
STATUTORY INSTRUMENTS

2021 No. 405

The Agriculture (Financial Assistance) Regulations 2021

Part 8

Determination on breach and remedies

Action available to the Secretary of State following determination of a breach

24.—(1) Further to the determination made under regulation 23(2), the Secretary of State may take such of the following steps as the Secretary of State considers appropriate—

- (a) issue a warning letter to the agreement holder;
 - (b) amend, remove or replace a condition subject to which financial assistance is given either temporarily or permanently;
 - (c) amend, remove or replace any agreed standards or timescales either temporarily or permanently;
 - (d) permit the agreement holder to rectify the breach;
 - (e) reduce the amount of financial assistance awarded in whole or in part;
 - (f) withhold the whole or any part of financial assistance payable under the financial assistance scheme to which the breach relates;
 - (g) withhold the whole or any part of financial assistance payable under any financial assistance scheme to which the agreement holder is entitled;
 - (h) recover on demand all or any part of financial assistance which has already been paid to the agreement holder;
 - (i) terminate the agreement for financial assistance; and
 - (j) prohibit the agreement holder from receiving financial assistance under any financial assistance scheme under section 1 of the 2020 Act, subject to regulation 29.
- (2) The Secretary of State may take more than one step in any particular case.