

STATUTORY INSTRUMENTS.

S.I. No. 551 of 2026

FORESTRY APPEALS COMMITTEE (CONDUCT OF APPEALS AND ORAL HEARINGS) RULES 2026

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The Forestry Appeals Committee, in exercise of the powers conferred on it by sections 14B (2) and 14C (2) of the Agriculture Appeals Act 2001 (No. 29 of 2001), hereby makes the following rules:

Citation and Commencement

1. (1) These rules may be cited as the Forestry Appeals Committee (Conduct of Appeals and Oral Hearings) Rules 2026.

(2) These rules shall come into operation on 3rd November 2026.

Forestry Appeal Committee Rules

2. The rules applicable to the conduct of appeals and to the conduct of oral hearings held by the Forestry Appeals Committee are as set out in the Schedule.

Notice of the making of this Statutory Instrument was published in "Iris Oifigiúil" of 3rd November, 2026.

Schedule

FORESTRY APPEALS COMMITTEE
RULES FOR THE CONDUCT OF APPEALS AND ORAL HEARINGS

The Forestry Appeals Committee, established pursuant to section 14A of the Agriculture Appeals Act 2001 to determine appeals in certain forestry related matters and pursuant to sections 14B (1) and (2) and 14C (2), hereby makes rules for the conduct of appeals and oral hearings.

FORESTRY APPEALS COMMITTEE
RULES FOR THE CONDUCT OF APPEALS AND ORAL HEARINGS

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1.0 Legal Basis

1.1 These rules are made under Section 14B (2) and 14C (2) of the Agriculture Appeals Act 2001 (No 29 of 2001), as amended. Subject to the Agriculture Appeals Act 2001 and to Regulations made thereunder the FAC may regulate its own procedures.

1.2 These rules should be read in conjunction with the Agriculture Appeals Act 2001, as amended, ("the Act") and the Forestry Appeals Committee Regulations 2020 (SI No. 418 of 2020), as amended ("the Regulations"). Nothing in these rules shall be construed to effect any change to any legislation set out for the Forestry Appeals Committee.

1.3 The Forestry Appeals Committee ("the FAC") was established under the Agriculture Appeals Act 2001, as amended and came into being on the commencement of the Forestry Act 2014 on 24 May 2017. The Act, along with the Forestry Appeals Committee Regulations 2020, which revoked and replaced S.I. No. 68 of 2018 subject to the revocation and saver therein, provide for the functions of the FAC, the Decisions that may be appealed and the procedures to be followed in respect of Appeals. The FAC is independent in the performance of its functions.

1.4 Section 14A (4)(a) of the Act, as amended, provides for a right of appeal to the FAC against a Decision made by the Minister for Agriculture, Food and the Marine ("the Minister") under an enactment or statutory instrument specified in Schedule 2 of the Act within a period of 28 days beginning on the date of the Decision but this period may be amended to a period not longer than 28 days and not shorter than 14 days by the Minister. The current Appeal Period is 14 working days from the date of the Decision or publication of the Decision, whichever is the later.

1.5 The FAC may, for the purpose of ensuring the efficient, fair and timely determination of an Appeal, issue a direction in respect of the conduct of the Appeal. A person shall, when making or participating in an Appeal under section 14A(4) of the Act, comply with the requirements of the Act and the Regulations, as amended, these rules, and any direction issued as above. Where a person does not so comply, the FAC shall apply what it considers to be an appropriate sanction including if it considers it to be appropriate that the Appeal shall be regarded as invalid and shall not be considered by the FAC.

1.6 The Determination of the FAC on an Appeal is final and conclusive. The FAC does not have a licencing compliance or enforcement function, nor does it have power to grant injunctive relief, make awards or to affect a forestry licence outside of the Appeals process provided for in legislation. After issuing a Determination, the FAC has no further role in law in relation to the Decision or a forestry licence and, save for application of the slip rule, has no powers to review or amend its Determination. Correspondingly, the FAC cannot engage with Parties on an Appeal Determination once issued.

2.0 Definitions

For the purpose of these rules the following definitions are employed:

"the Act" means the Agriculture Appeals Act 2001 (No 29 of 2001) as amended;

"Appeal" means an appeal under section 14(A)(4) of the Act;

"Appeal Period" means the period of time allowed for an Appeal of a Decision under section 14A(4) of the Act as amended from time to time. The Appeal Period is 14 working days beginning on the date of the Decision of the Minister or on the date of the publication of the Decision of the Minister, whichever is later;

"Appellant" means the person who makes an Appeal in accordance with the Act and the Regulations;

"Applicant" means the person in whose name the licence Decision under Appeal is issued on foot of their application to the Minister under any of sections 17 and 22 of the Forestry Act 2014 (No 31 of 2014). In the case of a first party Appeal, the Applicant may also be referred to as the Appellant;

"Artificial Intelligence" means artificial intelligence technology or software capable of generating new content, including text, images, audio, video, data or computer code, typically in response to user prompts or instructions;

"Chairperson" means the person appointed chairperson of the Forestry Appeals Committee under 14A(1A) of the Act. For the purpose of an Oral Hearing or Deliberation, Chairperson may also refer to a Deputy Chairperson;

"**Completed NOAF**" means a completed NOAF detailing: the name and address of the Appellant and his or her Nominated Agent (if any); the Decision the Appellant is appealing; a statement of all Grounds on which the Appeal is to be made; Submissions on those Grounds, and listing and providing the Evidence and Documents the Appellant intends to rely on to support the statement of Grounds; and the Prescribed Fee for making an Appeal;

"Decision" means a decision of the Minister for Agriculture Food and the Marine on an application made under the enactments referred to in Schedule 2 of the Agriculture Appeals Act 2001 as amended;

"**Deliberation**" means a private meeting or communication of the FAC at which or by which an Appeal is considered and determined;

"**Deputy Chairperson**" means a member appointed deputy chairperson of the Forestry Appeals Committee under 14A(1B) of the Act;

"Determination of the FAC" means a determination by the Forestry Appeals Committee on an Appeal under section 14B(13) of the Act;

"Division" means a division of the FAC as provided for by section 14A(2A) to (2E) of the Act;

"**Evidence and Documents**" means any material that is not Grounds and Submissions submitted to support the Grounds and Submissions of a Party, including technical reports, maps and photographs;

"**Forestry Appeals Committee (FAC)**" means the Chairperson, Deputy Chairpersons and Members of the committee established under 14A(1) of the Act or a Division of the committee;

"**FAC Administration**" means administrative staff assigned from the Agriculture Appeals Office by the Director of Agriculture Appeals to provide secretarial and administrative support to the FAC;

"Grounds and Submissions" means the grounds on which an Appeal is taken and the associated description and reasoning or the grounds on which an Appeal is admitted or disputed and the associated description and reasoning;

"**Member(s)**" means a person or persons appointed as a member of the Forestry Appeals Committee under 14A(1A) of the Act;

"**Minister**" means the Minister for Agriculture, Food and the Marine and his/her officials;

"**Nominated Agent**" means an individual nominated by the Appellant who can act on behalf of the Appellant during the Appeals process, including assisting with the preparation of an Appeal, or at an Oral Hearing. The Forestry Appeals Committee Regulations 2020 require the submission of the name and address of a Nominated Agent in the Notice of Appeal;

"**Notice of Appeal Form (NOAF)**" means the Appeals form published on the FAC section of the website of the Agriculture Appeals Office and attached as an Annex to these rules that represents the format required by the FAC and that shall be used in making an Appeal;

"**Oral Hearing**" means a meeting of the FAC at which Parties to the Appeal may attend and make oral submissions on the Grounds of Appeal or specified Grounds of Appeal as determined by the FAC, in person or remotely;

"**Parties**" means the Appellant(s), Applicant and the Minister and the word "Party" shall be construed accordingly;

"**Prescribed Fee**" means any fee prescribed under section 14F of the Act (as amended from time to time) for the purpose of making an Appeal;

"**Regulations**" mean the Forestry Appeals Committee Regulations 2020 (SI No 418 of 2020) as amended by SI No. 353 of 2021;

"Rejoinder" means the submissions which may be made by the Minister or any other party to the Reply;

"Reply" means the submissions which may be made by the Appellant or other Party to the Statement of Fact or to the Response;

"Response" means the submissions which may be made by the Applicant to the Notice of Appeal;

"**Statement of Fact**" means a statement of fact provided by the Minister to the FAC in accordance with regulation 7(2) of the Regulations.

3.0 Objective of the Rules of Procedure

3.1 The overriding objective of these Rules is to enable the FAC to conduct Deliberations and Oral Hearings and to determine Appeals in an efficient, fair and timely manner, in keeping with the requirements of the Act and Regulations.

3.2 Determining an Appeal in an efficient, fair and timely manner in keeping with the requirements of the Act and Regulations includes—

(i) determining the Appeal in ways which are proportionate to the importance of the Appeal, the complexity of the issues, the expense to the Parties and the efficient disposal of the work of the FAC;

(ii) avoiding unnecessary formality and seeking flexibility in the proceedings;

(iii) ensuring, so far as practicable, that the Parties are able to participate in the proceedings; and

(iv) ensuring timely resolution of the Appeal, so far as compatible with proper consideration of the issues.

3.3 Parties shall assist and facilitate the FAC to further the overriding objective and shall co-operate with the FAC generally.

4.0 Making an Appeal

4.1 The function of the FAC[1] is to hear and determine an Appeal against a Decision of the Minister made under section 7 of the Forestry Act and the Forestry Regulations 2017 concerning the following:

(i) afforestation,

(ii) the felling of trees,

(iii) forest road construction or

(iv) aerial fertilisation of forests.

4.2 An Appellant shall ensure that the Decision they wish to appeal falls within one of these categories and that the Grounds of Appeal are specific to the Decision. Please note in particular that decisions in relation to grant aid or the settling of civil disputes do not fall within the remit of the FAC.

4.3 The FAC may refuse to consider and determine an Appeal or part of an Appeal that does not fall within its remit or is not relevant to the Decision of the Minister specified in the NOAF.

4.4 Appeals shall be made in writing on the Forestry Appeals Committee 'Notice of Appeal Form' (NOAF) within the Appeal Period. The NOAF is available in the Annex, on the FAC website or directly from the Forestry Appeals Committee administration office at Kilminchy Court, Portlaoise, Co Laois. or can be requested via email to the FAC email address. The FAC may also provide a digital NOAF in which an Appeal can be made online for parties who wish to do so and this can be accessed on the FAC section of the website of the Agriculture Appeals Office.

[1] Refer to section 14A (2)&(4)(a) of the Act

4.5 The NOAF shall include the name, address, email address and phone number of the Appellant and his/her Nominated Agent (if any) and all of the Grounds of Appeal upon which the Appeal is made and be accompanied by all of the Evidence and Documents upon which the Appellant intends to rely to support those Grounds. The Appellant shall ensure that all of their Grounds are clearly outlined in the NOAF and that all relevant Submissions, Evidence and Documents that they wish to be considered are submitted. The Grounds and Submissions shall be set out in numbered paragraphs and shall have a maximum word limit of 10,000 words and the word count shall be expressly stated at the end of the document. The word limit does not include the NOAF itself. Parties are reminded that the word limits are maxima and not minima, and accordingly Parties are encouraged to prepare their Grounds and Submission in a shorter form where possible.

4.6 Evidence and Documents shall be numbered and clearly referenced, including to a publicly accessible webpage where available, and submitted as an Annex to the Grounds and Submissions.

4.7 An Appeal can only be submitted by one person against one Decision of the Minister. NOAFs shall not be submitted with multiple Appellants listed or against multiple Decisions or be made anonymously.

4.8 A NOAF from an individual shall be signed by that individual.

4.9 A NOAF made on behalf of a body shall be made and signed by an individual authorised to act on behalf of that body and their position of responsibility within that body shall be stated. For example, a Director of a company limited by guarantee (CLG) may submit an Appeal on behalf of that company. Only an authorised individual or a Nominated Agent may make further submissions on behalf of the body.

4.10 An Appellant shall state any interest he/she has in the matters that are the subject of the Appeal.

4.11 An online NOAF may be signed by providing the name of the Appellant in accordance with Rules 4.8 and 4.9 and also giving the email address of the Appellant.

4.12 The FAC may seek proof of authorisation or further information, including by affidavit, to confirm the relationship between an individual and a body or the identity of any person.

4.13 As required by the Act and the Regulations each individual NOAF shall be accompanied by the Prescribed Fee (currently €200). Payment of the Prescribed Fee can be in the form of a cheque, bank draft or postal order made payable to the Forestry Appeals Committee. Payment in cash is only accepted where an NOAF is delivered by hand during Public Counter Opening Hours. Payment by card may only be made when using the online NOAF and an email address is required to be provided. Payment of the Prescribed Fee may also be made by way of electronic funds transfer and details for making such payment are set out in the NOAF.

4.14 A Completed NOAF shall be submitted by post or delivered directly to the FAC Administration at the Agriculture Appeals Office, at the address provided on the NOAF or by using the online NOAF. The address to submit a hardcopy NOAF is: Forestry Appeals Committee, Agriculture Appeals Office, Kilminchy Court, Portlaoise, Co. Laois, R32 DTW5.

4.15 A NOAF, all of the Grounds and Submissions, Evidence and Documents upon which the Appellant intends to rely on to support those Grounds, and the Prescribed Fee shall be received by the FAC within the Appeal Period.

4.16 The FAC also allows NOAFs to be emailed to the FAC and for the fee to be submitted separately if all components of a Completed NOAF are received within the Appeal Period.

4.17 A Completed NOAF shall not be deemed received by the FAC unless the FAC Administration provides a receipt of the NOAF. This is normally provided by email.

4.18 It is the responsibility of the Appellant to ensure their Completed NOAF is received by the FAC within the Appeal Period.

4.19 It is the FAC's preference to communicate via email. Where a party prefers postal communication, the FAC shall be informed accordingly.

4.20 The author of all Grounds of Appeal and Submissions shall be clearly identified. Where an individual other than the Appellant has prepared the Grounds and Submissions, their name, address and qualifications (if any) shall be provided.

4.21 The author and source of all Evidence and Documents shall be clearly identified. Any technical report shall include the name, address, and qualifications of the individual(s) who authored it.

4.22 An Appellant may nominate an individual to represent them in the Appeal by providing the name and address of the individual in the NOAF. A Nominated Agent/Representative appointed by the named Appellant may act on their behalf during the Appeals process.

4.23 To facilitate the efficient processing and accessibility of appeals, when submitting an Appeal in an electronic format (softy copy), Appellants should submit a Completed NOAF and Grounds and Submissions in an electronic, text searchable format. Where a PDF is created by scanning a hard copy document, the PDF should, where reasonably practicable, be processed using optical character recognition (OCR) so that the text is searchable. Image only scanned documents should be avoided where an accessible electronic version is available. Evidence and Documents may be provided in their original format where necessary. This rule also applies to any other submission by any party.

4.24 Any costs associated with the making of an Appeal or attendance at an Oral Hearing incurred by a Party shall be borne by that Party and/or his/her agents or representatives. The FAC shall not make awards of costs and/or expenses.

5.0 Admissibility of an Appeal

5.1 Where any of the admissibility rules in the Act, the Regulations or these Rules are not complied with, the NOAF will be deemed invalid and will not be considered by the FAC. The Appellant will be informed of this by the FAC Administration as soon as practicable.

5.2 Where an Appeal is determined to be inadmissible or not to be valid, the Appeal fee shall be returned to the Appellant by the FAC Administration. The fee shall be returned as submitted (cheque, postal order etc.) where this has not been lodged or otherwise by electronic funds transfer to the bank account provided by the Appellant. Where an Appeal is withdrawn within 14 days of being made, the fee may be returned in accordance with regulation 10(3) of the Regulations.

6.0 Consideration of an Appeal

6.1 The Chairperson shall direct the assignment of FAC Members and Appeals to each Division so constituted. Each Division shall generally consist of three Members including either the Chairperson or Deputy Chairperson. The Chairperson or Deputy Chairperson of each Division shall act as rapporteur or shall assign one of the Members of the Division to act as

rapporteur for each Appeal. A member of the FAC Administration or of the FAC may assist the Chairperson or Deputy Chairperson with the assignments.

6.2 As per section 14B(12) the Members of each Division of the FAC shall, in deliberating upon an Appeal have regard to the record of the Decision, the NOAF and its Grounds and Submissions and Evidence and Documents, the Statement of Fact, and any Response, Reply and Rejoinder that may have been submitted and oral evidence provided at an oral hearing, if held, and if necessary, any submission, document or evidence not contained in the record of the Decision as the Division considers appropriate. The role of the rapporteur is to assist the Division with its Deliberation on an Appeal, to take the vote of the Members of the Division and to draft the Determination for and on behalf of the Division and the FAC.

6.3 Where a Chairperson or Member of the FAC is assigned to a Division to deliberate upon an Appeal and believes they may have, or that there may be a perception that they have, a conflict of interest in respect of the subject matter of an Appeal, they shall inform all Parties to the Appeal of this potential conflict of interest. On being so notified, any Party to the Appeal may provide submissions as to why the Chairperson/Member should recuse themselves from hearing the Appeal and that Chairperson/Member may if they consider it necessary (having regard to all submissions made in relation to a potential conflict of interest by the Parties) recuse themselves if so requested.

6.4 As soon as practicable after receipt of a Completed NOAF, the NOAF, including any associated documentation, shall be provided to the Applicant (unless they are also the Appellant), and to the Minister.

6.5 Where the Applicant is not the Appellant, the Applicant may make a submission in response to the Notice of Appeal ("the Response") within the period of 28 days from the notification of the Notice of Appeal. In responding to the Appeal, the Applicant shall provide all of the Grounds and Submissions upon which they respond to the Appeal and provide all of the Evidence and Documents upon which they wish to rely.

6.6 The Minister shall provide a Statement of Fact in response to an Appeal and this Statement shall be provided to the other Parties. The Statement shall, pursuant to regulation 7(2) of the Regulations, show the extent to which the facts and contentions advanced by the Appellant are admitted or disputed. The Minister shall also provide information, documents or items in the power or control of the Minister that are relevant to the Appeal.

6.7 The documents provided by the Minister that relate to the Appeal under regulation 7(2)(b) of the Regulations shall be made available to the Parties. Where these documents are published on a website the Parties will be referred to that website to access the documents. Note that the Minister provides a map-based website referred to as the Forestry Licence Viewer where documents that relate to a forestry licence, are available.

6.8 Any Grounds and Submissions in the NOAF or the Statement of Fact or the Response shall be set out in numbered paragraphs and shall have a maximum word limit of 10,000 words and the word count shall be expressly stated at the end of the document. The word limit does not include the NOAF but does include text that has been quoted or copied from the pleadings of any other Party. Parties are reminded that the word limits are maxima and not minima, and accordingly Parties are encouraged to prepare their Grounds and Submissions in a shorter form where possible.

6.9 The Appellant or any Party may make submissions, ("the Reply"), in response to the Statement of Fact and any Response made by the Applicant within the period of 28 days from the date of notification. The Minister and any other Party may make a submission, ("the Rejoinder"), in response to the Reply made by the Appellant or other Party within a period set by the FAC.

6.10 Any submissions in the Reply or Rejoinder shall be set out in numbered paragraphs and shall have a maximum word limit of 5,000 words and the word count shall be expressly stated at the end of the document. The word limit includes text that has been quoted or copied from the pleadings of any other Party. Parties are reminded that the word limits are maxima and not minima, and accordingly Parties are encouraged to prepare their grounds and submission in a shorter form where possible.

6.11 Where submitted, Evidence and Documents shall be numbered, clearly referenced, including a publicly accessible webpage where available, and submitted as an Annex to the NOAF, Statement of Fact, Response, Reply or Rejoinder.

6.12 The author of all Grounds and Submissions in the NOAF, Statements of Fact, Response, Reply and Rejoinder shall be clearly identified. Where an individual, other than the Appellant, Applicant or the Minister, has prepared the Grounds and Submissions their name, address and qualifications, if any, shall be provided.

6.13 The author and source of all Evidence and Documents shall be clearly identified. Any technical report shall include the authors name, address, and qualifications.

6.14 A submission period may be extended by the FAC for good reason but only upon application in writing stating the reasons for seeking the extension.

6.15 The FAC may refuse any submission made after the period provided in the notification or direction or where the submission is materially in breach of the formatting and word count requirements in these Rules.

6.16 The FAC may require evidence to be presented by way of affidavit.

6.17 Any submission to the FAC shall not be considered to be received by the FAC unless an acknowledgement is sent to the submitter.

6.18 The FAC may refuse to consider Grounds, Submissions, Evidence or Documents that are irrelevant to the Appeal made or to avoid undue repetition.

6.19 The FAC may require any information to be provided which it may reasonably require for the purposes of considering an Appeal, in accordance with section 14B(9) or with section 14C(4) of the Act.

6.20 The lodgement of a NOAF, or of any submission made, or the holding of a Deliberation or an Oral Hearing does not imply that the Appeal in question, the Grounds of Appeal, any Submissions, or Evidence or Documentation or data provided in the course of the Appeal in question are valid or that all or any of the matters raised fall within the remit of the FAC.

6.21 The FAC may dismiss a Completed NOAF and/or an Appeal or any Grounds, Submission, Evidence or Document or part of the proceedings which the FAC deems to be vexatious or an abuse of process.

6.22 In accordance with regulation 5(7) of the Regulations, where the FAC receives notification from the Minister that the Applicant has withdrawn their licence application the FAC shall dismiss the Appeal proceedings.

6.23 An Appeal may be withdrawn by the Appellant by writing to the FAC at any time before the Determination of the FAC is notified.

6.24 Every Appeal will be dealt with on its own merits following consideration of the specific circumstances and issues arising for the Decision that is the subject of the Appeal and in accordance with fair procedures.

6.25 In considering an Appeal, the FAC shall have regard to the record of the Decision the subject of the Appeal, and may, where it considers it necessary or expedient for the fair and proper Determination of the Appeal, have regard to such Submissions, Evidence or Documents not contained in the record of the Decision as the FAC considers appropriate. The FAC will provide all Parties to an Appeal with any additional Submissions, Evidence or Documents, that have been provided by a Party that it takes into consideration in the Appeal process that are material in nature. Where provided, all Parties will be given an opportunity to make representations on such additional documentation.

6.26 The information provided to the FAC during an Appeal, including personal information, shall be processed for the sole purpose of dealing with the Appeal. Appeal details may be provided to other relevant Parties and may be included in the record of and read at any Oral Hearing held for the Appeal and may be published including on a website. Information submitted for the purposes of an Appeal shall be retained by the FAC for 7 years and may be retained for a longer period for lawful purposes.

6.27 It is the responsibility of each Party to provide to the FAC any Grounds and Submissions and Evidence and Documents that they wish to be considered during the Deliberation on a given Appeal.

6.28 Parties or other persons shall not seek to directly contact the Chairperson or any individual Member of the FAC or to attempt to unduly influence proceedings in any way. All correspondence shall be sent through the official email address or postal address of the FAC. Anonymous or pseudonymous correspondence, which is not clearly attributed to the sender, shall not be accepted nor receive a response. Any attempt, direct or indirect, by any Party, or Nominated Agent or other representative of a Party, to use influence by way of canvassing the Chairperson or any individual Member of the FAC in connection with an Appeal will: (i) (where they are the Appellant) cause their Appeal to be disqualified; or (ii) (where they are the Applicant or other Party) cause their Reply, Response and Rejoinder (if any) to be disqualified

6.29 A Party shall not make false statements, submit false evidence or attempt to mislead the FAC or any other Party. The FAC accept no responsibility

or liability for any written or oral statements, evidence or attempts to mislead made or submitted by or on behalf of any Party to an Appeal during the Appeals process or by any attendee at an Oral Hearing.

6.30 A Party shall not make derogatory or personalised comments concerning any other Party or the FAC. The FAC accept no responsibility or liability for any written or oral personalised comments made by or on behalf of any Party to an Appeal during the Appeals process or by any attendee at an Oral Hearing.

6.31 A Party shall not publish or cause to be published any personal or confidential information that is obtained as part of the Appeals process unless such is provided for in law. Publication may include the uploading of information to an Artificial Information system. The FAC accept no responsibility or liability for any unlawful disclosure of personal or confidential information made by or on behalf of any Party to an Appeal during the Appeals process or by any attendee at an Oral Hearing.

7.0 Deliberations and Oral Hearings

7.1 As provided in section 14C(1) of the Act, the FAC shall determine an Appeal without an Oral Hearing unless, having regard to the particular circumstances of the Appeal, it considers that it is necessary to conduct an Oral Hearing in order to properly and fairly determine the Appeal.

7.2 Each Completed NOAF made in compliance with the Act, Regulations, NOAF and these rules shall be subject to a Deliberation by the FAC. A Deliberation, including all documentation prepared by the FAC for the purposes of or during a Deliberation, shall be private and confidential and restricted to the FAC and FAC Administration. The Parties to an Appeal are not entitled to attend such Deliberation whether as a Party or observer or otherwise.

7.3 Where the FAC consider it necessary in order to properly and fairly determine the Appeal, the FAC shall hold an Oral Hearing of the Appeal. Where an Oral Hearing is held in a physical setting, Parties to the Appeal shall be notified of the time, date and place of the Oral Hearing in writing and invited to attend. Parties to an Oral Hearing that is held remotely shall be notified of the time and date of the hearing together with details of the virtual meeting room in writing.

7.4 The FAC may require the attendance of any person at an Oral Hearing in accordance with section 14C(4) of the Act by notifying the individual in writing with details of the time and place of the Oral Hearing.

7.5 Failure of an Appellant to provide information or to attend an Oral Hearing if required by the FAC may result in the dismissal of an Appeal.

7.6 The FAC may consider more than one Appeal at the same Deliberation or Oral Hearing and the FAC may hold more than one Deliberation and Oral Hearing in relation to an Appeal.

7.7 The Chairperson has discretion as to the conduct of an Oral Hearing and shall set an agenda for an Oral Hearing and the Parties shall comply and co-operate with that agenda.

7.8 The Chairperson may set a limited agenda for an Oral Hearing at which submissions on only specific grounds will be heard.

7.9 At an Oral Hearing, the Parties to the Appeal shall be given an opportunity to present their case. Each Party shall have the right of reply. The FAC shall determine the order of appearance of any persons at the Oral Hearing and may limit the speaking time of each person present.

7.10 At an Oral Hearing, the FAC may question the Parties to the Appeal, their representatives and any person called by the FAC to attend.

7.11 A typical agenda for an Appeal by a third Party might take the following form:

(i) Introductions (5 mins)

(ii) Minister's oral presentation (Details of licence and background to Decision and response to earlier written submissions (20 mins)

(iii) Appellant's oral presentation (20 mins)

(iv) Applicant's oral presentation (20 mins)

(v) Questions and Discussion (30 mins)

(vi) Reply and closing remarks by Minister, Appellant, Applicant (each 5 mins)

(vii) Close of Oral Hearing.

Note: each Party's oral presentation may include the giving of evidence by a witness or expert witness called by that Party. Additional time may be allowed for cross examination if required. The Chair of the Oral Hearing may administer an oath or affirmation for each witness prior to the witness giving evidence.

7.12 The FAC Administration shall make a record of the Oral Hearing and may at the FAC's discretion sound-record or have a professional stenographer record at an Oral Hearing to facilitate and aid the FAC's work. No Party may use private video recording, private sound recording, private electronic recording or private recording of an Oral Hearing. The record by the FAC shall include the names of attendees and Members and a summary record of the Oral Hearing. Any notes taken by the Chairperson or Members during an oral hearing shall be private and confidential.

7.13 A Party to an Appeal shall notify the FAC of any representatives that are accompanying them to an Oral Hearing at least two weeks before the date of the Oral Hearing. Each Party shall be responsible for organising the attendance of any such person representing them. Where the details of a representative(s) have not been provided to the FAC two weeks in advance of an Oral Hearing, the Chairperson may refuse to admit the representative or accept oral submissions from the representative.

7.14 The FAC may invite experts and other external individuals to make presentations or answer questions from the FAC at an Oral Hearing. The Parties to an Appeal will be informed of the attendance of such individuals prior to the Oral Hearing.

7.15 In the event a person required to attend an Oral Hearing in compliance with section 14C(4) of the Act does not comply or fully comply with the requirements therein, the FAC has power to apply in a summary manner to the District Court on notice to that person for an order requiring that person to comply or fully comply within such time and on such terms as the court deems fit.

7.16 Where an Oral Hearing is held in person, it may be held in or proximate to the premises of the Agriculture Appeals Office, Kilminchy, Portlaoise, Co. Laois. At its discretion, the FAC may hold Oral Hearings at other locations where it deems this appropriate.

7.17 Parties shall make their own provisions for attendance at an Oral Hearing, whether in person or remote.

7.18 The FAC hearing an Appeal may postpone or adjourn the Oral Hearing at its discretion.

7.19 During an Oral Hearing the FAC may issue a direction to a Party or their representatives and the Party or individual shall comply with that direction. A failure to comply with any such direction may result in an Appeal being invalid.

7.20 During an Oral Hearing, all attendees shall behave in a respectful and appropriate manner. Where it appears to the Chairperson of an Oral Hearing that an individual is not acting in a respectful or appropriate manner the Chairperson may, subsequent to a verbal warning, direct the individual to leave the Oral Hearing or be removed from the Virtual Meeting Room. In such circumstances, an Oral Hearing may proceed in the absence of any individual who has been excluded.

7.21 The FAC accept no responsibility or liability for any written or oral submission made by or on behalf of any Party to an Appeal during the Appeals process or by any attendee at an Oral Hearing.

8.0 Determination of Appeals

8.1 The FAC shall determine an Appeal as soon as is practicable following the Deliberation or Oral Hearing of the Appeal.

8.2 The FAC in making its Determination may take advice from such persons as it considers appropriate.

8.3 The quorum of the FAC shall consist of the Chairperson or Deputy Chairperson and not less than one other Member.

8.4 The Appeal shall be determined by a majority of votes of the Members. Where a Division of the FAC consists of more than two Members and in the case of an equal division of votes, the Chairperson or Deputy Chairperson of the FAC in attendance shall have a casting vote in addition to his or her deliberative vote.

8.5 Following consideration of an Appeal, the FAC may—

a) affirm the Decision of the Minister;

b) where it is satisfied that a serious or significant error or a series of errors was made in making the Decision the subject of the Appeal or that the Decision was made without complying with fair procedures—

(i) vary the Decision of the Minister,

(ii) allow the Appeal and set aside the Decision of the Minister,

(iii) set aside the Decision and remit it, for stated reasons, to the Minister, or

(iv) where the FAC considers it appropriate to do so, by reference to submissions, documents or evidence before it which were not considered by the Minister or for other good reason, substitute its Determination for the Decision of the Minister.

8.6 Where more than one appeal against a Decision has been considered at a Deliberation or Oral Hearing, the FAC may issue a single Determination for all appeals against that Decision.

8.7 The FAC shall, in writing, notify the Parties of the Determination of the FAC and provide reasons for the Determination. The Determination shall also be published on the webpage of the FAC.

8.8 A Determination of the FAC may be challenged by way of application to the High Court for Judicial Review.

9.0 Artificial Intelligence

9.1 Parties, at their own risk, may use Artificial Intelligence (AI) to assist them in carrying out research in respect of the Appeal provided that they do so responsibly and do not, even inadvertently, mislead the FAC, or other Parties by advancing propositions or relying upon supposed authorities which in fact have no foundation at all and are simply hallucinations.

9.2 In all cases where they do so, they should expressly inform the FAC and, through the FAC, the other Parties of their use of AI in this regard including identifying those Grounds and Submissions or parts thereof which were generated using AI.

9.3 AI shall not be used to generate Evidence and Documents.

9.4 All Parties are responsible for the ultimate written or oral work in their Appeal, irrespective of whether it has been prepared or delivered by the Parties, or their representatives, whether they be foresters, lawyers or otherwise.

9.5 It is important therefore that any Party who uses AI as part of their research independently verifies the accuracy of their submissions and the authorities cited as supposedly establishing the propositions advanced.

9.6 No authority should be cited by a Party who has not actually verified that it is genuine and that it is, or at least arguably is, authority for the proposition contended for.

9.7 Any individual using an AI system shall familiarise themselves with the nature and limits of that system and how any data uploaded to the system is used, retained or published. The Parties are responsible for ensuring that any use of AI does not breach the confidentiality of or protections afforded any data or person.

10.0 Slip Rule

10.1 The FAC, at its discretion, may at any time correct any clerical mistake or other accidental slip, error or omission in a Determination of the FAC, direction or document produced by it by sending notification of the amended Determination to each Party; and making any necessary amendment to any information published in relation to the determination, direction or document.

11.0 Coming into force of the Rules

11.1 These Rules come into force on the date they are published on the FAC pages of the Agriculture Appeals Office website. The Rules will immediately apply to all existing Appeals prospectively as well as to new Appeals arising after the date of first publication.

12.0 Review of Rules

12.1 These rules may be reviewed and amended by the FAC from time to time. These rules are available for viewing on FAC pages of the Agriculture Appeals Office website.

Annex A – Notice of Appeal Form

An Coiste um Achomhairc Foraoiseachta
Forestry Appeals Committee

Official Use Only	FAC Reference _____
Date Received	_____
Received on time?	Yes/No
3rd Party	Yes ☐ No ☐
Checked by:	_____

NOTICE OF APPEAL FORM

Appeal to the Forestry Appeals Committee (FAC)

To submit a valid appeal an appellant shall use this form and adhere to the rules contained herein and the Rules of Procedure published on the FAC website, in keeping with the Agriculture Appeals Act 2001 and the Forestry Appeals Committee Regulations 2020. APPEALS SUBMITTED IN ANY OTHER FORMAT WILL NOT BE ACCEPTED. A SEPARATE NOTICE OF APPEAL FORM (NOAF) SHALL BE SUBMITTED BY EACH APPELLANT.
Address: Forestry Appeals Committee, Agriculture Appeals Office, Kilminchy Court, Portlaoise, Co. Laois, R32 DTW5.
Email: forestry@agriappeals.gov.ie

PLEASE COMPLETE ALL FIELDS:

Appellant Details	
1. Name of Appellant: A NOAF received with multiple appellants listed will be deemed invalid.	
2. Address of Appellant: (including Eircode)	
3. Telephone Number:	
4. Email (if any):	
All correspondence will issue via email where provided. If you prefer to be contacted by post, please tick this box ☐	
Are you the LICENCE APPLICANT[1] named in the Decision: ☐ Yes ☐ No	
Nominated Agent/Representative Details (if any) **A nominated agent will receive Appeal correspondence**	
5. Name	
6. Address (including Eircode)	
7. Relevant Qualifications (if any)	
8. Telephone number:	
9. Email (if any):	
Details of the decision of the Minister for Agriculture, Food and the Marine to be appealed A SEPARATE FORM SHALL BE COMPLETED FOR EACH DECISION	
10. Decision Reference[2]: *Please tick the appropriate licence type and provide the licence number*	☐ Afforestation: _____ ☐ Forest Road Works: _____ ☐ Felling Licence: _____ ☐ Aerial Fertilisation: _____

[1] Licence Applicant refers to the person who made the application to the DAFM.
[2] Available on Department of Agriculture Food and the Marine website and Forestry Licence Viewer.
Version 27/10/2026

An Coiste um Achomhairc Foraoiseachta
Forestry Appeals Committee

11. Date of Decision under Appeal[3]: ____/____/_____	**12. Townland and County:**

13. Payment of Prescribed Fee

Subject to paragraph 15.1 below please indicate the payment method of the Prescribed Appeal Fee of €200.00 that you have selected:

Cash ☐ Credit/Debit Card ☐ Electronic Funds Transfer ☐ Postal Order, Bank Draft or Cheques ☐

14. Appellant's Grounds of Appeal and Submissions and Evidence and Documents

You shall provide all of your Grounds and Submissions in a separate document and append it to this form. In addition, you shall submit such Evidence and Documents that you wish to rely upon to support your grounds as an Annex. Complete Section 18 by listing all documents that you are submitting or submitting a list separately. You shall ensure that your appeal is made in compliance with the relevant legislation and the Rules of Procedure.

15. Submission of appeals

An Appeal against a decision issued by the Minister for Agriculture, Food and the Marine is subject to the statutory 14 working day deadline i.e. **The Notice of Appeal including the €200 fee shall be received within a period of 14 working days beginning on the date of the decision or the publication of the decision, whichever is later.** A working day does not include Saturday, Sunday, or a Public Holiday. Please note that any Notice of Appeal received after the 14 working day period shall not be accepted.

Appeals may be submitted by post to **Forestry Appeals Committee, Agriculture Appeals Office, Kilminchy Court, Portlaoise, Co. Laois, R32 DTW5** or delivered by hand. Alternatively, a completed Notice of Appeal Form may be submitted by email to forestry@agriappeals.gov.ie. The Notice of Appeal Form shall be signed by the appellant and the form and fee shall be received before the statutory deadline.

It is a legal requirement to pay a fee of €200.00 to make an Appeal. Payments must be made payable to the Forestry Appeals Committee and be clearly referenced to the licence decision under Appeal. Payments can be made via any of the below methods:

1. By Credit/Debit Card when submitting a digital NOAF available on the FAC section of the website of the Agriculture Appeals Office

2. Via Electronic Funds Transfer to the Department of Agriculture, Food and the Marine's Danske bank account as follows:

   IBAN IE23DABA95159950006254,
   SWIFT/BIC DABAIE2D,
   Account No. 50006254,
   Sort Code 95-15-99,
   Bank Danske Bank, The Shipping Office, 20-26 Sir John Rogerson's Quay, Dublin 2.
   Account Name Department of Agriculture, Food and the Marine – Receipts – Public Bank Account.

   The Appellant shall inform the FAC that the fee will be paid by electronic funds transfer (EFT) and the fee must be received in the bank account before close of business on the last day of the appeal period and must include the specific reference number of the decision of the Minister for Agriculture, Food and the Marine to which the Appeal relates, or the Appeal cannot be accepted.

[3] Where the decision is not published on the day the decision is made, the number of working days shall be extended by the number of working days (or part thereof) that elapsed between the decision day and the publication of the decision, but shall not exceed the period of 28 days specified in section 14A(4)(a) of the Agriculture Appeals Act 2001.

3. By way of postal order, bank draft or cheque with this form. Payments must be made payable to the Forestry Appeals Committee and be clearly referenced to the licence decision under Appeal. The fee may be sent by post or delivered in person during public counter opening hours.

4. By way of cash payment in person at the offices of the FAC at Forestry Appeals Committee, Agriculture Appeals Office, Kilminchy Court, Portlaoise, Co Laois, R32 DTW5, during public counter opening hours.

   Public Counter Opening Hours for the submission of a Completed NOAF by hand are:
   Monday to Friday: 10am to 4pm
   Closed for lunch: 12:30pm to 2:30pm
   The office is closed on weekends and Public Holidays. Saturdays, Sundays and Public Holidays are not included in the appeal period.

Please note that failure to submit the fee by the 14 working days deadline will result in your Appeal being deemed invalid.

If you do not receive an acknowledgement of your Appeal please contact the Forestry Appeals Committee via Tel: (057) 8667167; or e-mail: forestry@agriappeals.gov.ie.

16. Withdrawal of Appeal and Refund of Fees

An appellant may withdraw an Appeal by writing to the FAC before a determination is made. Where an Appeal is withdrawn within 14 calendar days of its submission a refund may issue to the appellant. Where a Notice of Appeal is deemed invalid, the fee shall be returned. The fee will not be returned under any other circumstances. Where made, any fee refund shall be made by return of the original postal order, bank draft or cheque, if possible, or by Electronic Funds Transfer.

17. Deliberations and Oral Hearings

Appeal deliberations are held by the FAC at the Agriculture Appeals Office, Kilminchy Court, Portlaoise, Co. Laois, R32 DTW5, in another venue in Portlaoise, or remotely. The FAC shall determine an Appeal without an oral hearing unless, having regard to the particular circumstances of the Appeal, it considers that it is necessary to conduct an oral hearing in order to properly and fairly determine the Appeal. Where held, parties shall be advised of the date, time and location of the oral hearing. Names of any person(s) accompanying a party or nominated to attend an oral hearing on a party's behalf shall be provided. Where an email address is provided all communications from the FAC may issue via email only.

18. Processing of your Appeal and sharing of information

Data Protection – GDPR

i. The Forestry Appeals Committee (FAC) collects personal data to process Appeal applications. Personal data may be used for statistical, research and analysis purposes in some circumstances, but will only be done in compliance with the Data Protection legislation in force. Data used for such purposes will be pseudonymised (masked) or anonymised, as appropriate, to protect the security and confidentiality of the data. The use of the data in this way may facilitate the FAC in informing policy decisions into the future. The FAC is fully committed to keeping all personal data submitted by its customers fully safe and secure during administrative processes.
ii. The AAO, when processing a FAC Appeal, may share data collected from the appellant with other relevant parties and the Appeal data may be included in the record of and read publicly at any oral hearing held for the relevant Appeal and may be published on a public website. The Agricultural Appeals Act 2001, as amended, and Forestry Appeals Committee Regulations 2020 provides for this sharing of data.
iii. The DAFM Statement on the Grounds of Appeal will be provided to all parties to the Appeal.
iv. Information relating to appeals shall be retained by the FAC for a minimum of 7 years.
v. Transparency and openness in the use of personal data is important to the FAC which 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 FAC. This information and the information on the rights

of customers who provide personal data to the FAC are detailed in the data protection section on the Appeals Office's website www.agriappeals.gov.ie.

vi. Personal data processed by the FAC 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.

vii. Please be advised that 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 visitors and staff. More information is in the data protection section on the Office's website www.agriappeals.gov.ie.

18. List of Documents being relied upon by Appellant **The Appellant's Grounds and Submissions and any Evidence and Documents shall be appended to this NOAF. Include here a list of all documents being submitted or submit a list separately.**
1) Document 1 - Grounds of Appeal and Submissions
2) Annex 1 –
3) Annex 2 -
4) Annex 3 -

20. Declaration

By signing the declaration below you are making an Appeal against the decision referred to in this Notice of Appeal Form and declaring that your Appeal details may be provided to other relevant parties and may be included in the record of and read publicly at any oral hearing held for this Appeal and may be published.

Declaration of Appellant	
I declare that the information contained in my Appeal is true and accurate and that I have read and accept the requirements governing the submission, processing and determination of Appeals by the Forestry Appeals Committee including in this form, the Rules of Procedure, the Agriculture Appeals Act 2001 , as amended, and the Forestry Appeals Committee Regulations 2020, as amended. I confirm that I am the author of the Grounds and Submissions or that the author of the Grounds and Submissions or the use of AI is clearly identified in the Grounds and Submissions.	
Signature of Appellant:	
Date:	

21. Appendix - Grounds of Appeal and Submissions & Evidence and Documents

Forestry Appeals Committee

Date: 30th October 2026

GIVEN under my hand,
30 October, 2026.

EDMUND CARROLL,
Chairperson of the Forestry Appeals Committee.

EXPLANATORY NOTE

(*This note is not part of the Instrument and does not purport to be a legal interpretation.*)

These rules are made by the Forestry Appeal Committee for the conduct of appeals and of oral hearings against decisions made by the Minister for Agriculture Food and the Marine for the grant of licences for afforestation, felling of trees, forest road construction, tree felling and aerial fertilisation of forests.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
BÓTHAR BHAILE UÍ BHEOLÁIN,
CILL MHAIGHNEANN,
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