



# Agriculture Act 2020

## 2020 CHAPTER 21

### PART 1

#### FINANCIAL ASSISTANCE

### CHAPTER 1

#### NEW FINANCIAL ASSISTANCE POWERS

### **3 Financial assistance: checking, enforcing and monitoring**

- (1) The Secretary of State may by regulations make provision for or in connection with—
- (a) checking whether eligibility criteria for receipt of financial assistance are met and the consequences, where financial assistance has already been given, if not;
  - (b) enforcing compliance with conditions subject to which financial assistance is given;
  - (c) monitoring the extent to which the purpose of financial assistance has been achieved;
  - (d) the investigation of suspected offences in connection with applications for, or receipt of, financial assistance.
- (2) Regulations under subsection (1) may (among other things) include provision—
- (a) about the provision of information;
  - (b) conferring powers of entry;
  - (c) conferring powers of inspection, search and seizure;
  - (d) about the process for determining if eligibility criteria, or conditions subject to which financial assistance is given, are met;
  - (e) about the keeping of records;
  - (f) about the recovery or making good of all or any part of financial assistance which has been given (with or without interest) or the withholding of all or any part of financial assistance;

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*Status: This is the original version (as it was originally enacted).*

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- (g) imposing monetary penalties (including penalties calculated by reference to the amount of financial assistance);
  - (h) prohibiting a person from receiving financial assistance, or financial assistance of a specified description, for a specified period or until specified conditions are satisfied;
  - (i) about appeals;
  - (j) conferring functions (including functions involving the exercise of a discretion) on a person.
- (3) Regulations under this section may not authorise entry to a private dwelling without a warrant issued by a justice of the peace.
- (4) The provision which may be made under subsection (2)(f) includes provision for interest on any recoverable amount to be payable from such day (whether the day on which the financial assistance in question was given or a later day) as may be provided for in, or determined under, the regulations.
- (5) Regulations under this section are subject to affirmative resolution procedure.
- (6) In this section “specified” means specified by, or determined under, regulations under subsection (1).