
STATUTORY RULES OF NORTHERN IRELAND

2008 No. 174

Countryside Management Regulations (Northern Ireland) 2008

Power to vary agreements

- 9.—(1) The Department may vary the terms of an agreement—
- (a) at the written request of the beneficiary with whom it has entered into the agreement; or
 - (b) in the event of material changes to the statutory management requirements and standards of good agricultural and environmental conditions provided for in Articles 4 and 5 of Annex III and IV to Council Regulation Note 1782/2003.
- (2) Any variation under paragraph (1)(a) may be subject to such conditions as the Department may reasonably determine.
- (3) The Department shall not agree to any variation under paragraph (1)(a) unless it is satisfied that the purposes for which the agreement was made would not be adversely affected by the variation.
- (4) Where any variation under paragraph (1)(a) reduces the area of eligible land in respect of which grant is payable, that reduction in area will be considered to have taken place on the most recent anniversary of the date of the commencement of the agreement in question.
- (5) Where a variation under paragraph (1)(a) increases the area of eligible land in respect of which grant is payable, that increase in area will be considered to have taken place on the next anniversary on the date of the commencement of the agreement in question.
- (6) The Department shall notify the beneficiary in writing before any variation under paragraph (1)(b) shall take effect and where the beneficiary informs the Department in writing within 28 days of the date of that notice, that he accepts the variation, the variation shall take effect at the end of that period.
- (7) Otherwise, the agreement to which the notice under paragraph (6) relates shall cease to have effect at the end of the 28 day period referred to in that paragraph.
- (8) Following the termination of an agreement under paragraph (7), the Department shall not seek to recover any grant paid during the period when the agreement was in effect.