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STATUTORY INSTRUMENTS

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**2014 No. 3263**

**The Common Agricultural Policy (Control and Enforcement, Cross-Compliance, Scrutiny of Transactions and Appeals) Regulations 2014**

**PART 2**

**CONTROL AND ENFORCEMENT**

**Breaches of commitments etc**

- 14.**—(1) A delivery body may determine, in relation to commitments made to that body, that—
- (a) the rural development beneficiary has furnished false or misleading information to that body;
  - (b) the rural development beneficiary is in breach of any of the terms of a commitment;
  - (c) the rural development beneficiary is in breach of any requirement to which that beneficiary is subject under—
    - <sup>F1</sup>(i) . . . . .
    - <sup>F1</sup>(ii) . . . . .
    - <sup>F1</sup>(iii) . . . . .
    - <sup>F1</sup>(iv) . . . . .
    - (v) the Common Provisions Regulation;
    - (vi) the Horizontal Delegated Regulation,
    - (vii) the Horizontal Implementing Regulation,
    - (viii) the Horizontal Regulation, excluding Title VI,
    - (ix) the Rural Development Delegated Regulation,
    - (x) the Rural Development Implementing Regulation,
    - (xi) the Rural Development Regulation, or
    - (xii) these Regulations;
  - (d) the whole or any part of the sum paid or payable in relation to a commitment duplicates assistance provided or to be provided out of monies made available by—
    - (i) the European Union,
    - (ii) Parliament, or
    - (iii) a body exercising public functions within the United Kingdom;
  - (e) there has been a material change in the nature, scale, costs or timing of the operation or project in relation to which a commitment has been made; or

- (f) the operation or project in relation to which a commitment has been made, has been or is being delayed, or is unlikely to be completed.
- (2) Before a delivery body makes a determination under paragraph (1), that body must—
- (a) give the beneficiary a written explanation of the reasons for proposing to make the determination; and
- (b) afford that beneficiary the opportunity of making written representations within such period as that body considers reasonable (“the prescribed period”).
- (3) If on the expiry of the prescribed period, the delivery body has not received any written representations from the beneficiary, that body must make the determination as proposed.
- (4) If the delivery body has received written representations from the beneficiary in the prescribed period, that body must consider any such representations in deciding whether to make any determination.
- (5) In paragraph (1)(c)—
- “Regulation 1257/1999” means Council Regulation (EC) No. 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) <sup>M1</sup>;
- “Regulation 1974/2006” means Commission Regulation (EC) No. 1974/2006 laying down detailed rules for the application of Council Regulation (EC) No. 1698/2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) <sup>M2</sup>; and
- F2 ...

#### Textual Amendments

- F1** Reg. 14(1)(c)(i)-(iv) omitted (1.1.2016) by virtue of [The Common Agricultural Policy \(Amendment\) \(No. 2\) Regulations 2015 \(S.I. 2015/1997\)](#), regs. 1(2), **9**
- F2** Words in [reg. 14\(5\)](#) revoked (1.1.2024) by [The Agriculture \(Removal of Cross-Compliance and Miscellaneous Revocations and Amendments, etc.\) \(England\) Regulations 2023 \(S.I. 2023/816\)](#), [reg., Sch. Pt. 1 para. 1](#) Table 2 (with [Sch. Pt. 2 para. 2](#))

#### Marginal Citations

- M1** OJ No. L 160, 26.6.1999, p. 80, as last amended by Council Regulation (EC) No. 2223/2004 (OJ No. L 379, 24.12.2004, p.1).
- M2** OJ No. L 368, 23.12.2006, p. 15, as last amended by Commission Implementing Regulation (EU) No. 335/2013 (OJ No. L. 105, 13.4.2013, p. 1).

**Changes to legislation:**

There are currently no known outstanding effects for the The Common Agricultural Policy (Control and Enforcement, Cross-Compliance, Scrutiny of Transactions and Appeals) Regulations 2014, Section 14.