



Llywodraeth Cymru
Welsh Government

Basic Payment Scheme (BPS) Support Scheme General Rules Booklet

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Introduction

A support scheme facility in the form of a loan to help farmers who may not receive their Basic Payment Scheme (BPS) 2020 payment when the payment window opens on 1 December 2020 has been announced by the Minister for Environment, Energy and Rural Affairs The BPS Support Scheme application is available for customers whose claim will not be fully processed by the opening of the BPS payment window (1 December).

If you have submitted an application for BPS 2020 via the Single Application Form (SAF) 2020 we encourage you to consider applying for a support scheme payment.

This is an **opt in** scheme which means you need to apply for a support scheme payment by 27 November 2020 if you wish to receive a payment in the event your BPS 2019 claim has not been fully processed. There will be no further opportunity to apply for a BPS support scheme payment after the 27 November.

The BPS Support Scheme

It is a nationally funded loan scheme. The terms and conditions under which this loan scheme is operated are contained in Annex A.

When will the support scheme payment be paid?

It is expected the support scheme payments will be made during the week starting 7 December 2020.

A timeline is at Annex B.

What is the value of the support scheme payment?

The support scheme payment value will be a maximum of 90% of your estimated 2020 BPS payment. The estimated payment will be based on the area declared for BPS on your SAF 2020 and the number of payment entitlements you held on 15 May 2020

Who is eligible?

You can apply for a support scheme payment if:

- You have submitted a claim for BPS 2020 via the Single Application Form (SAF) 2020
- You have not received payments that have exceeded the agricultural de-minimis State Aid limit of €20,000 in the current fiscal year and in the previous two fiscal years combined.
- In Wales the following schemes will count towards the agricultural de-minimis threshold:

- BPS Loan 2018 interest,
 - BPS Support Scheme 2019 interest
 - Glastir Entry and Advanced Support Scheme 2019 interest
 - Red Meat Benchmarking Scheme.
- You may also have received such payments from other Paying Agencies.

Payments made under the Temporary Framework for State aid measures to support the economy in the current COVID-19 outbreak as published by the European Commission on 19 March 2020 will not count towards the agricultural de-minimis threshold.

RPW cannot pay support scheme payments if:

- You have an outstanding BPS 2019 claim, as we are unable to confirm if valid entitlements are available to you for the 2020 scheme year.
- You have Grant of Probate action outstanding, as we are unable to release payments until the estate is settled.

RPW reserves the right to not pay support scheme payments under certain circumstances, for example cases where significant errors have been found at inspection or administrative checks or any other cases identified by RPW.

Cross-border customers

If you are a cross border customer and your BPS 2020 claim will be paid by Rural Payments Wales (RPW), you can apply for a BPS support scheme payment using your RPW Online account.

The support scheme payment value of up to 90% will be paid based on your Welsh land only because RPW will not have the data available to take account of any land you have declared with a different Paying Agency.

If you are a cross border customer and your BPS 2020 claim will be paid by any other Paying Agency, RPW are unable to pay you a support scheme payment and you should contact the other Paying Agency for information about BPS 2020 payments.

How do I apply for a BPS support scheme payment?

You can only apply for a BPS support scheme payment by accessing Rural Payments Wales (RPW) Online.

The BPS Support Scheme application is available on the “Home Page” or from the “Applications and Claims” section of your account.

If you have any questions about registering for RPW online or completing your BPS Support Scheme application please contact the Customer Contact Centre on 0300 062 5004. They will be able to provide advice, including the digital assistance that is available to you.

Further details regarding Rural Payments Wales Online are available on the Welsh Government's Website (www.wales.gov.uk/rpwonline).

How will the support scheme payment be paid?

All BPS support scheme payments will be made direct to your bank account. Please ensure your bank details held by Welsh Government are correct and up to date.

Any recent amendments to your bank account details may result in delays to payments.

How will I be notified the support scheme payment has been paid?

Letters confirming payment or reasons why it has not been possible to pay the support scheme payment will be added to your RPW Online account.

The letter confirming the support scheme payment will only detail the amount of the payment being made. Full details of your 2020 BPS payment will be included in the BPS payment letter issued when full payment is made. In addition, a statement of interest will be issued for State Aid purposes shortly after your BPS2020 payment has been made and your support scheme payment has been re-paid.

Will I be charged fees and interest?

Provided you adhere to the terms and conditions of this support scheme, you will not be charged interest. In these circumstances the interest will be paid by the Welsh Government and will be considered as a State Aid payment made to you.

How do I repay the support scheme payment?

The sum will be automatically deducted from your BPS 2020 payment when it is fully processed and you will receive any balance due.

In accordance with the terms and conditions, the Welsh Government may recover your support scheme payment from any CAP payments due to you. Examples of CAP payments are Glastir Entry, Glastir Advanced, Glastir Organic Scheme, Glastir Woodland Management. Should the final BPS payment not fully repay the support scheme payment, you will be required to repay the outstanding support scheme payment amount and interest will only be applied if that repayment is not made within 7 days of your BPS 2020 payment letter or the notification of the rejection of your BPS 2020 payment. If there

are any CAP payments to be made after this date the BPS support scheme payment will be recovered from it.

If repayment of the outstanding support scheme payment amount is required you should forward your cheque made payable to the **WELSH GOVERNMENT AGRICULTURE** (we **CANNOT** accept cheques made out to Rural Payments Wales), to the Carmarthen Regional Office (details in Contacts section below). Alternatively, a BACS payment can be made to Account number 10003096, sort code 60-70-80 (GBP) or 550/00/85014648, sort code 60-70-80 (EURO). Please quote your Customer Reference Number as a reference when making payment.

If you do not repay the BPS support scheme payment in accordance with the terms and conditions at Annex A, you will be required to pay interest on the loan payment amount outstanding. The interest will be calculated from the date of payment of the loan.

Example

BPS support scheme payment value - £10,000 (paid 10 December 2020)

Total BPS payment - £7,000 (notification dated 1 March 2021)

Difference between BPS payment and support scheme payment value - £3,000

If the difference is repaid before 8 March 2021 you will not need to pay interest on the support scheme payment.

If the difference is not repaid before 8 March 2021:

- The Welsh Government will pay the interest on £7,000 (State Aid payment)
- You will need to pay the interest calculated on the £3,000 difference, the interest amount will be calculated on the £3,000 from the date the support scheme payment was paid (10 December 2020) until the date the £3,000 plus the interest is repaid.

What is the rate of interest?

The rate of interest is 2.95%

The interest rate applied has been calculated using the base rate for September and in accordance with European Commission guidance for calculating interest rates for State Aid.

Contacts

Enquiries – Customer Contact Centre

For all enquiries, please contact the [RPW Customer Contact Centre](#)

Enquiries can be submitted via RPW Online at any time.

Access to Welsh Government offices for people with disabilities or special needs

If you have any special needs which you feel are not met by our facilities contact the Customer Contact Centre on 0300 062 5004. Welsh Government officials will then endeavour to make arrangements to accommodate your requirements.

Welsh Government Website

For all of the latest Agricultural and Rural Affairs information, visit the Welsh Government's website at www.gov.wales/agrischemes. By visiting the website, you can also sign up to receive the Rural Affairs e-newsletter which delivers the latest news directly to your e-mail inbox.

Gwlad

The Gwlad e-newsletter is the Welsh Government's magazine for farm and forestry businesses and all those involved with agriculture and rural Wales. It contains news stories, guidance and information in an accessible, easy-to-read format. To keep informed and up to date with all the latest agriculture news and developments in future we would encourage you to sign up to receive the Gwlad e-newsletter. You can do this either at www.gov.wales/news-alerts or at: www.gov.wales/gwlad

Annex A

BPS Support Scheme Terms & Conditions

i) The Sum is a loan and will attract interest at the rate of 2.95%. Repayment of the Sum is due on the earlier of (a) the seventh day following the date you are notified that your final BPS 2020 payment has been made or, as the case may be, you are notified that no BPS 2020 payment is due; or (b) 31 December 2021. This interest will be borne by the Welsh Ministers (hereafter the "Welsh Government") on your behalf and constitutes a State aid as described in paragraph (vii) below.

ii) Interest on the Sum under paragraph (i) will be paid on your behalf by the Welsh Government if repayment is made in full on or before the due date set out above. If you retain the Sum, or any part of it, otherwise than in accordance with these terms you will be liable to pay the interest on the Sum in full.

iii) In the event that the Sum, or any part of it, is not repaid on the due date mentioned above you will also be liable to pay interest on the Sum or any balance outstanding at the rate of 2.95% per annum until repayment is actually made.

iv) We may at any time, and without further notice to you, offset any liability that you have to repay the Sum (together with any interest that may be due) against any liability that we may have to make any other payment to you however arising. Any exercise by us of the right under this clause shall be without prejudice to any other rights or remedies that we may have against you whether under this agreement or otherwise. For the avoidance of doubt, this right of offset may also be exercised by us against any liability that we may have to make a CAP payment to you.

v) In the event that the full amount of the Sum is off set against a CAP payment due in relation to your current application no interest will be charged. If part of the Sum only is off set, interest on any outstanding balance will be due to be paid by you from the repayment date at the interest rate stated above.

vi) No waiver by us of any of the terms set out in this guidance or any of our rights or remedies will be effective unless given in writing and signed by us or on our behalf. No failure, forbearance or delay by us in enforcing any right that we may have against you will constitute a waiver of that or any other right or remedy nor will it preclude or restrict the further exercise of that right by us. No single or partial exercise of any right or remedy under this agreement or otherwise arising shall prevent any further exercise of the same right or remedy or of any other right or remedy however arising.

vii) Interest paid on your behalf by the Welsh Government represents State Aid to your farm business (under Regulation 'EU' 1408/2013). For every 12 months you hold on to the funds it will accrue £31.00 of State aid benefit for every £1000 of BPS Support Scheme payment. It is your responsibility to keep a record of all aid to your farm business under all schemes and to make sure that the combined total aid is less than the de minimis level of €20,000 (euros) in any fiscal year and the previous two fiscal years combined. In accepting the Sum you are declaring this limit will not be breached.

viii) Your obligation to repay any monies due under this support scheme application and its terms rank equally with or senior to all other debts or liabilities you may have.

ix) The Welsh Government will be entitled to require immediate repayment of any monies due under this support scheme application and its terms if you have provided false or inaccurate information in relation to your BPS 2020 application or the BPS Support Scheme application.

x) The Welsh Government will be entitled to require immediate repayment of any monies due under this support scheme application and its terms if you or your agricultural business becomes insolvent, or otherwise unable to pay its debts, is made bankrupt or otherwise dissolved

xi) The Welsh Government will be entitled to require immediate repayment of the Sum if it considers it is required to recover such sum in order to ensure compliance with its obligations under EU law, together with interest at such rate and on such basis as may be determined from time to time by the European Commission.

Annex B

BPS Support Scheme Timeline

1 September 2020 – Online application window opens

Early November 2020 – Broadcast message to customers not yet ready for BPS 2020 payment

25 November 2020 – Broadcast message to customer not included in 1st BPS 2020 payment run

27 November 2020 – Online application window closes

W/c 7 December 2020 – BPS Support Scheme payments paid

Check your RPW online account for the payment notification.