
STATUTORY INSTRUMENTS

2021 No. 405

The Agriculture (Financial Assistance) Regulations 2021

Part 6

Inspections and powers of entry

Virtual inspections

15.—(1) An authorised person may, at any reasonable hour, carry out a virtual inspection of any land or premises owned or occupied by an agreement holder, or over which the agreement holder has control, other than a private dwelling, if it is for the purposes of—

- (a) checking whether eligibility criteria for receipt of financial assistance continue to be met;
- (b) verifying compliance with conditions subject to which financial assistance is given;
- (c) monitoring the extent to which the purpose of financial assistance is achieved;
- (d) reviewing or evaluating—
 - (i) any of the activities carried out by the agreement holder under a financial assistance scheme;
 - (ii) the success of the financial assistance scheme as a whole;
- (e) verifying whether there has been a breach of these Regulations of the type listed in regulation 20(a) or 20(b)(i);
- (f) verifying whether there has been an offence committed under any other legislation, in so far as it is relevant to the application or the request for, or receipt of, financial assistance;
- (g) offering guidance and support, where appropriate.

(2) Before an authorised person is permitted to carry out a virtual inspection by live video link, the following conditions must be satisfied—

- (a) the agreement holder must have access to, and agree to the use of, a live video link;
- (b) the virtual inspection must be capable of being held fairly and transparently;
- (c) the authorised person must inform the agreement holder of the purpose of the proposed virtual inspection and, where possible, agree a suitable date and time for that inspection; and
- (d) where it is not possible to agree a suitable date and time for that inspection, the authorised person must notify the agreement holder in writing of the purpose of the inspection and the date and time of the inspection, at least 48 hours in advance of the inspection.

(3) In this regulation—

- (a) “remote sensing” means any type of aerial photography, satellite imagery or imagery that is captured remotely from an airborne vehicle including an aeroplane, helicopter or remotely piloted aircraft system (RPAS);
- (b) “virtual inspection” means an inspection carried out by—
 - (i) remote sensing; or

- (ii) a live video link that enables the agreement holder and the authorised person, who are not in the same location, to see and hear each other.