



An Roinn Talmhaíochta
Iascaigh agus Bia
Eastát Chaisleán Sheonach,
Contae Loch Gorman,
Éire.

Department of Agriculture,
Fisheries and Food
Johnstown Castle Estate,
Co. Wexford,
Ireland.

Circular 11/2010

September 2010

**To: All REPS Planners, Regional Inspectors, AES Inspectors, AS, DS and SAO.
REPS Staff, SPS Staff.**

THIS CIRCULAR REPLACES CIRCULAR 3/2010

Arrangements following the death of a participant in REPS

Paragraph 24 of REPS 3 and Paragraph 23 in REPS 4 are replaced by the following:

Where a participant dies within the contract period, the following will apply:

- *Where there is no legal successor willing or able to take over the contract, force majeure shall be applied terminating the agreement and no reimbursement of aid already paid shall be sought and, where a valid payment claim is on hand, payment will be made up to the date of death.*
- *Alternatively, where the contract is in the sole name of the deceased participant, his or her legal successor(s) may apply to take it over for the period remaining. The personal representatives of a deceased participant may take over the contract pending the Grant of Probate or Letters of Administration. An individual must be named as the farm manager for the purposes of delivering the measures at farm level until transfer of ownership is complete.*
- *Where the contract is in joint names, the surviving partner(s) shall take it over.*

When a participant or joint participant dies, the executor or another suitable person should contact the Department's Inheritance Enquiry Unit at the Department of Agriculture Fisheries and Food, Eircom Building, Knockmay Road, Portlaoise (Phone 1890 200 560, fax 05786 89990, Email: inheritance@agriculture.gov.ie).

A person or persons applying to take over by way of inheritance a REPS contract must produce any one of the following documents to confirm his/her/their status as rightful successor(s),

- *Certified copy of Will and Probate*
- *Certified copy of Letters of Administration*
- *Deed of Transfer and Dealing Number issued by Land Registry for registration*
- *Copy of Land Folio from the Land Registry.*

Form REPS 1 must be submitted to the relevant AES Office of the Department giving details of the new participant. This form along with the legal documents as required above must then be forwarded by the local office to the Regional Inspector who will process the application. The herd number of the deceased participant must be transferred into the name of the person(s) taking over the REPS contract by making application to the relevant DVO office of the Department.

Arrangements following the death of an applicant for REPS

If an applicant for REPS dies before the application has been processed, his or her application may be transferred to his or her legal successor(s) or any family member.

Time limit for application for continuance

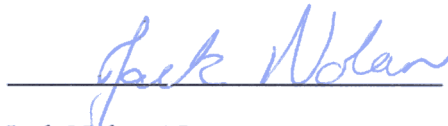
Where legal successors wish to apply for continuance, such application must be made within a year of the death of the participant.

Effective date of new arrangement

This circular comes into immediate effect. The arrangements following the death of a participant will apply to any such case in which the date of death is after 30th April 2009.



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