
STATUTORY RULES OF NORTHERN IRELAND

2001 No. 43

Countryside Management Regulations (Northern Ireland) 2001

Restrictions on acceptance of applications

5.—(1) The Department shall not accept an application for grant in relation to any land which is situated in an environmentally sensitive area.

(2) The Department shall not accept an application for grant in relation to any eligible land which is occupied by a tenant unless it is satisfied that the tenant has notified the landlord of his intention to make the application.

(3) The Department shall not accept an application for grant for an area of less than 1 hectare.

(4) The Department shall refuse to accept an application for grant in relation to any eligible land where—

- (a) it is satisfied that the use of any land in accordance with the proposals contained in the application would frustrate the purposes of any assistance previously given or to be given out of money provided by or under any statutory provision or by the European Community;
- (b) it is satisfied that the payment of grant under these Regulations would duplicate any assistance previously given out of money provided by or under any statutory provision or by the European Community;
- (c) the applicant is prohibited from giving the undertaking under these Regulations by application of a penalty consequent upon Article 48.2 of Commission Regulation 1750/1999 (which requires member States to determine a system of penalties for breaches of the obligations entered into and of regulatory provisions applicable to the case); or
- (d) the applicant is excluded from all aid under Chapter VI of Title II of the Council Regulation by virtue of Article 48.3 of Commission Regulation 1750/1999 (which requires a person who, intentionally or by reason of serious negligence, makes a false declaration to be excluded from all rural development measures falling under the relevant chapter of the Council Regulation) and the grant in respect of the proposed undertaking would include such aid.

(5) The Department shall not accept an application for grant without first having agreed with the applicant the date of commencement of the undertaking which shall in no circumstances be earlier than the date on which the application was accepted.