STATUTORY RULES OF NORTHERN IRELAND

2015 No. 408

AGRICULTURE

The Common Agricultural Policy (Review of SCMO Decisions) Regulations (Northern Ireland) 2015

Made - - - -	*10th December 2015*
Coming into operation	*1st January 2016*

The Department of Agriculture and Rural Development, being a Department 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 and in relation to the promotion of rural development, in exercise of the powers conferred on it by the said section 2(2), hereby makes the following Regulations.

Annotations:

F1 S.I.2000/2812
to which there are amendments not relevant to the subject matter of these Regulations and S.I.2000/3228
.

F2 1972 c.68
.

Title and commencement

1. These Regulations may be cited as the Common Agricultural Policy (Review of SCMO Decisions) Regulations (Northern Ireland) 2015 and shall come into operation on 1st January 2016.

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954 [F3] shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

(2) In these Regulations—

"application" means an application for a review of a relevant determination made under regulation 4(2) and "applicant" shall be construed accordingly;

"Department" means the Department of Agriculture and Rural Development; and

"relevant determination" means a determination to which these Regulations apply.

(3) Any reference in these Regulations to a EU instrument is a reference to that instrument as amended on the date these Regulations are made.

Annotations:
F3 1954 c.33 (NI)
.

Application

3. These Regulations shall apply in relation to any initial determination made by or on behalf of the Department—

(a) in connection with any EU instrument listed in the Schedule; or

(b) in connection with any statutory provision implementing or supplementing any such EU instrument,

where the applicant's trading address or, where there is more than one such address, principal trading address, was in Northern Ireland on the date of the determination to which this application relates.

Review of Determinations

4.—(1) The Department may establish such procedure as it thinks appropriate for the review by it or on its behalf of a relevant determination.

(2) The procedures established under paragraph (1) shall—

(a) provide for a review of a relevant determination to be carried out on the application of the person to whom it was directed,

(b) provide for the manner of making any such application; and

(c) provide for the time within which supporting evidence is to be submitted for the purposes of a review of the relevant determination.

(3) Any such procedure so established may, in particular, provide for consideration of the initial determination by such persons (not exceeding three) as the Department 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.

(4) Where the Department establishes any such procedure as is mentioned in paragraph (3), 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

(b) charge any applicant whose application is considered under the procedure so established such fee (not exceeding £100) as the Department may determine in respect of the costs incurred by it by virtue of the operation of that procedure in relation to the review in question.

(5) Any procedure such as is mentioned in paragraph (3) may provide that, where the Department decides to charge fees under paragraph (4)(b), a review in respect of which a fee is payable shall not proceed unless the application for that review is accompanied by the fee.

(6) Where, in pursuance of any such procedure as is mentioned in paragraph (3), a relevant determination is—

(a) amended, altered or modified; or

(b) revoked or substituted by another determination,

any fee payable by a person under paragraph (4)(b) in respect of the review shall be refunded to that person.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 10th December 2015.

Department of Agriculture and Rural Development

David Small
A senior officer of the

SCHEDULE

Regulation 3

Community Instruments to which these Regulations apply

Commission Regulation
(EEC) No. 1361/76
laying down certain detailed rules for applying the export refund on rice and on mixtures of rice [F4]

Annotations:
F4 OJ No. L 154, 15.06.1976, p.11.

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F4 OJ No. L 154, 15.06.1976, p.11.

Commission Regulation
(EC) No. 1439/95
laying down detailed rules for the application of Council Regulation
(EEC) No. 3013/89
as regards the import and export of products in the sheepmeat and goatmeat sector [F5]

Annotations:
F5 OJ No. L 143, 27.6.1995, p.7, as last amended by Commission Regulation (EU) No. 519/2013 (OJ No. L 158, 10.6.2013, p.74).

Annotations:
F5 OJ No. L 143, 27.6.1995, p.7, as last amended by Commission Regulation (EU) No. 519/2013 (OJ No. L 158, 10.6.2013, p.74).

Commission Regulation
(EC) No. 1517/95
laying down detailed rules for the application of Regulation
(EEC) No. 1766/92
as regards the arrangements for the export and import of compound feedingstuffs based on cereals and amending Regulation
(EC) No. 1162/95
laying down special detailed rules for the application of the system of import and export licences for cereals and rice [F6]

Annotations:
F6 OJ No. L 147, 30.6.1995, p.51.

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F6 OJ No. L 147, 30.6.1995, p.51.

Regulation
(EC) No. 1760/2000
of the European Parliament and of the Council establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation
(EC) No. 820/97
F7

Annotations:
F7 OJ No. L 204, 11.8.2000, p.1, as last amended by Commission Regulation (EU) No.517/2013 (OJ No. L 158, 10.6.2013, p.1).

Annotations:
F7 OJ No. L 204, 11.8.2000, p.1, as last amended by Commission Regulation (EU) No.517/2013 (OJ No. L 158, 10.6.2013, p.1).

Commission Regulation
(EC) No. 1825/2000
laying down detailed rules for the application of Regulation
(EC) No. 1760/2000
of the European Parliament and of the Council as regards the labelling of beef and beef products **F8**

Annotations:
F8 OJ No. L 216, 26.8.2000, p.8, as last amended by Commission Regulation (EC) No. 275/2007 (OJ No. L 76, 16.3.2007, p.12).

Annotations:
F8 OJ No. L 216, 26.8.2000, p.8, as last amended by Commission Regulation (EC) No. 275/2007 (OJ No. L 76, 16.3.2007, p.12).

Commission Regulation
(EC) No. 1488/2001
laying down rules for the application of Council Regulation
(EC) No. 3448/93
as regards the placement of certain quantities of certain basic products listed in Annex I to the Treaty establishing the European Community under the inward processing arrangements without prior examination of the economic conditions **F9**

Annotations:
F9 OJ No. L 196, 20.7.2001, p.9, as last amended by Commission Regulation (EU) No. 519/2013 (OJ No. L 158, 10.6.2013, p.74).

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F9 OJ No. L 196, 20.7.2001, p.9, as last amended by Commission Regulation (EU) No. 519/2013 (OJ No. L 158, 10.6.2013, p.74).