
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide a domestic legal framework for the implementation of Article 31(5) of Regulation (EU) No. 1305/2013 of the European Parliament and of the Council on support for rural development by the European Agricultural Fund for Rural Development and specifically the payment of an ANC allowance. These Regulations also provide for the implementation of Measure 13 of the Northern Ireland Rural Development Programme 2014-2020 approved on 19th December 2017 by Commission Decision CCI: 2014UK06RDRP002.

The Regulations define the conditions of eligibility for an ANC allowance (regulations 3 to 6) and the rate at which it is to be paid (regulation 7 and Schedule 2).

Regulation 8 sets the maximum time (90 days) which beneficiaries have to notify the Department of a transfer of a holding.

Regulations 9 and 10 grant the Department power to withhold or recover payments and take certain other action in the event of a breach under these Regulations and in certain other circumstances.

Regulation 11 sets out how interest to be charged on amounts owed to the Department will be calculated.

Regulation 12 allows for payments owed to the Department by beneficiaries to be treated by the Department as debt.

Regulation 13 provides for debts owed to the Department to be deducted from future payments to that beneficiary.

Regulation 14 provides the powers of entry to land and premises for the purpose of enforcing these regulations to persons authorised by the Department.

Regulation 15 sets out the powers of inspection of such authorised persons.

Regulations 16 and 17 make it an offence to obstruct, fail to provide information without reasonable cause or furnish false or misleading information to a person acting to implement these Regulations and establishes the penalties which may be imposed.

Regulation 18 revokes with savings the Areas of Natural Constraint Regulations (Northern Ireland) 2017.