



Department of
**Agriculture,
Food and the Marine**

An Roinn
**Talmhaíochta,
Bia agus Mara**

HELPSHEET / TERMS & CONDITIONS

FOR THE 2015

EU AREAS OF NATURAL CONSTRAINTS SCHEME



Programme co-funded by the
EUROPEAN UNION

Terms & Conditions applicable to the 2015 Areas of Natural Constraints and the Areas of Specific Constraints (Islands) Scheme

NB: These Terms & Conditions deal specifically with the requirements which apply to the 2015 Areas of Natural Constraints and the Areas of Specific Constraints (Islands) Scheme (formerly known as the Disadvantaged Areas Scheme) should be read in conjunction with the Terms & Conditions of the 2015 Basic Payment Scheme, which has already issued.

1. Introduction

The Disadvantaged Areas Scheme was replaced with effect from 1 January 2015 by the Areas of Natural/Specific Constraints Scheme. The areas designated under the Disadvantaged Areas Scheme will remain in place, with the exception of land situated on offshore islands, pending the delineation of the Areas of Natural Constraints in accordance with the provisions of Regulation (EU) No 1305/2013. The lands situated in offshore islands are designated as Areas of Specific Constraints in accordance with the provisions of Article 32 of Regulation 1305/2013.

2. Eligibility

To be eligible for payment under the 2015 Areas of Natural/Specific Constraints Scheme (ANC) an applicant must in their own right:

- i. Submit a valid 2015 Basic Payment Scheme and other Area-based Schemes application form by the deadline of 29 May 2015, confirming by ticking the ANC applicant box, their application for Areas of Natural Constraints Scheme.
- ii. Hold a valid Herd Number issued by the Department of Agriculture, Food and the Marine. Applicants are required to be a holder of a registered herd number or have applied to the Local DVO for a herd number on or before 29 May 2015.

- iii. Occupy and farm in their own right and at their own risk a minimum of 3 hectares of ANC forage land (with the exception of Island land), situated in an area within the State designated as an Area of Natural Constraints by the Minister and classified as Less Severely Handicapped Lowland or as More Severely Handicapped Lowland or as Mountain Type Land or as Areas of Specific Constraints.
- iv. Undertake to farm, manage and pursue a farming activity on all land applied in 2015, and adhere to the definition of an “active farmer”, as defined in article 9 of Regulation (EU) No 1307/2013.
- v. Undertake to farm, manage and pursue a farming activity on all land applied on in 2015, for the full calendar year. If an applicant is aware or becomes aware that any of the forage area situated in an Area of Natural/Specific Constraints will not be available to them for the full calendar year in 2015, that person is required to notify the Department immediately documenting the parcel numbers of each parcel concerned. Please see relevant paragraph in the BPS Terms and Conditions for details of the procedure to be followed in submitting the information.
- vi. Comply with Cross Compliance requirements, as set down in relevant EU legislation (Directives and Regulations), and the standards for Good Agricultural and Environmental Condition (GAEC), in the areas of environment, climate change and good agricultural condition of land; public, animal and plant health and animal welfare. *Articles 91 – 94 of Regulation (EU) No 1306/2013 refer.*
- vii. Have a holding that meets the minimum stocking levels.
- viii. Co-operate fully with Department staff, or its’ Agents, in relation to any inspection or any request for documentation.
- ix. Applicants who are partners in a partnership, under Irish National Regulations (refer to section 13), can continue to benefit individually under the Scheme, based on the area of ANC land they contribute to the partnership. (Individual threshold limits will apply at measure level for registered partnership members).

- x. An application will not be accepted or approval may be withdrawn if, in the opinion of the Minister or his officials, it is established that an applicant artificially created the conditions required to obtain grant aid with a view to obtaining an advantage contrary to the objectives of the Scheme.

HOW TO APPLY FOR THE ANC SCHEME – Covering both Mainland and Islands

Application for the Scheme is made by ticking the relevant box on the front page of the **2015 Basic Payment Scheme Application** form. The relevant extract of the application form is reproduced below:

AREAS OF NATURAL CONSTRAINTS SCHEME (FORMERLY THE DISADVANTAGED AREAS SCHEME)

Please tick to confirm that you wish to apply for payment under the AREAS OF NATURAL CONSTRAINTS SCHEME* confirming that you are pursuing a farming activity on land designated under that Scheme.

In order to qualify for payment in respect of a land parcel you must farm it for the entire 12 months. If it is known to you that any of the forage area situated in an Area of Natural Constraints will **not** be available to you for the full calendar year please complete the table on the reverse of the cover letter or Online, listing each of the parcel numbers concerned. Please see relevant paragraph in the Terms and Conditions for details.

*Subject to the approval of the 2014-2020 Rural Development Programme.

Please refer to the 2015 EU Basic Payment (BPS)/Greening Payment and other 2015 Area Based Schemes Terms and Conditions which have issued with the BPS application form.

ONLINE APPLICATIONS

An enhanced online service (BPS iNET) is available in 2015 to all BPS applicants. A 2015 BPS application completed and submitted online to the Department by an applicant or his/her authorised Agent will be accepted as a valid application, provided that all other conditions of the BPS are met. Please ensure when applying through the online system that the option to apply for Areas of Natural Constraints Scheme has been selected. The submission of a paper application is not necessary where an online application has been submitted. It is mandatory for a Registered Partnership to use the online system, the closing date for which is 29 May 2015. Applications may be submitted up to midnight.

In submitting the application form, applicants accept that all the information supplied on the application form and any supporting documentation may be used by the Department of Agriculture Food and the Marine or made available to any other Department or body or Local Authority for the purpose of audits, evaluation purposes, Cross Compliance controls, controls relating to the legislation underpinning Cross Compliance and all Rural Development measures, and, as appropriate, in accordance with the requirements under the Freedom of Information Act.

3. Eligibility Requirements

3.1. Minimum Stocking Density Requirements

Eligible applicants in 2015 must have met 0.15 livestock units per hectare calculated over the twelve months of the calendar year 2015.

3.2. Minimum Stocking Density of 0.15 livestock units per forage hectare in 2015

The retention period is seven consecutive months within the scheme year where the stocking density on the holding has to be equal or greater than 0.15 livestock units per forage hectare. In addition to maintaining 0.15 livestock units for a minimum retention period of seven consecutive months, applicants must also maintain an annual

average of 0.15 livestock units calculated over the 12 months of the scheme year. Applicants must own, possess, hold and maintain the livestock required to maintain the minimum stocking level, and there will be a continued recognition of applicants, who will not meet the minimum stocking requirement due to recognised constraints imposed on the holding. Where it is established that an applicant does not own the animals used to calculate the minimum stocking density the applicant will be deemed ineligible for payment under the Scheme except in the case of Contract Rearing see 3.3.

Examples of seven consecutive month period are: 1 January to 31 July inclusive, 15 February to 15 September inclusive, 19 May to 19 December inclusive.

3.3. Contract Rearing

Where stock, subject to a Contract Rearing arrangement, are moved to a Contract Rearer's herd number using movement form NBAS 31B, then account will be taken of such stock in the calculation of the stocking density of the holding of the Contract Rearer, subject to the Contract Rearer providing a copy of the signed Contract Rearing agreement to the Department of Agriculture, Food and the Marine, ANC Section, Government Buildings, Old Abbeyleix Road, Portlaoise, Co Laois.

3.4. Sheep/Goat Census

Under EU Regulation 21/2004, all flock owners' sheep keepers are obliged to count the Sheep/Goats present in their flock on their holding, record this number in the flock register and are legally obliged to return this number to this Department via the annual Sheep/Goat Census return, closing date 30 January 2015. Where flock owners do not have Sheep/Goats at the time of the Census, there is still an onus to complete and return the Census. Flock books will not be accepted without a valid sheep census except in exceptional circumstances.

3.5. Inclusion of breeding horses

While horses are not eligible for the stocking density calculation, equine breeding enterprises continue to be eligible on the basis of the

contribution they make to the local economy. Equine Breeding Enterprises are defined as follows: an applicant must, in the first instance, be an equine breeder and have bred a foal, from a mare registered as on the applicant's holding in 2014, in either 2013 or 2014, which was registered in a Stud Book approved by the Department of Agriculture, Food and the Marine, with pedigree recorded (sire and dam). Furthermore, the premises of all who meet this criteria must be registered with the Department of Agriculture, Food and the Marine, in accordance with S.I. No. 8 of 2013, Diseases of Animals Act 1966 (Registration of Horse Premises) Order 2013.

Where these criteria are met, the following equines will then be eligible for inclusion in the stocking density calculation for the 2015 Scheme where adherence to S.I. 357 of 2011, European Communities (Equine) Regulations 2011 and S.I. 189 of 2014 Equidea (Transfer of Ownership) Regulations 2014 is met and -

- All equines aged one year to five years, (aged using 1 January), registered in a Stud Book approved by the Department of Agriculture, Food and the Marine, with pedigree recorded (sire and dam) and registered in the name of the applicant in accordance with EU Regulation 504/2008 and maintained on his/her holding;
- Breeding mares, registered as having been on the applicant's holding in 2014, which have bred a foal in either 2013 or 2014. Both the mare and the foal **MUST** be registered in a Stud Book approved by the Department of Agriculture, Food and the Marine.

NB: Where horses from Equine Breeding Enterprises are used in calculating compliance with the minimum stocking density requirement, the applicants consent to the Department of Agriculture, Food and the Marine directly verifying the appropriate information in the relevant databases necessary to confirm that the number of eligible animals are in the ownership of the applicant.

3.6. Donkeys

Donkeys are eligible for inclusion in the stocking density calculation. They must be owned by the applicant and appropriately registered in

the name of the applicant in accordance with EU Regulation 504/2008 and maintained on his/her holding. S.I. 357 of 2011, European Communities (Equine) Regulations 2011, and S.I. 189 of 2014 Equidea (Transfer of Ownership) Regulations 2014 and S.I. No. 8 of 2013, Diseases of Animals Act 1966 (Registration of Horse Premises) Order 2013 refer.

4. Area Eligibility - Areas of Natural Constraints (ANC) including Islands

Areas of Natural Constraints Scheme: the forage area of an applicant's holding is each hectare of land or part thereof situated in an Area of Natural Constraints previous referred to as Disadvantaged Area designated as Less Severely Handicapped Lowland or as More Severely Handicapped Lowland or as Mountain Type Lands within the State. Eligible area can include crops as listed on Annex 1. In addition to satisfying the eligibility requirement, land entitled to benefit from payment under the scheme must have an agricultural activity carried out on it.

For land to be eligible for ANC (including Islands) a number of further conditions have to be complied with, namely:

- 4.1 The land must be used and farmed by the applicant. The land must be suitable for and compatible with the farming enterprise.
- 4.2 Parcels, including commonage parcels must be maintained in such a condition as to ensure the land is suitable for grazing or cultivation. Parcels, where it has been identified the condition of the land is such that would not to be suitable for grazing or cultivation, will not be eligible to receive grant aid under the ANC Scheme.
- 4.3 In order to be eligible for payment, the land in question must be available to the applicant for the entire calendar year. Land farmed by the applicant on the basis of 11-month conacre agreements are also deemed eligible for payment under the ANC Scheme. If an applicant is aware, or becomes aware, that any of the forage area situated in an Area of Natural Constraints will not be available to him or her for the full calendar year, the

applicant is required to notify the Department immediately documenting the parcel numbers of each parcel concerned. Please see relevant paragraph in the BPS Terms and Conditions for details. Details of the parcels involved should be submitted using the online application facility or complete the table on the reverse side of the covering letter issued to each applicant in the pack containing the BPS Terms and Conditions and associated maps.

- 4.4 In addition, if at any stage throughout the year, an applicant rents out some of the land declared on the 2015 application form or leases out or sells some of that land, that applicant should notify the Department of the parcel or parcels in question using the BPS Amendment Form or the online amendment facility. This document was issued to all applicants as part of their 2015 BPS Pack. Information of the submission of amendments are outlined at section 8 (page 27) of the Guidelines for the Completion of the 2015 Basic Payment/Greening application using either the online or paper application.
- 4.5 There must be independent access for animals and/or machinery. Independent access means access by public or private roadway or by a defined right of way. Access over adjoining landowners land is not acceptable.
- 4.6 There must be appropriate fencing for the farming enterprise. Appropriate fencing means stock-proof fencing that will control the applicant's animals and also neighbouring farmer's animals. In mountain/hill areas this generally means sheep fencing.
- 4.7 There must be defined external boundaries, except in the case of commonage.
- 4.8 If at inspection an applicant claims to be farming land with animals, then the type of animal must be appropriate to the land and there must be handling facilities available to meet the animal welfare requirements.
- 4.9 At inspection all of the above requirements must be evident on the day of the inspection.
- 4.10 In submitting a 2015 BPS and Other Areas Based Schemes application form, applicants agree to permit officials or agents of the Department to carry out on-farm inspections, with or without

prior notice and where notified at any reasonable time(s) and without prejudice to public liability. When notified of an on-farm inspection, the applicant should arrange to be present for the inspection or have a representative nominated in his/ her place to assist the inspecting officer. If applicants are farming other land to that indicated on the 2015 application form they must bring it to the attention of the inspecting officer on the day of the inspection. Every on-the-spot (ground) inspection will be the subject of a report and the applicant or his/her representative will be given an opportunity to sign the report indicating his/her presence at the inspection, if they are so present at the inspection, and to add his/her observations if he/she so wishes. Signing this document does not imply that the applicant or his/her representative accepts the inspection findings. Applicants are reminded that no payment shall be made in favour of those for whom it is established that they artificially created the conditions required for obtaining such payments with a view to obtaining an advantage contrary to the objectives of that support scheme. An applicant has a number of appeal options available should he/she wish to avail of them.

To facilitate checks and on-farm inspections, applicants shall fully co-operate with Department staff, and reply fully to all queries providing any documentary evidence that may be requested in relation to their application. Failure to do so may lead to loss of all aid. If an on-farm inspection cannot be carried out through the fault or action of the applicant or his/her representative, the application shall be rejected resulting in no payment, unless the Department determines an instance of force majeure.

Additional Area requirements under Areas of Specific Constraints (Islands)

In order to be eligible for payment under the Areas of Specific Constraints (Islands) sub-measure, land must adhere to the following additional requirements;

- The land must be situated on an off-shore island with no permanent access to the mainland
- The land must be eligible for payment and have all of the ineligible features excluded.
- The land must have a farming activity carried out on it.
- The applicant must have confirmed in Form ANC/IS/1 that the he or she is carrying out a farming activity on the declared parcel.

5. Areas ineligible for ANC

Areas under roads, paths, buildings, farmyards, woods, scrub, rivers, streams, ponds, lakes, sand, areas of bare rock etc.; boglands unfit for grazing; sand/gravel pits, areas used for quarrying; areas fenced off from grazing use, inaccessible areas and areas not available for the rearing of animals under a recognised environmental plan; areas used for permanent crops or horticultural crops; areas under cereal crops harvested for grain; areas used as sports fields, golf courses, pitch and putt courses, etc. Any parcels/plots claimed that are not farmed by the applicant are not eligible for payment under the Areas of Natural Constraints Scheme. Any land, irrespective of eligibility status on which no farming activity is carried out is not eligible for payment.

6. Livestock Unit Values

The following livestock unit values are used for calculating compliance with the minimum stocking level of 0.15 livestock units per forage hectare for the entire area declared under the 2015 Areas of Natural Constraints Scheme. You must own, possess, hold and maintain for at least seven consecutive months of the year the livestock required to maintain the minimum stocking level. The only exempted cases from compliance with the minimum stocking level of 0.15 livestock units per forage hectare are applicants where a lower stocking level has been fixed based on the productivity of the land. In such cases the requirement to maintain animals for at least seven consecutive months of the year will apply to the number of animals per forage hectare which is the equivalent in livestock unit values to that lower stocking level.

In the case of commonage, the stocking density used in the calculation of the minimum stocking density for the holding will be calculated using the current minimum number of livestock from the Commonage Information File, which can be accessed at

<http://www.agriculture.gov.ie/farmerschemespayments/glas/commonageedataforglas/>.

The basis of these figures is the original Commonage Framework Plans (CFP). These figures were created with reference to the habitat types that are contained within the commonage. The minimum commonage stocking density may be subject to change. It is open to a GLAS planner, for example, to propose a different figure in the GLAS Commonage Plan provided it is supported by a scientific assessment.

Type of animal	Livestock Unit value	Proof required
Female or male cattle over 2 years old	1.0 livestock unit each	Up to date Herd Register. CMMS compliance movements.
Female or male cattle 2 years old or under	0.6 livestock unit each	Up to date Herd Register. CMMS compliance movements.
Female or male sheep	0.15 livestock unit each	Up to date Flock Register as per EU Regulation 21/2004. Sheep Census returned by deadline.
Female or male horses	1.0 livestock unit each	Equine Passport in your name. EU Regulation 504/2008 refers.
Female or male donkeys	1.0 livestock unit each	Equine Passport in your name. EU Regulation 504/2008 refers.
Female or male goats	0.15 livestock unit each	Up to date Flock Register as per EU Regulation 21/2004. Goat Census returned by deadline.
Female or male deer	0.3 livestock unit each	Proof of ownership.

7. Aid levels under Areas of Natural Constraints

The Areas of Natural Constraints Scheme provides for payment as follows:

Area Designation	Payment Rates	Payable Area
Mountain Type Land	€109.71	First 10 hectares or part thereof*
	€95.99	Remaining hectares up to maximum of 34 hectares**
More Severely Handicapped Lowland	€95.99	30 hectares or part thereof subject to an overall maximum of 30 hectares
Less Severely Handicapped Lowland	€82.27	30 hectares or part thereof subject to an overall maximum of 30 hectares

- * The top-up of €13.72 on the first 10 hectares of Mountain Type Land will only be paid to beneficiaries who maintain a sheep, cattle or goat enterprise or a combination of these enterprises.
- ** Applicants maintaining a combination of Mountain Type Land, More Severely Handicapped Lowland and/or Less Severely Handicapped Lowland, will be paid up to a maximum of 30 hectares except where the area of Mountain Type Land declared is between 30 and 34 hectares. In these cases, the payment will be based on the number of hectares of Mountain Type Land declared.

Payment will be made in the order of Mountain Type Lands firstly, More Severely Handicapped Lowland secondly with Less Severely Handicapped Lowland thirdly, so as to maximise the amount which can be paid to an applicant. The entire holding will be treated as one holding for the purposes of payment under the 2015 Areas of Natural Constraints Scheme.

8. Reductions and Penalties for Over-Declarations of Area

The following reductions and/or penalties will apply in cases where the area determined (found) is less than the area declared.

A crop group is an area that benefits from the same rate of aid under the Areas of Natural Constraints Scheme. That means that the area declared as (i) Mountain Type Lands (ii) More Severely Handicapped and (iii) Less Severely Handicapped, that are eligible for payment, are separate crop groups and will be dealt with separately for the purposes of applying over-declaration penalties. If the difference between the numbers of eligible hectares determined (found) and the number of hectares declared is less than 3% of the area found, payment will be based on the area. **However, if the difference is greater than 2 hectares the penalties as outlined below will be applied irrespective of whether the difference is less than 3% or not.**

Areas of Natural Constraints - Implications where differences are found between declared and determined area.

<p>Difference between the number of eligible hectares determined (found) and the number of hectares declared</p>	<p>Level of Reduction/Exclusion</p>
<p>If the difference is less than 3% of the area determined. However, if the difference is greater than 2 hectares the deductions and exclusions set out in the next row will apply.</p>	<p>Payment is based on the number of eligible hectares determined (found).</p>
<p>If the difference is greater than 3% of the area determined but not more than 20% of the area determined (found) for the crop group concerned</p> <p align="center">or</p> <p>if the difference is greater than 2 hectares irrespective of whether the difference is less than 3% or not.</p>	<p>Payment shall be calculated on the basis of the area determined, reduced by twice the difference found.</p>
<p>If the difference is greater than 20% of the area determined (found) for the crop group concerned:</p>	<p>No payment is made in respect of the crop group concerned under the Areas of Natural Constraints Scheme for the scheme year in question.</p>
<p>If the difference is greater than 50% of the area determined (found) for the crop group concerned:</p>	<p>No payment is made under the Areas of Natural Constraints Scheme for the scheme year in question and an Multi-Annual Sanction based on the payment that would have been payable on the area corresponding to the difference between the number of hectares determined (found) and the number of hectares declared or the maximum payable area whichever is lower, will be offset against any EU payment due to the applicant during the course of the three calendar years following the year in to which the determination refers.</p>

As there is a higher rate of aid on the first 10 hectares of Mountain Type Lands for applicants who maintain Cattle, Sheep and/or Goats, in the case of an over-declaration, the level of aid payable will be based on the average rate of aid for such land. The average will be based on the aid payable on the number of hectares declared by the applicant for the crop group concerned.

The above penalties will not apply provided that the aid payable on the determined area is not less than the aid payable on the claimed area.

9. Aid levels under Areas of Specific Constraints/Island Farming

A separate payment in respect of those farming off-shore islands will apply. These islands will be newly designated as Areas of Specific Constraints. An Island for the purpose of the scheme is defined as an area of land situated off-shore, which is not connected to the mainland by a permanent access route. The holdings of Specific Constraints must meet the eligibility conditions as detailed above for ANC.

Rates payable are in respect of each forage hectare of Specific Constraints are as follows:

Area Designation	Payment Rates	Payable Area
Areas of Specific Constraints (Island)	€250.00	Up to and including the first 20 hectares of Areas of Specific Constraints or part thereof
	€150.00	Greater than 20 hectares or less than or equal to 34 hectares of Areas of Specific Constraints
	€ 70.00	Greater than 34 hectares or less than or equal to 40 hectares of Areas of Specific Constraints

Payment under the Areas of Specific Constraints category of ANC is subject to an overall maximum ceiling of 40 hectares.

10. Reductions and Penalties for Over-Declarations of Area

The following reductions and/or penalties will apply in cases where the area determined (found) is less than the area declared.

Areas of Specific Constraints - Implications where differences are found between declared and determined area.

Difference between the number of eligible hectares determined (found) and the number of hectares declared	Level of Reduction/Exclusion
If the difference is less than 3% of the area determined. However, if the difference is greater than 2 hectares the deductions and exclusions set out in the next row will apply.	Payment is based on the number of eligible hectares determined (found).
If the difference is greater than 3% of the area determined but not more than 20% of the area determined (found) for the crop group concerned or if the difference is greater than 2 hectares irrespective of whether the difference is less than 3% or not.	Payment shall be calculated on the basis of the area determined, reduced by twice the difference found.
If the difference is greater than 20% of the area determined (found)	No payment is made in respect of the under the Areas of Specific Constraints Scheme for the scheme year in question.
If the difference is greater than 50% of the area determined (found)	No payment is made under the Areas of Specific Constraints Scheme for the scheme year in question and an Multi-Annual Sanction based on the payment that would have being payable on the area corresponding to the difference between the number of hectares determined (found) and the number of hectares declared or the maximum payable area whichever is lower, will be offset against any EU payment due to the applicant during the course of the three calendar years following the year in to which the determination refers.

As there are three separate payment rates in respect of areas of specific constraints, (island land), in the case of an over-declaration, the level of aid payable will be based on the average rate of aid for such land. The average will be based on the aid payable on the number of hectares declared by the applicant in respect of areas of specific constraints, ie. Island Land.

The above penalties will not apply provided that the aid payable on the determined area is not less than the aid payable on the claimed area.

11. Penalties for under – declaration of entire land parcels under the Area of Natural Constraints Scheme

Applicants are legally required to declare ALL of the land that will form part of their holding in 2015. Commission Regulation (EC) No. 640/2013 provides for the application of penalties in the case of the non-declaration of entire land parcels. The penalties provided for are as follows:

- Where the under-declaration of eligible ANC land parcel(s) amounts to between 3% and 20% of the ANC area declared in the application, a penalty of 1% will apply.
- Where the under-declaration of eligible ANC land parcel(s) amounts to between 20% and 50% of the DAS area declared in the application, a penalty of 2% will apply.
- Where the under-declaration of eligible ANC land parcel(s) amounts to over 50% of the DAS area declared in the application, a penalty of 3% will apply.

12. Cross Compliance

Penalties for breaches of the Cross Compliance requirements and the standards for Good Agricultural and Environmental Condition of land will apply to payments under the Areas of Natural Constraints Scheme in the same way as for BPS.

13. Partnerships

With the ending of the Milk Quota regime on 31 March 2015 the legal basis for Milk Production Partnerships also ceases to exist. The Department is currently establishing a new Register of Farm Partnerships which will allow all those in existing Milk Production Partnerships who wish to continue in farm partnerships to do so, provided they meet the requirements for entry onto the Register. The new Register will also accommodate non dairy farm partnerships.

All farmers currently involved in Milk Production Partnerships should have received a letter from this Department in January asking if they wish to continue farming in a partnership. If you have received such a letter and have not responded you should do so immediately.

It will be assumed that, where a Partnership does not respond, the intention of the partners is to revert back to single applicants.

Those wishing to establish a brand new farm partnership should have their application for entry on the Register submitted to the Department as soon as possible - see Department's website: <http://www.agriculture.gov.ie/farmingsectors/newfarmpartnershipregister/> Partnerships which are registered on the new Register will receive a Farm Partnership Registration Number (FPRN). They should use this number when applying for the various Department support schemes aimed at encouraging the development of farm partnerships in Irish agriculture, such as the preferential stock relief for registered farm partnerships and the Support for Collaborative Farming grant Scheme which is available to brand new farm partnerships. Being on the Register will also allow the Department ensure that the members of such partnerships are fully catered for in the implementation of the new CAP Reform Schemes such as TAMS, GLAS, ANC, and BPS.

Please note that a Registered Farm Partnership can only submit a BPS and other Area Based Schemes application through the Department online facility and should only use the Farm Partnership Registration Number when submitting the application. This facility will be open to

Partnerships from April 2015. Individual members of the Partnership should not submit an application under their own herd number. If you use an Agent to administer your applications forms, you may need to contact him or her well before that date.

ANC and Partnerships

Applicants registered under Farm Partnership Registration will be required to submit one BPS and other Area Based Scheme application form with details of all land farmed by the Partnership listed.

- Individual maximum thresholds will be applicable to each individual partner who contributed land which is designated as ANC to the partnership.
- Each individual partner must meet the scheme eligibility requirements at individual level. No payment will be due to the partnership where one or more individual partner(s) fail to meet scheme eligibility requirements at individual level.
- Only one payment under ANC will issue to the Partnership. Payments will be calculated at overall Partnership Level, taking account of individual maximum thresholds.

14. Late applications

The 2015 Basic Payment Scheme application is the application form for the 2015 Areas of Natural and Specific Constraints Scheme. Under EU Regulations, there is a 25-calendar day period after the 29 May closing date for the acceptance of late applications and any necessary supporting documentation. However, deductions to payments will apply to the applications, which are received during this period. Except in cases of force majeure, applications will not be accepted without penalty after this 25 calendar day period has ended. The rate of deduction is 1% per working day in respect of payments under Areas of Natural and Specific Constraints Scheme for each working day that the application is late up to and including 23 June 2015. No Areas of Natural or Specific Constraints payment can be paid in respect of any application received after 23 June 2015.

ANNEX I

Eligible ANC: A 'Y' in this column indicates that the "crop" can be used to draw down payment under the ANC scheme in 2015.

Crop	Eligible BPS	Eligible ANC	Eligible EFA Area	Grass land	Till age	Arable	Grouping Greening
100% Destocked Area	Y	Y		Y			
Alfalfa	Y	Y	Y	Y			
Arable Silage	Y	Y		Y		Y	
Clover	Y	Y	Y	Y			
Fodder Beet	Y	Y			Y	Y	Beta
Forage Rape	Y	Y			Y	Y	
Grass Silage	Y	Y		Y			
Grass Year 1	Y	Y		Y		Y	
Grass Year 2	Y	Y		Y		Y	
Grass Year 3	Y	Y		Y		Y	
Grass Year 4	Y	Y		Y		Y	
Grass Year 5	Y	Y		Y		Y	
Kale	Y	Y			Y	Y	Brassica oleracea
Lucerne	Y	Y	Y	Y			
Maize	Y	Y			Y	Y	Zea
Mangolds	Y	Y			Y	Y	Beta
Miscanthus Sinensis	Y	Y					
Mixed Grazing	Y	Y		Y			
Permanent Pasture	Y	Y		Y			
Red Clover	Y	Y	Y	Y			
Reed Canary Grass	Y	Y					

Crop	Eligible BPS	Eligible ANC	Eligible EFA Area	Grass land	Till age	Arable	Grouping Greening
Rough Grazing	Y	Y		Y			
Short Rotation Coppice	Y	Y	Y				
Species Rich Grassland	Y	Y		Y			
Sugar Beet	Y	Y			Y	Y	Beta
Swede	Y	Y			Y	Y	Brassica napus
Trad. Sustainable Grazing	Y	Y		Y			
Traditional Hay Meadow	Y	Y		Y			
Triticale	Y	Y			Y	Y	
Turnips	Y	Y			Y	Y	Brassica rapa
Wild Bird Cover	Y	Y	Y		Y	Y	Fallow
Willow	Y	Y	Y				

BURNING OF GROWING VEGETATION

Under Section 40 of the Wildlife Act, 1976, as amended by the Wildlife (Amendment) Act, 2000 growing vegetation cannot be burnt between 1 March and 31 August of any given year, on any land not yet cultivated.

You must be aware of further legal constraints when planning a controlled burning operation:

- Under Section 39 of the Wildlife Act, 1976 (as amended), it is prohibited to burn any vegetation within one mile of a wood, without prior notification to the Gardai and the owner of the wood.
- Under Section 74 of the Wildlife Act, 1976, (as amended), a person guilty of an offence shall be liable to a fine not exceeding £50,000 (€63,490) or a prison term not exceeding 2 years, or both a fine and a prison term.

DIAL BEFORE YOU BEGIN BURNING

REMEMBER – YOU MUST ALWAYS TELEPHONE THE REGIONAL FIRE CONTROL CENTRE BEFORE YOU BURN, STATING CLEARLY YOUR INTENTION TO CARRY OUT A CONTROLLED BURNING OPERATION, GIVING YOUR NAME, CONTACT TELEPHONE NUMBER, THE EXACT LOCATION AND EXPECTED DURATION OF THE PLANNED OPERATION FOR THE DAY IN QUESTION.

The Regional Fire Control Centres can be contacted via the normal Emergency Services telephone numbers:

999/112

DIAL WHEN YOU ARE FINISHED BURNING

TELEPHONE AGAIN WHEN OPERATIONS ARE COMPLETED AND ALL FIRES ARE FULLY EXTINGUISHED.

IF IN DOUBT, DO NOT BURN

The Department has produced a Prescribed Burning Code of Practice in order to provide guidance to landowners who use controlled burning as a land management tool and a shorter version issued to farmers in high fire risk areas throughout the country in 2013. Both publications are available on the Department's website at www.agriculture.gov.ie/forestservice/landandforestfires or from the Forest Service, Johnstown Castle, Co. Wexford.

There will be a greater focus on identifying those suspected of engaging in uncontrolled burning, through the use of farm inspections under Cross Compliance rules, which could result in penalties being imposed under the 2015 Scheme.

BEFORE BURNING YOUR LAND

STOP!



THINK!

1. ARE YOU BREAKING THE LAW?

THE BURNING OF GROWING VEGETATION ON UNCULTIVATED LAND BETWEEN 1 MARCH AND 31 AUGUST IS ILLEGAL!

2. CAN YOU CONTROL THE FIRE?

HAVE YOU TAKEN ALL THE NECESSARY PRECAUTIONS TO ENSURE THE FIRE WILL NOT SPREAD OUT OF CONTROL?

3. ARE YOU WITHIN ONE MILE OF WOODS?

YOU MUST NOTIFY YOUR LOCAL GARDA STATION AT LEAST 7 DAYS PRIOR TO BURNING.

4. ARE YOU PREPARED FOR THE CONSEQUENCES?

UNCONTROLLED LAND BURNING PUTS LIVES AT RISK AND DAMAGES PROPERTY.

For more information log on to

www.agriculture.gov.ie/forests-service/land-and-forest-fires

**REMAIN VIGILANT, AND IF IN DOUBT
DO NOT BURN**