

Agriculture  
Appeals Office



# PROCEDURES MANUAL

Updated April 2024

## INRODUCTION

In accordance with the requirements set out in Sections 15 and 16 of the Freedom of Information Act 2014, this manual provides information about the Agriculture Appeals Office, giving details of internal rules, procedures, interpretations, etc. used in decision making.

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# 1 STRUCTURE, ORGANISATION, NAMES & DESIGNATIONS OF MEMBERS OF STAFF

## 1.1 Introduction

The Agriculture Appeals Office is an independent agency established by the Minister for Agriculture, Food and the Marine (“the Minister”) in 2002 to provide a free, independent appeals service to farmers who are dissatisfied with decisions of the Department of Agriculture, Food and the Marine (“the Department”) concerning their entitlements under designated Schemes operated by the Department.

The statutory basis for the establishment of the Office was the Agriculture Appeals Act 2001 (at Appendix 1) and the Agriculture Appeals Regulations 2002 (as subsequently amended, at Appendix 2). The Act and Regulations set out the —

- (a) functions of the Director,
- (b) the appointment of a Deputy Director,
- (c) functions of the Appeals Officers,
- (d) the decisions that may be appealed, and
- (e) the procedures to be followed in respect of agriculture appeals.

## 1.2 Structure and Organisation

The Office consists of a Director of Agriculture Appeals, who acts as Chief Appeals Officer, a Deputy Director, 12 Appeals Officers and 10 support staff. It is located in Portlaoise, Co Laois.

## 1.3 Organisation Chart

<b>Agriculture Appeals Organisation Chart</b>		
	<b>Director</b> Lynda O Regan	
	<b>Deputy Director</b> Pat Coman	
<p style="text-align: center;"><b>Appeals Officers</b></p> <p style="text-align: center;">Jim Gallagher Claire Kennedy Siobhan Casey Liam Kinsella Mary Lawlor Francis Dowling Guy Mahon Dan Molloy Michelle McNamara Bernadette Murphy Luke Sweetman Vincent Upton</p>	<p style="text-align: center;"><b>Agriculture Appeals Administration</b></p> <p style="text-align: center;">Michael Ryan (HEO) Marie Dobbyn (EO) Jacyntha Carroll (CO) Heather Dunphy (CO) Brian Kealy (CO) Rachal Conlon (CO)</p>	<p style="text-align: center;"><b>Forestry Appeals Administration</b></p> <p style="text-align: center;">Ruth Kinehan (HEO) Vanessa Healy (EO) Aedin Doran (EO) Roisin Moore (CO)</p>

## 2 FUNCTIONS, POWERS AND DUTIES

### 2.1 The Director

The Minister appoints the Director of Agriculture Appeals under Section 2, Agriculture Appeals Act 2001.

A person who is dissatisfied with a decision made by an officer of the Minister in respect of their entitlement under any of the schemes set out in the Schedule to the Act, (as amended) can submit an appeal to the Agriculture Appeals Office. The notice of appeal form may be used for this purpose. Appeals submitted in any other format must include all the information set out in this form. The Director is responsible for the distribution of Appeals amongst the Appeals Officers (Section 7 of the Agriculture Appeals Act 2001).

Each year the Director submits an Annual Report to the Minister outlining the office's activities within the timelines set out in the Act. The Director must also provide information in relation to any matters concerning the office, whenever so requested by the Minister (Section 14). Annual Reports and additional information are available at [www.agriappeals.gov.ie](http://www.agriappeals.gov.ie) .

### 2.2 Deputy Director

The Act allows for one of the Appeals Officers to be designated by the Minister to carry out the functions for the Director when he or she is not available (Section 4).

### 2.3 Appeals Officers

The Agriculture Appeals Office is an independent agency, established by the Minister, to provide an appeals service to farmers who may be dissatisfied with decisions of the Department of Agriculture, Food and the Marine concerning their entitlement under designated Schemes operated by the Department. The Act allows for Appeals Officers to be appointed by the Minister from within the Civil Service. The functions of Appeals Officers are to consider and make determinations on appeals made by affected persons against decisions taken by officers of the Minister in respect of applications for entitlement under the schemes set out in the Schedule to the Act,(as amended) (Sections 2 & 5).

Section 6 of the Act provides that Appeals Officers are independent in the performance of their functions. The Act also states that an Appeals Officer, when deciding an appeal, is not confined to the grounds on which the decision of the deciding officer was based but may decide the question as if it were being decided for the first time.

Appeals Officers should determine appeals as soon as is practicable. The office aims to deal with all appeals within an average time of three months from the date of receipt of the Department file and statement. There may be delays with individual cases due to issues outside of the control of this office.

An Appeals Officer may, if so requested by the appellant or deemed necessary by the Appeals Officer, hold an oral hearing for the purpose of an appeal referred to him or her. An Appeals Officer has the power to take evidence on oath or affirmation and for that purpose may administer oaths or affirmations to persons attending as witnesses at such hearing, if necessary (Section 8).

The decision of an Appeals Officer and the reasons for making that decision shall be notified in writing to the appellant. The decision of an Appeals Officer on any question referred to him or her is final and conclusive (Section 9), with the following exceptions –

- a) An Appeals Officer may, at any time revise any decision of an Appeals Officer, if it appears to him or her that the decision was erroneous in the light of new evidence or of new facts brought to his or her notice since the date on which it was given, or if it appears to him or her that there has been any relevant change of circumstances once the decision was given (Section 10(1)).
- b) The Director may revise a decision if it appears to him or her that the decision was erroneous by reason of some mistake having been made in relation to the facts or the law.
- c) If an appellant feels that they have been unfairly treated by Appeals Office may raise the matter with the Office of the Ombudsman, 6 Earlsfort Terrace, Dublin 2 Tel. (01) 6395600.

Any person dissatisfied with a decision of an Appeals Officer, or the revised decision of the Director, may appeal that decision or revised decision, as the case may be, to the High Court on any question of law.

### 3 SERVICES FOR THE PUBLIC

Where a person is dissatisfied with a decision given by an officer of the Minister in respect of any of the schemes set out in the Schedule to the Act, (as amended), the decision can be referred to an Appeals Officer. Appeals may be submitted using the official ‘Notice of Appeal’ form or in writing containing all of the information set out in the ‘Notice of Appeal’ Form, within three months of the notification of the Department’s decision under appeal, setting out the grounds for the appeal.

#### Contact Details

Address:	Agriculture Appeals Office Kilminchy Court Dublin Road Portlaoise Co Laois R32 DTW5	Tel No:	057 8631900
		Email:	<a href="mailto:appeals@agriappeals.gov.ie">appeals@agriappeals.gov.ie</a>
		Web:	<a href="http://www.agriappeals.gov.ie">www.agriappeals.gov.ie</a>

### 4 APPEALS RULES AND GUIDELINES

#### 4.1 Decisions which may be appealed

The right of appeal specified under Section 7 of the Agriculture Appeals Act 2001 applies to any decision given by an officer of the Minister in respect of a person’s entitlement under any of the schemes set out in the Schedule to the Act schemes set out in the Schedule to the Act,

##### 4.1.1 Schemes covered

#### SCHEDULE 1

Agri-Climate Rural Environment Scheme (ACRES)  
 ACRES (Agri-Climate Rural Environment Scheme) Training Scheme  
 Afforestation Grant and Premium Scheme  
 Agri-Environment Options Scheme (AEOS)  
 Agri-Environment Training Scheme (AETS)  
 Animal Welfare, Recording and Breeding Scheme for Suckler Herds (AWRBS)  
 Areas of Natural Constraints (ANC)



Areas of Specific Constraint (Island Farming) scheme (ASC)  
Basic Income Support for Sustainability (BISS)  
Basic Payment Scheme (BPS)  
Beef Data Programme (BDP)  
Beef Environmental Efficiency Programme (BEEP)  
Beef Environmental Efficiency Programme - Suckler (BEEP-S)  
Beef Exceptional Aid Measure (BEAM)  
Beef Finisher Payment (BFP)  
Beef Genomics Scheme (BGS)  
Beef Data and Genomics Programme (BDGP)  
Bio Energy Scheme  
Burren Programme  
Calf Investment Scheme (CIS)  
Complementary Income Support for Young Farmers (CIS-YF)  
Complementary Redistributive Income Support for Sustainability (CRISS)  
Dairy-Beef Calf Programme  
Dairy Efficiency Programme  
Depopulation Grants - TB Compensation Scheme  
Disadvantaged Areas Scheme (DAS) excluding Land Parcel Identification System Review 2013 (LPIS Review 2013)  
Eco-Scheme  
Farm Improvement Scheme (FIS)  
Fodder Support Scheme (FSS)  
Forest Environment Protections Scheme (FEPS)  
Forest Genetic Resources Reproductive Material: Seed Stand & Seed Orchard Scheme  
Forest Roads Scheme  
Grant-Aid Scheme for Marts to facilitate their operation as Central Points of Recording (CPRS)  
Green, Low-Carbon, Agri-Environment Scheme (GLAS)  
Greening Payment  
Grassland Sheep Scheme (GSS)  
Hardship Grants - TB Compensation Scheme  
Horticulture Exceptional Payment Scheme (HEPS)  
Income Supplement - TB Compensation Scheme  
Innovative Forest Technology Scheme – Central Tyre Inflation  
Installation Aid Scheme (IAS)  
Knowledge Transfer Programme (KT)



National Farm Safety Measure 2023

National Beef Welfare Scheme (NBWS)

National Dairy Beef Welfare Scheme (NDBWS)

Native Woodland Conservation Scheme

Native Woodland Scheme

Neighbourwood Scheme

Nitrates Derogation Scheme

Non-valuation aspects of the On-Farm Valuation Scheme for TB and Brucellosis Reactors

Organic Farming Scheme

Organic Processing Investment Grant Scheme

Pig Exceptional Payment Scheme (PEPS)

Pig Exceptional Payment Scheme 2 (PEPS 2)

Prevention and Restoration of Damage to Forests: Reconstitution of Woodland Scheme (Windblow)

Protein Aid Scheme

Protein/Cereal Mix (50/50) Crop Scheme

Protein (combi-crop) Scheme

Reconstitution and Underplanting Scheme (Ash Dieback)

Reconstitution of Woodland Scheme

Reconstitution of Woodland Scheme (Frost Damage)

Reconstitution Scheme (Chalara Ash Dieback) 2014-2020

Results-Based Environment Agri Pilot Programme (REAP)

Rural Environment Protection Scheme (REPS)

Scheme of Early Retirement from Farming

Scheme of Grant-Aid for the Development of the Organic Sector

Scheme of Grant-Aid for Improvements in Animal Welfare Standards (Sow Housing)

Scheme of Investment Aid for Farm Waste Management (FWM)

Scheme of Investment Aid for the Development of the Commercial Horticulture Sector (excluding decisions in relation to applications for approval for inclusion in the scheme – 1<sup>st</sup> stage)

Scheme of Investment Aid for the Improvement of Dairy Hygiene Standards (DHS)

Scheme of Investment Aid in Alternative Enterprises (Housing and Handling Facilities) (AES)

Scheme of Investment Aid for Demonstration On-Farm Waste Processing Facilities

Scheme of Investment Aid by Commercial Non-Primary Producers in the Mushroom Sector and for Peat Replacement by Commercial Mushroom Producers

Scheme of Investment Aid for Energy Efficiency, Automation and Processing by Commercial Mushroom Producers

Scheme of Investment Aid for the Seed Potato Sector and the Chipping Potato Sector

Scheme of Investment Aid for the Seed Potato Sector (2022)

Sheep Improvement Scheme

Sheep Welfare Scheme

Single Payment Scheme, excluding Article 37(2), 40 and 42 of Chapter 2 of Council Regulation (EC) No 1782/2003<sup>1</sup> and Land Parcel Identification System Review 2013 (LPIS Review 2013)

Sow Housing (Animal Welfare) Scheme

Straw Incorporation Measure (SIM)

Suckler Carbon Efficiency Programme (SCEP)

Support for Collaborative Farming Grant Scheme

Targeted Agricultural Modernisation Scheme (TAMS), including – (RDP 2007-2013)

- (a) The Dairy Equipment Scheme
- (b) The Poultry Welfare Scheme
- (c) The Sheep Fencing/Mobile Handling Equipment Scheme
- (d) The Sow Housing Welfare Scheme
- (e) The Rainwater Harvesting Scheme, and
- (f) The Farm Safety Scheme

Targeted Agricultural Modernisation Scheme II (TAMS II) RDP 2014–2020)

- (a) The Animal Welfare, Safety and Nutrient Storage Scheme
- (b) The Dairy Equipment Scheme
- (c) The Low-Emission Slurry Spreading (LESS) Equipment Scheme
- (d) The Organic Capital Investment Scheme
- (e) The Pig and Poultry Investment Scheme
- (f) The Young Farmers Capital Investment Scheme, and
- (g) Tillage Capital Investment Scheme

Targeted Agricultural Modernisation Scheme 3 (TAMS 3) (RDP 2014-2022)

- (a) Animal Welfare and Nutrient Storage Scheme
- (b) Dairy Equipment Scheme
- (c) Low Emission Slurry Spreading Scheme
- (d) Organic Capital Investment Scheme
- (e) Solar Capital Investment Scheme
- (f) Pig and Poultry Investment Scheme

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<sup>1</sup> OJ L270, 21.10.2003, p.1





- (g) Young Farmers Capital Investment Scheme
- (h) Tillage Capital Investment Scheme
- (i) Farm Safety Capital Investment Scheme
- (j) Women Farmers Capital Investment Scheme

The Scheme of EU aid for producer organisations in the fruit and vegetable sector

Tillage Incentive Scheme

Traditional Farm Building Grant Scheme 2017 and 2018

Upland Sheep Payment Scheme

Weather Related Crop Loss Support Measure

Woodland Improvement Scheme

Young Farmers' Installation Scheme

Young Farmers Scheme

These are the schemes currently covered by Agriculture Appeals Act 2001. This list is amended by Regulation on a regular basis.

#### **4.2 Submission of appeal and information to be supplied by an appellant**

Under Regulation 5(2) of the Agriculture Appeals Regulations a Notice of Appeal shall be in writing, using the prescribed form (appendix 4) and must be lodged to the Agriculture Appeals Office as set out in the Act within 3 months of notification of the Department's decision under appeal, except where the Director considers there are exceptional circumstances.

A Notice of Appeal shall contain a statement of the facts and contentions upon which the appellant intends to rely. An appellant shall send it to the Director, along with the Notice of Appeal, a copy of the Department's review/decision letter and such documentary evidence as the appellant wishes to submit in support of his or her appeal, and the notice shall contain a list of any such documents.

A person wishing to withdraw an appeal may do so by contacting the office and sending a written notice to that effect to the Director.

#### **4.3 Notice of Appeal and information to be supplied**

Each Notice of Appeal is notified to the Department when the relevant documentation is sought. The Department must provide, in relation to each Notice of Appeal,

- a statement showing the extent to which the facts and contentions advanced by the appellant are admitted or disputed, and
- any information, document, item or file in the power or control of the deciding officer that is relevant to the appeal.

The Department's statement and relevant documents are copied to the Appellant.

Only cases where a review has been carried out by the Department on their original decision are eligible for consideration by the Appeals Office. Where the Director has been given notice of an appeal he or she shall notify any other person he or she considers to be concerned with the appeal.

#### **4.4 Further information to be supplied and amendment of pleadings**

The Appeals Officer to whom an appeal is referred may at any time –

- require the appellant, the deciding officer, or any other person appearing to the Appeals Officer to be concerned, to furnish to him or her, in writing, further particulars regarding the appeal,
- allow the amendment of any Notice of Appeal, statement, or particulars at any stage of the proceedings, and
- fix the period for the furnishing of any such statement or particulars upon such terms as he or she may think fit.

#### **4.5 Summary appeals**

- Where an Appeals Officer is of the opinion that any appeal referred to him or her is of such a nature that it can properly be determined without an oral hearing, and such a hearing has not been requested under Section 8 of the Act, he or she may decide the appeal without such hearing. Following assignment of cases by the Director, Appeals Officers make contact with appellants, by telephone or in writing, including in cases where no oral hearing is requested. Additional material or documents received by the Appeals officer from either party will be copied to the other party to the appeal.

#### **4.6 Oral Hearings**

- (1) An Appeals Officer shall, if he or she considers it necessary or if so requested by the appellant, hold an oral hearing for the purpose of an appeal referred to him or her under this Act.
- (2) An oral hearing shall be held in private.
- (3) An oral hearing may be held in person or held remotely via electronic means (phone or laptop)
- (4) The format of the oral hearing is informal.
- (5) An appellant may represent himself or herself or be represented by another person at the oral hearing of his or her appeal, however the appellant must attend / participate in the oral hearing in person.
- (6) Where an appellant is represented by another person at the oral hearing of his or her appeal, the Appeals Officer hearing the appeal may examine the appellant, if the Appeals Officer considers it necessary.
- (7) An Appeals Officer, on the hearing of any matter referred to him or her under this Act, shall have the power to take evidence on oath or affirmation and for that purpose may administer oaths or affirmations to persons attending as witnesses at such oral hearing. (Section 8, Agriculture Appeals Act 2001)

Where, in the opinion of the Appeals Officer to whom an appeal has been referred or at the request of the appellant under Section 8 of the Act, an oral hearing is required, the Appeals Officer will, as soon as possible, fix a date and place for the oral hearing, and give reasonable notice of the oral hearing to the appellant, the deciding officer, and any other person appearing to the Appeals Officer to be concerned in the appeal. The Appeals Officer shall be notified in advance of whom each party wishes to bring to the oral hearing and each party shall be advised of whom the other party wishes to bring.

### **Procedure at an oral hearing**

- The procedure at oral hearing under the Act is determined by the Appeals Officer.
- Oral hearings are intended to be private and informal; they are held to elicit relevant information from both the appellant and the Department, which will assist in determining the case.
- Appropriate representation on both sides is acceptable but each side must notify the Appeals Officer in advance of whom they wish to bring, and each side must be made aware of the other's representation.
- When new evidence comes to light at oral hearings, it may be appropriate to allow a review of the case or to give additional time by way of an adjournment (to be decided by the Appeals Officer).
- Sworn evidence may be taken, if deemed necessary.
- Officers begin proceedings by outlining the role of the Appeals Officer and the objective of an oral hearing and proceed by asking the Department the rationale behind its decision and the appellant for his grounds for disputing that decision.
- Officers end proceedings by asking both sides for a final comment or by asking them whether they were satisfied with the oral hearing.
- An Appeals Officer hearing an appeal may postpone or adjourn the oral hearing as he or she may think fit.
- An Appeals Officer may, at the oral hearing of an appeal, admit any duly authenticated written statement or other material as *prima facie* evidence of any fact in any case in which he or she thinks it appropriate.
- Additional material or documents received by the Appeals officer from either party will be copied to both parties.

### **Recording of oral hearings**

- There is no formal recording or minutes of oral hearings. The Appeals Officers use their own note taking to determine and control the speed of proceedings and to ensure that they get the information they need. On occasion a second official from the Agriculture Appeals Office may attend to take minutes. If one of the parties' request permission to record the proceedings electronically or otherwise, it shall be a matter for the Appeals Officer to decide in the given circumstances of the case.
- Where an appellant seeks to have a stenographer present at an oral hearing, the presence of a stenographer may be allowed at the discretion of the Appeals Officer, however no costs will be paid by this office and this office will not seek a transcript of the proceedings. The final decision of the Appeals Officer will be based on the office notes taken at the oral hearing and on all documentation supplied.

### **Attendance at oral hearings**

- An Appeals Officer may request the attendance of any person appearing to be concerned in the appeal. Also, attendance must be confirmed in advance. Parties should not bring others without notice. Representatives of the appellant or the Department not notified to the Appeals Officer in advance of the oral hearing may not be allowed to attend the hearing. Both parties should know the attendance in advance.

- Where, after notice of an oral hearing has been given and any of the parties fail to appear at the oral hearing, the Appeals Officer hearing the appeal may, at his or her discretion, decide to proceed with the oral hearing or defer it to a later date and place fixed by him or her. In the case of failure to attend by any party, it is noted in the decision. Consultation with the Director will be undertaken in advance of any such rescheduling.

#### **4.7 Appeal may be decided despite failure to comply with Regulations**

An Appeals Officer may decide any appeal notwithstanding the failure or neglect of any person to comply with any requirement of the Agriculture Appeals Regulations.

#### **4.8 Decision of Appeals Officer**

- (1) The decision of an Appeals Officer and the reasons for making that decision shall be notified in writing to the appellant.
- (2) A document purporting to be a decision made under this Act by an Appeals Officer and to be signed by him or her shall be *prima facie* evidence of the making of the decision without proof of the signature of such officer or his or her official capacity.
- (3) The decision of an Appeals Officer on any question referred to him or her under Section 7(1) shall, subject to Sections 10 and 11, be final and conclusive, (Section 9, Agriculture Appeals Act 2001).
- (4) The decision of an Appeals Officer shall have regard to the principles of natural justice and comply with any relevant legislation and terms, conditions and guidelines of the Minister governing or relating to the scheme in question.

#### **Decision Letters**

The decision of an Appeals Officer shall be in writing and shall include the reasons for the decision and shall be notified as soon as possible to the appellant, the Department and any other person concerned. Decision letters need not be standard but must contain the following: (a) outcome, (b) reasons and (c) right to raise any issue of concern with the Office of the Ombudsman. Background information can be included. All documents are subject to the provisions of the Freedom of Information Acts. The terminology to be used for appeal outcomes is as follows-

- (a) allowed
- (b) disallowed
- (c) partially allowed.

#### **4.9 Irish Language**

Appeals will be dealt with through Irish on request. Translation services may be used, where necessary.

#### **4.10 Review**

The legislation provides for either party to an appeal to seek a review of the decision of the Appeals Officer. Any request for a review should specify any new evidence and/or change of circumstances that the appellant believes is relevant to the decision or specify where they believe the decision is erroneous by reason of some mistake in respect of the law or facts relied upon in the decision.

An Appeals Officer may, at any time revise any decision of an Appeals Officer, if it appears to him or her that the decision was erroneous in the light of new evidence or of new facts brought to his or her

notice since the date on which it was given, or if it appears to him or her that there has been any relevant change of circumstances since the decision was given.

The Director may, at any time, revise any decision of an Appeals Officer, if it appears to him or her that the decision was erroneous by reason of some mistake having been made in relation to the law or the facts.

Any person dissatisfied with—(a) the decision of an Appeals Officer, or (b) the revised decision of the Director, may appeal that decision or revised decision, as the case may be, to the High Court on any question of law.

#### **4.11 Queries from Ministers’ Offices, other Public Representatives and via Press Office**

Correspondences of this type are prepared for the Director’s signature and all queries are to be referred to the Director. All representations are answered promptly.

#### **4.12 Procedures for dealing with potential conflict of interest**

In general, Agriculture Appeals Office staff must complete and return to the Director of Agriculture Appeals the ‘Declaration and Registration of Interests’ form. This is done annually. Furthermore, officers of the Agriculture Appeals Office are bound by the Ethics in Public Office (Designated positions in Public Bodies) (Amendment) (No.2) Regulations 2008 and the required forms must be completed and returned on an annual basis.

With regard to the assignment of cases:

- When a case is being assigned, Appeals Officers are required to declare any potential conflict of interest that may arise by bringing the matter to the immediate attention of the Director of Agriculture Appeals.
- If any such potential conflict of interest arises then the case is assigned to another Appeals Officer.
- Officers should not become involved in matters that could lead to potential conflict of interest.

For all other staff potential conflict of interest is required to be brought to attention of immediate supervisor and again this must be done at the outset so that the matter can be re-assigned.

#### **4.13 Ombudsman**

Where an appellant feels they have been treated unfairly in any aspect of their appeal, the appellant is free to raise the matter with the Office of the Ombudsman. That Office may be contacted at 6 Earlsfort Terrace, Dublin 2. D02 W773 (Phone 01- 6395600).

## **5 ADMINISTRATIVE PROCEDURES AND REVIEW OF APPEAL DECISION**

### **5.1 Incoming and Outgoing Post**

**Incoming** - All general post (i.e. addressed to the Appeals Office or Director) is opened, date stamped and distributed.

**Outgoing** - Outgoing post should be franked before 3pm each day.

**Registered Post** - A record of incoming and outgoing registered post is maintained.



## 5.2 Receipt of Appeals

Upon receipt, and following the postal procedures as described above, appeals are processed administratively as follows;

Check that the appeal is valid by checking against the final review/decision letter from the Department. If the appellant has not supplied the decision letter which is appealed against, the appellant will be contacted to provide same prior to any processing of the appeal, it should otherwise be requested from the relevant section of the Department and if possible, sent electronically on the same day. The following should be checked:

1. The Department has made a decision.
2. The Department has internally reviewed the case.
3. The appeal has been lodged within three months of the Department's decision.
4. Ensure that the scheme involved is listed in the Schedule to the Act.
5. Ensure that the case is a new case and not an extra or repeat submission by the appellant.
6. Ensure that the grounds for appeal have been set out.

In cases that are not compliant with the above procedure-

- (1) - the appellant is informed that it is not possible for this office to consider the case because the Department has made no actual decision. Return original documentation and retain copy on file.
- (2) - the appellant is informed that their case has to be reviewed first by the relevant officer of the Minister. See below for procedures for dealing with these cases.
- (3) - the appellant is informed that their right of appeal has elapsed. An appeal may be accepted after three months but only in cases where the Director considers there are exceptional circumstances.
- (4) - the appellant is informed that their right of appeal is not to this office but to the relevant section within the Department.
- (5) - acknowledge correspondence.
- (6) - request grounds for appeal enclosing the 'Notice of Appeal' form .

### Completion of checklist

- Assign reference number and prepare file cover (with reference number, name/address, herd number and scheme). This should be done even in the case of an appeal that falls under one of the categories 1-6 above.  
Acknowledge receipt as appropriate. Where an appeal is submitted on behalf of an applicant, acknowledge to the appellant and copy to the representative using the standard acknowledgement as applicable.
- Send a letter requesting case file, enclosing copy of all appeal documentation, to the relevant office of the Department of Agriculture, Food and the Marine.
- File copies of the letters above with the original appeal documentation.
- File while awaiting case file from the Department.

All submissions are given an appeal number/file and logged. Cases that are not appropriate for this office are subsequently marked as 'Not Valid'. The 'Processing of Appeal Form' is completed for each case. The EO/HEO will check all cases.

## 5.3 Receipt of Department File

Upon receipt, the Department file is processed administratively as follows,

- Date stamp correspondence from the Department.

- Associate with the appeals file, place an assignment form on the file, prepare Appeals Officer letter, copy Department statement and forward to the Director for assignment. After assignment, full responsibility for the file is with the Appeals Officer.

### **5.3.1 Non-receipt of Department File**

If the Department file is not received within three weeks, a reminder issues and is recorded on the individual file. Files that are not returned within two weeks of the reminder should be brought to the attention of the EO/HEO. Subsequent reminders are issued, as required, in writing, by email and by telephone.

## **5.4 Post-Decision**

After an Appeals Officer has dealt with the appeal, the file should be passed to administration to ensure that,

- ‘End of Case Checklist’ has been completed. If not, bring to Appeals Officer’s attention.
- Any outstanding issues on the file are dealt with (should be outlined in Section 6 of part 1 of ‘End of Case Checklist’).

Admin section completes the ‘Admin Section’, ensuring to,

- Retain all original appeal documentation on the file.
- Copy and file relevant parts of the Department file, as appropriate.
- Return Department file with a copy of the relevant appeals documentation, as appropriate

## **5.5 Cases sent for internal Department Review**

In a case where the internal Department review has not taken place, complete letter to appellant. The pending review file should be recorded and retained in Administration pending the outcome of the review. On receipt of the Department’s review, letter should be completed as appropriate.

## **5.6 Review of appeal decision**

### **5.6.1 Review by an Appeals Officer**

Where additional relevant information is submitted to the Office or brought to the notice of the Appeals Officer that was not known to the Appeals Officer when he or she made his or her decision, the Appeals Officer will examine the information and determine if the decision requires revision in accordance with the Act. The appellant will be advised by the Appeals Officer of the outcome of the examination of the additional information.

### **5.6.2 Review by the Director**

Requests to the Director to review a decision of an Appeals Officer submitted by either the Department or an appellant are associated with the file and forwarded directly to the Director. The request is acknowledged, the review is carried out by the Director and a decision letter is issued. There is no provision for the holding of oral hearings. The review outcome is recorded.

## **5.7 Complaints by appellants to the Office of the Ombudsman**

When requests for examination of the content of complaints are received from the Office of the Ombudsman, the Appeals Officer that dealt with the decision examines the queries raised by the Ombudsman and responds directly to his Office. All files forwarded to the Ombudsman are copied. If the Ombudsman is not satisfied with the response of the Appeals officer or raises legal issues, the

matter will be brought to the attention of the Director who may respond accordingly. When the case is completed by the Office of the Ombudsman, the outcome is noted, the Appeals Office is informed of the outcome by email and a copy of the email placed on file. The file is then forwarded to the Director. The dates that files are sent and received back from the Ombudsman are noted. Any comments are recorded and appropriate action is taken.

## 5.8 Accounts

### Receipt of Invoices

All invoices received are processed as follows,

- Date stamp the documentation.
- Check invoices for general administration items against orders and service contracts.
- Check invoices received relating to oral hearings with HEO and ensure invoice details and quotes match what was agreed with admin prior to setting up of hearing.
- A table invoice payments is maintained to allow for verification against the SAP accounts system.

## 5.9 General

### Scheduling of Oral Hearings

In general, the country is divided into regions for the purpose of allocating cases and are rotated between Appeals Officers every 3 months, workload and staffing may require variations. The allocation of regions enables Appeals Officers to hold a number of oral hearings in the same area on the same day. The grouping of hearings will ensure that costs associated with hearings, such as travel and subsistence and room hire is kept to a minimum.

- An Appeals Officer may consider the holding of an oral hearing using remote means.
- Where an appeal is being conducted remotely, the office will firstly contact the appellant via telephone to discuss what is involved. The adequacy and reliability of the facilities being used by the parties to attend and participate are matters for the parties concerned. All parties are advised to ensure that, in the event of such internet failure, there is available access to other means of communication such as telephone – mobile and/or landline.
- As a rule of thumb, no single hearings should be held at distances over 50 kms.
- Oral hearings for the same/similar locations should be grouped together and organised as efficiently as possible.
- Confirmation should always be sought that the appellant will be attending.
- Oral hearings may be arranged by the Appeals Officers or Administration staff on request. The ‘Oral Hearing Request Form’ should be completed and forwarded to the Administration Office.
- Attendance of a note taker may be requested from the HEO by the Appeals Officer.
- In the first instance, oral hearings must be held in local suitable Teagasc Offices, however, in the event of unsuitable/unavailable accommodation, the use of hotel meeting rooms can be availed of. Lists of Teagasc offices and suitable hotel venues (prices updated regularly) are available. Email confirmation of the venue booked should be requested and placed on file.
- Each officer must enter their absences due to oral hearings & other absences in the office calendar. In the subject field enter initials and code, ie OH – Oral Hearing, AL – Annual Leave, TR – Training and OT – Other.

Any deviations from the procedures above must be cleared, in advance, by the Director

### Telephone

- Attended from 9.00am - 1.00pm & 2pm - 5.00pm, Monday to Friday.
- To be answered ‘Agriculture Appeals Office’.
- Answering machine available outside office hours and when all phone lines are busy.



- All callers should be treated with patience and courtesy.

### **Photocopying / Fax**

- As appropriate.

### **Stationery and Supplies**

- Stationery and supplies, including computer supplies such as toner, are ordered as required and authorised as appropriate.

## **6 CLASSES OF RECORDS HELD AND ARRANGEMENTS FOR ACCESS**

### **6.1 Records Held**

Records held by the office can be broken down into four categories,

- General Policy
- Appeals
- Administration
- Accounts

#### **General Policy:**

- Files relating to Appeals legislation, scheme regulations, correspondence etc,
- Appeals: Individual appeal case files.
- Administration: Office administration and staff issues.
- Accounts: Budgets, expenditure and payments.

#### **File Register**

An up-to-date file register is maintained and available on the shared drive.

#### **Reference Library**

A reference library is maintained for the schemes, for which the office has responsibility including all the relevant,

- National legislation
- EU Regulations
- Statutory Instruments
- Terms and Conditions (and any Help-sheets or Checklists that may accompany these)
- Administration Procedure Manuals and Technical Procedure Manuals

### **6.2 Applications under Freedom of Information Act, 2014**

Under the Freedom of Information Act, an application for access to records not otherwise publicly available may be made. Please note however that information such as numbers of cases received, processed, numbers successful etc. is available informally without the need to use the Act and the office can be contacted directly in this regard.

Further information on the Freedom of Information Act can be obtained by contacting the FOI Central Policy Unit, Floor 3, 7-9 Merrion Row Phone: 01 6318258, Email: [cpu@per.gov.ie](mailto:cpu@per.gov.ie) or their website [foi.gov.ie](http://foi.gov.ie)



## **7 RIGHTS OF REVIEW AND APPEAL INCLUDING RIGHTS OF REVIEW UNDER FREEDOM OF INFORMATION.**

### **7.1 Rights of Review and Appeal**

A decision of an Appeals Officer is final, conclusive and binding on the Department except in the following circumstances;

- A decision may be revised by an Appeals Officer where there is new evidence, facts or a relevant change in circumstances is brought to their attention.
- On request, by either party, the Director of Agriculture Appeals may revise a decision where a decision was erroneous by reason of a mistake having been made in relation to the law or the facts of the case.
- A point of law may be raised with the High Court.

It also remains open to an applicant to raise any concerns in relation to their application and appeal with the Office of the Ombudsman, 6 Earlsfort Terrace, Dublin 2.

### **7.2 Rights of Review under FOI**

The Act provides a series of exemptions to protect sensitive information where its disclosure may damage essential interests of the State or of third parties. Where the Office withholds records containing such information, it is obliged to state clearly the Section of the Act under which the exemption is being claimed and the reason the records are being withheld. All decisions including those relating to deferral of access, charges, forms of access, etc may be appealed. Details of appeals mechanisms are set out below.

#### **Internal Review under the FOI Act**

An internal review of the initial decision may be sought. “Internal” means internal to the Office. An official at a higher level to the original decision maker will carry out this review if;

An applicant is dissatisfied with the initial response received e.g. refusal of information, form of access, charges, etc., or

An applicant has not received a reply within 4 weeks of the initial application

A request for an internal review must be submitted in writing within 4 weeks of the date of the initial decision. The Office must complete the review and issue a decision within 3 weeks.

#### **Review by the Information Commissioner**

If still dissatisfied following completion of an internal review, an independent review of the decision by the Information Commissioner may be sought.

#### **Appeals in writing may be made directly to the Information Commissioner at the following address:**

Office of the Information Commissioner, 6 Earlsfort Terrace, Dublin 2

Telephone: (01) 639 5689

LoCall 1890 253238

Fax: (01) 6395674 e-mail: [info@oic.ie](mailto:info@oic.ie) Web address: [www.oic.ie](http://www.oic.ie)



## 8 FURTHER INFORMATION

Further information, including the Annual Report is available at [www.agriappeals.gov.ie](http://www.agriappeals.gov.ie) or by contacting the office directly at:

Agriculture Appeals Office

Kilminchy Court

Dublin Road

Portlaoise

Co Laois

Tel No: 057 8667167 Email: [appeals@agriappeals.gov.ie](mailto:appeals@agriappeals.gov.ie) Web: [www.agriappeals.gov.ie](http://www.agriappeals.gov.ie)

## 9 APPENDICES

- 1 Agriculture Appeals Act 2001
- 2 Schedule of Schemes (as amended by S.I. No. 521 of 2023)
- 3 Agriculture Appeals Regulations 2002
- 4 Appeal Procedures and Notice of Appeal Form

### 9.1 APPENDIX 1



#### **AGRICULTURE APPEALS ACT, 2001 ARRANGEMENT OF SECTIONS**

Section

1. Interpretation.
2. Appointment of appeals officers.
3. Director of Agriculture Appeals.
4. Deputy Director of Agriculture Appeals.
5. Functions of appeals officers.
6. Independence of appeals officers.
7. Right of appeal.
8. Oral hearings.
9. Decisions.
10. Revised Decisions by Director and appeals officers.
11. Appeals to High Court.
12. Representations under National Beef Assurance Scheme Act, 2000.
13. Representations by certain animal and poultry dealers.
14. Annual reports.
15. Regulations.
16. Laying of regulations before Houses of Oireachtas.
17. Expenses of Minister.
18. Amendment of First Schedule to Ombudsman Act, 1980.
19. Short title.



AN ACT TO PROVIDE FOR THE APPOINTMENT OF APPEALS OFFICERS TO REVIEW ON APPEAL DECISIONS OF OFFICERS OF THE MINISTER FOR AGRICULTURE, FOOD AND RURAL DEVELOPMENT IN RELATION TO CERTAIN SCHEMES AND TO PROVIDE FOR CONNECTED MATTERS. [9th July, 2001]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

(1) In this Act—

“appeals officer” means an appeals officer appointed under *Section 2*;

“Civil Service” means the Civil Service of the Government and the Civil Service of the State;

“Director” means Director of Agriculture Appeals;

“functions” includes powers, duties and obligations;

“Minister” means Minister for Agriculture, Food and Rural Development;

“prescribed” means prescribed by regulations made by the Minister.

(2) In this Act—

(a) a reference to a Section or Schedule is a reference to a Section of or Schedule to this Act, unless it is indicated that reference to some other enactment is intended,

(b) a reference to a subSection or paragraph is a reference to the subSection or paragraph of the provision in which the reference occurs, unless it is indicated that reference to some other provision is intended,

(c) a reference to an enactment includes a reference to that enactment as amended or extended by or under any subsequent enactment including this Act, and

(d) a reference to a statutory instrument shall be construed as a reference to that instrument as amended, adapted or extended by any subsequent statutory instrument.

3.—The Minister may appoint such and so many of his or her officers or, following selection at competitions held by the Civil Service and Local Appointments Commissioners, other persons holding positions within the Civil Service, as he or she considers appropriate, to be appeals officers for the purposes of this Act.

4.—The Minister shall, following selection at a competition held by the Committee on Top Level Appointments in the Civil Service or the Civil Service and Local Appointments Commissioners, appoint a person holding a position within the Civil Service as the chief appeals officer who shall be known as the Director of Agriculture Appeals, and is in this Act referred to as the “Director”.

5.—One of the appeals officers shall be designated by the Minister to act as the deputy for the Director when he or she is not available.

6.—(1) The functions of appeals officers shall be to consider and make determinations on appeals made by affected persons against decisions taken by officers of the Minister in respect of applications for entitlement under the schemes set out in the *Schedule*.

(2) The Minister may, from time to time, amend by regulations the *Schedule* so as to add to or delete from the *Schedule* any scheme or part of a scheme.

7.—Appeals officers shall, subject to this Act, be independent in the performance of their functions.

8.—(1) Where a person is dissatisfied with a decision given by an officer of the Minister in respect of that person’s entitlement under any of the schemes set out in the *Schedule*, the decision shall, on notice of appeal being given to the Director, within the prescribed time and in the prescribed form, be referred to an appeals officer.

(2) Regulations may provide for the procedure to be followed on appeals under this Act.

(3) An appeals officer, when deciding a question referred under *subSection (1)*, shall not be confined to the grounds on which the decision of the deciding officer was based, but may decide the question

as if it were being decided for the first time.

(4) An appeals officer shall determine an appeal, as soon as is practicable, having regard to any guidelines issued or regulations made in this regard by the Minister.

9.—(1) An appeals officer shall, if so requested by the appellant, hold an oral hearing for the purpose of an appeal referred to him or her under this Act.

(2) An oral hearing under this Section shall be held in private.

(3) An appellant may represent himself or herself or be represented by another person at the oral hearing of his or her appeal.

(4) Where an appellant is represented by another person at the oral hearing of his or her appeal, the appeals officer hearing the appeal may examine the appellant, if the appeals officer considers it necessary.

(5) An appeals officer, on the hearing of any matter referred to him or her under this Act, shall have the power to take evidence on oath or affirmation and for that purpose may administer oaths or affirmations to persons attending as witnesses at such hearing.

10.—(1) The decision of an appeals officer and the reasons for making that decision shall be notified in writing to the appellant.

(2) A document purporting to be a decision made under this Act by an appeals officer and to be signed by him or her shall be *prima facie* evidence of the making of the decision without proof of the signature of such officer or his or her official capacity.

(3) The decision of an appeals officer on any question referred to him or her under *Section 7(1)* shall, subject to *Sections 10* and *11*, be final and conclusive.

11.—(1) An appeals officer may, at any time revise any decision of an appeals officer, if it appears to him or her that the decision was erroneous in the light of new evidence or of new facts brought to his or her notice since the date on which it was given, or if it appears to him or her that there has been any relevant change of circumstances since the decision was given.

(2) The Director may, at any time, revise any decision of an appeals officer, if it appears to him or her that the decision was erroneous by reason of some mistake having been made in relation to the law or the facts.

(3) A revised decision given under this Section shall take effect from such date as the appeals officer concerned determines or considers appropriate having regard to the circumstances of the case.

12.—Any person dissatisfied with—

(a) the decision of an appeals officer, or

(b) the revised decision of the Director,

may appeal that decision or revised decision, as the case may be, to the High Court on any question of law.

13.—(1) Where representations are made to the Minister under *Section 15(2)* or *16(2)* of the National Beef Assurance Scheme Act, 2000, the Minister shall upon receipt of such representations refer them, as soon as may be, to the Director for advice.

(2) The Director shall, within 28 days of receipt of such representations, consider them and advise the Minister.

(3) The Minister shall have regard to any advice given to him or her under this Section before refusing an application for the grant of, or revoking, a certificate of approval under the aforesaid Act.

14.—(1) Where representations are made to the Minister under *Article 8(1)* of the Diseases of Animals Acts, 1966 to 2001 (*Approval and Registration of Dealers and Dealers' Premises*) Order, 2001 (S.I. No. 79 of 2001), the Minister shall, upon receipt of such representations refer them, as soon as may be, to the Director for advice.

(2) The Director shall, within 28 days of receipt of such representations, consider them and advise the Minister.

(3) The Minister shall have regard to any advice given to him or her under this Section before revoking or suspending a registration or refusing to register a person or premises under the aforesaid Article 8.

15.—(1) As soon as may be after the end of each year, but not later than 6 months thereafter, the Director shall make a report to the Minister of his or her activities and the activities of the appeals officers under this Act during that year and the Minister shall cause copies of the report to be laid before each House of the Oireachtas.

(2) A report under *subSection (1)* shall be in such form and shall include information in regard to such matters (if any) other than those referred to in that subSection as the Minister may direct.

(3) The Director shall, whenever so requested by the Minister, furnish to him or her information in relation to such matters as he or she may specify concerning his or her activities or the activities of appeals officers under this Act.

16.—(1) The Minister may make regulations for the purpose of enabling this Act to have full effect.

(2) The Minister may make regulations for prescribing any matter referred to in this Act as prescribed.

17.—Every regulation made by the Minister under this Act shall be laid before each House of the Oireachtas as soon as may be after

it is made and, if a resolution annulling the regulation is passed by either such House within the next 21 days on which that House has sat after the regulation is laid before it, the regulation shall be annulled accordingly but without prejudice to anything previously done thereunder.

18.—The expenses incurred by the Minister in the administration of this Act shall, to such extent as may be sanctioned by the Minister for Finance, be paid out of moneys provided by the Oireachtas.

19.—Part I of the First Schedule to the Ombudsman Act, 1980, is amended by the substitution for “Department of Agriculture” of the following:

“Department of Agriculture, Food and Rural Development Appeals Officers under the *Agriculture Appeals Act, 2001*”.

20.—This Act may be cited as the Agriculture Appeals Act, 2001.

Amendments to the Act are set out at [www.irishstatutebook.ie/eli/isbc/2001\\_29.html](http://www.irishstatutebook.ie/eli/isbc/2001_29.html)

## 9.2 APPENDIX 2

Schemes (as amended by **S.I. No 521 of 2023** Agriculture Appeals Act 2001 (Amendment of Schedule) Regulations 2021)

### SCHEDULE 1

#### Schemes

Agri-Climate Rural Environment Scheme (ACRES)

ACRES (Agri-Climate Rural Environment Scheme) Training Scheme

Afforestation Grant and Premium Scheme

Agri-Environment Options Scheme (AEOS)

Agri-Environment Training Scheme (AETS)



Animal Welfare, Recording and Breeding Scheme for Suckler Herds (AWRBS)  
Areas of Natural Constraints (ANC)  
Areas of Specific Constraint (Island Farming) scheme (ASC)  
Basic Income Support for Sustainability (BISS)  
Basic Payment Scheme (BPS)  
Beef Data Programme (BDP)  
Beef Environmental Efficiency Programme (BEEP)  
Beef Environmental Efficiency Programme - Suckler (BEEP-S)  
Beef Exceptional Aid Measure (BEAM)  
Beef Finisher Payment (BFP)  
Beef Genomics Scheme (BGS)  
Beef Data and Genomics Programme (BDGP)  
Bio Energy Scheme  
Burren Programme  
Calf Investment Scheme (CIS)  
Complementary Income Support for Young Farmers (CIS-YF)  
Complementary Redistributive Income Support for Sustainability (CRISS)  
Dairy-Beef Calf Programme  
Dairy Efficiency Programme  
Depopulation Grants - TB Compensation Scheme  
Disadvantaged Areas Scheme (DAS) excluding Land Parcel Identification System Review 2013 (LPIS Review 2013)  
Eco-Scheme  
Farm Improvement Scheme (FIS)  
Fodder Support Scheme (FSS)  
Forest Environment Protections Scheme (FEPS)  
Forest Genetic Resources Reproductive Material: Seed Stand & Seed Orchard Scheme  
Forest Roads Scheme  
Grant-Aid Scheme for Marts to facilitate their operation as Central Points of Recording (CPRS)  
Green, Low-Carbon, Agri-Environment Scheme (GLAS)  
Greening Payment  
Grassland Sheep Scheme (GSS)  
Hardship Grants - TB Compensation Scheme  
Horticulture Exceptional Payment Scheme (HEPS)  
Income Supplement - TB Compensation Scheme  
Innovative Forest Technology Scheme – Central Tyre Inflation

Installation Aid Scheme (IAS)  
 Knowledge Transfer Programme (KT)  
 National Farm Safety Measure 2023  
 National Beef Welfare Scheme (NBWS)  
 National Dairy Beef Welfare Scheme (NDBWS)  
 Native Woodland Conservation Scheme  
 Native Woodland Scheme  
 Neighbourwood Scheme  
 Nitrates Derogation Scheme  
 Non-valuation aspects of the On-Farm Valuation Scheme for TB and Brucellosis Reactors  
 Organic Farming Scheme  
 Organic Processing Investment Grant Scheme  
 Pig Exceptional Payment Scheme (PEPS)  
 Pig Exceptional Payment Scheme 2 (PEPS 2)  
 Prevention and Restoration of Damage to Forests: Reconstitution of Woodland Scheme  
 (Windblow)  
 Protein Aid Scheme  
 Protein/Cereal Mix (50/50) Crop Scheme  
 Protein (combi-crop) Scheme  
 Reconstitution and Underplanting Scheme (Ash Dieback)  
 Reconstitution of Woodland Scheme  
 Reconstitution of Woodland Scheme (Frost Damage)  
 Reconstitution Scheme (Chalara Ash Dieback) 2014-2020  
 Results-Based Environment Agri Pilot Programme (REAP)  
 Rural Environment Protection Scheme (REPS)  
 Scheme of Early Retirement from Farming  
 Scheme of Grant-Aid for the Development of the Organic Sector  
 Scheme of Grant-Aid for Improvements in Animal Welfare Standards (Sow Housing)  
 Scheme of Investment Aid for Farm Waste Management (FWM)  
 Scheme of Investment Aid for the Development of the Commercial Horticulture Sector  
 (excluding decisions in relation to applications for approval for inclusion in the scheme – 1<sup>st</sup>  
 stage)  
 Scheme of Investment Aid for the Improvement of Dairy Hygiene Standards (DHS)  
 Scheme of Investment Aid in Alternative Enterprises (Housing and Handling Facilities) (AES)  
 Scheme of Investment Aid for Demonstration On-Farm Waste Processing Facilities



Scheme of Investment Aid by Commercial Non-Primary Producers in the Mushroom Sector and for Peat Replacement by Commercial Mushroom Producers

Scheme of Investment Aid for Energy Efficiency, Automation and Processing by Commercial Mushroom Producers

Scheme of Investment Aid for the Seed Potato Sector and the Chipping Potato Sector

Scheme of Investment Aid for the Seed Potato Sector (2022)

Sheep Improvement Scheme

Sheep Welfare Scheme

Single Payment Scheme, excluding Article 37(2), 40 and 42 of Chapter 2 of Council Regulation (EC) No 1782/2003<sup>2</sup> and Land Parcel Identification System Review 2013 (LPIS Review 2013)

Sow Housing (Animal Welfare) Scheme

Straw Incorporation Measure (SIM)

Suckler Carbon Efficiency Programme (SCEP)

Support for Collaborative Farming Grant Scheme

Targeted Agricultural Modernisation Scheme (TAMS), including – (RDP 2007-2013)

- (g) The Dairy Equipment Scheme
- (h) The Poultry Welfare Scheme
- (i) The Sheep Fencing/Mobile Handling Equipment Scheme
- (j) The Sow Housing Welfare Scheme
- (k) The Rainwater Harvesting Scheme, and
- (l) The Farm Safety Scheme

Targeted Agricultural Modernisation Scheme II (TAMS II) RDP 2014–2020)

- (a) The Animal Welfare, Safety and Nutrient Storage Scheme
- (b) The Dairy Equipment Scheme
- (c) The Low-Emission Slurry Spreading (LESS) Equipment Scheme
- (d) The Organic Capital Investment Scheme
- (e) The Pig and Poultry Investment Scheme
- (f) The Young Farmers Capital Investment Scheme, and
- (g) Tillage Capital Investment Scheme

Targeted Agricultural Modernisation Scheme 3 (TAMS 3) (RDP 2014-2022)

- (k) Animal Welfare and Nutrient Storage Scheme
- (l) Dairy Equipment Scheme
- (m) Low Emission Slurry Spreading Scheme
- (n) Organic Capital Investment Scheme

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<sup>2</sup> OJ L270, 21.10.2003, p.1



- (o) Solar Capital Investment Scheme
- (p) Pig and Poultry Investment Scheme
- (q) Young Farmers Capital Investment Scheme
- (r) Tillage Capital Investment Scheme
- (s) Farm Safety Capital Investment Scheme
- (t) Women Farmers Capital Investment Scheme

The Scheme of EU aid for producer organisations in the fruit and vegetable sector

Tillage Incentive Scheme

Traditional Farm Building Grant Scheme 2017 and 2018

Upland Sheep Payment Scheme

Weather Related Crop Loss Support Measure

Woodland Improvement Scheme

Young Farmers' Installation Scheme

Young Farmers Scheme

### 9.3 APPENDIX 3

#### **S.I. No. 193 of 2002 AGRICULTURE APPEALS REGULATIONS 2002**

I, Joe Walsh, Minister for Agriculture, Food and Rural Development, in exercise of the powers conferred on me by Sections 7 and 15 of the Agriculture Appeals Act 2001, hereby make the following regulations:

#### **Citation and Commencement**

- (1) These Regulations may be cited as the Agriculture Appeals Regulations 2002.
- (2) These Regulations come into operation on 13 May 2002.

#### **Definitions**

. In these Regulations-

“Act” means the Agriculture Appeals Act 2001;

“appeal” means an appeal under the Act;

“Headage and Premia Appeals Unit” means the Headage and Premia Appeals Unit of the Department of Agriculture, Food and Rural Development pursuant to the Charter of Rights for Farmers 1995;

“notice of appeal” means notice of appeal to the Director under Section 7(1) of the Act;

“REPS Appeals Committee” means the Rural Environment Protection Scheme Appeals Committee of the Department of Agriculture, Food and Rural Development.

Distribution of references to appeals officers

. The Director shall be responsible for the distribution amongst the appeals officers of the references to them under Section of the Act and for the prompt consideration of such references.

#### **Decisions which may be appealed and transitional arrangements**

- (1) The right of appeal specified under Section 7 of the Act shall apply to any decision given by an officer of the Minister in respect of a person's entitlement under any of the schemes set out in the Schedule to the Act which is notified to that person on or after the commencement of these

Regulations other than appeal decisions of the Headage and Premia Appeals Unit and the REPS Appeals Committee given in respect of decisions of officers of the Minister taken prior to such commencement.

(2) Persons who before the commencement of these Regulations had a right of formal appeal by administrative arrangement to the Headage and Premia Appeals Unit or the REPS Appeals Committee shall for the period of 3 months from such commencement continue to have that right to appeal to that Unit or that Committee, as the case may be, against decisions taken by officers of the Minister relating to the schemes concerned which were notified to those persons prior to that commencement.

**Submission of appeal and information to be supplied by appellant**

Any notice of appeal shall be in writing.

Subject to paragraph (3) of this Regulation, the time within which an appeal may be made shall be any time up to the expiration of 3 months from the date of the notification of the decision of an officer of the Minister to the appellant.

An appeal, where the Director considers there are exceptional circumstances, may be made after the period referred to in paragraph (2) of this Regulation.

A notice of appeal shall contain a statement of the facts and contentions upon which the appellant intends to rely.

An appellant shall send to the Director, along with the notice of appeal, such documentary evidence as the appellant wishes to submit in support of his or her appeal, and the notice shall contain a list of any such documents.

A person wishing to withdraw an appeal may do so by sending a written notice to that effect to the Director.

**Notification of appeal and information to be supplied**

The Director shall notify the Minister of each notice of appeal.

The Minister shall, in relation to each notice of appeal, give to the Director –  
 a statement showing the extent to which the facts and contentions advanced by the appellant are admitted or disputed, and  
 any information, document or item in the power or control of the deciding officer that is relevant to the appeal.

The Director may fix the period within which any statement, information, document or item referred to at paragraph (2) of this Regulation should be given.

Notice of appeal where the Director has been given notice of an appeal he shall notify any other person he or she considers to be concerned with the appeal.

**Further information to be supplied and amendment of pleadings**

The appeals officer to whom an appeal is referred may at any time – require the appellant, the deciding officer, or any other person appearing to the appeals officer to be concerned, to furnish to him or her, in writing, further particulars regarding the appeal, allow the amendment of any notice of appeal, statement, or particulars at any stage of the proceedings, and fix the period for the furnishing of any such statement or particulars upon such terms as he or she may think fit.

**Summary appeals** Where an appeals officer is of the opinion that any appeal referred to him or her is of such a nature that it can properly be determined without an oral hearing, and such a hearing has not been requested under Section 8 of the Act, he or she may decide the appeal without such hearing.

**Hearings** Where, in the opinion of the appeals officer to whom an appeal has been referred or at the request of the appellant under Section 8 of the Act, a hearing is required, the appeals officer shall, as soon as may be, fix a date and place for the hearing, and give reasonable notice of the hearing to the appellant, the deciding officer, and any other person appearing to the appeals officer to be concerned in the appeal.

**Failure to attend hearing** Where, after notice of a hearing has being given under Regulation 10 of these Regulations, any of the parties fail to appear at the hearing, the appeals officer hearing the appeal may, at his or her discretion, decide to proceed with the hearing or defer it to a later date and place fixed by him or her.

**Appeal may be decided despite failure to comply with Regulations**

12. An appeals officer may decide any appeal referred to him or her under the Act, notwithstanding the failure or neglect of any person to comply with any requirement of these Regulations.

**Procedure at hearing** The procedure at a hearing under the Act shall be such as the appeals officer hearing the appeal may determine.

An appeals officer hearing an appeal may postpone or adjourn the hearing as he or she may think fit.

An appeals officer may, at the hearing of an appeal, admit any duly authenticated written statement or other material as *prima facie* evidence of any fact in any case in which he or she thinks it appropriate.

**Decision of Appeals Officer** The decision of an appeals officer shall have regard to the principles of natural justice and comply with any relevant legislation and terms, conditions and guidelines of the Minister governing or relating to the scheme in question.

The decision of an appeals officer shall be in writing and shall include the reasons for the decision which shall be notified as soon as may be to the appellant, the Minister and any other person concerned.

GIVEN under my Official Seal,

May 2002

JOE WALSH,

Minister for Agriculture, Food and Rural Development.

EXPLANATORY NOTE

These Regulations, which come into effect on 13 May 2002 prescribe the functions of the Director, the decisions which may be appealed and the procedures to be followed in respect of agriculture appeals.



## 9.4 APPENDIX 4



## Appeal Procedure

### The Agriculture Appeals Office

The Agriculture Appeals Office is an independent agency established to provide an appeals service to farmers who are unhappy with decisions of the Department of Agriculture, Food and the Marine regarding their entitlements under certain schemes. The Agriculture Appeals Act 2001, along with the Agriculture Appeals Regulations 2002, sets down the functions of the Director and the Appeals Officers, the decisions that may be appealed and the procedures to be followed in respect of agriculture appeals. Under Section 14(1) of the Agriculture Appeals Regulations 2002, the decision of an Appeals Officer shall have regard to the principles of natural justice and comply with any relevant L legislation and Terms, Conditions and Guidelines of the Minister governing or relating to the scheme in question.

### How To Make An Appeal

Every appeal must be made in writing and addressed to The Director, Agriculture Appeals Office, Kilminchy Court, Portlaoise, Co Laois R32 DTW5

- The notice must be lodged within 3 months of notification of the decision under appeal. An appeal received after 3 months will only be accepted if the Director considers that there are exceptional circumstances.
- Before submission of an appeal to the Agriculture Appeals Office, all internal review procedures within the Department of Agriculture, Food and the Marine must be exhausted.
- The notice of appeal should contain a statement of all the facts and contentions upon which it is intended to rely in the appeal. Documentary evidence submitted in support of the appeal should be enclosed along with the notice of appeal.
- A copy of the Department's final review decision letter should be enclosed.
- Proof of postage must be obtained. Claims of appeals being lost in the post cannot be accepted.
- There is no charge for lodging an appeal.
- Each appeal is given a reference number and this number should be quoted when contacting the Agriculture Appeals Office.
- All appeals are acknowledged within 10 days of receipt.
- If you do not receive an acknowledgement letter within that time you should contact the office.

### Appeals Process

When a final decision issues from the Department of Agriculture, Food and the Marine (ie after internal Department review), you will be notified of your option to appeal.

- The scheme Applicant (Appellant), dissatisfied with the decision, must complete a "Notice of Appeal" form and submit it to the Agriculture Appeals Office.
- The Agriculture Appeals Office requests from the Department of Agriculture, Food and the Marine, the relevant file and a statement regarding the Appellant's grounds of appeal. **Your grounds of appeal will be forwarded to the Department of Agriculture, Food and the Marine for their comments and observations.**
- On receipt of the file and statement, the Director assigns the appeal to an Appeals Officer.
- Appellants are entitled to an oral hearing as part of their appeal. An oral hearing can be requested to be held in person or online.
- In some cases an Appeals Officer may deem it necessary to conduct an oral hearing even though no oral hearing is requested by the Appellant.
- The Agriculture Appeals Office will notify the Appellant when an oral hearing is scheduled.
- When no oral hearing is required, the Appeals Officer may contact the Appellant to discuss the appeal.
- The Appeals Officer may contact the Appellant or the Department during this process for additional information before issuing a decision.
- The Appeals Officer considers all the evidence in full (include any evidence presented at an oral hearing if there was one). The Appeals Officer makes a determination on the appeal and notifies the Appellant of the decision in writing (via post or email), setting out the reasons for that decision. The Department will also be notified of the decision.

### Contact Us

Address: Agriculture Appeals Office, Kilminchy Court, Portlaoise, Co Laois. R32 DTW5  
 Tel: 05786-67167  
 Email: [appeals@agriappeals.gov.ie](mailto:appeals@agriappeals.gov.ie)  
 Web: [www.agriappeals.gov.ie](http://www.agriappeals.gov.ie)

### Oral Hearings

Appellants are entitled to an oral hearing as part of their appeal.

- Oral hearings are held at locations and times, having regard to efficiency and to the parties to the appeal.
- Each appeal is assigned to an Appeals Officer, who will conduct the hearing.
- The Agriculture Appeals Office will contact the Appellant with the arrangements for the oral hearing.
- Hearings are held in private and will be as informal as possible. The purpose of the hearing is to allow the Appellant to put forward their case and to hear the case being put forward by the Department.
- An Appellant may be represented by another person at the oral hearing; however, **the Appellant must attend the oral hearing in person.**
- Department official(s) familiar with the case will also attend the hearing.
- The Appellant must notify the Agriculture Appeals Office **5 working days** in advance of anyone accompanying them at the oral hearing.
- The Appeals Officer will decide the format of the oral hearing on the day.
- The Appeals Officer may postpone or adjourn the hearing if deemed necessary.
- The Appeals Officer may admit any duly authenticated written statement or other material or document as prima facie evidence of any fact in any case in which he or she thinks appropriate.
- An Appeals Officer has the power to take evidence on oath or affirmation if deemed necessary.

**Checklist Before Submission**

- |  |        |
|--|--------|
| 1. Scheme is covered by the Agriculture Appeals Office (please check list below)   | Yes/No |
| 2. Decision is within the last 3 months.   | Yes/No |
| 3. Internal review completed by the Department of Agriculture, Food and the Marine, informing you of your right to appeal.       | Yes/No |
| 4. All information requested has been provided, including a copy of the review decision letter you received from the Department. | Yes/No |

**Right of Review**

Please note that a decision of an Appeals Officer is final and conclusive, except in the following circumstances;

- An Appeals Officer may change a decision where there is new evidence/facts or relevant change in circumstances.
- On request, from either party, the Director of the Agriculture Appeals Office may revise a decision where there has been a mistake made in relation to the law or the facts of the case.
- An Appellant may wish to appeal the decision to the Office of the Ombudsman, 6 Earlsfort Terrace, Dublin 2, D02 W773 (01) 6395600.
- The High Court may revise a decision on a point of law.

**Schedule of Schemes Covered**

The Agriculture Appeals Office deals with appeals under the following schemes:



Afforestation Grant and Premium Scheme  
 Agri-Climate Rural Environment Scheme (ACRES)  
 (ACRES) (Agri-Climate Rural Environment Scheme) Training Scheme  
 Agri-Environment Options Scheme (AEOS)  
 Agri-Environment Training Scheme (AETS)  
 Animal Welfare, Recording and Breeding Scheme for Suckler Herds (AWRBS)  
 Areas of Natural Constraints (ANC)  
 Areas of Specific Constraint (Island Farming) Scheme (ASC)  
 Basic Payment Scheme (BPS)  
 Basic Income Support of Sustainability (BISS)  
 Beef Data Programme (BDP)  
 Beef Environmental Efficiency Programme (BEEP)  
 Beef Environmental Efficiency Programme - Suckler (BEEP-S)  
 Beef Exceptional Aid Measure (BEAM)  
 Beef Finisher Payment (BFP)  
 Beef Genomics Scheme (BGS)  
 Beef Data and Genomics Programme (BDGP)  
 Bio Energy Scheme  
 Burren Programme  
 Calf Investment Scheme (CIS)  
 Complementary Income Support for Young Farmers (CIS-YF)  
 Complementary Redistributive Income Support for Sustainability (CRISS)  
 Dairy-Beef Calf Programme  
 Dairy Efficiency Programme  
 Depopulation Grants – TB Compensation Scheme  
 Disadvantaged Areas Scheme (DAS) excluding Land Parcel Identification System  
 Review 2013 (LPIS Review 2013)  
 Eco-Scheme  
 Farm Improvement Scheme (FIS)  
 Fodder Support Scheme (FSS)  
 Forest Environment Protections Scheme (FEPS)  
 Forest Genetic Resources Reproductive Material: Seed Stand & Seed Orchard Scheme  
 Forest Roads Scheme  
 Grant-Aid Scheme for Marts to facilitate their operation as Central Points of Recording  
 (CPRS)  
 Green, Low-Carbon, Agri-Environment Scheme (GLAS)  
 Greening Payment  
 Grassland Sheep Scheme (GSS)  
 Hardship Grants - TB Compensation Scheme  
 Horticulture Exceptional Payment Scheme (HEPS)  
 Income Supplement – TB Compensation Scheme  
 Innovative Forest Technology Scheme – Central Tyre Inflation  
 Installation Aid Scheme (IAS)  
 Knowledge Transfer Programme (KT)  
 National Farm Safety Measure 2023 (NFSM)  
 National Beef Welfare Scheme (NBWS)  
 National Dairy Beef Welfare Scheme (NDBWS)  
 Native Woodland Conservation Scheme  
 Native Woodland Scheme  
 Neighbourhood Scheme  
 Nitrates Derogation Scheme  
 Non-Valuation aspects of the On-Farm Valuation Scheme for TB and Brucellosis  
 Reactors  
 Organic Farming Scheme  
 Organic Processing Investment Grant Scheme  
 Pig Exceptional Payment Scheme (PEPS)  
 Pig Exceptional Payment Scheme 2 (PEPS 2)  
 Prevention and Restoration of Damage to Forests: Reconstruction of Woodland  
 Scheme (Windblow)  
 Protein Aid Scheme  
 Protein/Cereal Mix (50/50) Crop Scheme  
 Protein (Combi-Crop) Scheme  
 Reconstruction and Underplanting Scheme (Ash Dieback)  
 Reconstruction of Woodland Scheme  
 Reconstruction of Woodland Scheme (Frost Damage)  
 Reconstruction Scheme (Chalara Ash Dieback) 2014-2020  
 Results-Based, Environment Agri Pilot Programme (REAP)  
 Rural Environment Protection Scheme (REPS)  
 Scheme of Early Retirement from Farming  
 Scheme of Grant-Aid for the Development of the Organic Sector  
 Scheme of Grant-Aid for Improvements in Animal Welfare Standards (Sow Housing)  
 Scheme of Investment Aid for Farm Waste Management (FWM)

Scheme of Investment Aid for the Development of the  
 Commercial Horticulture Sector (excluding decisions in  
 relation to applications for approval for inclusion in the  
 scheme – 1st stage)  
 Scheme of Investment Aid for the Improvement of Dairy  
 Hygiene Standards (DHS)  
 Scheme of Investment Aid in Alternative Enterprises (Housing  
 and Handling Facilities) (AES)  
 Scheme of Investment Aid for Demonstration On-Farm Waste  
 Processing Facilities  
 Scheme of Investment by Commercial Non-Primary Producers  
 in the Mushroom Sector and for Peat Replacement by  
 Commercial Mushroom Producers  
 Scheme of Investment Aid for Energy Efficiency, Automation  
 and Processing by Commercial Mushroom Producers  
 Scheme of Investment Aid for the Seed Potato Sector and the  
 Chipping Potato Sector  
 Scheme of Investment Aid for the Seed Potato Sector (2022)  
 Sheep Improvement Scheme  
 Sheep Welfare Scheme  
 Single Payment Scheme, excluding Article 37(2), 40 and 42 of  
 Chapter 2 of Council Regulation (EC) No 1782/2003 and  
 Land Parcel Identification System Review 2013 (LPIS Review  
 2013)  
 Sow Housing (Animal Welfare) Scheme  
 Straw Incorporation Measure (SIM)  
 Suckler Carbon Efficiency Programme (SCEP)  
 Support for Collaborative Farming Grant Scheme

Targeted Agricultural Modernisation Scheme (TAMS),  
 Including – (RDP 2007 -2013)

- a) The Dairy Equipment Scheme
- b) The Poultry Welfare Scheme
- c) The Sheep Fencing / Mobile Handling Equipment  
Scheme
- d) The Sow Housing Welfare Scheme
- e) The Rainwater Harvesting Scheme
- f) The Farm Safety Scheme

Targeted Agricultural Modernisation Scheme II (TAMS II)  
 (RDP 2014 -2020)

- a) The Animal Welfare, Safety and Nutrient Storage  
Scheme
- b) The Dairy Equipment Scheme
- c) The Low Emission Slurry Spreading (LESS)  
Equipment Scheme
- d) The Organic Capital Investment Scheme
- e) The Pig and Poultry Investment Scheme
- f) The Young Farmers Capital Investment Scheme
- g) Tillage Capital Investment Scheme

Targeted Agricultural Modernisation Scheme 3 (TAMS 3)  
 (RDP 2014 -2022)

- a) Animal Welfare and Nutrient Storage Scheme
- b) Dairy Equipment Scheme
- c) Low Emission Slurry Spreading Scheme
- d) Organic Capital Investment Scheme
- e) Solar Capital Investment Scheme
- f) Pig and Poultry Investment Scheme
- g) Young Farmers Capital Investment Scheme
- h) Tillage Capital Investment Scheme
- i) Farm Safety Capital Investment Scheme
- j) Women Farmers Capital Investment Scheme

The Scheme of EU Aid for Producer Organisations in the Fruit  
 and Vegetable Sector  
 Tillage Incentive Scheme  
 Traditional Farm Building Grant Scheme 2017 and 2018  
 Upland Sheep Payment Scheme  
 Weather Related Crop Loss Support Measure  
 Woodland Improvement Scheme  
 Young Farmers Installation Scheme  
 Young Farmers Scheme

**Data Protection - GDPR**

- The Agriculture Appeals Office (AAO) collects personal data to process appeal applications and the data collected is also used for statistical purposes: personal data, excluding the county address provided by the customer, is not used or analysed for statistical purposes. The AAO is fully committed to keeping all personal data submitted by its customers fully safe and secure during administrative processes.
- Transparency and openness in the use of personal data is important to the Agriculture Appeals Office and the AAO aims to fully inform all its customers about the purpose(s) for which their data will be used and why, where it may be shared elsewhere and why and how long their data may be held by the AAO. This information and the information on the rights of customers who provide personal data to the Agriculture Appeals Office is detailed in the data protection section on the Office's website [www.agriappeals.gov.ie](http://www.agriappeals.gov.ie).
- Personal data processed by the AAO will only be used for the specific purpose(s) as outlined when the data is collected (Notice of Appeal Form) and as outlined in detail in the data protection section on the Office's website [www.agriappeals.gov.ie](http://www.agriappeals.gov.ie). The personal data provided to the Agriculture Appeals Office will only be used in accordance with the Data Protection legislation in force. The Agriculture Appeals Act 2001, as amended, is the legal basis which provides for the data being collected and processed by the Agriculture Appeals Office.
- Please be advised if you are attending the Agriculture Appeals Office, Kilminchy Court, Portlaoise, Co. Laois, R32 DTW5 that CCTV is in operation for the security and safety of staff. More information is in the data protection section on the Office's website [www.agriappeals.gov.ie](http://www.agriappeals.gov.ie).
- Please see the Agriculture Appeals Office website [www.agriappeals.gov.ie](http://www.agriappeals.gov.ie) for further information on the items above and for detailed information on data protection with regard to the processing of personal data by the Office.





**This form may be completed online. Go to [www.agriappeals.gov.ie](http://www.agriappeals.gov.ie).**

## Notice of Appeal Form (NOAF)

### Complete this form in full (Please use block capitals)

1. Herd/Contract/Scheme/Cereal/Partnership Number: \_\_\_\_\_
2. Name: \_\_\_\_\_
3. Address: \_\_\_\_\_  
\_\_\_\_\_
4. Eircode: \_\_\_\_\_
5. Email Address\*: \_\_\_\_\_

**\*Please note, by providing an email address, correspondence from the Agriculture Appeals Office, may issue to you via email.**

6. Contact Number: \_\_\_\_\_
7. Scheme/Programme/Measure under appeal: \_\_\_\_\_  
(e.g., BPS, BISS, BDGP, ACRES, TAMS etc.)
8. Scheme Year: \_\_\_\_\_
9. Department Officer who issued the Review/Decision: \_\_\_\_\_
10. Date of the Department Review/Decision: \_\_\_\_\_

### **N.B. You must enclose a copy of the Department's Review/Decision Letter**

11. Do you wish a Representative/Advisor to receive a copy of correspondence that the Agriculture Appeals Office may issue to you, if so, please tick the box.
12. Please give Representatives Name, Address, Email address and Contact Number:  
\_\_\_\_\_  
\_\_\_\_\_

13. In relation to your appeal, please choose one option, do you wish to have an:

Oral Hearing      
 Remote Oral Hearing (Online)      
 Non-Oral Hearing

- Please note that if you request an Oral Hearing you must attend in person.
- A Remote Oral Hearing is where an Oral Hearing takes place via Electronic means e.g. Webex (similar to 'Zoom' or 'Teams').

14. If you wish to be accompanied at the Oral Hearing, you may bring up to two representatives. If at this stage, you are in a position to provide these details, please give their Name(s) and Profession:

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15. **List and enclose any relevant documents that you wish to have considered. A copy of the Department's final decision should be enclosed.**

- A. \_\_\_\_\_
- B. \_\_\_\_\_
- C. \_\_\_\_\_
- D. \_\_\_\_\_

Provide Herd/Contract/Scheme/Cereal/Partnership Number:

## Grounds of Appeal

**Please outline the facts and contentions in support of your appeal below. Set out all the relevant facts that you wish to have considered. Attach additional sheets if necessary. Please write your Name and Herd/Contract/Scheme/Cereal/Partnership Number on each additional sheet.**

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**Personal data processed by the Agriculture Appeals Office will only be used for the specific purpose(s) as outlined in detail in the Data Protection section on the Office’s website [www.agriappeals.gov.ie](http://www.agriappeals.gov.ie).**

I understand that all personal data will be processed in accordance with the Data Protection Act 1988 and 2003.

\*Signed: \_\_\_\_\_ Date: \_\_\_\_\_

**\*Please note, only the APPELLANT is to sign here (include all names under the herd number if more than one)**

<u>Checklist before submission</u>	
1. Scheme under appeal is covered by the Agriculture Appeals Office.	Yes/No
2. Internal review by the Department of Agriculture, Food and the Marine is completed.	Yes/No
3. Review/Decision is within the last three months.	Yes/No
4. All information requested has been provided (including a copy of the Review/Decision Letter)	Yes/No
You should have answered <u>YES</u> to all of the above	

**Contact Details:**

Agriculture Appeals Office  
 Kilminchy Court  
 Portlaoise  
 Co. Laois  
 R32 DTW5

<u>Official use only</u>	
Eligible Scheme:	Yes/No
In time:	Yes/No
Dept Review carried out:	Yes/No
Appeal No:	_____
Completed by:	_____
Checked by:	_____

Tel: 05786-67167  
 Email: [appeals@agriappeals.gov.ie](mailto:appeals@agriappeals.gov.ie)

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