STATUTORY RULES OF NORTHERN IRELAND

2012 No. 457

AGRICULTURE

The Common Agricultural Policy Support Schemes (Review of Decisions) (Amendment) Regulations (Northern Ireland) 2012

Made - - - -	*18th December 2012*
Coming into operation	*1st February 2013*

The Department of Agriculture and Rural Development, being a Department designated(**1**) for the purposes of section 2(2) of the European Communities Act 1972(**2**) 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 by the said by section 2(2), makes the following Regulation:

Title and commencement

1. These Regulations may be cited as The Common Agricultural Policy Support Schemes (Review of Decisions) (Amendment) Regulations (Northern Ireland) 2012 and shall come into operation on 1 February 2013.

Interpretation

2. The Interpretation Act (Northern Ireland) 1954(**3**) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

Amendment of Regulations

3. The Common Agricultural Policy Support Schemes (Review of Decisions) Regulations (Northern Ireland) 2010(**4**) are amended as provided for in regulation 4-6.

Review of Determinations

4.—(1) Regulation 4 is amended as follows.

(2) For paragraph (2) substitute–

(**1**) S.I. 2000/2812 to which there are amendments not relevant to the subject matter of these Regulations; and S.I.
(**2**) 1972 C. 68
(**3**) 1954 c.33 (N.I.)
(**4**) S.R. 2010 No. 220

"(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 such application; and

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

Revocation and Savings

5. For regulation 5 substitute–

"**5.**—(1) Subject to paragraph (2)–

(a) the Common Agricultural Policy Support Schemes (Review of Decisions) Regulations (Northern Ireland) 2004,(**5**)

(b) regulation 14(4) of the Countryside Management Regulations (Northern Ireland) 2008,(**6**)

(c) regulation 13(4) of the Organic Farming Regulations (Northern Ireland) 2008,(**7**)

(d) regulation 11(6) of the Countryside Management Regulations (Northern Ireland) 2005,(**8**)

(e) regulation 15(5) of the Organic Farming Regulations (Northern Ireland) 2001,(**9**)

(f) regulation 3(5) of the Environmentally Sensitive Areas (Enforcement) Regulations (Northern Ireland) 2005, and(**10**)

(g) regulation 3(5) of the Environmentally Sensitive Areas (Enforcement) Regulations (Northern Ireland) 2001,(**11**)

(h) regulation 4(b) of the Farm Subsidies (Review of Decisions) Regulations (Northern Ireland) 2001(**12**)

are hereby revoked.

(2) The Regulations referred to in paragraph (1) continue in operation in relation to–

(a) a review of a decision,

(b) a decision to withhold or recover any sums or to demand the payment of an additional sum; or

(c) any dispute

made or arising before the 1st February 2013 as if these Regulations had not been made."

Schedule

6. For the Schedule substitute the Schedule to these Regulations.

(**5**) S.R. 2004 No. 447
(**6**) S.R. 2008 No. 174
(**7**) S.R. 2008 No. 172
(**8**) S.R. 2005 No. 268
(**9**) S.R. 2001 No. 5
(**10**) S.R. 2005 No. 277
(**11**) S.R.2001 No. 270
(**12**) S.R. 2001 No. 391