
STATUTORY INSTRUMENTS

2023 No. 1430

The Agriculture (Delinked Payments and Consequential Provisions) (England) Regulations 2023

PART 4

Appeals

Appeals: general

11.—(1) A person (“the appellant”) may appeal against any decision made in respect of that person by the Secretary of State under these Regulations.

(2) An appeal under paragraph (1) must be—

- (a) submitted to the Secretary of State in writing in such form as the Secretary of State may specify;
- (b) received by the Secretary of State before the end of the period of 60 days beginning on the date on which the notification of the decision being appealed against is given to the appellant by the Secretary of State.

Grounds of appeal

12. An appeal under regulation 11(1) may be submitted on any of the following grounds—

- (a) the decision was based on an error of fact;
- (b) the decision was wrong in law;
- (c) there has been a material procedural error.

The appointed person

13.—(1) The Secretary of State must appoint no more than three persons to consider appeals.

(2) The persons appointed under paragraph (1) must, upon considering an appeal, report in writing to the Secretary of State with conclusions on the appeal and a recommendation as to the manner in which the matter should be finally determined by the Secretary of State.

Final determination of appeals

14.—(1) Following receipt of a report under regulation 13(2), the Secretary of State must make a final determination.

(2) The Secretary of State must give notice in writing to the appellant, within a reasonable period, setting out—

- (a) the final determination; and
- (b) the reasons for that determination.