

Abstract:*The Legal Significance of Data from Public Registers in Agricultural Affairs*

The following dissertation addresses the issue of the legal significance of data contained in public registers in agricultural affairs. Its goal is to solve a scientific problem by determining whether the data from IT systems managed by agricultural administration bodies in Poland, covering collections of information used to establish eligibility and settle support under the instruments of the European Union's Common Agricultural Policy, correspond to the normative and doctrinal concept of a public register, as well as to determine whether their legal significance impacts the material-legal situation of applicants and beneficiaries of this support, in conditions of establishing adequate legal protection instruments in case of discrepancies between the registered data and the factual or legal state.

The dissertation comprehensively presents the legal conditions for the creation, functioning, and use of the Integrated Administration and Control System (IACS) managed by the Agency for Restructuring and Modernisation of Agriculture. In particular, the thesis addresses issues related to the registry of agricultural producers, registry of farms, registry of payment claims, and land parcel identification system (LPIS), as well as the impact of other registers, such as the land and building registry, central registration and information on business activity, population registry (PESEL), or land and mortgage registers, which directly or indirectly benefit the IACS system, in order to ensure the adequacy and currency of data used in the process of assessing applications and settling granted support, and to systematically eliminate the effects of mistakes, attempts at fraud or abuse of law by agricultural producers. It was indicated that both the legal situation of nearly 1.5 million Polish beneficiaries of the Common Agricultural Policy instruments, as well as the legality of payment of EU and national funds, depend on the functions these registries fulfill and the quality of data collected in them.

It was determined that the abovementioned registries, constituting structural elements of the IACS system, besides their registry (registration) function, also serve to manage support applications, verify the compliance of applications with the Common Agricultural Policy provisions (including land eligibility, compliance with animal welfare requirements), and are used to calculate the amount and make direct payments and financial aid payments within support instruments for rural areas development. They ensure transparency in financial management not only within CAP instruments but also in terms of national aid (often of an intervention nature), help prevent abuses and attempts to circumvent the law to receive undue or excessive payments and serve to verify the compliance with requirements set by the EU bodies responsible for distributing financial resources.

It was concluded that there are grounds to recognize the aforementioned data collections in the form of databases and registers as public registers, whose content shapes the evidentiary material in administrative proceedings and has legal effects on entities seeking income support in the agricultural production sector and grants within rural areas development policy instruments.

Due to the significance of the data from the LPIS system in the procedure for granting payments under the direct support schemes of CAP, the proposal was made to grant them the status of official documents within the meaning of the Administrative Procedure Code provisions. It was also considered useful to establish regulations that would allow for an annual agreement of the area eligible for payments, jointly with the farmer, before the deadline for submitting applications, which could reduce the number of disputes and appeals.