



SUCCESSION PLANNING ADVICE GRANT SCHEME **TERMS & CONDITIONS**

Ireland's CAP Strategic Plan 2023-2027 introduced a new initiative to assist older farmers to plan for retirement by providing financial support towards costs incurred for legal and financial advice about succession planning.

Legal basis: Regulation 1305/2013 of the European Parliament and of the Council on support for Rural Development by European Agriculture Fund for Rural Development.

Scheme Requirements

Farmers must meet the below criteria to be eligible for reimbursement under this scheme:

1. The applicant must be **60 years of age or older** at time of application for reimbursement.
2. The applicant must be farming a **minimum of 3 hectares** of land at the time of application for reimbursement.
3. The applicant must be farming for a **minimum of 2 years** prior to application for reimbursement.
4. The advice must be sought from an **accredited professional** registered with the one or more of the following institutions:
 - a. Accountants**
 - i. Association of Chartered Certified Accountants (ACCA),
 - ii. Certified Public Accountants (CPA)
 - iii. Chartered Accountants of Ireland (CAI),
 - iv. Chartered Institute of Management Accountants (CIMA)
 - b. Solicitors**
 - i. The Law Society of Ireland (LSI)
 - c. Accredited Agricultural Advisor**
 - i. Registered on the DAFM Farm Advisory System (FAS) list which can be found at [gov.ie - Farm Advisory System \(FAS\) \(www.gov.ie\)](http://gov.ie - Farm Advisory System (FAS) (www.gov.ie))
 - d. Chartered Tax Advisers**
 - i. The Irish Tax Institute
5. Reimbursement up to 50% of the total cost incurred will be made payable to the applicant farmer up to a maximum amount of €1,500.
6. Applications must be accompanied by the following documents*:



- Documentary evidence that the applicant is 60 years of age or older at time of application.
- Proof of Payment for advisory service(s) from an accredited professional as outlined above.

7. Review of Terms and Conditions/Procedures

- i. 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.*
- ii. The approval or payment of aid under this scheme does not imply the acceptance by the Minister of any responsibility as regards the obligations undertaken by the applicant.*

8. 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.

9. Payment will be in Tranches. This year's application will open on the 1st of Jan 2024 and remain open until 31st of Dec 2024. Tranche 2 payment will be in the first quarter of 2025.

*A list of accepted documents is provided overleaf for your information and a checklist is provided for you to ensure all required documentation is submitted with your application.



Data Protection Notice

Part A:

Information applicable to all Department of Agriculture, Food and the Marine customers:

1. The Department of Agriculture, Food and the Marine (DAFM) is fully committed to keeping all personal data submitted by its customers, fully safe and secure during administrative processes. All necessary technical measures have been put in place to ensure the safety and security of the systems which hold this data. Department staff are also considered as customers of the Department from a Data Protection perspective and may exercise their data protection rights in the same way.
2. Transparency and openness in the use of personal data held is important to the Department and therefore we aim to fully inform all our customers about the purpose(s) for which their data will be used and why, where it may be shared elsewhere and why and how long their data may be held by the Department. Information on the rights of the customers will also be provided.
3. The current legislation for Data Protection in Ireland is the Data Protection Act 1988 as amended by the 2003 Data Protection Act, The Data Protection Act 2018 and The General Data Protection Regulations (EU 2016/679) which came into effect on 25 May 2018. (It should be noted that the 1988 Data Protection Act as amended in 2003 will likely be repealed in full, in due course).
4. Under Data Protection Legislation, The Department of Agriculture, Food and the Marine, as a data controller is responsible for the collection and processing of all personal data under its administration.
5. The Data Protection Officer can be contacted via the email address; dataprotectionofficer@agriculture.gov.ie
6. Personal data processed by the Department will only be used for the specific purpose (s) as outlined when the data is collected, or in later communications, and will only be used in accordance with the Data Protection legislation in force.
7. Rights of the individual in relation to personal data held by the Department:

When you, as a customer, provide personal data to the Department you have certain rights available to you in relation to that data. However, it should be noted that not all rights listed shall be applicable in every circumstance. These rights are outlined below and can be exercised by contacting the Data Protection Officer, as detailed above, indicating which right(s) you wish to exercise:



Our customers have the following rights :

- access to their data
- rectification of their data
- erasure of their data
- right to lodge a complaint with the Supervisory Authority
- restriction of processing
- data portability
- objection to processing
- withdraw consent if they previously gave it in relation to processing of their personal data
- relating to automated decision making, including profiling.

Part B – Information specific to the personal data being collected:

The following data is specific information in relation to the personal data processed for Succession Planning Advice Grant

1. Specified purpose:

The personal data sought from applicants is required for the purpose of making an application to join this scheme. Failure to provide all the personal data required to facilitate the processing of the application, under this scheme will result in the Department being unable to process the application further. Failure to provide certain information required under the terms and conditions of this scheme may result in the necessity to repay monies already paid under this scheme.

2. Legal basis:

The 'Succession Planning Advice Grant' is implemented pursuant to the CAP EU Regulations, including Regulation (EU) No 1305/2013 of the European Parliament and repealing Council Regulation (EC) No 1698/2005 and Article 101 of Regulation (EU) 2016/679 (Processing and Protection of Personal Data), places a legal obligation on Member States to collect personal data to facilitate the implementation of the CAP Strategic Plan.

3. Recipients:

Personal data, in respect of an application under this scheme, will not be transferred outside of Department of Agriculture Food and the Marine



4. Transferred outside the EU:

Personal data, in respect of an application under this scheme, will not be transferred outside of the EU

5. Retention Period:

The data collected for this purpose will be held by the Department only as long as there is a business need to do so in line with the purpose(s) for which it was collected. 10 Years from the closure of the CAP Strategic Plan Programme

Data collected will be destroyed immediately the verification is completed in line with internal guidelines or guidelines for destruction received from the National Archives Office

6. Data provision being statutory or contractual obligation:

The data provided for this purpose is being requested under the requirements of the CAP (EU) Regulation (EU) No 1305/2013 and repealing Council Regulation (EC) No 1698/2005. If the applicant chooses not to provide necessary relevant information their application for this scheme cannot be processed further.

7. Automated Decision Making:

Automated Decision Making is not applicable to this scheme.

8. Information from Third Party:

Data may be provided to this Department by a third party on behalf of an applicant, for example a Farm Advisor, where it can be shown that authorisation has been given by the applicant for this to take place.

9. Technical information on data collected:

Technical information on the cookies used on the Gov.ie website is available at the following link:
<https://www.gov.ie/en/help/privacy-policy/?section=cookies>



SUCCESSION PLANNING ADVICE GRANT SCHEME **ACCEPTED SUPPORTING DOCUMENTS**

Proof of Age

- Copy Birth Certificate
- Copy Valid Passport
- Copy Valid Driving Licence

Proof of Address*

- Copy Utility Bill (Electricity, Gas, Landline Phone, Broadband)
- Copy Bank/Credit Card/Credit Union Statement
- Copy Correspondence from a Government Department (The Revenue Commissioners, Department of Social Protection etc)

**Dated within the last 6 months*

Proof of Payment for advisory services**

- Invoice from accredited professional with paid stamp
- Receipt from accredited professional
- Payment Confirmation from accredited professional
- Copy Bank/Credit Card Statement showing payment to accredited professional

****Receipts must be dated, detailing the amount paid and services rendered.**

Right of Appeal

Please be advised you have a right to appeal this decision to the Agriculture Appeals Office, which operates independently of the Department. If you wish to do so, please submit your appeal in writing using the prescribed Notice of Appeal Form, within 3 months of the date of this decision letter. The Notice of Appeal Form can be submitted online at Notice of Appeal (agriforms.gov.ie) or be downloaded at Agriculture Appeals Office - How to Make an Appeal (agriappeals.gov.ie). It can also be obtained directly from the Agriculture Appeals Office on Ph 057 866 7167. In the Notice of Appeal form you should set out all of the grounds on which you intend to rely in your appeal (use additional pages where necessary) and you should enclose a copy of this decision letter along with any supporting documentation you consider relevant to your appeal. Your appeal should be submitted to; The Director, Agriculture Appeals Office, Kilminchy Court, Portlaoise, Co. Laois R32 DTW5. E-mail; appeals@agriappeals.gov.ie. Further information is available on the web site www.agriappeals.gov.ie.



Queries can be directed to:

Phone: 01 6072857

Email: SPAGapplications@agriculture.gov.ie

