
STATUTORY RULES OF NORTHERN IRELAND

2023 No. 212

**The Beef Carbon Reduction Scheme
Regulations (Northern Ireland) 2023**

Withholding and recovery of overpayments

8.—(1) This regulation applies where an application for payment has been approved by the Department and it becomes aware that the applicant—

- (a) is not eligible to receive that payment;
- (b) has without reasonable cause obstructed an authorised person in the exercise of their powers under regulation 9; or
- (c) has failed to provide reasonably required assistance to an authorised person under regulation 10.

(2) Subject to paragraph (3), the Department may—

- (a) revoke the approval of the application for payment; and
- (b) where payment has not been made withhold the payment or any part of it; or
- (c) where payment has already been made, recover from the applicant an amount equal to the whole or any part of the payment—
 - (i) as a civil debt; or
 - (ii) by way of offsetting against any sum otherwise payable to the applicant by the Department.

(3) Before exercising the power under paragraph (2), the Department must by a withdrawal or recovery notice, (“the notice”)—

- (a) give the applicant a written explanation of the reasons for the proposed action;
- (b) afford the applicant the opportunity to make written representations within 14 days beginning with the date of the issue of the notice; and
- (c) consider any representations made by or on behalf of the applicant.

Commencement Information

II Reg. 8 in operation at 1.1.2024, see [reg. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Beef Carbon Reduction Scheme Regulations (Northern Ireland) 2023, Section 8.