

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Agriculture (Financial Assistance) Regulations 2021 (S.I. 2021/405) (the “2021 Regulations”). They are made under the Agriculture Act 2020 (c. 21) (“the Act”).

Regulation 3 inserts new definitions, and amends existing definitions, in regulation 2 of the 2021 Regulations.

Regulation 4 extends the scope of regulation 3 of the 2021 Regulations to apply to any financial assistance scheme established under Part 1 of the Act.

Regulations 5 and 6 make changes to reflect the new definitions inserted by regulation 3.

Regulations 7 and 8 extend the scope of the publication of information requirements in regulations 13 and 14 of the 2021 Regulations to include other financial assistance schemes established under Part 1 of the Act. The tree health pilot scheme and annual health and welfare review are exempt from certain publication requirements.

Regulations 9 and 10 omit references to any “employee or agent” of an agreement holder; this wording is now incorporated in the new definition of “agreement holder” inserted by regulation 3.

Regulations 11 and 12 extend the investigation powers in regulations 21 and 22 of the 2021 Regulations to enable the Secretary of State to investigate applicants if the Secretary of State reasonably suspects an applicant has committed an offence under other legislation, in so far as it is relevant to an application for, or receipt of, financial assistance.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.