STATUTORY RULES OF NORTHERN IRELAND

2025 No. 40

AGRICULTURE

The Farming for Sustainability Knowledge Transfer Payments Regulations (Northern Ireland) 2025

Made - - - -	*6th March 2025*
Coming into operation	*1st April 2025*

The Department of Agriculture, Environment and Rural Affairs(**a**) with the approval of the Department of Finance(**b**) makes these Regulations in exercise of the powers conferred by section 5(2B) of the Agriculture Act (Northern Ireland) 1949(**c**).

Citation and commencement

1. These Regulations may be cited as the Farming for Sustainability Knowledge Transfer Payments Regulations (Northern Ireland) 2025 and shall come into operation on 1st April 2025.

Interpretation

2. In these Regulations—

"applicant" means a farm business which has applied for a payment under these Regulations;

"approved" means approved by the Department;

"the Department" means the Department of Agriculture, Environment and Rural Affairs;

"farm business" means a farm business that holds a farm business identification number registered with the Department;

"hosting event" means an event hosted by a farm business for the purposes of facilitating learning;

"hosting payment" is a payment under regulation 3(a) to a farm business for the provision of facilities and support to facilitate learning;

"learner support payment" is a payment under regulation 3(b) to support the collation, presentation and sharing of farm performance information to enhance group discussion and decision making;

"meeting" means an event for the purpose of facilitating learning which can be held either at a farm business or at an approved venue.

(**a**) The Ministry of Agriculture for Northern Ireland became the Department of Agriculture for Northern Ireland, see the Northern Ireland Constitution Act 1973 c.36 section 40 and Schedule 5 paragraph 8(1); Renamed as the Department of Agriculture and Rural Development by the Departments (Northern Ireland) Order 1999 S.I. 1999/283 (N.I.1) Article 3(4) and the Department of Agriculture, Environment and Rural Affairs the Departments Act (Northern Ireland) 2016 c.5 (N.I.) section 1(2)

(**b**) The "Ministry of Finance" is now the "Department of Finance"; see regulation 1(4) of the Departments Act (NI) 2016 c.5 (N.I.)

(**c**) 1949 c.2 (N.I.)

"scheme year" means from 1st April and ending on 31st March both dates inclusive;

Hosting payment and learner support payment

3. Subject to regulation 4 the Department shall pay to an applicant—

(a) a hosting payment of £786 for each hosting event; and

(b) a learner support payment of £445 in each scheme year for approved data provided to the Department in relation to farm performance information and shared at a meeting.

Farming for Sustainability Knowledge Transfer Payments; Hosting requirements

4. A farm business which is responsible for managing a hosting event must in relation to receiving a hosting payment—

(a) prepare the farm for a meeting ensuring that sufficient biosecurity measures and health and safety requirements are met; or

(b) if their farm is not suitable due to biosecurity or health and safety reasons, the farm business must prepare an approved alternative venue, with approved supporting farm performance information, ensuring that sufficient biosecurity measures and health and safety requirements are met; and

(c) collate and present approved farm performance information at a meeting.

Withholding and recovery of payments

5.—(1) This regulation applies where an application for payment has been approved by the Department and it becomes aware that the applicant—

(a) is not eligible to receive the payment; or

(b) has failed to provide farm performance information in accordance with regulation 3(b) or 4 (b) or (c).

(2) Subject to paragraph (3) the Department may—

(a) revoke the approval of the application for payment; and

(b) where payment has not been made withhold the payment or any part of it; or

(c) where payment has already been made, recover from the applicant an amount equal to the whole or any part of the payment—

(i) as a civil debt; or

(ii) by way of offsetting against any sum otherwise payable to the applicant by the Department.

(3) Before exercising the power under paragraph (2), the Department must by a withdrawal or recovery notice, as is appropriate—

(a) give the applicant a written explanation of the reasons for the proposed action;

(b) afford the applicant the opportunity to make written representations with a reasonable time specified by the Department; and

(c) consider representations made by or on behalf of the applicant within a reasonable time period.

Review of decision

6.—(1) Where the Department rejects an application under these Regulations, in whole or in part, an applicant may apply to the Department for a review of the decision.

(2) An applicant must apply to the Department in writing for a review no later than one month beginning with the date of the notification of the decision to be reviewed and specify—

(a) the name and address of the applicant;

(b) the decision of the Department in respect of which the applicant seeks a review and the date of that decision; and

(c) full particulars of the grounds upon which the review of the decision is sought.

(3) Where an applicant seeks a review under this regulation the Department must review the decision specified.

(4) In reviewing a decision the Department may—

(a) consider any document or other evidence produced by the applicant (whether or not that document or evidence was available at the time of the decision);

(b) invite the applicant to provide such further information relevant to the review as it considers appropriate; and

(c) give the applicant or its representative an opportunity to make representations orally or in writing.

(5) Following a review of the decision the Department may—

(a) confirm the decision; or

(b) substitute for it a new decision.

(6) As soon as reasonably practicable after reviewing the decision, the Department must notify the applicant in writing of its decision under paragraph (5) and the reasons for it.

Sealed with the Official Seal of the Department of Agriculture, Environment and Rural Affairs on 6th March 2025

L.S.

Rosemary Agnew
A senior officer of the Department of Agriculture, Environment and Rural Affairs

The Department of Finance approves the forgoing Regulations

Sealed with the Official Seal of the Department of Finance on 6th March 2025

L.S.

Patrick Neeson
A senior officer of the Department of Finance

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Regulations establish the requirements for hosting and learner support payments provided by the Department. The payments made by the Department of Agriculture, Environment and Rural Affairs are to applicants who are eligible for hosting and learner support payments.

The Scheme—

specifies the amounts of payments which may be made and the eligibility criteria to receive payments (regulations 3 and 4);

provides for the Department to withhold or recover payment in specified circumstances (regulation 5); and

provides for the review of a decision to reject an application (regulation 6).

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