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STATUTORY INSTRUMENTS

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**1989 No. 128**

**The Farm and Conservation Grant Scheme 1989**

**Reduction or withholding of grant**

9.—(1) The appropriate Minister may reduce or withhold any grant payable under this Scheme in any case where—

- (a) assistance in respect of expenditure towards which such grant is claimed has been or may be given otherwise than under this Scheme, or
- (b) the carrying out or provision of the work, facility or transaction towards the expenditure on which such grant is claimed appears to that Minister to frustrate the purposes served by assistance previously given out of money provided by Parliament or the European Economic Community, or
- (c) he considers that the expenditure towards which such grant is claimed is excessive having regard to the work, facility or transaction carried out or provided to which the claim relates, or
- (d) the carrying out of the work, facility or transaction towards the expenditure on which such grant is claimed has been effected in a way which appears to that Minister to have destroyed or damaged the natural beauty and amenity of the countryside to an extent which cannot be justified by any resulting agricultural benefit.

(2) Before reducing or withholding any grant under the provisions of sub-paragraph (1)(c) or (d) above the appropriate Minister shall—

- (a) give to any person whose grant it is proposed to reduce or withhold a written notification of the reasons for the action proposed to be taken by that Minister, and
- (b) afford that person an opportunity of appearing before and being heard by a person appointed for the purpose by the appropriate Minister, and
- (c) consider the report by a person so appointed and supply a copy of the report to the person mentioned in paragraph (a) above.