

OVERVIEW OF THE 2008 SINGLE PAYMENT SCHEME (SPS).

OVERVIEW	<p>This is a brief summary of the Scheme. A comprehensive guide to the SPS Scheme and other schemes associated with this application can be found in the following booklets:</p> <ul style="list-style-type: none"> > 2008 Single Payment Scheme Helpsheet/Terms and Conditions. > 2008 Guidelines for completing the 2008 Single Payment Scheme Application.
KEY POINTS	
CLOSING DATE	<p>15 May 2008. There will be a 25-calendar day period after 15 May for the acceptance of late applications and any necessary supporting documentation. However, a penalty of a 1% loss in payments per working day that the application is received late will apply during this period. Except in cases of force majeure, applications cannot be accepted after 9 June 2008.</p>
HOW TO APPLY	<p>Complete and return the pre-printed form either by post or by delivery to any of the Department's offices OR register now through the Department's website at www.agriculture.gov.ie and submit your form online. The advantages of online registration are set out in Section 3 of the Helpsheet.</p>
OTHER SCHEMES	<p>This form must be submitted if you wish to apply for a number of other schemes operated by the Department and listed in Section 6 of the Helpsheet, for example the Energy Crops Scheme, Protein Crops Premium, Disadvantaged Areas Scheme, Rural Environment Protection Scheme (REPS), etc.</p>
ENTITLEMENTS	<p>The pre-printed form includes a statement of the applicant's Single Payment Scheme entitlements. In order to draw down payment in respect of all your SPS entitlements, you must declare one eligible hectare of land in respect of each entitlement. In this context an eligible hectare is land that is used for an agricultural activity.</p>
NATIONAL RESERVE ENTITLEMENTS	<p>Farmers who receive entitlements from the National Reserve may not sell, lease out or otherwise transfer (except in cases of inheritance or gift), any of their entitlements that they have received from the National Reserve for a period of 5 years starting from the year of allocation. They must also continue to engage in an agricultural activity for a period of 5 years starting from the year of allocation.</p>
LOSS OF ENTITLEMENTS	<p>There is a basic 3-year "Use them or lose them" rule under the Single Payment Scheme. Entitlements will be lost where the total of the hectares declared in the 3 years 2006, 2007 and 2008 is less than the number of entitlements held. Example: A farmer has 40 Standard entitlements. He/she declared 10 hectares in 2006 and 10 hectares in 2007. If this farmer declares 10 hectares again in 2008 he/she will lose 10 entitlements as only 30 hectares were used over the 3-year 2006 to 2008 period. To avoid a loss, this farmer must declare 20 eligible hectares in 2008. See Section 15 of the Helpsheet.</p>
PAYMENT ORDER OF ENTITLEMENTS	<p>In a small number of cases, SPS applicants hold entitlements of differing values. While payment in respect of entitlements will generally be made in the order set out on the pre-printed SPS application form, an applicant who does not have sufficient hectares to ensure payment on all of those entitlements in 2008 may choose a different order of payment by completing Column 6 on the front page of the form. See Section 15 of the Helpsheet.</p>
TRANSFER OF ENTITLEMENTS	<p>The application form to transfer entitlements (including inheritance) is available on the Department's website www.agriculture.gov.ie or from the Single Payment Unit (Transfer Section), Department of Agriculture, Fisheries and Food, Eircom Building, Knockmay Road, Portlaoise, Co. Laois. Lo-call 1890-200-560. The closing date for applications is also 15 May 2008. See Section 19 of the Helpsheet.</p>
CONSOLIDATION OF ENTITLEMENTS	<p>Single Payment entitlements can be consolidated (stacked) in specified circumstances. See Section 21 of the Helpsheet. The application form to consolidate entitlements is available on the Department's website www.agriculture.gov.ie or from the Single Payment Unit (Consolidation Section), Department of Agriculture, Fisheries and Food, Eircom Building, Knockmay, Portlaoise, Co. Laois. Lo-call 1890 252 240 or 1890 252 241.</p>
PENALTIES FOR OVER-DECLARATION OF AREA	<p>No penalties will be imposed on the Single Farm Payment in relation to an over-declaration of eligible areas if the total eligible area determined (found) is equal to or greater than the number of payment entitlements held by the applicant. If the total eligible area determined is not sufficient to support the number of entitlements held then penalties will be applied in accordance with EU regulations. Penalties for over-declaration of area also apply to the Energy Crops Scheme, the Protein Crops Premium Scheme, the Disadvantaged Areas Scheme and the REPS Scheme. See Sections 11, 22, 23, 24 and 25 of the Helpsheet.</p>
UNDER-DECLARATION OF AREA	<p>EU regulations also provide for the application of penalties in the case of the non-declaration of entire land parcels. See Section 12 of the Helpsheet.</p>
CROSS COMPLIANCE	<p>The applicant will be held responsible for any non-compliance with the statutory management requirements under cross compliance in respect of the lands declared or any failure to maintain those lands in good agricultural and environmental condition.</p>
CONTROLS AND INSPECTIONS	<p>Single Payment Scheme applications will be subject to administrative checks, controls by remote sensing using satellite imagery or aerial photography, and on-farm inspections. By submitting a 2008 SPS application applicants agree to permit officials or agents of the Department to carry out on-farm inspections with or without prior notice at any reasonable time(s) and without prejudice to public liability. See Section 9 of the Helpsheet.</p>
AMENDMENTS	<p>Amendments to 2008 SPS applications, including the addition of parcels/plots, may be made up to 31 MAY 2008 on the SPS 2008 AMENDMENT FORM. Certain amendments will also be allowed after 31 May 2008. See Section 7 of the Guidelines for full details.</p>
PAYMENTS	<p>Under EU regulations, Single Payment Scheme payments will commence on 1 December 2008.</p>
<p>SEE OVERLEAF FOR THE KEY CHANGES TO THE 2008 SINGLE PAYMENT SCHEME. YOU SHOULD BE AWARE OF THESE CHANGES BEFORE COMPLETING YOUR APPLICATION FORM.</p>	

KEY CHANGES

PAYMENTS	In accordance with EU regulations, all EU scheme payments to farmers can only be made to a bank account as and from 16 October 2008. Payments cannot be issued by cheque after that date. See Section 32 of the Helpsheet.
PUBLICATION OF PAYMENT DETAILS	In accordance with the provisions of Council Regulation 1290/2005, the Department of Agriculture, Fisheries and Food is required to publish on a website, details of the names, addresses and amounts received by beneficiaries of funds deriving from the European Agricultural Guarantee Fund (EAGF) and the European Agricultural Fund for Rural Development (EAFRD). 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 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.
THE 10-MONTH RULE HAS BEEN REPLACED	The 10 -month start and end dates no longer apply and do not therefore appear on the 2008 form. For the 2008 SPS, you are now legally required to declare all the land that will form part of your holding on 31 May 2008 , <u>excluding</u> any land that you have leased OUT or rented OUT for any period that includes 31 May 2008. Direct payments may only be made where the applicant is engaged in an agricultural activity during the 2008 Single Payment Scheme year. "Agricultural activity" is defined in EU regulations as the production, rearing or growing of agricultural products including harvesting, milking, breeding animals and keeping animals for farming purposes, or maintaining the land in good agricultural and environmental condition. See Section 8 of the Helpsheet.
NO OBLIGATORY SET-ASIDE	The rate of obligatory set-aside has been fixed at 0% for 2008. A farmer with set-aside entitlements is not therefore required to put any of his/her land into set-aside in 2008 in order to draw down payment on set-aside entitlements. A farmer with set-aside entitlements must however declare sufficient hectares of land on his/her Application form that are eligible for set-aside. Land that is eligible for set-aside entitlements may be used as follows: for any eligible agricultural production (sown to a crop, grazing etc.) or you may continue to set it aside as agricultural land that is not in agricultural production (voluntary set-aside) if this best suits your farming practice. In this case, the land must be kept in good agricultural and environmental condition for the purposes of meeting Cross Compliance standards. Set-aside entitlements must be utilised before any other entitlements (any eligible use of land that is eligible for set-aside) and they are first in the payment order - this cannot be changed. Penalties for the under-declaration of eligible set-aside land will arise where a farmer does not declare sufficient hectares that are eligible for set-aside, <u>with any eligible agricultural use</u> , to meet all his/her Set-aside entitlements. See Section 16 of the Helpsheet.
REFERENCE AREA	A Reference Area is pre-printed for all parcels in Column 6 on the back page of the application form. This area is fixed for each parcel based on previous claims made on that parcel and on the results of inspections. This is the area of the parcel that is eligible to claim payment and payment cannot be made on a greater area without the submission of mapping or other evidence to verify the new claim.
SPECIFY THE CROP	In order to meet the requirements of the Nitrates regulations, it is necessary to be specific when declaring the Parcel Use in Column 11 on the back page of the form. The following Parcel Uses will not be acceptable on a 2008 application form - Barley, Wheat, Oats, Beet, Oilseeds and Potatoes. Where any of these crops are being declared, they should be specified as follows: Winter Barley or Spring Barley; Winter Wheat or Spring Wheat; Winter Oats or Spring Oats; Winter Oilseed Rape or Spring Oilseed Rape; Fodder Beet or Sugar Beet; Maincrop Potatoes, Early Potatoes or Seed Potatoes. Arable crops grown for fodder/silage should be identified as Arable Silage. See Section 6, Column 11 of the Guidelines for a list of crop categories.
LAND NEWLY ELIGIBLE FOR SPS PAYMENTS IN 2008	With effect from the 2008 SPS year, land used for the following purposes will also be eligible to draw down SPS payments - Fruit and Vegetables, Potatoes, Riparian zones, Orchards and REPS landscape features. In view of the inclusion of such uses as eligible in 2008, many of the crop uses in the Other category will now be eligible to draw down the Single Payment. See Section 7 of the Helpsheet for definitions of eligible and ineligible land.
RURAL ENVIRONMENT PROTECTION SCHEME (REPS) AND/OR THE ORGANIC FARMING SCHEME	A valid 2008 SPS application is required for payment under the REPS and/or the Organic Farming Scheme.
NITRATES DEROGATION	If you are eligible for a Nitrates Derogation in 2008, and you undertake to comply with the requirements of the Nitrates regulations, you may apply for a Derogation by shading the circle under this heading on the front page of the application form. See Section 28 of the Helpsheet.
FEED HYGIENE REGULATIONS	A declaration is required from all farmers who are involved in feeding farm animals or growing crops for feed that they are in compliance with the provisions of the Feed Hygiene Regulations. The Department must also identify farmers who are engaged in the home mixing of feedstuffs. See Section 29 of the Helpsheet.
KEY CHECKS FOR YOU TO MAKE	
Signature?	Sign the form - all parties must sign it in the case of a joint application.
Circles shaded?	Shade the circles on the front page (if appropriate).
Full details entered?	Check that all details are completed for each parcel/plot on the back page
No blank spaces?	Check that there are no blank spaces for any parcel/plot in Columns 8, 9, 10 or 11 on the back page.
Amendments made?	Amend the pre-printed details where necessary (for example, a parcel pre-printed as forage but is now in forestry).
Parcels deleted?	Put a line through the entire row for any pre-printed parcel that is not part of your holding on 31 May 2008.
Columns ticked?	Tick Columns 12, 13 or 14 as appropriate.
Supporting documentation?	Enclose any supporting documentation (maps, commonage evidence etc.), with your application or, if applying online, submit with the covering letter that is available online.
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