1991 No. 14

AGRICULTURE

Agricultural Development Operational Programme Regulations (Northern Ireland) 1991

Made	*16th January 1991*
Coming into operation	*17th January 1991*

The Department of Agriculture, being a department designated(**a**) for the purposes of section 2(2) of the European Communities Act 1972(**b**) in relation to the common agricultural policy of the European Economic Community, in exercise of the powers conferred on it by the said section 2(2) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Agricultural Development Operational Programme Regulations (Northern Ireland) 1991 and shall come into operation on 17th January 1991.

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954(**c**) shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

(2) In these Regulations—

"the Council Regulations" means Council Regulation (EEC) No. 4253/88(**d**) laying down provisions for implementing Regulation (EEC) No. 2052/88(**e**) as regards co-ordination of the activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments; and Council Regulation (EEC) No. 4256/88 laying down provisions for implementing Regulation (EEC) No. 2052/88 as regards the EAGGF Guidance Section(**f**);

"the Department" means the Department of Agriculture for Northern Ireland;

"grant" means a grant payable under or by virtue of the Council Regulations and the Operational Programme;

(**a**) S.I. 1972/1811
(**b**) 1972 c. 68; section 2 is subject to Schedule 2 to that Act and is to be read with S.I. 1984/703 (N.I. 3) and S.R. 1984 No. 253
(**c**) 1954 c. 33 (N.I.)
(**d**) O.J. No. L374, 31.12.88, p. 1
(**e**) O.J. No. L185, 15.7.88, p. 9
(**f**) O.J. No. L374, 31.12.88, p. 25

"the Operational Programme" means the Agricultural Development Operational Programme which has been approved by Commission Decision C(90) 2733 of 14th December 1990 for granting financial assistance from EAGGF, Guidance Section, for an operational programme for agricultural development in Northern Ireland(**a**).

Claims for grant

3. Any claim for a grant shall be made in such form and manner and at such time as the Department may require and the claimant shall furnish all such particulars and information relating to the claim as the Department may require.

Payment of grant

4. The Department may make the payment of grant subject to such conditions arising out of or related to the Council Regulations and the Operational Programme as the Department thinks fit; and such payment shall be made at such time as the Department may determine.

Standard costs

5. Subject to such conditions as the Department may from time to time determine, the cost of any work, facility or transaction shall, if the claimant so elects, be taken, for the purpose of determining the amount of any grant payable, to be such standard cost or amount as the Department may from time to time determine.

Recovery of grant

6. If at any time after the Department has paid a grant it appears to the Department that—

(*a*) any condition subject to which the grant has been paid has not been complied with; or

(*b*) the person by whom the application for the payment of grant was made gave information on any matter relevant to the making of the payment which was false or misleading in a material respect,

the Department may recover on demand an amount equal to the payment which has been made or such part thereof as the Department may specify.

False statements

7. If any person, for the purposes of obtaining for himself or any other person any grant, knowingly or recklessly makes a false statement, he shall be liable on summary conviction to a fine not exceeding £2,000.

Rights of entry

8. For the purposes of the Council Regulations and the Operational Programme and, in particular, for the purpose of securing that grants are made in proper cases only, any person duly authorised in that behalf by the

(**a**) Not published in the Official Journal of the European Communities