
STATUTORY RULES OF NORTHERN IRELAND

2008 No. 295

Farm Modernisation Programme
Regulations (Northern Ireland) 2008

Breaches of obligations

11.—(1) Where—

- (a) any information furnished to the Department or an agent by the beneficiary is false or misleading;
- (b) the beneficiary is in breach of any of the conditions of an approval;
- (c) the beneficiary is in breach of any requirement to which he is subject under these Regulations or under the Community legislation; or
- (d) the whole or part of the financial support payable in respect of approved expenditure duplicates other grant paid or to be paid out of public funds,

the Department may exercise the powers contained in regulation 13.

(2) For the purposes of paragraph (1)(d), other grant duplicates such financial support if it is, or would be, for any of the same purposes as the financial support.

(3) Where—

- (a) a beneficiary has transferred all or part of the land to which an approval relates to another person (“the transferee”);
- (b) the transferee has given an undertaking to the Department or the agent to assume the conditions of the approval in place of the beneficiary; and
- (c) the Department or the agent has accepted that undertaking,

the beneficiary shall be released from the conditions of the approval, other than in respect of any breach or other matter occurring before the acceptance by the Department or the agent of the transferee’s undertaking.