An Roinn Talmhaíochta,
Bia agus Mara
Department of Agriculture,
Food and the Marine

2022 National Reserve (Young Farmer/New Entrant) and Young Farmers Scheme

Terms and Conditions

In implementation of Regulation (EU) No. 1307/2013 and Regulation (EU) No. 2017/2393

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Introduction

The following 2 schemes are governed by these Terms and Conditions

1. **The Young Farmers Scheme**
2. **The National Reserve categories of Young Farmer and New Entrant**

Terms and Conditions

Closing dates

1. Applications under the National Reserve and Young Farmer scheme must be submitted on or before **16th May 2022**.

2. These Schemes are being implemented pursuant to Regulation (EU) No. 1307/2013, 639/2014, 640/2014, 641/2014, 809/2014, 1306/2013 and 2017/2393 as amended and will be operated by the Department of Agriculture, Food and the Marine. While this Terms and Conditions booklet has been prepared as a guidance to farmers, it should be recognised that the governing EU Regulations form the definitive basis for the administration of the scheme and decisions on eligibility for the scheme and for payment.

3. Applicants are required to be a holder of a registered herd number in order to qualify for the National Reserve and Young Farmers Scheme. Applications for a herd number, or to be included on an existing herd number, must have been received by the local DVO by 16th May 2022.

4. In the event that a herd number has not been assigned at the date of submission of the application under the National Reserve/Young Farmers Scheme, a facility is available via iNet for submission of such applications by registered Agricultural Agents.

5. Applicants should note the addition or removal of a name to/from an existing herd number, a change of legal entity, formation/dissolution of a registered farm partnership or any other amendment to the registration details of a herd number under which entitlements were held in 2021, requires a parallel change to the registration details of the entitlements. In such cases a transfer of entitlements application must be submitted by the 16th May 2022, or the entitlements will not be available to the transferee for use in 2022 and the 2022 Basic Payment shall issue to the transferor.

6. Applicants are required to have submitted a valid Basic Payment Scheme Application to the Department by 16th May 2022.

7. An allocation of entitlements from the National Reserve or an increase in the value of existing entitlements can only be made to a person who is an active farmer as defined in Council Regulation (EU) No 1307/2013.

8. 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.

9. Applications must be submitted online through agfood.ie. Therefore applicants must be registered for online services (OLS) with the Department. Instructions for registration can be found on www.agfood.ie or you can contact: agfood Online Services Helpdesk in the Department's Cavan Office, 049 4368288 or email agfood@agriculture.gov.ie

10. Applicants who wish to have an agent/agency apply online on their behalf must first be registered for online services (OLS) with the Department and be associated to that agent. Instructions for registration can be found on www.agfood.ie or you can contact: agfood Online Services Helpdesk in the Department's Cavan Office, 049 4368288 or email agfood@agriculture.gov.ie

11. Once you have submitted your application via iNet a record of the application will show under 'Correspondence' and applicants/agents are advised to access same to confirm that the application has been successfully submitted. This record is the only accepted proof of submission of an application via iNet under the 2022 National Reserve and/or Young Farmers Scheme. Only fully completed and submitted applications will be considered.

12. The online Services Helpdesk can also be contacted for information and support where issues arise in relation to Username or Password.

13. Applications not supported by all required documentation will be deemed as late and/or inadmissible. Penalties are applicable to late applications, as set out in the table below, and applications received 25 calendar days after that date are deemed inadmissible. Responsibility for the submission of applications to the Department by the closing date rests with the applicant concerned. A table of applicable penalties is set out at *Table 1*.

14. Applicants under the Schemes 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 Schemes.

15. In relation to applications from groups (e.g., joint herd number, a registered farm partnership or a company) documents and information submitted relating to applications made by these groups are submitted with consent of, and are available to, all members of the group and, where applicable, agents acting on behalf of the group.

16. Please take note of the important dates in respect of submission of an application under the 2022 National Reserve and/or Young Farmers Scheme at *Table 2*.

Table 1

2022 National Reserve/Young Farmers Scheme Penalties					
Date	Day	No. of Calendar Days	No. Working Days Late	YFS Applicable Penalty	NR Applicable Penalty
17/05/2022	Tuesday	1	1	1%	3%
18/05/2022	Wednesday	2	2	2%	6%
19/05/2022	Thursday	3	3	3%	9%
20/05/2022	Friday	4	4	4%	12%
21/05/2022	Saturday	5	4	4%	12%
22/05/2022	Sunday	6	4	4%	12%
23/05/2022	Monday	7	5	5%	15%
24/05/2022	Tuesday	8	6	6%	18%
25/05/2022	Wednesday	9	7	7%	21%
26/05/2022	Thursday	10	8	8%	24%
27/05/2022	Friday	11	9	9%	27%
28/05/2022	Saturday	12	9	9%	27%
29/05/2022	Sunday	13	9	9%	27%
30/05/2022	Monday	14	10	10%	30%
31/05/2022	Tuesday	15	11	11%	33%
01/06/2022	Wednesday	16	12	12%	36%
02/06/2022	Thursday	17	13	13%	39%
03/06/2022	Friday	18	14	14%	42%
04/06/2022	Saturday	19	14	14%	42%
05/06/2022	Sunday	20	14	14%	42%
06/06/2022	Monday	21	14	14%	42%
07/06/2022	Tuesday	22	15	15%	45%
08/06/2022	Wednesday	23	16	16%	48%
09/06/2022	Thursday	24	17	17%	51%
10/06/2022	Friday	25	18	18%	54%
11/06/2022	Saturday	Inadmissible	Inadmissible	Inadmissible	Inadmissible

Table 2

Important Dates

16th May 2022 – Last date for submission of applications under the 2022 National Reserve/Young Farmers Scheme, including all supporting documentation in order to avoid late penalty.

Last date for submission of Transfer of Entitlements applications.

10th June 2022 - Last date for submission of applications under the 2022 National Reserve/Young Farmers Scheme that will attract penalties.

11th June 2022 – Applications under the National Reserve/Young Farmers Scheme received on/after this date are inadmissible.

Section 1: Young Farmers Scheme

1.1 Who is Eligible for the 2022 Young Farmers Scheme?

To be eligible for participation in the 2022 Young Farmers Scheme an applicant must meet the following conditions:

- ✓ S/he has submitted a valid 2022 Basic Payment Scheme application under a herd number on which the applicant is included;

- ✓ S/he is aged no more than 40 years of age at any time during the calendar year in which s/he first submits an application under the Basic Payment Scheme;

- ✓ S/he has successfully completed a recognised course of education in agriculture giving rise to an award at FETAC level 6 or its equivalent by the 16th May 2022 (See section 1.4);

- ✓ S/he is setting up as the head of an agricultural holding for the first time or has set up such a holding during the five years preceding the first submission of the Basic Payment Scheme application (see 1.5 below);

- ✓ S/he must activate Basic Payment Scheme entitlements in respect of 2022;

- ✓ S/he applies for inclusion under the 2022 Young Farmers Scheme by

    a) for new applicants submitting an application online via iNet;
    b) for applicants who were successful under the 2021 Young Farmers Scheme and are eligible for continued participation in 2022 – by selecting the Young Farmers Scheme option on the 2022 Basic Payment Scheme Application. **In the event the Young Farmers Scheme option is not available on the 2022 Basic Payment Scheme application for a continuing participant, the onus is on the applicant to submit a new application via iNet;**
    c) for applicants for whom there has been a change of registration to the herd number - submitting an application online via iNet.

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 herd number, a registered 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;
- ✓ That 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 herd number.
- the young farmer's name is on the bank account used for the purposes of the receipt of payments under the Basic Payment Scheme and Young Farmers Scheme.
- **Companies Only** - the Young Farmer must be a director and minimum 20% shareholder in the Company**.**
    - The Secretary as listed in the B1 annual return for the application year may complete the NR/YFS Declaration form confirming that the young farmer has effective control, either solely or jointly with the other members of the group. Where the declaration form is not signed by the Secretary, all of the directors must sign the declaration form.
- all persons who participate in the group must complete a National Reserve/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 and must be submitted with the Young Farmer Scheme application again.

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/registered farm partnership/Company, this period of agricultural activity will be included in the calculation of the five-year period.

Where more than one young farmer has joined the group at different moments of time, the earliest date of a young farmer joining is considered at the setting up date for the purpose of calculating the maximum 5-year term for payment of YFS;

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 herd number or farming entity, for example 2021 Individual Applicant joining a registered farm partnership in 2022, 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 where same is included in Appendix A or where the qualification is not included at Appendix A, a letter of equivalence from Teagasc confirming the educational qualification held by the applicant fulfils the requirements of the scheme (see section 1.4 below).
- ✓ In the event that the name of the applicant differs from that on the educational certificate, a copy of a marriage certificate/deed poll etc. shall be required.

Young Farmer in a Group – Joint Herd number/Registered farm partnership/Company

- ✓ Copy of the Educational Qualification or Teagasc letter of equivalence (see section 1.4 below);
- ✓ Long form birth certificate of the Young Farmer(s) in the group. In the event that the name of the applicant differs from that on the birth certificate, a copy of a marriage certificate/deed poll etc. shall be required ;
- ✓ Where the first name recorded on the birth certificate differs from the name under which the application is made (e.g. formal first name versus common usage name) clarification is required;
- ✓ National Reserve/Young Farmers Scheme Declaration for the purpose of determining effective and long-term control of the Young Farmer in the group (to be witnessed and stamped by a Solicitor) see section 1.2 above;
- ✓ **Joint Herd number Only** - In support of the Young Farmer's claim(s) to have sole or shared financial control of the farming enterprise, documentation must be provided to confirm that the Young Farmer's name(s) is/are on the bank account to which payments from the Department issue, e.g. bank statement, letter from the bank, etc.
- ✓ **Company only – documentation** in support of the claim that the Young Farmer is a Director and minimum 20% shareholder in the Company.

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 successfully completed an agricultural qualification at FETAC Level 6 or its equivalent by 16th May 2022 and must submit a copy of such qualification/Teagasc letter of equivalence in support of their application.

A list of acceptable courses is set out in Appendix A. Where the qualification is not included at Appendix A, a letter of equivalence from Teagasc confirming the educational qualification held by the applicant fulfils the requirements of the scheme must be submitted.

Where an applicant has completed the course by the 16th May 2022 but has not received final certification, please submit a Confirmation of Education Form which is available for downloading on the online application facility and on the Department's website. A version B of this form should be submitted where the course was scheduled for completion by 16th May 2022 but has been extended by the course provider due to measures put in place in response to COVID-19.

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, company or registered farm partnerships.

The payment for young farmers shall be granted per farmer for a period of five years, starting from the first submission of the application for the payment for young farmers, provided that that submission takes place within the five years following the setting up of the holding referred to at 1.1 above.

A successful applicant who commenced farming from 2016 onwards, and who submits his/her first Young Farmers Scheme application within five years of commencement of farming, may receive payment under the Young Farmers Scheme for five years.

1.6 Inspections

Applicants under the Young Farmers Scheme are subject to administrative checks. In addition, in line with EU Regulatory requirements, a minimum of 5% of applicants will be selected for an on-the-spot inspection to ensure compliance with the rules of the scheme. Documentary evidence to verify that the 'young farmer' is solely or jointly in control of the holding will be sought as part of the inspection process. In this regard, irrespective of whether the young farmer is solely or jointly in control of the holding, there is a requirement to demonstrate such managerial and financial control. This includes the young farmer's name on invoices and receipts and on the bank account used for all the transactions or business of the holding.

In the case of administrative checks applicants may be asked to submit original hard copies of supporting documentation for verification purposes.

The on-the-spot inspection will involve two elements as follows:

(i) a check to determine if the land declared is eligible, which can be undertaken by means of field visits on the ground or by means of Remote Sensing using up-to-date satellite imagery;

and

(ii) a check to see if the young farmer is in managerial and financial control, either solely or jointly with others as the case may be, by means of a visit to the holding(s). In addition they will be asked to provide original documentation to demonstrate that they meet the age and educational requirements. In the case of a share farming arrangement they must provide a copy of the agreement for inspection.

With regards to managerial control applicants will have to demonstrate that they are actively involved in the running of the farm and show full knowledge of the day-to-day management of all enterprises on the holding (including in the case of Joint herds and Companies). In the case of Partnerships and Shared Farm arrangements, applicants will be required to demonstrate knowledge of all the enterprises for each herd number in the Partnership/ Share farm. Applicants may be required to provide documentary evidence of managerial control.

Applicants will also be required to provide documentation to demonstrate full financial control (solely or as part of a group). Evidence of full financial control can be demonstrated by providing bank statements in the applicant's name, showing all farm business related financial transactions, which can be cross referenced to sales/income/input purchase documentation. A sample of such farm business financial transactions will be checked at inspection and traced through the bank account in the name of the applicant.

Where the application is based on leased/rented/commonage land or grazing rights the applicant may be required to provide land tenure documentation including title documents in the case of commonage and grazing rights including title documents in the case of the latter two.

1.7 Managerial and Financial Control of the holding by the Young Farmer

Irrespective of whether the young farmer is solely or jointly in control of the holding, there is a requirement to demonstrate managerial and financial control. This includes the young farmer's name on invoices and receipts and on the bank account used for all the transactions or business of the holding.

1.8 Additional documentation in support of control of the holding by the Young Farmer

Applicants may be asked to submit documentary evidence to demonstrate compliance with the financial and managerial control required as head of the agricultural holding as part of the administrative checks under the scheme. Failure to demonstrate that the young farmer is in compliance with the requirement for control of the holding may result in the application being deemed ineligible.

1.9 Administrative penalties

In line with the provisions of Article 21 of EU Regulation 640/2014, without prejudice to the administrative penalties applicable in accordance with Article 19, where it is established that the beneficiary does not comply with the obligations referred to in Article 50(2) of Regulation (EU) No 1307/2013 and Article 49 of Delegated Regulation (EU) No 639/2014, the aid for young farmers shall not be paid or shall be withdrawn in full. Moreover, where it is established that the beneficiary provided false evidence for the purpose of proving compliance with the obligations, a penalty corresponding to 20 % of the amount the beneficiary has or would otherwise have received as a payment for young farmers pursuant to Article 50(1) of Regulation (EU) No 1307/2013 shall be applied.

Section 2: National Reserve - Young Farmer Category

2.1 Who is Eligible for the Young Farmers Category of the National Reserve?

To be eligible under the Young Farmer category of the National Reserve an applicant must meet the following conditions:

- ✓ S/he has submitted a valid 2022 Basic Payment Scheme application under a herd number on which the applicant is included;
- ✓ S/he is aged no more than 40 years of age at any time during the calendar year in which s/he first submits an application under the Basic Payment Scheme;
- ✓ S/he has successfully completed a recognised course of education in agriculture giving rise to an award at FETAC level 6 or its equivalent by the 16th May 2022 (See section 2.4);
- ✓ S/he is setting up as the head of an agricultural holding for the first time or has set up such a holding during the five years preceding the first submission of the Basic Payment Scheme application;

2.2 Eligibility of Young Farmer(s) in a Group - National Reserve Young Farmer Category

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

- ✓ At least one person in the group must meet the definition of Young Farmer as outlined in section 2.1 above;
- ✓ That 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 herd number;
  - the young farmer's name is on the bank account used for the purposes of the receipt of payments under the Basic Payment Scheme;
  - **Companies Only** - the Young Farmer must be a Director and minimum 20% shareholder in the Company**;**
    - The Secretary as listed in the B1 annual return for the application year may complete the NR/YFS Declaration form confirming that the young farmer has effective control, either solely or jointly with the other members of the group. Where the declaration form is not signed by the Secretary, all of the directors must sign the declaration form.
  - all persons who participate in the group must complete a National Reserve/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 and must be submitted with the National Reserve/Young Farmer Scheme application.

2.3 Documents Required in Support of an Application – National Reserve Young Farmers Category

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 where same is included in Appendix A or where the qualification is not included at Appendix A, a letter of equivalence from Teagasc confirming the educational qualification held by the applicant fulfils the requirements of the scheme (see section 2.4 below).
- ✓ In the event that the name of the applicant differs from that on the educational certificate, a copy of a marriage certificate/deed poll etc. shall be required.

Young Farmer in a Group – Joint Herd Number/Registered Farm Partnership/Company

- ✓ Copy of the Educational Qualification or Teagasc letter of equivalence (see section 2.4 below);
- ✓ Long Form Birth Certificate of the Young Farmer(s) in the group. In the event that the name of the applicant differs from that on the birth certificate, a copy of a marriage certificate/deed poll etc. shall be required;
- ✓ Where the first name recorded on the birth certificate differs from the name under which the application is made (e.g. formal first name versus common usage name) clarification is required;
- ✓ National Reserve/Young Farmers Scheme Declaration for the purpose of determining effective and long-term control of the Young Farmer in the group (to be witnessed and stamped by a Solicitor) see section 2.2 above;
- ✓ **Joint Herd number Only** - In support of the Young Farmer's claim(s) to have sole or shared financial control of the farming enterprise, documentation must be provided to confirm that all named on the Herd Number including the Young Farmer's name(s) is/are on the bank account to which payments from the Department issue, e.g. bank statement, letter from the bank, etc.
- ✓ **Company Only** – documentation in support of the claim that the Young Farmer is a Director and minimum 20% shareholder in the Company**;**

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

2.4 Educational Qualification Requirements – National Reserve Young Farmers Category

To be considered eligible under the National Reserve Young Farmer an applicant must have successfully completed an agricultural qualification at FETAC Level 6 or its equivalent by 16th May 2022 and must submit a copy of such qualification/Teagasc letter of equivalence in support of their application.

A list of acceptable courses is set out in Appendix A. Where the qualification is not included at Appendix A, a letter of equivalence from Teagasc confirming the educational qualification held by the applicant fulfils the requirements of the scheme must be submitted.

Where an applicant has completed the course by the 16th May 2022 but has not received final certification, please submit Confirmation of Education Form which is available for downloading on the online application facility and on the Department's website. A version B of this form should be submitted where the course was scheduled for completion by 16th May 2022 but has been extended by the course provider due to measures put in place in response to COVID-19.

Section 3: National Reserve – New Entrant Category

3.1 Who is Eligible for the New Entrant Category of the National Reserve?

A **"New Entrant"** is defined as:

- ✓ S/he has submitted a valid 2022 Basic Payment Scheme application under a herd number on which the applicant is included;
- ✓ S/he must have commenced the present agricultural activity in the 2020 calendar year or any later year;
- ✓ S/he did not have any agricultural activity in his/her own name and at his/her own risk in the five years preceding the start of the present agricultural activity;
- ✓ S/he has successfully completed a recognised course of education in agriculture giving rise to an award at FETAC level 6 or its equivalent by 16th May 2022 (See section 3.3);

Where a herd number that is registered on behalf of a group applies under the 'new entrant' category, all persons in control of the group must meet all conditions of the 'new entrant' category with the exception of the educational requirement.

At least one of the persons in control of the group must have successfully completed a recognised course of education in agriculture giving rise to an award at FETAC level 6 or its equivalent.

In the case of a group which commences its agricultural activity in 2020 or later, all persons in control of that group must not have engaged in any agricultural activity in their own name and at their own risk, or have had control of another legal entity engaged in such agricultural activity, in the five years preceding the start of the agricultural activity of the applicant.

3.2 Documents Required in Support of an Application – New Entrants Category

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

Individual New Entrant Applicant

- ✓ Copy of the Educational Qualification where same is included in Appendix A or where the qualification is not included at Appendix A, a letter of equivalence from Teagasc confirming the educational qualification held by the applicant fulfils the requirements of the scheme (see section 3.3 below).
- ✓ In the event that the name of the applicant differs from that on the educational certificate, a copy of a marriage certificate/deed poll etc shall be required

New Entrant in a Group – Joint Herd number/Registered farm partnership/Company

- ✓ Copy of the Educational Qualification or Teagasc letter of equivalence (see section 3.3 below);
- ✓ **Company Only** – documentation in support of the claim that the Young Farmer is a Director and minimum 20% shareholder in the Company**;**

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.

3.3 Educational Qualification Requirements – National Reserve New Entrant Category

To be considered eligible under the National Reserve New Entrant category an applicant must have successfully completed an agricultural qualification at FETAC Level 6 or its equivalent by 16th May 2022 and must submit a copy of such qualification/Teagasc letter of equivalence in support of their application.

A list of acceptable courses is set out in Appendix A. Where the qualification is not included at Appendix A, a letter of equivalence from Teagasc confirming the educational qualification held by the applicant fulfils the requirements of the scheme must be submitted.

Where an applicant has completed the course by the 16th May 2022 but has not received final certification, please submit Confirmation of Education Form which is available for downloading on the online application facility and on the Department's website. A version B of this form should be submitted where the course was scheduled for completion by 16th May 2022 but has been extended by the course provider due to measures put in place in response to COVID-19.

Section 4: National Reserve – Allocations

4.1 Allocation/Top-Up to the Value of Entitlements from the National Reserve

Successful applicants under the National Reserve will be eligible for an allocation of entitlements on land for which they hold no entitlements and/or a top up to the value of existing entitlements held by them, where such entitlements have a value below the National Reserve National Average. Allocation of new entitlements will be on the basis of one entitlement for one hectare of eligible land declared on the Basic Payment Scheme application for which the applicant(s) holds no entitlements.

Successful applicants who already hold existing owned entitlements with a value below the National Reserve national average value will receive a top-up whereby the value of those entitlements will be increased to the national average value.

Successful applicants who hold leased entitlements that have a value below the National Reserve national average will qualify for a top-up to the value of these leased entitlements. A top-up to the value of existing low value leased entitlements shall remain for the duration of the lease.

Please note that in the case of a Registered Farm Partnership entitlements and/or top-ups to the value of entitlements will be allocated to the herd number on which the qualifying Young Farmer(s) is named within the Registered Farm Partnership only. Multiple allocation thresholds do not apply where multiple herd numbers, with more than one young farmer, exist within the Registered Farm Partnership.

4.2 Current and Future Value of National Reserve Entitlements.

The value of entitlements allocated from the National Reserve, and the value to which existing entitlements are increased, shall be fixed at the National Reserve national average in the year of allocation and shall be subject to annual modifications.

Section 5: General Conditions

5.1 Applications

Applications and supporting documentation for both the National Reserve and the Young Farmers Scheme must be submitted on-line.

Where the Department identifier (Herd number/Registered Farm 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 registered farm partnerships, by all Partners,
- ✓ in the case of Companies, by the Company Directors.

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

Applicants for whom there has been a change of registration to the herd number for the new Scheme year and who intend to apply for continued participation in the Young Farmers Scheme are required to submit a new application online via iNET.

5.2 Correspondence from the Department

All correspondence from the Department relevant to an application will be online via iNet. The applicant will be notified by text message to advise that correspondence from the Department is available on iNet. The Agricultural Agent registered for the applicant will also receive notification via e-mail to confirm that correspondence is available in iNet in respect of his/her client.

5.3 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 National Reserve allocations/Young Farmer Scheme payments if it is later determined that such a change rendered the applicant ineligible.

5.4 Amending a Submitted Application

Applicants will not be able to amend applications following submission, with the exception of the uploading of required supporting documentation up to the 10th June 2022. For this reason applicants are advised to ensure that the application is completed fully and accurately prior to submission.

5.5 Multiple Applications

Applicants may only benefit once under the Basic Payment Scheme National Reserve. Therefore, a successful applicant under a previous Basic Payment Scheme National Reserve will not be able to benefit from the 2022 National Reserve. In addition, a successful application under the 2022 National Reserve will exclude the applicant from having future applications under the BPS National Reserve considered for allocation.

5.6 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 National Reserve the fixed percentage penalty stands at 3% and 1% for the Young Farmers Scheme. Please note that in both cases penalties are applied to payments resulting from successful application to the scheme in question and not a permanent reduction in the number/value of entitlements.

Please note that applications are considered in their entirety.

Except in cases of force majeure, as defined in accordance with the relevant EU Regulations, applications will be inadmissible after this 25-calendar day period has ended.

5.7 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.

5.8 Recovery of Unduly Allocated Entitlements

In accordance with Council Regulation (EU) 1306/2013, where it is established that an incorrect number of entitlements has been allocated to an applicant from the National Reserve such incorrectly allocated entitlements and the associated payments shall revert to the National Reserve.

5.9 Circumvention Clause

In accordance with Council Regulation (EU) 1306/2013, no allocation of entitlements, top-up to the value of entitlements or 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 National

Reserve and/or Young Farmers Scheme. One example of circumvention is the removal of existing entitlements from land for the purpose of creating 'naked land' upon which a National Reserve allocation may be made.

5.10 Review of Terms and Conditions/Procedures

The Minister reserves the right to alter the terms and conditions and procedures of the Schemes at any time. The decision of the Minister on any matter relating to these schemes shall be final.

5.11 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 169 of 2016.

5.12 Contact Details

Enquiries in relation to the Young Farmers Scheme or the National Reserve may be made to **057 8674422**

Alternatively e-mail queries can be submitted to **NationalReserveYFS@agriculture.gov.ie**

Section 6: Data Protection

6.1 Data Controller

For the purposes of the EU General Data Protection Regulation (GDPR), the Department of Agriculture, Food and the Marine (DAFM) is the Data Controller.

6.2 Data Protection Officer

Contact Details for DAFM Data Protection Officer as follows:

Data Protection Officer
Data Protection Unit
Department of Agriculture, Food and the Marine
Grattan Business Park
Dublin Road
Portlaoise
Co. Laois
R32 RY6V

Phone: 057 8694301 e-mail: dataprotectionofficer@agriculture.gov.ie

6.3 Legal basis and purpose of processing

The National Reserve and the Young Farmers Scheme are implemented pursuant to EU Regulation 1307/2013 and operated by DAFM.

6.4 Use of data held by DAFM

In processing the application under the National Reserve and/or Young Farmers Scheme, DAFM may use data held within DAFM which is required for the same purpose of processing, testing, assessment or verification of the application and/or eligibility under the Scheme. The data now submitted may be shared within DAFM where this data may support an application by the data subject (applicant) in another area of DAFM. Data has been provided by the data subject and the use of this data is to avoid the requirement for the data subject to re-submit the data and also in the interest of administrative efficiency to facilitate the prompt processing of applications for payment.

Such data includes:

- Details provided by the data subject at the time of application for a herd number or to amend a herd number;
- Details submitted as part of an application under the Basic Payment Scheme or associated schemes;
- Details relating to payment entitlements held by the data subject or applications to transfer payment entitlements;
- Land parcel details;
- Details of animals held, moved or tested;
- Bank Account details submitted for receipt of DAFM payments and payments made;
- Agricultural Consultant or Advisory Service authorised by data subject to act on their behalf;
- Inspections and results.

6.5 Use of data received from external source

In processing the application under National Reserve and/or the Young Farmers Scheme DAFM may use data received from an external source which is required for the purpose of processing, assessment or verification of the application and/or eligibility under the Scheme. With regard to the National Reserve and Young Farmers Scheme data received from an external source may be used in the verification of agricultural education course details with the relevant education course provider.

Education Course Provider

The data subject will have provided DAFM with data in relation to the agricultural education course provider where the data subject is currently enrolled or has not completed their agricultural education course where such a course is an eligibility requirement for continued participation in the Young Farmers Scheme. DAFM may exchange data provided by the data subject with the education course provider to verify continued eligibility under the scheme. A Data Sharing Agreement is in place between DAFM and the education course provider to govern the exchange of data. The authority to exchange data to verify educational qualifications is derived from EU Regulation 1307/2013.

6.6 Period of Data Storage

The data submitted in support of the application by the data subject under the National Reserve and/or the Young Farmers Scheme will be retained by DAFM for a period of time to be determined by DAFM based on business needs and will be destroyed in time but not prior to the coming into effect of the post 2022 Common Agricultural Policy reform measures.

6.7 Right of access, rectification, erasure, restriction, objection to processing, portability.

The data subject (applicant) has the right to request from DAFM access to and rectification or erasure of personal data, or restriction of processing concerning the data subject or to object to processing as well as the right to data portability. However, where the data subject requests DAFM to rectify or erase personal data required for processing an application or restricts the processing concerning the data subject required for processing an application, the application cannot be processed. DAFM is also required to retain data where this data is required for the purposes of Audits authorised by DAFM or the EU Commission.

Further details on the Data Protection rights of the individual can be found on the Data Protection page of the Department's website at gov.ie - Data Protection (www.gov.ie).

6.8 Further Processing of Personal Data

DAFM may wish to use data provided by the data subject under the National Reserve and the Young Farmers Scheme for statistical, research or analysis purposes. Data used for such purposes will be pseudonymised (masked) or anonymised as appropriate to protect the security and confidentiality of the data in compliance with the Data Protection legislation in force. The use of such data for statistical, research or analysis purposes may facilitate the Department in informing policy decisions and negotiations under the CAP for the benefit of Irish farmers and the Irish agriculture sector.

DAFM is also currently obliged by law to provide information concerning applicants in response to requests received from the Office of the Revenue Commissioners, An Garda Síochana, and other bodies, in accordance with the Data Protection Acts, 1988 to 2018. In many instances the requesting

body has powers under its own governing legislation to make such requests for information. If the Department receives any information which leads it to believe that a criminal offence may have taken place it will use all data available, including personal data, to pursue any necessary investigation and/or prosecution as provided for under the terms of the Law Enforcement Directive (EU 2016/680).

No personal data submitted under the National Reserve and the Young Farmers Scheme moves outside the European Union.

6.9 Right of Complaint to the Data Protection Commissioner

The data subject has the right to lodge a complaint to:

Data Protection Commissioner
Canal House
Station Road
Portarlington
Co Laois
R32 AP23

Tel: 01 7650100 e-mail: info@dataprotection.ie

6.10 Requirement for submission of personal data

The National Reserve and the Young Farmers Scheme are implemented pursuant to EU regulation 1307/2013. The personal data sought from the data subject is required for the purpose of processing, including data testing, an application under these schemes. Failure to provide all the personal data required to facilitate the processing of the application under the scheme will result in DAFM being unable to process the application.

6.11 Automated Decision Making

Automated decision making may be used for the purposes of selecting applications for inspection in accordance with EU Regulations 1306/2013 and 809/2014.

6.12 Further Information in relation to the General Data Protection Regulation

Further information in relation to the operation of the General Data Protection Regulation (GDPR) and Data Protection in the Department of Agriculture, Food and the Marine is available on the Department's website at gov.ie - Data Protection (www.gov.ie)

6.13 Technical Information on data collected

Technical information on the cookies used on our Department's website is available at the following link: gov.ie - Privacy policy (www.gov.ie)

6.14 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. Member States 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 currently laid down in the Data Protection Acts, 1988 to 2018. 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 to 2018, 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.

Appendix A: Educational Qualifications

Educational Award Titles equivalent to FETAC/QQI Level Six for the purpose of the National Reserve and the Young Farmers Scheme	
1. GENERAL AGRICULTURE	1.1. ACOT/Teagasc Certificate in Farming or NCVA Certificate in Rural Enterprise 1.2. FETAC Certificate in Farming 1.3. FETAC Level 6 Advanced Certificate in Farming 1.4. FETAC Level 3 Vocational Certificate in Agriculture 1.5. FETAC Level 6 Vocational Certificate in Agriculture 1.6 FETAC Level 6 Advanced Certificate in Agriculture 1.7 FETAC Level 6 Specific Purpose Certificate in Farm Administration 1.8 FETAC Level 6 Specific Purpose Certificate in Farming 1.9 Teagasc Diploma in Pig Production 1.10 Teagasc Diploma in Poultry Production
2. EQUINE	2.1 FETAC (Teagasc) Certificate in Horse Breeding and Training (Part 2) 2.2 FETAC Level 3 Vocational Certificate in Horse Breeding and Training 2.3 FETAC Level 6 Vocational Certificate in Horse Breeding &Training – Equitation **or** Stud Management 2.4 FETAC Level 6 Advanced Certificate in Horsemanship 2.5 FETAC Level 6 Advanced Certificate in Stud Management 2.6 FETAC Level 6 Advanced Certificate in Equine Breeding (Stud Management)
3. HORT	3.1. FETAC Level 3 Vocational Certificate in Horticulture 3.2. FETAC Level 6 Vocational Certificate in Horticulture 3.3. FETAC/Teagasc Diploma in Horticulture 3.4. FETAC Level 6 Advanced Certificate in Horticulture 3.5 Teagasc Diploma in Amenity Horticulture/Commercial Horticulture
4. FORESTRY	4.1 FETAC Level 3 Vocational Certificate in Forestry 4.2 FETAC Level 6 Vocational Certificate in Forestry 4.3 FETAC Level 6 Advanced Certificate in Forestry
5. DAIRYING	5.1 Teagasc/FETAC Advanced Certificate in Agriculture– Dairy Herd Management 5.2 FETAC Diploma in Agriculture (Teagasc) – Dairy Herd Management/Dairying 5.3 FETAC Level 6 Advanced Certificate (Teagasc) in Agriculture - Dairy Herd Management 5.4 FETAC Level 6 Advanced Certificate in Dairy Herd Management/Dairying

6. MACHINERY	6.1 Teagasc/FETAC Advanced Certificate in Agriculture– Farm Machinery 6.2 Teagasc Diploma in the Operation, Care and Maintenance of Farm 6.3 Teagasc/FETAC Diploma in Agriculture – Farm Machinery 6.4 FETAC Diploma in Agriculture – Machinery (Teagasc) 6.5 FETAC Level 6 Advanced Certificate (Teagasc) in Agriculture – Farm Machinery 6.6 FETAC Level 6 Advanced Certificate in Agricultural Mechanisation
7. MACH/CROPS	7.1 FETAC Advanced Certificate in Agriculture– Machinery and Arable Crops 7.2 FETAC Advanced Certificate in Agriculture– Machinery and Crops 7.3 FETAC Diploma in Agriculture (Teagasc) – Machinery and Arable Crops 7.4 FETAC Level 6 Advanced Certificate (Teagasc) in Agriculture – Machinery and Arable Crops 7.5 FETAC Level 6 Advanced Certificate in Machinery and Crop Management
8. DRYSTOCK	8.1 FETAC Advanced Certificate in Agriculture – Drystock Management 8.2 FETAC Level 6 Advanced Certificate in Agriculture – Drystock Management 8.3 FETAC Level 6 Advanced Certificate in Drystock Management/Drystock Production
9. FARM MANAGEMENT	9.1 Teagasc/FETAC Advanced Certificate in Agriculture– Farm Management 9.2 FETAC Level 6 Advanced Certificate in Farm Management 9.3 FAB First Farm Management Certificate/Certificate in Farm Management 9.4 FAB/FETAC Certificate in Farm Husbandry 9.5 FAB Trainee Farmer Certificate 9.6 FAB/FETAC Certificate in Applied Farm Management 9.7 FAB/FETAC Certificate in Farm Business Management
10. GENERAL AGRIC	10.1 NCEA/HETAC/Individual IT College National Certificate in Agriculture 10.2 HETAC/Individual IT College Higher Certificate in Agriculture 10.3 HETAC/Individual IT College National Diploma in Agriculture 10.4 HETAC/Individual IT College Bachelor of Science in Agriculture
11. HORT	11.1 NCEA/HETAC/Individual IT College National Diploma in Horticulture 11.2 HETAC/Individual IT College Ordinary Bachelor Degree in Horticulture 11.3 HETAC/Individual IT College Bachelor of Science in Horticulture 11.4 Bachelor of Arts (Honours) in Horticultural Management
12. ATHLONE IT	12.1 NCEA/HETAC National Certificate in Business in Equine Studies 12.2 HETAC Higher Certificate in Business in Equine Studies 12.3 HETAC Bachelor of Business in Equine Studies

13. LIMERICK IT	13.1 HETAC National Certificate in Technology in Agricultural Mechanisation 13.2 HETAC Higher Certificate in Technology in Agricultural Mechanisation 13.3 Higher Certificate in Engineering in Agricultural Mechanisation
13.1 Other Approved IT Programmes	13.1.1 BA of Science in Sustainable Agriculture- Dundalk Institute of Technology 13.1.2 Higher Certificate in Science Applied Agriculture- Letterkenny Institute of Technology 13.1.3 Bachelor of Science in Agriculture- Cork Institute of Technology 13.1.4 Bachelor of Science in Agricultural Science- Tralee Institute of Technology 13.1.5 Bachelor of Science (Honours) in Agriculture – Dundalk Institute of Technology 13.1.6 Bachelor of Science in Sustainable Farm Management and Agribusiness – Carlow IT 13.1.7 Bachelor of Science (Honours) in Sustainable Farm Management and Agribusiness – Carlow IT 13.1.8 Bachelor of Science in Agriculture - Letterkenny Institute of Technology 13.1.9 Higher Certificate in Science in Agriculture – Letterkenny Institute of Technology 13.1.10 Bachelor of Science (Honours) in Agri-Food Production - Dundalk Institute of Technology
14. WATERFORD IT	14.1 NCEA/HETAC National Certificate in Science in Agricultural Science 14.2 HETAC/Individual IT College Higher Certificate in Science in Agricultural Science 14.3 NCEA/HETAC National Diploma in Science in Agricultural Science 14.4 HETAC/WIT Bachelor of Science in Agricultural Science 14.5 HETAC/WIT Bachelor of Science (Honours) in Land Management, Agriculture 14.6 HETAC/WIT Bachelor of Science (Honours) in Land Management, Horticulture 14.7 HETAC/WIT Bachelor of Science (Honours) in Land Management, Forestry 14.8 HETAC/WIT National Diploma in Forestry 14.9 HETAC/WIT Bachelor of Science in Forestry 14.10 WIT Bachelor of Science in Horticulture 14.11 WIT Bachelor of Science (Honours) in Agricultural Science

15. GALYWAY-MAYO IT	15.1 NCEA/HETAC National Certificate in Business in AgriBusiness 15.2 HETAC/GMIT Higher Certificate in Business Studies (Agri-Business) 15.3 HETAC/GMIT Bachelor of Business in Rural Enterprise and Agri-Business 15.4 HETAC/GMIT Bachelor of Science in Agriculture and Environmental Management 15.5 Bachelor of Engineering (Honours) in Agricultural Engineering
16. UCD UCC (NUI)	16.1 Degree in Agriculture/Horticulture/Forestry awarded by UCD, the Faculty of Agriculture at UCD – NUI 16.2 Bachelor of Agricultural Science degrees awarded through the College of Life Sciences in UCD 16.3 Professional Diploma in Dairy Farm Management 16.4 Bachelor of Agricultural Science (Honours) as awarded by the National University of Ireland (NUI) through University College Cork
17. VETERINARY	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. 17.2 Bachelor of Veterinary Science – UCD
18. LIMERICK	18.1 Bachelor in Science in Equine Science Degree – UL 18.2 Diploma in Equine Science – UL
19. DAIRY SCIENCE	19.1 Degree/Diploma in Dairy Science plus 80 hours of farm management
20. RURAL SCIENCE	20.1 Degree/Diploma in Rural Science plus 80 hours of farm management 20.2 Degree/Diploma in Science (Education) in Biological Science plus 80 hours of farm management 20.3 Bachelor of Science (Education) in Biological Sciences plus 80 hours of farm management

21.	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. 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. 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.
22.	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.