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STATUTORY INSTRUMENTS

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**1994 No. 2740**

**The Hill Livestock (Compensatory Allowances) Regulations 1994**

**Withholding or recovery of compensatory allowance**

**11.**—(1) Where any person fails to comply with the terms of an undertaking given by him under regulation 3(2), from which he has not been released by virtue of regulation 10, the appropriate Minister shall be entitled to withhold or to recover on demand the whole or any part of any compensatory allowance payable or paid to him.

(2) Where a claimant, or an employee, servant or agent of a claimant, intentionally obstructs an authorised person or a person accompanying such authorised person and acting under his instructions from exercising any power conferred by regulation 8, or fails without reasonable excuse to comply with a requirement made by an authorised person under regulation 8 or a request made by an authorised person when carrying out any such power, the appropriate Minister shall be entitled to withhold or to recover on demand from that claimant the whole or any part of any compensatory allowance payable or paid to him.

(3) Where any person, with a view to obtaining payment to himself or to any other person of a compensatory allowance, makes any statement or furnishes any information which is false or misleading in a material particular, the appropriate Minister shall be entitled to withhold or to recover on demand the whole or any part of any compensatory allowance payable or paid to him or to such other person.

(4) Where the appropriate Minister has made a notification under regulation 6(1) or (2) and is satisfied that—

- (a) any condition specified in that notification has been breached; or
- (b) more breeding cows or as the case may be ewes than the maximum number specified in the notification have been grazed and maintained on the parcel of land to which it relates in the Scheme year for which it was issued,

he may withhold or recover on demand the whole or any part of any compensatory allowance otherwise payable or as the case may be already paid to the recipient of the notification for the Scheme year to which it relates.