

*SBP 2004***EU SPECIAL BEEF AND BULL PREMIUM SCHEMES 2004****CHECKLIST**

BEFORE COMPLETING YOUR SPECIAL BEEF PREMIUM APPLICATION FORM, IT IS IN YOUR INTEREST TO PUT YOUR ANIMALS THROUGH THE CRUSH TO ENSURE THAT ALL ANIMALS ARE:

- Male?
- Accompanied by a valid passport?
- Castrated if applying for 1st and 2nd Age Premium?
- Uncastrated if applying for Bull Premium?
- Tagged with 2 official eartags?
- Are all animal births, deaths and movements notified to the Cattle Movement Monitoring System (CMMS). (Terms and Conditions, page 6, paragraph 16(c))
 - Check passports to confirm eligibility dates for premia. **Remember that the eligibility date is based on the date the application is received by the Department.** (Terms & Conditions, Page 5, Paragraph 11)
 - Animals born on or after 1st May 2003 are not eligible for 2nd Age Premium notwithstanding the fact that passports may indicate otherwise.
 - All animals applied on must be retained for a 2 month retention period at the location specified in order to retain eligibility.(Terms & Conditions, page 6 paragraph 15.)
 - The first date on which you may sell the animals will be printed on the statement which accompanies the return of passports following each application. Retention obligations are unchanged for animals where Retention Period runs into 2005.
 - Do you comply with the stocking density limit of 1.8 livestock units per hectare? (Terms & Conditions, page 4, paragraph 7)
 - Is your application within the 180 limit? 180 animals can be applied for between the 1st Age Premium and Bull Premium combined and 180 animals can be applied for under the 2nd Age Premium. (Terms & Conditions, page 4, paragraph 6.)
 - Are your animals recorded in your Bovine Herd Register? (Terms & Conditions, page 6, paragraph 16(b))

*SBP 2004***BEFORE SUBMITTING YOUR SPECIAL BEEF PREMIUM APPLICATION
PLEASE CHECK THE FOLLOWING:**

- Is your herd number, name and address listed correctly on the application form?
- Have you checked that a valid PPS number (formerly RSI number) has been entered on your application form ?
- Have you completed correctly on Schedule 2 of the application form the number of animals you wish to claim premium on?
- Have you listed the tag numbers of the animals you wish to apply for Bull Premium on?
- Have you completed SB2004 (A) if you are a restricted herdowner?
- Have you signed and dated your application form? Where a Herd is in joint ownership both parties must sign all Forms or sign an 'Authorisation Form' available from the Special Beef Premium Unit to authorise only one signature.

The most common types of errors that affect payment are:

- **FAILURE TO NOTIFY CMMS OF ON-FARM DEATHS AND FARM-TO-FARM MOVEMENTS**
- *Slaughtering/selling an animal within the retention period.*
- *Applying on female animals.*
- *Applying on animals not on the holding on the date of application.*
- *Applying for First/Second Age Premium on uncastrated animals.*
- *Applying for Bull Premium, on castrated animals.*

Please note that all animals submitted for Special Beef Premium are included for stocking density.

BY ENSURING THAT YOUR APPLICATIONS ARE IN ORDER, YOU CAN FACILITATE EARLY PAYMENT WITHOUT PENALTIES

IMPORTANT CHANGES IN 2004

The Special Beef Premium Scheme ends 31st December 2004;

Late applications, subject to penalty, may be lodged up to 25 January 2005;

Animals born after 31st May 2004 will not be eligible for 1st Age Premium;

In the event of the Regional Beef quota being exceeded in 2004 the limit that applied in 2003 has been reduced from 50 animals to 25 animals in respect of 2004 (see no. 9 Terms & Conditions)

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**DEPARTMENT OF AGRICULTURE AND FOOD
EU SPECIAL BEEF AND BULL PREMIUM SCHEMES 2004
HELPSHEET**

GENERAL REMARKS

These schemes apply to producers of castrated male animals for Beef Premium and uncastrated male animals for Bull Premium. Producers must be registered herdowners and over 18 years old. Premia shall not be paid on animals in excess of the **2004 stocking density limit of 1.8 reckonable livestock units per hectare and such animals should not be submitted again for payment in the same age category.** The "regional beef quota limit" is 1,077,458 animals in the First Age (9 month/Bull) category. Animals must be eligible on the day the application is received by the Department. Read the following, the Checklist and the Terms and Conditions before completing each application form.

1. Familiarise yourself fully with the Terms and Conditions of the scheme before completing your application as they determine eligibility and the onus will be on you to satisfy the Department that you are complying with them.
2. **In 2004, you can lodge up to twelve applications between 1 January and 31 December 2004. You may apply for First Age (9 month), Bull Premium and Second Age (21 month) on the one application form. Eligibility is based on the exact day of birth as indicated on the passports/cattle identity cards.**
3. The Bull Premium is payable once in the life of the animal - such animals if castrated subsequently will not be eligible for Beef Premium. There is no upper age limit for Bull Premium. Bulls castrated during the retention period will attract penalties across all schemes.
4. *Premium will be paid up to a limit of 180 animals per producer on the combined total of First Age and Bull Premium categories and a 180 limit on the Second Age category.*
5. Post the application(s) to reach **The Special Beef Premium Unit, Department of Agriculture and Food, Government Offices, Portlaoise, Co. Laois, ON OR BEFORE 31 December 2004.** Applications received after 31 December 2004 but before 25 January 2005 will attract a cumulative 1% penalty per working day the application is late. Applications received after 25 January 2005 will not be processed and will be returned.
6. **Enclose the relevant passports/cattle identity cards with any application submitted. If your herd is restricted under the disease eradication schemes and your passports are held in the Department's District Veterinary Office, list the tag numbers on the special continuation sheet (SB2004A). PRIOR TO DISPOSAL YOU MUST ENSURE THAT CATTLE PASSPORTS SHOW THE CORRECT PREMIUM STATUS OF ANIMALS.**
7. The castrated male cattle you are submitting for Beef Premium and the uncastrated male cattle you are submitting for Bull Premium must:
 - Have eartags and passports/cattle identity cards at application and inspection.
 - Be correctly recorded on the Cattle Movement Monitoring System Database.
 - Be owned, possessed, held and maintained by you on the date of application.
 - Be entered in the official Bovine Herd Register, which must be kept up to date.
 - Continue to be owned, possessed, held and maintained by you **for the entire 2 months retention period starting on the day after your application is received by the Department.** All animals applied on will be cross checked against the CMMS database to establish that they are (a) in the herd on the date of application and (b) comply with the retention period. The Cattle Movement Monitoring System will be used to verify registration and retention compliance. **A statement will issue to you following each application, which will outline the first date on which you may sell the animals.**
 - Be held on the lands declared on your application for that entire 2 months retention period - if you wish to move them to other lands, **you must notify the Special Beef Premium Unit of the Department in advance in writing.**
 - **Be tagged within 20 days and registered within 7 days of tagging as required by Veterinary regulations**

Remember if you find you have made an error on your application you should write to the Special Beef Premium Unit before any checks have been carried out. See paragraph 14 of Terms and Conditions.

LIVESTOCK UNIT VALUE FOR 21 MONTH SCHEME: Each male animal born at least a clear 24 months before the date of receipt of an application shall be counted as over 24 months old and as 1 livestock unit for the purpose of calculating stocking density. Animals are counted as 0.6 livestock unit until they are 1 day over 24 months e.g. an animal born on 31 March 2002 is 1 livestock unit on 1 April 2004. An animal born on 31 March 2002 is counted as 0.6 livestock unit on 31 March 2004.

**DEPARTMENT OF AGRICULTURE AND FOOD
TERMS AND CONDITIONS OF THE EU SPECIAL BEEF AND BULL PREMIUM SCHEMES 2004**

1. The "EU" means the European Union.
2. The "**Minister**" means the Minister for Agriculture and Food and the "**Department**" means the Department of Agriculture and Food.
3. A "**producer**" means an individual farmer (a) whose holding is situated in the State (b) who is a natural person over 18 years of age or a legal person or group of persons regardless of the status of such a group or its members in Irish law. In order to participate in the Special Beef Premium Scheme, a Producer must be a registered herdowner under the BTE Schemes.

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4. A **"holding"** means all the production units in the State managed by a producer. A producer whose principal place of business is in the State may include as forage area for the purposes of these schemes any land in Northern Ireland provided (a) that the land is in the immediate vicinity of the producer's holding in the State (b) it is not declared as part or all of any producer's holding in Northern Ireland and (c) a major part of all the agricultural land used by that producer is situated in the State. An **application** or **applications** means one application form or more lodged by a producer and accompanied by cattle passports and/or other relevant documentation.
5. The **"CMMS"** means the electronic bovine database of the Cattle Movement and Monitoring System.
6. Unless indicated otherwise, "premium" means 2004 Special Beef Premium payable at the rate of 150 Euro on each eligible male animal under each of the First Age and Second Age categories. Premium shall also mean 2004 Bull Premium payable at the rate of 210 Euro on each eligible uncastrated male animal. *There is a limit of 180 animals per producer on the combined totals of First Age (9 month) and Bull Premium categories and a 180 limit on the Second Age (21 month) category within the stocking density limit. A regional beef quota limit may be applicable to the producer (see 9 page 4) and any appropriate reduced rate may be applied if it proves necessary to impose any of the penalties specified below on a producer. Animals applied on in excess of the maximum number of 180 under either scheme will be deemed paid under that age category and may not be applied on again under that scheme but will not be counted for stocking density.*

STOCKING DENSITY

7. The **"stocking density limit"** applies only to producers with more than 15 reckonable livestock units* It means that each such producer may be paid premium on up to 1.8 reckonable livestock units only per hectare of the forage area of his or her holding as established from the producer's 2004 Area Aid application and that any cattle submitted for 2004 Special Beef, Bull Premium and Suckler Cow Premium payment over and above that **1.8 reckonable live stock units limit shall not be paid such premium. Animals in excess of the limit will not be paid premium but will be deemed to have been paid for the age category in question.**

* Except where specifically stated all animals applied on will be counted to establish the Stocking Density level. If, for example, an applicant is paid 2004 Special Beef Premium on the same animal in both age categories, or an animal is applied on more than once on separate applications, those animals will be counted for stocking density each time applied on. Each producer's reckonable livestock units for stocking density restriction calculations are obtained as follows:

Male cattle 7 months and up to and including 24 months old on which the producer applies for 2004 Special Beef Premium and Bull Premium:	0.6 livestock unit each.
Male cattle over 24 months old on which the producer applies for 2004 Special Beef Premium and Bull Premium:	1 livestock unit each.
Ewes on which the producer applies for 2004 Ewe Premium:	0.15 livestock unit each.
Notional dairy cows needed, as calculated at 8 below, to produce 3,982 litres (876 gallons) of any milk quota held at 31 March/1 April 2004 (whichever is applicable):	1 livestock unit each.
Suckler Cows on which the producer applies for 2004 Suckler Cow Premium:	1 livestock unit each.
Heifers 8 months and up to and including 24 months on which the producer applies for the 2004 Suckler Cow Premium	0.6 livestock unit each.
Heifers over 24 months on which the producer applies for 2004 Suckler Cow Premium:	1 livestock unit each.

8. The reference date for **"Milk quota"** is quota available to the applicant on 31 March 2004, with the exception of applicants who will enter into one of the following arrangements, the reference date for whom will be 1 April 2004: (i) farmers who will surrender all or part of their quota or purchased quota under the 2004 Milk Quota Restructuring Scheme; (ii) farmers who will transfer all or part of their milk quota and farmers who acquire quota on 31 March/1 April with land by way of sale, lease or gift; (iii) quota holders who transfer or acquire land and quota by way of sale, lease or gift during the 2003/2004 milk quota year where all or part of the quota was not available until 1 April 2004; (iv) quota holders who will sell or purchase all or part of quota previously leased with land to the leasee, with or without the previously leased land on expiry or termination of the lease agreement on 31 March/1 April 2004. In the case of the latter, the available quota shall **include** milk quota acquired and **exclude** milk quota disposed of under the transfers referred to at (i) to (iv) above.
9. The **"regional beef quota limit"** is 1,077,458 animals in the First Age (9 month)/Bull Premium age category (the Quota). In the event of the total number of animals initially qualifying for payment of 2004 Special Beef Premium/Bull Premium in that age category exceeds the Quota the following provisions shall apply:
In respect of applicants who applied for Special Beef Premium on more than 25 animals the number of eligible animals for first age category (7 months to 20 months) and the bull premium category on which premium may be paid to these applicants shall be reduced by a rate to bring the total number of animals payable to all applicants in the First Age and Bull Premium categories to the Quota level for 2004. The total number of eligible animals in respect of any applicant shall not be reduced, as a result of the application of the rate reduction, to less than 25 animals. The rate of reduction shall also be applied to Second Age Premium category and Extensification Premium will not be payable on the excluded animals following imposition of the reduction. The rate of reduction will **not** apply in respect of applicants who applied for Special Beef Premium on 25 animals or less.

SBP 2004**10. EU REGULATIONS**

These terms and conditions are governed by the following EU Regulations and as amended where such is relevant;

- No 3508/92 Establishing an integrated administration and control system for certain community aid schemes.
 - No 2629/97 On the identification and registration of bovine animals.
 - No 2630/97 On the identification and registration of bovine animals.
 - No 1254/99 On the common organisation of the market in beef and veal.
 - (Amended by 1512/01)
 - No 1257/99 On support for rural development.
 - No. 1258/99 On the financing of the common agriculture policy.
 - No 1259/99 Establishing common rules for direct support schemes under the common agriculture policy
 - No 1760/00 Establishing a system for the identification and registration of bovine animals.
 - No 2342/99 Laying down detailed rules on the common organisation of the market in beef and veal as regards premium schemes.
- (Amended by 2733/00,
1042/00, 1900/01,
1458/01, 192/01)
- No 2419/01 Laying down detailed rules for applying the integrated administration and control system for community aid schemes.
 - No 1782/03 And those regulations introduced to implement R. 1782/03.

If the EU/Minister makes any changes to the regulations during 2004 which effect the operation of the scheme the changes will be binding on all producers immediately following EU publication, particularly with regard to the Single Payment scheme.

COMPLETING THE APPLICATION(S)

11. When completing each application the producer must ensure he or she is claiming premium on eligible animals only **by checking that when lodging the application form each animal submitted for premium:**

- Is a castrated male animal if submitted for Beef Premium.
- Is an uncastrated male animal if submitted for Bull Premium
- Is at least 7 months old for Bull premium and is 7 months old and less than 20 months old if being submitted for First Age Premium and at least 20 months old if being submitted for Second Age Premium and will be that age **ON THE DATE ON WHICH THE APPLICATION IS RECEIVED BY THE DEPARTMENT**. Animals will be counted as complying with these age limits by reference to their exact dates of birth as recorded on the animal's cattle identity cards/passports.
- Is owned, possessed, held and maintained on his/her holding by the producer at the date of application.
- Is correctly recorded on the CMMS Database.
- Is recorded in the Bovine Herd Register.
- Is accompanied by a passport/cattle identity card that should be submitted with the application. Where the cattle identity card incorrectly indicates a female animal or does not correspond with an animal's eartag number, the producer should rectify this by contacting his/her local District Veterinary Office before applying. It should be noted that it is not necessary to enter the tagnumbers on the application except where (a) herds are restricted and as a consequence cards are not available or (b) when applying for Bull Premium. In the case of restricted herds, there is a special continuation sheet (SB2004A) available to facilitate tag number listing.
- Is not an animal held by a producer deemed ineligible for cattle premium schemes because of an infringement relating to hormones or beta-agonists. If, in contravention of Council Regulation No. 894/96 or 1254/99, an animal belonging to the bovine herd of a producer is found to be treated with an illegal substance or illegally with a legal substance or where such an illegal substance is found on the holding of a producer or where a legal substance is held illegally or where a producer obstructs an investigation, that producer shall be excluded for one calendar year from all payments under all cattle Premium and Disadvantaged Areas Compensatory Allowance Scheme including these Special Beef/Bull Premium Schemes. In the event of a subsequent infringement, the period of exclusion shall be **FIVE YEARS**.
- Is an animal, **THAT HAS NOT ALREADY RECEIVED THE SPECIAL BEEF PREMIUM IN THE AGE CATEGORY FOR WHICH IT IS NOW BEING SUBMITTED** (for example animals known to have been submitted for, but not paid, Premium because of application of the stocking density and/or regional beef quota limit(s) or animals submitted in excess 180 individual limit for 2002 or 2003 under the First or Second age categories should not be submitted for the same premium again as they are deemed to have received it already).

12. The producer should then complete each application by using the attached CHECKLIST as a guide. He/she should SIGN and DATE each application, ENTER HIS/HER FULL HERDNUMBER ON THE FRONT OF THE ENVELOPE CONTAINING THE APPLICATION(S), post or deliver his/her application(s) to THE SPECIAL BEEF PREMIUM UNIT, DEPARTMENT OF AGRICULTURE AND FOOD, GOVERNMENT OFFICES, PORTLAOISE, CO. LAOIS. The last date for receipt of a 2004 application is 31 December 2004. Applications in respect of animals with an eligibility date of 31 December 2004 or earlier, received after 31 December 2004 but on or before 25 January 2005 will attract a cumulative 1% penalty per working day the application is late. Applications received after 25 January 2005 will not be processed and will be returned. Each applicant should obtain a certificate of postage from An Post every time he/she posts an application.

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13. By submitting a completed application the producer agrees thereby (a) to the Department's Officials carrying out any on-farm, office or mart checks deemed necessary at any location (b) to the Department's Inspecting Officer(s) carrying out any such on-farm inspection(s), inside or outside retention, with or without prior notice at any reasonable time(s) whether or not the applicant or his/her agent chooses to be present (c) to answer any relevant queries raised, or produce any relevant documentation requested by the Department during any of its controls without delay (d) to have any overpayment(s) of premium plus interest thereon deducted from any other payment(s) which fall to be made to the producer by the Minister or by the Department.

NOTIFICATION OF ERROR

14. The application of penalties shall not apply with regard to those parts of the premium application where the farmer informs the Department in writing that the aid application is incorrect or has become incorrect since it was lodged, provided that the farmer has not been informed of the Department's intention to carry out an inspection or that the Special Beef Premium Unit has not already informed the farmer of any irregularity in the application. Withdrawal of an application, or part of an application, is allowed at any time, except where irregularities have been uncovered, or where the applicant has been notified of an on farm inspection or where payment has already issued on the application.

OBLIGATIONS DURING THE RETENTION PERIOD

15. During each retention period of **TWO MONTHS STARTING ON THE DATE AFTER AN APPLICATION IS RECEIVED BY THE DEPARTMENT** each producer:

- (a) Must continue to own, possess, hold and maintain on his/her holding all the male cattle listed on that application. If an animal dies or is lost or removed during the retention period due to Force Majeure (circumstances unforeseen, unavoidable and outside the producers control such as slaughter under the disease eradication scheme, death or long term professional incapacity of the farmer, but not such as financial difficulties) the Department must be notified in writing within 10 working days of the date on which the farmer is in a position to do so. Premium will be paid on such animals if they are otherwise eligible.
- (b) If an animal dies or is lost or removed during the retention period due to Natural Circumstances (e.g. death of animal following an accident or disease but NOT sale) the applicant must notify the CMMS database within 10 working days of any such finding. Premium will not be paid on these animals but because those circumstances were notified no reduction penalties will be applied to the remaining animals. Such animals will be counted for stocking density.
- (c) Must not move any of the cattle applied on from the location(s) declared at Schedule 1 of the application to any other location until AFTER he/she has notified the Special Beef Premium Unit of the Department in writing of any such intended move.

OTHER OBLIGATIONS - THE APPLICANT

16. (a) Must ensure **THAT ALL ANIMALS IN THE HERD ARE** properly tagged – If any animal is found with both official eartags missing, that animal will be rejected with consequent reduction penalties in premia payable on the other eligible animals across all bovine schemes submitted in 2004.
- (b) Must maintain and keep up to date in the official Bovine Herd Register accurate and full records of all animals in the herd – this obligation applies not only during the retention period but at all other times also.
- (c) **Must notify the CMMS database of any animal movements, into or out of the herd and on farm deaths.** Each applicant should obtain a Certificate of Postage each time he/she posts a movement permit to Bandon.
- (d) Must accept notification of any on-farm inspection being carried out by the Department to check compliance with these Terms and Conditions and must arrange to be present at the inspection or to nominate an agent to be present instead.
- (e) Must segregate and present separately for inspection the First Age and/or Bulls and/or Second Age male cattle applied on. Arrange for sufficient help to be given to the Inspecting Officer(s) so that each animal is restrained and controlled sufficiently so as to facilitate inspection.
- (f) Must answer, co-operate fully and produce any relevant documentation requested at or after inspection with out delay. Sign, or allow any agent to sign, the report on the inspection as confirmation of being present or add or allow any agent to add observations on the report if he/she wishes to.
- (g) Each producer whose herd is inspected on-farm must provide proper handling (cattle crushes) and disinfection facilities. Obligations (a) to (e) above apply also to any inspections arranged after the retention period.
17. (a) Any cattle failing to comply with the Identification and Registration requirements or where the Herd Register is not kept up to date will be penalised in accordance with paragraph 23-26 and 29-32
- (b) If an on-farm inspection cannot be made through the fault or non co-operation of the producer, the entire application shall be rejected.
18. Producers with more than 15 reckonable livestock units as calculated at 7 above must submit 2004 Area Aid applications if they wish to be eligible to be paid premium on any animals in excess of those 15 livestock units. Please refer to paragraph 7 when considering eligibility. Animals submitted for premium in excess of 15 livestock units where no Area Aid Application is submitted in 2004 will be deemed to have been paid the premium for the age category in question. Producers with 15 or less reckonable livestock units need not submit 2004 Area Aid applications in order to qualify for 2004 Special Beef/Bull Premium. However, unless they lodge 2004 Area Aid applications, they will not qualify for any 2004 Extensification Premium or 2004 Disadvantaged Areas Compensatory Allowance Scheme or Rural World Premium under 2004 Ewe Premium or Dairy Premium. An Area Aid application must be submitted if an applicant is in the Rural Environmental Protection Scheme (REPS).

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19. Each producer must keep for 7 years and produce on request at or following any inspection or office check carried out during that period official mart or meat factory dockets or Cattle Movement Notification dockets for all male animals sold BEFORE that inspection or office check. These sales dockets must show clearly the sale date, name and address of purchaser and the sex and tag number for each animal sold. This will enable the Department to check from these and any other relevant documents such as pre-movement herd test reports or movement permits etc whether or not each such animal had been held by the producer until expiry of the relevant retention period. All animals on the application will be checked with CMMS to establish that they are in the herd on the date of application and comply with the retention period. Penalties will apply where animal movements are not correctly notified.
20. Each producer must follow good farming practice in accordance with minimum EU and National Environmental requirements, e.g. be compliant with the provisions of the Local Government (Water Pollution) Act 1977 and Amendment Act 1990, the Waste Management Act 1996 and the Fisheries (Consolidation) Act 1959. Non-compliance with good farming practice may give rise to penalties.

IDENTIFICATION AND REGISTRATION REQUIREMENTS (INCLUDING DATABASE NOTIFICATIONS)

21. EU Regulations provide that it is necessary to carry out detailed checks regarding the Identification and Registration of animals to ensure compliance with traceability requirements. It is essential therefore that herd owners are aware of the requirements and the consequences of non-compliance. Under the Premia Schemes an animal will be classified as "determined" (accepted for payment) provided it meets the following requirements: (a) it is properly tagged, (b) has a valid passport/card, (c) is properly registered on the CMMS database, (d) is recorded in the Herd Register of bovine animals, which must be kept up to date.

22. THE CHECKS

The Regulations require that checks are carried out to establish:

- (a) that all animals on the farm are properly tagged and are properly recorded under CMMS database.
- (b) that all bovine animals on the farm are entered correctly in the Bovine Herd Register.
- (c) that the Bovine Herd Register is kept up to date regarding movements to and from the farm and on farm deaths and that all these events have been notified to the CMMS database and documentation on animals which were moved is available.
- (d) By reference to the Bovine Herd Register that animals applied on during the current scheme year comply with the retention period requirements.
- (e) that all animals on the farm are accompanied, where applicable, by valid passports/cattle identity cards.
- (f) that animals on the holding and /or animals which were applied on in the past were recorded correctly on the CMMS and entered correctly on the Bovine Herd Register.

Where there is non-compliance of the Identification and Registration requirements, as set out at (b) and (e) above, the animal concerned will only be deemed as not determined if such non-compliance is found on at least two inspections within a period of 24 months. In all other cases, the animals concerned will be deemed as not determined already after the first inspection.

PENALTIES ON CLAIMED ANIMALS

23. All administrative and on farm checks in respect of 2004 applications will be carried out on an integrated holding based approach. The results of these checks will be accumulated over all Cattle Schemes and where non-compliance is found the penalty will be based on the eligible animals for the schemes in question (Special Beef Premium, Suckler Cow and Slaughter Premium Schemes). Any penalties to the Suckler Cow Premium and the Special Beef premium will also be applied to Extensification Premium.

24. Where some animals are rejected the premium payable on the eligible animals shall be reduced by:

- a) where up to 3 animals are rejected:
the percentage arrived at by dividing the rejected animals by the eligible animals.
- b) where more than 3 animals are rejected:
 - i. the percentage arrived at by dividing the rejected animals by the eligible animals where the rejected animals do not exceed 10% of the eligible animals.
 - ii. twice the percentage arrived at by dividing the rejected animals by the eligible animals, where the rejected animals exceed 10% but not more than 20% of the eligible animals.
 - iii. where the rejected animals exceed 20% of the eligible animals no premium will be paid under the 2004 Bovine Premium Schemes.
 - iv. Moreover, if the percentage difference established exceeds 50%, the farmer will receive no aid for the year in question and will be excluded once again from receiving an amount equal to the amount that will be determined based on the number of animals declared and the number of animals eligible on the holding in 2004. This amount will be off-set against any aid due in 2005, 2006 and/or 2007.

25. Where the difference found in an application results from irregularities committed INTENTIONALLY no aid shall be granted under the 2004 Bovine Premium Schemes

26. Moreover, where as a result of irregularities committed intentionally the difference between the animals found eligible and those declared exceeds 20%, the farmer will receive no aid for the year in question and will be excluded once again from receiving an amount equal to an amount that will be determined based on the number of animals declared and the number of animals eligible on the holding in 2004. The amount will be offset against any aid due in 2005, 2006 and/or 2007.

SBP 2004**AREA AID PENALTIES**

27. Penalties will also be applied under the 2004 Special Beef Premium schemes if a producer fails to comply with any Terms and Conditions of the 2003 or 2004 Area Aid applications that can give rise to such penalties. Late submission of Area Aid application involving Arable & Forage shall lead to a 1% reduction per working day in the amounts to which the farmer would have been entitled if the aid application had been lodged within the deadline. Where such aid applications are submitted more than 25 days after the closing date no area linked payments shall be granted. However, late submission of an Area Aid application that only relates to permanent pasture shall lead to a reduction of $\frac{1}{2}\%$ per working day (from the closing date up to 1 July) in the amounts to which the farmer would have been entitled under the aid schemes concerned. Where such applications are submitted after 1st July they shall be considered inadmissible and no aid shall be granted.
28. Where the area determined following Area Aid checks is sufficient to support payment of 1.8 LU/Ha (as defined at no7 above) then stocking restrictions will not apply. However if there is an overdeclaration of area and that over declaration would have resulted in a higher payment then area reductions or exclusions will be applied and payments will be restricted to the reduced area.

PENALTIES ON UNCLAIMED ANIMALS (i.e. animals not currently the subject of an application under any premium scheme)

29. All inspections will be carried out on an integrated, holding-based approach. Where unclaimed animals do not comply with the Identification and Registration Requirements, as set out under Paragraph 21 and 22 above, penalties will be applied across all Bovine (Special Beef Premium, Suckler Cow Premium and Slaughter Premium) Schemes for which applications have been submitted, and where appropriate, after the application of penalties established under Paragraphs 24,25 and 26 above. Any penalties applied to the Suckler Cow Premium and the Special Beef Premium will also be applied to Extensification Premium.
30. The reduction penalty shall be calculated on the basis of the formula referred to below.

$$\frac{a}{b} \times \frac{b+c}{2c} \times d$$

- (a) The number of Non-compliant animals.
- (b) The number of Bovine animals present on the holding at the time of the on-the-spot check.
- (c) The average number of Bovine animals on the holding on five dates during the year as determined by the CMMS.
- (d) The total amount of Bovine Premia payable for the year concerned less any scheme penalties already applied. Where more than one inspection is carried out during the year the reduction penalty shall be calculated on the basis of the arithmetical average of the results established for each on the spot check.

For example:

A Herdowner is found to have 3 animals non-compliant with Identification and Registration Requirements at inspection. He has 48 animals on the Holding on the day of Inspection.

He has an average of 55.40 animals on the Holding, which is calculated by the total number of animals in his Herd on the five census dates. In this case the Herdowner had a total of 277 animals on the Holding for the year and divided by 5 = 55.40

To calculate the IDR Penalty in this case is as follows: $\frac{3}{48} \times \frac{48+55.40}{2 \times 55.40} \times 100 = 5.83\%$ Penalty

However, if the Inspection is carried out in 2005 and IDR Penalties arise, these penalties will refer to the year of Inspection and not the year the application was lodged.

31. Where Non-compliance, is found to be intentional NO PREMIA will be paid under the 2004 Bovine Premium Schemes.
32. The Minister will refuse payment or recover any payment already made plus interest thereon in respect of the period between payment of the premium and its recovery in any case where the producer fails to comply with any of these Terms and Conditions.

PAYMENT.

33. These schemes are fully financed by the EU. Under the relevant EU Regulations, payment of 60% of estimated entitlement cannot be made until on or after 16th October 2004. The balance plus any 2004 Extensification Premium due shall be paid in 2005 after it has been established whether or not the Regional Beef Quota has been exceeded and after the expiry of any relevant retention period(s) and completion of all checks.

Freedom of Information (FOI) Acts

It should be noted that information provided by you may be subject to disclosure under the FOI Acts 1997 and 2003. If you wish to have any of the records concerned protected under the Confidentiality, Commercially Sensitive, Personal Information or other exemption provisions of that legislation you should mark those records accordingly, stating the reason for such confidentiality or sensitivity and the relevant exemptions will be considered in the event of an FOI request relating to those records.