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STATUTORY INSTRUMENTS

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**2014 No. 3263**

**The Common Agricultural Policy (Control and Enforcement, Cross-Compliance, Scrutiny of Transactions and Appeals) Regulations 2014**

**PART 5**

**APPEALS**

**Interpretation**

**30.** In this Part—

“appellant” means a Pillar 1 appellant or a Pillar 2 appellant;

“appointed person” means a person or persons (not exceeding three) appointed by the Secretary of State in relation to an appeal;

“Pillar 1 appellant” means a farmer in respect of whom or in relation to whose holding, or other person in respect of whom, an initial Pillar 1 decision has been made, who wishes to have that initial decision reconsidered by the Secretary of State;

“Pillar 1 decision” means, in relation to [<sup>F1</sup>CMO support][<sup>F2</sup>and direct payments], a decision made by or on behalf of the Secretary of State under any of the following <sup>F3</sup>... instruments—

- (a) the Direct Payments Delegated Regulation,
- (b) the Direct Payments Implementing Regulation,
- (c) the Direct Payments Regulation,
- (d) the Horizontal Delegated Regulation,
- (e) the Horizontal Implementing Regulation,
- (f) the Horizontal Regulation,
- (g) the SCMO Regulations;

“Pillar 2 appellant” means a rural development applicant aggrieved by any initial Pillar 2 decision who wishes to have that initial decision reconsidered by the Secretary of State;

“Pillar 2 decision” means, in relation to [<sup>F4</sup>rural development support granted under Title III of the Rural Development Regulation or Title III, Chapter 2 of the Common Provisions Regulation]—

- (a) a decision made by or on behalf of the Secretary of State under any of the following <sup>F5</sup>... instruments—
  - (i) the Common Provisions Regulation,
  - (ii) the Horizontal Delegated Regulation,
  - (iii) the Horizontal Implementing Regulation,
  - (iv) the Horizontal Regulation,

- (v) the Rural Development Delegated Regulation,
  - (vi) the Rural Development Implementing Regulation,
  - (vii) the Rural Development Regulation; or
- (b) a determination made by a delivery body under regulation 14;
- “sum in dispute” means, in relation to any decision to make a payment, the sum which represents the difference between the sum the Secretary of State has determined to pay under the decision and the sum which the appellant claims to be due.

#### Textual Amendments

- F1** Words in reg. 30 substituted (31.12.2020) by [The Common Agricultural Policy and Agriculture and Horticulture Development Board \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/733\)](#), regs. 1, **5(9)(a)(i)** (as amended by [S.I. 2020/1445](#), regs. 1(2)(a), **11(3)(b)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F2** Words in reg. 30 inserted (31.1.2020) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **16(4)(a)(i)**
- F3** Word in reg. 30 omitted (31.1.2020) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **16(4)(a)(ii)**; and that same word is expressed to be omitted (31.12.2020) by virtue of [The Common Agricultural Policy and Agriculture and Horticulture Development Board \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/733\)](#), regs. 1, **5(9)(a)(ii)**; 2020 c. 1, **Sch. 5 para. 1(1)**
- F4** Words in reg. 30 substituted (31.12.2020) by [The Common Agricultural Policy and Agriculture and Horticulture Development Board \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/733\)](#), regs. 1, **5(9)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Word in reg. 30 omitted (31.12.2020) by virtue of [The Common Agricultural Policy and Agriculture and Horticulture Development Board \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/733\)](#), regs. 1, **5(9)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

**Changes to legislation:**

There are currently no known outstanding effects for the The Common Agricultural Policy (Control and Enforcement, Cross-Compliance, Scrutiny of Transactions and Appeals) Regulations 2014, Section 30.