



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

An Roinn  
**Talmhaíochta,  
Bia agus Mara**

## 2016 Young Farmers Scheme

### Terms and Conditions

In implementation of Regulation (EU) No. 1307/2013

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## Introduction

The 2016 Young Farmers Scheme is governed by Terms and Conditions.

### Terms and Conditions

1. Applications under the Young Farmer scheme must be submitted on or before **16<sup>th</sup> May 2016**.
2. This Scheme is being implemented pursuant to Regulation (EU) No. 1307/2013, 639/2014, 640/2014, 641/2014, 809/2014 and 1306/2013 as amended and will be operated by the Department of Agriculture, Food and the Marine.
3. Applicants are required to be a holder of a registered herd number or have applied to the Local Office for a herd number by the closing date for the scheme.
4. Applicants are required to have submitted a valid Basic Payment Scheme Application to the Department by 16<sup>th</sup> May 2016.
5. An application will not be accepted or approval may be withdrawn if, in the opinion of the Minister or his officials, it is established that an applicant artificially created the conditions required to obtain grant aid with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.
6. Applications must be submitted online through agfood.ie. Therefore applicants must be registered for on line services (OLS) with the Department. Instructions for registration can be found on [www.agfood.ie](http://www.agfood.ie) or you can contact: agfood Online Services Helpdesk in the Department's Portlaoise Office, Lo call 1890 252 118, or 0761 064424 or email [agfood@agriculture.gov.ie](mailto:agfood@agriculture.gov.ie)
7. Applicants who wish to have an agent/agency apply on line on their behalf must first be registered for on line services (OLS) with the Department and be associated to that agent. Instructions for registration can be found on [www.agfood.ie](http://www.agfood.ie) or you can contact: agfood Online Services Helpdesk in the Department's Portlaoise Office, Lo call 1890 252 118, or 0761 064424 or email [agfood@agriculture.gov.ie](mailto:agfood@agriculture.gov.ie)
8. Applications not supported by **all** required documents will be deemed as late and/or inadmissible. Penalties are applicable to late applications and applications received 25 calendar days after that date are inadmissible. Responsibility for the submission of applications to the Department by the closing date rests with the applicant concerned.
9. Applicants under the Scheme agree that the Department may exchange, request or access data held by the Department, or externally, in relation to them which are required for the purpose of assessment or verification of their application and/or eligibility under the Scheme.

## **Section 1: Young Farmers Scheme**

### **1.1 Who is Eligible for the Young Farmers Scheme?**

To be eligible for participation in the Young Farmers Scheme an applicant must meet the following conditions:

- ✓ S/he is participating in the Basic Payment Scheme in 2016;
- ✓ S/he is aged no more than 40 years of age at any time during the 2016 calendar year;
- ✓ S/he has successfully completed a recognised course of education in agriculture giving rise to an award at FETAC level 6 or its equivalent. Alternatively s/he must commence such a course by 16<sup>th</sup> May 2016 (See section 1.4);
- ✓ S/he is setting up an agricultural holding for the first time in 2016 or has set up such a holding during the five years preceding submission of the 2016 Basic Payment Scheme application.

### **1.2 Eligibility of Young Farmer(s) in a Group - Young Farmers Scheme**

Where a young farmer undertakes the farming activity as part of a *group* e.g. in a joint herdnumber, a farm partnership or a company, the group will be considered eligible for the Young Farmers scheme if the following conditions are met;

- ✓ At least one person in the group must meet the definition of Young Farmer as outlined in section 1.1 above;
- ✓ The Young Farmer must exercise effective and long term control either solely or jointly within the group in terms of decisions related to the management, benefits and financial risks of the group. Such control is demonstrated as follows:
  - the young farmer's name is on the herdnumber;
  - the young farmer's name is on the bank account used for the purposes of the farming activity;
  - **Companies Only** - the Young Farmer must be a Director and minimum 20% shareholder in the Company;
  - all persons who participate in the group must complete a Young Farmers Scheme Declaration form confirming that the young farmer has effective control, either solely or jointly with the other members of the group. This declaration form is available with the scheme application form and on the Departments website.

The 'five year' payment/eligibility period will be calculated from the time the Young Farmer qualifies for Young farmer scheme eligibility in the group. In the case where a young farmer has already been carrying out an agricultural activity either individually or as part of a group/ partnership/Company, this period of agricultural activity will be included in the calculation of the five year period.

The 'five year' eligibility period, as defined in the EU Regulation governing the Young Farmers Scheme to 2019, is set out in the table below:

	Successful Applicants in 2015	Successful New Applicants in 2016
Year Commenced Agricultural Activity	Max. Years of Eligibility for YFS Payment	Max. Years of Eligibility for YFS Payment
2010	1	Ineligible
2011	2	1
2012	3	2
2013	4	3
2014	5	4
2015	5	4
2016	n/a	4

A successful applicant to the Young Farmers Scheme in 2015, who is eligible to continue participation in this scheme in 2016, should ensure that s/he ticks the appropriate box on the 2016 BPS application. Where the Young Farmers Scheme tick box does not appear on the 2016 BPS Application for a successful applicant to the Young Farmers Scheme in 2015, who is eligible to continue participation in this scheme in 2016, they should submit a full Young Farmers Scheme application using the online facility.

First time applicants under the Young Farmers Scheme in 2016 should use the separate online application facility on Agfood.ie. To do this they will need to register first at [www.agfood.ie](http://www.agfood.ie) or contact Agfood Online Services Helpdesk in the Department's Portlaoise Office, Lo call **0761 064424**/email [agfood@agriculture.ie](mailto:agfood@agriculture.ie).

In accordance with the conditions set out in EU Regulation 639/2014 eligibility for payment under the Young Farmers Scheme shall cease if the Young Farmer no longer has control either solely or jointly within the farming entity. Applicants are required to immediately inform the Department of Agriculture, Food and the Marine of such a change.

Also, any change to the registration details of the herdnumber or farming entity, for example 2016 Individual Applicant joining a Partnership in 2016, Change of Directors in a Company, must be notified to the Department. A new or revised Young Farmers Scheme application may be required.

### 1.3 Documents Required in Support of an Application – Young Farmers Scheme

Depending on the farming entity applicants will be required to submit certain documents in support of their application as follows:

#### Individual Young Farmer Applicant

- ✓ Copy of the Educational Qualification or documentary evidence of commencement of a course, by 16<sup>th</sup> May 2016, leading to such a qualification (see section 1.4 below). Applicants should ensure their educational qualification is listed in Appendix A and if not should apply to the Educational Officer in Teagasc for a letter of equivalence. If more than one certificate/qualification is required to meet the educational standard the applicant must provide all relevant certificates/documents. Failure to do so may result in the application being unsuccessful.

#### Young Farmer in a Group – Joint Herdnumber/Partnership/Company

- ✓ Copy of the Educational Qualification or documentary evidence of a commitment to commence a course by 16<sup>th</sup> May 2016 that will lead to such a qualification (see section 1.4 below);
- ✓ Birth Certificate of the Young Farmer(s) in the group;
- ✓ Young Farmers Scheme Declaration for the purpose of determining effective and long term control of the Young Farmer in the group (to be witnessed by a Solicitor) see section 1.2 above;
- ✓ **Joint Herdnumber Only** - Bank Statement/Letter from the Bank to which Direct Payments are made confirming that the Young Farmers name is on the bank account;
- ✓ **Company Only** – A copy of the Memorandum and Articles of Association.

Submitted applications that do not have all the required supporting documentation by the closing date will be subject to penalties and after 25 calendar days will be deemed inadmissible.

Please note that during the processing of applications it may be necessary to request additional documentation from applicants.

#### **1.4 Educational Qualification Requirements – Young Farmers Scheme**

To be considered eligible under the Young Farmer Scheme an applicant must:

- ✓ Have completed an agricultural qualification at FETAC Level 6 or its equivalent and must submit a copy of such qualification in support of their application; or
- ✓ Be currently participating in an agricultural course that will give rise to a qualification at FETAC Level 6 or its equivalent. Applicants must submit a letter from the educational authority (e.g. the agricultural college) confirming participation in such a course; or
- ✓ Have commenced such a course on or before 16<sup>th</sup> May 2016 in which case the applicant must supply documentary evidence of this.

Where the applicant either fails to commence the stated course by the 16<sup>th</sup> May 2016 or where the applicant has not demonstrated the level of progress expected through the course, payment to the applicant will cease and any monies previously paid under the Young Farmers Scheme will be recouped from the applicant who will be deemed ineligible.

#### **1.5 Young Farmers Scheme Payment**

The Young Farmers scheme payment will be calculated as 25% of the national average payment per hectare (based on the national ceiling) multiplied by the number of entitlements activated by the successful applicant, subject to the maximum number of 50 activated entitlements whether individual, group or Company.

A successful applicant will receive payment under the Young Farmers Scheme for a maximum period of five years. The 'five years' is dated from the year of setting up of the holding.

## **Section 2: General Conditions**

### **2.1 Applications**

Applications for the Young Farmers Scheme must be submitted on-line.

Where the Department identifier (herdnumber/Partnership number) is registered in multiple names, applications submitted quoting that identifier are deemed to be submitted with the consent of all registered owners, e.g. in the following cases:

- ✓ where the Department identifier is registered in more than one name, i.e. Joint herd number,
- ✓ in the case of Partnerships, by all Partners,
- ✓ in the case of Companies, by the Company Directors.

Where a registered Partnership wishes to submit an application for the Young Farmers Scheme the application must be submitted using the registered Partnership number as designated by the Department of Agriculture, Food and the Marine.

### **2.2 Responsibility of Applicant and/or Agent**

The Department and/or its officials shall not accept any responsibility for errors or omissions contained in application for these Schemes or any required supporting documentation.

It is the responsibility of applicants to familiarise themselves with the Terms and Conditions of these schemes and to ensure applications are submitted in full and on time.

Applicants shall immediately notify the Department of any change to the applicant/farming entity that may impact on his/her eligibility for the scheme applied for. Failure to do so may result in the recoupment of Young Farmer Scheme payments if it is later determined that such a change rendered the applicant ineligible.

### **2.3 Amending a Submitted Application**

Applicants will not be able to amend applications following submission, with the exception of the uploading of required supporting documentation. For this reason applicants are advised to ensure that the application is completed fully and accurately prior to submission.

## **2.4 Penalties for Late Applications**

There will be a 25-calendar day period after the closing date for the acceptance of late applications. However, a fixed percentage penalty per working day that the application is received late will apply during this period. For the Young Farmers Scheme the fixed percentage penalty stands at 1% per working day. Please note that penalties are applied to payments resulting from successful application to the scheme in question for 2016 and do not represent a permanent reduction.

Except in cases of force majeure, applications will be inadmissible after this 25 calendar day period has ended.

## **2.5 Inspections**

Applicants under the Young Farmers scheme may be subject to inspection. Such inspection may take the form of on the spot checks or administrative checks during which applicants may be asked to submit original hard copies of supporting documentation for verification purposes.

## **2.6 Withdrawal of Approval**

Approval under these schemes may be withdrawn if the applicant fails to abide by the terms and conditions of the Scheme or in the event of any material change in the circumstances of the applicant or of the farm business or in any other respect, which would be in conflict with the terms or the conditions of the Scheme(s). In such event any allocation from the National Reserve, monies paid on such entitlements and/or monies paid under the Young Farmers Scheme shall be recouped.

## **2.7 Circumvention Clause**

In accordance with Council Regulation (EU) 1306/2013, no Young Farmers Scheme payment shall issue to applicants for whom it is established that they artificially created the conditions required for obtaining such allocation/top-up/payment with a view to obtaining an advantage contrary to the objectives of the Young Farmers Scheme.

## **2.8 Review of Terms and Conditions/Procedures**

The Minister reserves the right to alter the terms and conditions and procedures of the Scheme at any time. The decision of the Minister on any matter relating to this scheme shall be final.

## **2.9 Publication of Payment Details/Data Protection/Freedom of Information**

In accordance with Regulation 1306/2013 of the European Parliament and of the Council data of beneficiaries of funding under the European Agricultural Guarantee Fund (EAGF) and the European Agricultural Fund for Rural Development (EAFRD), it is a legal obligation on Member States that they inform beneficiaries that their data will be made public and that the data may be processed by auditing and investigating bodies of the European Union and the Member States for the purpose of safeguarding the Union's financial interests. MSs shall also inform the beneficiaries of their rights under data protection legislation and of the procedures applicable for exercising those rules.

You should be aware that all the information supplied on your application form and in any supporting documentation shall be made available to any other Department or Agency or Local Authority for the purpose of audits, 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.

The rights of data subjects and how they may be exercised, in this respect, are laid down in the Data Protection Acts, 1988 and 2003. This publication of payment details is a requirement of EU law. The data therein may be processed by auditing and investigating bodies of the Communities and the Member States for the purposes of safeguarding the Communities' financial interests. The data therein cannot be used for direct marketing or other purposes and this will be made clear on the website.

Subject to the provisions of the Freedom of Information Act 2014, the Data Protection Acts 1988 and 2003, and any enquiries, all aspects of applicants and the processing of same, to the extent that they are managed by the Dept. of Agriculture, Food and the Marine or employing organisation, are treated in strict confidence and are not disclosed to anyone outside those directly involved in the process.

## **2.10 Statutory Instrument – False Declarations**

The Minister for Agriculture, Food & the Marine has implemented Regulations, which will make it an offence for an applicant to knowingly make a false declaration. It is also an offence for a person to assist an applicant to commit an offence under the Regulations. Applicants should familiarise themselves with the European Communities (Direct Support Schemes) Offences and Control Regulations S.I. No 115 of 2012.

## **2.11 Contact Details**

The Young Farmers Scheme Section may be contacted at [0761 064 446](tel:0761064446) between **9:15 am and 12.30 pm**, and between **2:00 pm and 5:00 pm Monday to Friday**, excluding Public Holidays.

Alternatively e-mail queries can be submitted to [NationalReserveYFS@agriculture.gov.ie](mailto:NationalReserveYFS@agriculture.gov.ie)

## Appendix A: Educational Qualifications

### Educational Award Titles equivalent to FETAC/QQI Level Six for the purpose of the Young Farmers Scheme

1. GENERAL AGRICULTURE	<p>1.1. ACOT/Teagasc Certificate in Farming or NCVA Certificate in Rural Enterprise</p> <p>1.2. FETAC Certificate in Farming</p> <p>1.3. FETAC Level 6 Advanced Certificate in Farming</p> <p>1.4. FETAC Level 3 Vocational Certificate in Agriculture</p> <p>1.5. FETAC Level 6 Vocational Certificate in Agriculture</p> <p>1.6 FETAC Level 6 Advanced Certificate in Agriculture</p> <p>1.7 FETAC Level 6 Specific Purpose Certificate in Farm Administration</p>
2. EQUINE	<p>2.1 FETAC (Teagasc) Certificate in Horse Breeding and Training (Part 2)</p> <p>2.2 FETAC Level 3 Vocational Certificate in Horse Breeding and Training</p> <p>2.3 FETAC Level 6 Vocational Certificate in Horse Breeding &amp; Training - Equitation or Stud Management</p> <p>2.4 FETAC Level 6 Advanced Certificate in Horsemanship</p> <p>2.5 FETAC Level 6 Advanced Certificate in Stud Management</p> <p>2.6 FETAC Level 6 Advanced Certificate in Equine Breeding (Stud Management)</p>
3. HORT	<p>3.1. FETAC Level 3 Vocational Certificate in Horticulture</p> <p>3.2. FETAC Level 6 Vocational Certificate in Horticulture</p> <p>3.3. FETAC/Teagasc Diploma in Horticulture</p> <p>3.4. FETAC Level 6 Advanced Certificate in Horticulture</p> <p>3.5 Teagasc Diploma in Amenity Horticulture/Commercial Horticulture</p>
4. FORESTRY	<p>4.1 FETAC Level 3 Vocational Certificate in Forestry</p> <p>4.2 FETAC Level 6 Vocational Certificate in Forestry</p> <p>4.3 FETAC Level 6 Advanced Certificate in Forestry</p>
5. DAIRYING	<p>5.1 Teagasc/FETAC Advanced Certificate in Agriculture- Dairy Herd Management</p> <p>5.2 FETAC Diploma in Agriculture (Teagasc) - Dairy Herd Management/Dairying</p> <p>5.3 FETAC Level 6 Advanced Certificate (Teagasc) in Agriculture - Dairy Herd Management</p> <p>5.4 FETAC Level 6 Advanced Certificate in Dairy Herd Management/Dairying</p>

<p style="text-align: center;">6. MACHINERY</p>	<p>6.1 Teagasc/FETAC Advanced Certificate in Agriculture- Farm Machinery</p> <p>6.2 Teagasc Diploma in the Operation, Care and Maintenance of Farm</p> <p>6.3 Teagasc/FETAC Diploma in Agriculture - Farm Machinery</p> <p>6.4 FETAC Diploma in Agriculture - Machinery (Teagasc)</p> <p>6.5 FETAC Level 6 Advanced Certificate (Teagasc) in Agriculture - Farm Machinery</p> <p>6.6 FETAC Level 6 Advanced Certificate in Agricultural Mechanisation</p>
<p style="text-align: center;">7. MACH/CROPS</p>	<p>7.1 FETAC Advanced Certificate in Agriculture- Machinery and Arable Crops</p> <p>7.2 FETAC Advanced Certificate in Agriculture- Machinery and Crops</p> <p>7.3 FETAC Diploma in Agriculture (Teagasc) - Machinery and Arable Crops</p> <p>7.4 FETAC Level 6 Advanced Certificate (Teagasc) in Agriculture - Machinery and Arable Crops</p> <p>7.5 FETAC Level 6 Advanced Certificate in Machinery and Crop Management</p>
<p style="text-align: center;">8. DRYSTOCK</p>	<p>8.1 FETAC Advanced Certificate in Agriculture - Drystock Management</p> <p>8.2 FETAC Level 6 Advanced Certificate in Agriculture - Drystock Management</p> <p>8.3 FETAC Level 6 Advanced Certificate in Drystock Management/Drystock Production</p>
<p style="text-align: center;">9. FARM MANAGEMENT</p>	<p>9.1 Teagasc/FETAC Advanced Certificate in Agriculture- Farm Management</p> <p>9.2 FETAC Level 6 Advanced Certificate in Farm Management</p> <p>9.3 FAB First Farm Management Certificate/Certificate in Farm Management</p> <p>9.4 FAB/FETAC Certificate in Farm Husbandry</p> <p>9.5 FAB Trainee Farmer Certificate</p> <p>9.6 FAB/FETAC Certificate in Applied Farm Management</p> <p>9.7 FAB/FETAC Certificate in Farm Business Management</p>
<p style="text-align: center;">10. GENERAL AGRIC</p>	<p>10.1 NCEA/HETAC/Individual IT College National Certificate in Agriculture</p> <p>10.2 HETAC/Individual IT College Higher Certificate in Agriculture</p> <p>10.3 HETAC/Individual IT College National Diploma in Agriculture</p> <p>10.4 HETAC/Individual IT College Bachelor of Science in Agriculture</p>
<p style="text-align: center;">11. HORT</p>	<p>11.1 NCEA/HETAC/Individual IT College National Diploma in Horticulture</p> <p>11.2 HETAC/Individual IT College Ordinary Bachelor Degree in Horticulture</p> <p>11.3 HETAC/Individual IT College Bachelor of Science in Horticulture</p>
<p style="text-align: center;">12. ATHLONE IT</p>	<p>12.1 NCEA/HETAC National Certificate in Business in Equine Studies</p> <p>12.2 HETAC Higher Certificate in Business in Equine Studies</p> <p>12.3 HETAC Bachelor of Business in Equine Studies</p>
<p style="text-align: center;">13. LIMERICK IT</p>	<p>13.1 HETAC National Certificate in Technology in Agricultural Mechanisation</p> <p>13.2 HETAC Higher Certificate in Technology in Agricultural Mechanisation</p>

<p style="text-align: center;">13.1 Other Approved IT Programmes</p>	<p>13.1.1 BA of Science in Sustainable Agriculture- Dundalk Institute of Technology</p> <p>13.1.2 Higher Certificate in Science Applied Agriculture- Letterkenny Institute of Technology</p> <p>13.1.3 Bachelor of Science in Agriculture- Cork Institute of Technology</p> <p>13.1.4 Bachelor of Science in Agricultural Science- Tralee Institute of Technology</p>
<p style="text-align: center;">14. WATERFORD IT</p>	<p>14.1 NCEA/HETAC National Certificate in Science in Agricultural Science</p> <p>14.2 HETAC/Individual IT College Higher Certificate in Science in Agricultural Science</p> <p>14.3 NCEA/HETAC National Diploma in Science in Agricultural Science</p> <p>14.4 HETAC/WIT Bachelor of Science in Agricultural Science</p> <p>14.5 HETAC/WIT Bachelor of Science (Honours) in Land Management, Agriculture</p> <p>14.6 HETAC/WIT Bachelor of Science (Honours) in Land Management, Horticulture</p> <p>14.7 HETAC/WIT Bachelor of Science (Honours) in Land Management, Forestry</p> <p>14.8 HETAC/WIT National Diploma in Forestry</p> <p>14.9 HETAC/WIT Bachelor of Science in Forestry</p>
<p style="text-align: center;">15. GALYWAY-MAYO IT</p>	<p>15.1 NCEA/HETAC National Certificate in Business in AgriBusiness</p> <p>15.2 HETAC/GMIT Higher Certificate in Business Studies (Agri-Business)</p> <p>15.3 HETAC/GMIT Bachelor of Business in Rural Enterprise and Agri-Business</p> <p>15.4 HETAC/GMIT Bachelor of Science in Agriculture and Environmental Management</p>
<p style="text-align: center;">16. UCD</p>	<p>16.1 Degree in Agriculture/Horticulture/Forestry awarded by UCD, the Faculty of Agriculture at UCD - NUI</p> <p>16.2 Bachelor of Agricultural Science degrees awarded through the College of Life Sciences in UCD</p> <p>16.3 Professional Diploma in Dairy Farm Management</p>
<p style="text-align: center;">17. VETERINARY</p>	<p>17.1 Degree in Veterinary Science - such awards must be accompanied by details confirming that the holder of this qualification is registered with the Veterinary Council of Ireland.</p> <p>17.2 Bachelor of Veterinary Science - UCD</p>
<p style="text-align: center;">18. LIMERICK</p>	<p>18.1 Bachelor in Science in Equine Science Degree - UL</p> <p>18.2 Diploma in Equine Science - UL</p>
<p style="text-align: center;">19. DAIRY SCIENCE</p>	<p>19.1 Degree/Diploma in Dairy Science plus 80 hours of farm management</p>

<p>20.</p> <p>RURAL SCIENCE</p>	<p>20.1 Degree/Diploma in Rural Science plus 80 hours of farm management</p> <p>20.2 Degree/Diploma in Science (Education) in Biological Science plus 80 hours of farm management</p> <p>20.3 Bachelor of Science (Education) in Biological Sciences plus 80 hours of farm management</p>
<p>21.</p>	<p>21.1.1 Non-agricultural major awards or qualifications (FETAC/HETAC/IT Colleges/Universities/foreign awards) placed at or equivalent to Level 6 or higher on the National Framework of Qualifications (NFQ) in addition to FETAC awards for 100 and 80 hours Teagasc approved agricultural training programmes (namely FETAC Level 5 Specific Purpose Certificate in Animal and Crop Production and FETAC Level 6 Specific Purpose Certificate in Farm Business) is acceptable proving that all three were completed/achieved prior 31 March 2008.</p> <p>21.1.2 Achievement of the required entry standard into the third year of a full-time course, in any discipline, of 3 years or more duration at a third-level institution in addition to FETAC awards for 100 and 80 hours Teagasc approved agricultural training programmes (namely FETAC Level 5 Specific Purpose Certificate in Animal and Crop Production and FETAC Level 6 Specific Purpose Certificate in Farm Business) is acceptable proving that all three were completed/achieved prior 31 March 2008.</p> <p>21.2 Non-agricultural awards or qualifications (FETAC/HETAC/IT Colleges/Universities/foreign awards) placed at or equivalent to Level 6 or higher on the National Framework of Qualifications must complete a FETAC Level 6 Specific Purpose Certificate in farm Administration.</p>
<p>22.</p>	<p>22.1 A letter from Teagasc certifying that the applicant holds a qualification that is deemed to be equivalent to any of the qualifications listed at 1 to 20 above.</p>