
EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the environmentally sensitive areas Designation Orders made under Article 3(1) of the Agriculture (Environmental Areas) (Northern Ireland) Order 1987 designating areas in Northern Ireland as environmentally sensitive areas, which implement in part a zonal programme approved by the European Commission (“the Commission”) under Article 7, in compliance with Council Regulation (EEC) No. 2078/92 (O.J. No. L215, 30.7.92, p. 85) on agricultural production methods compatible with the requirements of protection of the environment and the maintenance of the countryside. The Designation Orders amended by the Regulations are set out in the Schedule.

These Regulations make provision to implement Commission Regulation (EC) No. 746/96 (O.J. No. L102, 25.4.96, p. 19) (the “Commission Regulation”) laying down detailed rules for the application of Council Regulation (EEC) No. 2078/92 on agricultural production methods compatible with the requirements of the protection of the environment and the maintenance of the countryside, in particular Article 10 (which prevents duplication of aid under Community schemes in respect of an undertaking) Article 12 (force majeure), and Article 20 (which provides for recovery of wrongful payments with interest, a penalty system and exclusion for false declarations).

The Regulations—

- (a) provide that entitlement to payment under the Orders set out in the Schedule is subject to the provisions of Article 10 and Article 20(3) of the Commission Regulation,
- (b) make provision to enable the Department to recover grant and impose penalties in accordance with Articles 11, 12 and 20 of the Commission Regulation,
- (c) set a rate of interest where recovery of money is to include interest in accordance with Article 20(1) of the Commission Regulation.

These Regulations form part of a package submitted to the Commission under Article 23 of the Commission Regulation.

No Compliance Cost Assessment in relation to these Regulations has been prepared.