (with reg. 3)

Application

3. These Regulations shall apply in relation to appellants whose trading address, or, where there is more than one such address, whose principal trading address, was in Wales at the relevant date.

Provision of appeals procedure

4.—(1) The National Assembly may establish a procedure, to be applied at the request of any appellant, for the further consideration on its behalf of an initial determination made in relation to the appellant in respect of the administration of any of the Schemes **[**[F9]established under provisions in Regulation (EU) 1308/2013, Regulation (EU) 1379/2013, Regulation (EU) 510/2014 and Regulation (EU) 1144/2014**]**, such procedure operating by way of appeal from the initial determination.

(2) Any such procedure so established may provide for consideration of the initial determination by such persons (not exceeding three) as the National Assembly may appoint for that purpose, with a view to their making a report of their conclusions in relation to the initial determination and a recommendation as to the manner in which the matter should be finally determined by the National Assembly.

(3) When the National Assembly establishes any such procedure as is mentioned in paragraph (2), it may —

(a) pay to the persons so appointed such reasonable remuneration in respect of their functions under that procedure, and such travelling and other allowances, as it may determine; and