



Llywodraeth Cymru  
Welsh Government

# 2024 Single Application Rules Booklet

## Basic Payment Scheme (BPS)

- Redistributive Payment
- Young Farmer Payment
- National Reserve Entitlements

## Rural Investment Schemes

- Habitat Wales Scheme (HWS)
- Organic Conversion Scheme (OCS)
- Organic Support (OS)
- Woodland Creation Maintenance (WCM)
- Woodland Creation Premium (WCP)

## Rural Development (RD) Woodland Creation Schemes

- Glastir Woodland Creation Premium (GWCP)
- Glastir Woodland Creation Maintenance (GCM)
- Glastir Woodland Creation Premium (GCP)



### Important Notice:

It is essential that you read and understand this booklet if you intend to apply for any of these schemes in 2024.

February 2024

## **Disclaimer**

This booklet explains the rules of the Single Application (incorporating the Basic Payment Scheme) and Integrated Administration and Control System (IACS) for 2024 as well as Rural Investment Schemes: Habitat Wales Scheme (HWS), Organic Conversion (OCS), Organic Support (OS), Woodland Creation Maintenance (WCM) and Woodland Creation Premium (WCP), RD Woodland Creation Schemes Glastir Woodland Creation Premium (GWCP), Glastir Woodland Creation Maintenance (GCM) and Glastir Woodland Creation Premium (GCP).

The Single Application rules for the Basic Payment Scheme are based on the Direct Payments for Farmers (Legislative Continuity) Act 2020 (c.2), The Rules for Direct Payments to Farmers (Amendment) Regulations 2020 no.91, The Financing, Management and Monitoring of Direct Payments (Amendment) Regulations 2020 no.90, The Common Agricultural Policy (Direct Payments to Farmers) (Miscellaneous Amendments) (Wales) Regulations 2020 no.104 (w.17) and The Direct Payments to Farmers and Rural Affairs (Miscellaneous Amendments etc.) (Wales) (EU Exit) Regulations 2020 no.1556 (w.328).

The Rural Investment Schemes and RD Woodland Creation Schemes rules are based on Council Regulation 1305/2013, Delegated Regulation 807/2014 and Implementing Regulation 808/2014 Council Regulation 1303/2013; Council Regulation 1306/2013, Delegated Regulation 640/2014 and Implementing Regulation 809/2014. the Rural Development Programmes (Wales) Regulations 2014/3222 (W.327) the Common Agricultural Policy (Integrated Administration and Control System and Enforcement and Cross Compliance) (Wales) Regulations 2014/3223 (W.328) as retained and amended from time to time, including by the Agricultural Support (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2021/400 (W.129).

As the rules change from time to time the Welsh Government cannot guarantee that this booklet provides a definitive statement of the law nor can the booklet substitute for specific advice on individual legal problems.

Produced by the Welsh Government.

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## MAIN CHANGES

### Main Changes

#### EU Welsh Government Rural Communities Rural Development Programme (RDP) for Wales 2014-2020

The (RDP) has closed, all remaining Glastir Entry and Advanced, Glastir Commons and Glastir Organic contracts ended on 31 December 2023. No further claims can be made for these schemes.

### Rural Investment Schemes

A set of domestic Rural Investment Schemes have been developed to support the transition to the Sustainable Farming Scheme.

The following land based Rural Investment Schemes may be claimed on the 2024 SAF:

- **Habitat Wales Scheme** – If you hold a Habitat Wales Scheme grant award you must claim payment on the SAF. See Section C for further guidance.  
  
**Please note:** Habitat Wales Scheme – Commons is not claimed on the SAF 2024. A separate claim form is available via RPW Online for Grazing Associations to claim for the Habitat Wales Scheme – Commons.
- **Organic Conversion Scheme** – If you hold an Organic Conversion Scheme contract you must claim payment on the SAF.
- **Organic Support** - Provides a payment per hectare for eligible land to existing organic producers who maintain full organic certification during 2024. If you wish to claim an Organic Support payment, you must claim payment on the SAF. See Section C for further guidance.
- **Woodland Creation Maintenance and Woodland Creation Premium** – Annual area payments are available following the completion of new woodland planting under the new Woodland Creation Grant or Small Grants – Woodland Creation scheme.

The first year's Woodland Creation Maintenance and Woodland Creation Premium cannot be claimed until after the Woodland Creation Grant or Small Grants – Woodland Creation planting/fencing has been completed and claimed in the previous calendar year.

**If you completed and claimed for new planting/fencing works after 31 December 2023 the first year's Woodland Creation Maintenance and Woodland Creation Premium payments cannot be claimed until 2025.**

See Section C for further guidance on Rural Investment Schemes.



## MAIN CHANGES

### RD Woodland Schemes

If you hold a Glastir Woodland Creation contract, depending on when the woodland was created you are required to maintain that woodland for 12 or 15 years.

Whilst the RDP has closed, your Glastir Woodland Creation contract continues to operate in 2024 under Retained EU Law (now known as 'Assimilated Law') and is funded wholly by the Welsh Government.

The following annual payments can continue to be claimed on the 2024 Single Application Form (SAF):

**Glastir Woodland Creation Premium (GWCP)** – a 15 year scheme intended to compensate for the loss of income for woodlands established since 2010.

**Glastir Creation Premium (GCP)** – a 12 year scheme intended to compensate for the loss of income for woodland established since 2015.

**Glastir Woodland Creation Maintenance (GCM)** – A 12 year scheme intended to maintain new planting for woodland established since 2015.

If you intend to claim payment for any of these schemes on the SAF 2024 you must ensure you read and understand the Single Application Rules Booklet.

See Section D for further guidance on RD Woodland Creation Schemes.

### BPS claims on land taken out of production or afforested

Any land previously set aside under an EU Welsh Government Rural Communities – Rural Development Programme for Wales 2014-2020 agreement will no longer be eligible for BPS by declaring crop codes BW1 or CW1 where the contract has ended e.g. Glastir Entry/Advanced, Glastir Advanced. This land must be declared with an appropriate land use code listed in Annex 2 Table 1 and/or Table 3.

Land afforested under a woodland creation scheme may still be eligible for BPS, subject to the eligibility criteria set out in Section B20 and Annex 3.

## MAIN CHANGES

The following crop codes are no longer eligible for BPS but can be declared:

Crop code	Crop / Land Description
GC1	Streamside corridor (Previously Glastir)
GC2	Pond buffer zone (Previously Glastir)
GS1	Scrub/gorse/briar (stock excluded) (Previously Glastir)
GC3	Field corners/woodland edge (stock excluded)
GR9	Grass (stock excluded)
HE6	Heathlands (stock excluded)
RE3	Reed beds/swamps (stock excluded)
SM1	Saltmarshes (stock excluded)
SC2	Streamside corridor

### BPS Transfer and Lease of Entitlements for 2025

The Welsh Government has been consulting on a transition from BPS to the Sustainable Farming Scheme. As a result, the BPS entitlement transfer window will close after 15 May 2024 until such time as Welsh Ministers have made a decision on rules regarding transfer and lease of entitlements for the 2025 scheme year.

BPS entitlements holders will be notified when the BPS entitlement window for 2025 opens and will also be notified of the transfer and lease of entitlement rules.

### Cross Compliance

There have been changes to the Cross Compliance Factsheets and Verifiable Standards for 2024. These include further changes to SMR1 Water Protection to reflect requirements of the [Water Resources \(Control of Agricultural Pollution\) \(Wales\) Regulations 2021](#) that apply to all land from 1 January 2024.

Further details and updated documents can be found on the [Welsh Government website](#).

### Land Tenure Details

We are carrying out a review and updating the tenure details for all land parcels we hold. You **must** check the pre-populated tenure details, including rental dates where applicable for your land parcels and amend where necessary on the 'Field Data' section. Please note, BPS eligibility remains unchanged, therefore, to claim BPS you must retain management control of all fields claimed on the 15<sup>th</sup> of May.

## SECTION A: KEY MESSAGES

### Section: A Key Messages

#### A1 Definition of a Farmer

**A1.1** To claim BPS, Organic Conversion Scheme and/or Organic Support you must be a farmer carrying out agricultural activities each year you claim these schemes. In order to claim Organic Support you must also be carrying out the primary production of agricultural products. You will need to submit Supporting Documents to prove you have undertaken agricultural activities if you do not declare livestock or arable or permanent crops on your SAF.

**A1.2 For BPS, Supporting Documents will need to be submitted by 31 December 2024.** No payment (including BPS Advance Payment) will be made until evidence you are carrying out an agricultural activity in 2024 has been received. If no evidence is submitted by 31 December 2024 your claim will be rejected.

**A1.3 For Organic Conversion Scheme, Supporting Documents will need to be submitted by 31 December 2024.** If no evidence is submitted by 31 December 2024 your claim will be rejected.

**A1.4 For Organic Support, Supporting Documents will need to be submitted by 31 December 2024.** If no evidence is submitted by 31 December 2024 your claim will be rejected.

#### A2 Field Maintenance and Land Transfers

**A2.1** You must inform the Welsh Government of changes to land parcels and any land transfers within 30 days of the change(s) taking place. Please complete a '**Manage My Land**' submission, using your RPW Online account, to notify us of any changes to ownership or tenures of land. '**Manage My Land**' must also be used to register new land, notify us of changes to permanent features and inform us of field boundary changes.

**A2.2** You will also need to supply proof of ownership or right of occupation when registering or transferring in new land.

If you own the land you are registering you must submit the following;

- **Title Deeds or**
- **Copy of Register of Title.**

These documents **must** include the associated map.

If you are the tenant or grazier of the land you must submit either a letter from the owner confirming they have authorised the use of the specific land by you for agricultural purposes, including dates, or a tenancy agreement signed by both parties. Any other evidence will not be considered appropriate and will be rejected.

**A2.3** Buildings and yard areas may only be split if an obstructing boundary is in place and both areas have a separate access route. If there is no obstructing boundary and separate access route you must not split the existing land parcel.

## SECTION A: KEY MESSAGES

### A3 Single Application Form (SAF)

**A3.1** You should read this '2024 Single Application Rules Booklet' and the '2024 Single Application Form (SAF) Online How to Complete Guide' before completing your SAF 2024. This booklet supersedes any previous information published.

**A3.2** The SAF 2024 is an online application available through your RPW Online account. You can access your RPW Online account via the login link at [the Welsh Government website](#). If you are not yet registered with RPW Online or need support to complete your application online, please contact the Customer Contact Centre (further details at Annex 7 of this booklet).

**A3.3** You must complete the SAF 2024 using RPW Online to claim payment under the schemes listed below:

- BPS including Redistributive and Young Farmer
- Habitat Wales Scheme (HWS)
- Organic Conversion (OCS)
- Organic Support (OS)
- Woodland Creation Premium (WCP)
- Woodland Creation Maintenance (WCM)
- Glastir Woodland Creation Premium (GWCP)
- Glastir Woodland Creation Maintenance (GCM)
- Glastir Woodland Creation Premium (GCP).

**A3.4** You must also complete the SAF 2024 if you wish to apply for National Reserve Entitlements, as a 'New Entrant' or a 'Young Farmer'.

**A3.5** The deadline for submitting your SAF 2024 is midnight, Wednesday 15 May 2024.

### A4 Deadline for submission of BPS Supporting Documents

**A4.1** The deadline for BPS claimants to provide Supporting Documents is 31 December 2024.

### A5 Cross Border Claimants

**A5.1** If a cross border BPS claimant was reliant on land outside Wales in 2020 to meet the 5ha minimum claim size, they will remain eligible for the 5ha minimum claim rule in 2024. However, RPW will only pay BPS on Welsh land claimed using Welsh BPS Entitlements.

## SECTION A: KEY MESSAGES

### A6 Preliminary Checks

**A6.1** RPW will carry out initial checks on your submitted SAF to identify any differences between your declaration and the mapped field information we hold. RPW will also check to see if any of the land included on your SAF has also been declared by another claimant. Additionally, if you have a Management Option under a Rural Development Woodland Creation Contract in a land parcel RPW will check if you have declared a crop in the field to support the option. If we discover any potential issues we will notify you of these, providing details of the relevant land parcel. You will then have an opportunity to request an amendment to your declaration on the SAF accordingly.

**A6.2** We will issue letters under 'Preliminary Checks', on RPW Online only, as soon as possible after 15 May 2024. If you receive a letter under 'Preliminary Checks' and you wish to change your SAF declaration for the fields shown in the letter you will have until 19 June 2024 to respond. **Please note** any replies received by RPW after 19 June 2024 cannot be accepted and over-declared penalties may be applied (see Section G of this booklet for further details).

**A6.3** Under 'Preliminary Checks', RPW can only give you an opportunity to avoid potential discrepancies or non-compliance. The deadline of 19 June 2024 cannot be used to increase your claim. The normal SAF deadlines will continue to apply for all other amendments to your SAF declaration, these being 31 May 2024 without penalty, with late penalties applying for each working day after this up to and including 10 June 2024. All other amendments cannot be accepted after 10 June 2024.

### A7 Over-declared penalties

**A7.1** If you claim land not at your disposal, or which is not eligible for payment, you may receive an over-declared penalty. Section G explains how over-declared penalties will be calculated.

### A8 Declare only land at your disposal on the SAF

**A8.1** You must declare only the land you have at your disposal on 15 May 2024. You should not declare land you own but have rented out (as this is not at your disposal and should only be declared by the farmer renting it in). It is important that you check your pre-populated SAF field data very carefully as changes may need to be made. See paragraph B5 of this booklet.

**A8.2** You should not declare land you are occupying, where your tenancy has expired, or your notice to quit means your tenancy will expire before 15 May 2024. If you do claim land you are not legally entitled to occupy, your 2024 claims may be subject to penalty.

**A8.3** You are responsible for ensuring the land remains compliant with the scheme requirements for the calendar year. Therefore, if you relinquish control of land after 15 May 2024, and we become aware the land no longer complies with the scheme rules, you may receive over-declared land penalties if the land is no longer eligible. If there are Cross Compliance breaches on this land, you will also receive those penalties, unless another 2024 BPS claimant takes over control of the land.

## **SECTION A: KEY MESSAGES**

**A8.4** You should retain evidence that you have or had land at your disposal on 15 May 2024. If we request this evidence and you are unable to provide satisfactory evidence, your 2024 BPS claim will be rejected, and no payments made. You must also be able to allow RPW inspectors access to all your claimed land. If inspectors cannot access claimed land, penalties may be applied to your claim, and consideration will also be given to claiming back payments made to you in previous years.

### **A9 Artificiality**

**A9.1** If we discover you have artificially created the circumstances to gain advantage from any of the rules relating to the payment of BPS, including to avoid direct payment reductions (capping), we will investigate and may withhold payments or reject all your claims and recover monies paid. This includes the Young Farmer payment, Redistributive payment and entitlements allocated from the National Reserve.

### **A10 Clawback of BPS Entitlements**

**A10.1** If you do not use all your BPS Entitlements at least once in every two years, you will lose some in the second year.

**A10.2** If a number of entitlements go unused for two consecutive years, that number of unused entitlements will be lost. This means farmers won't be able to keep hold of entitlements by 'rotating' (swapping) the ones they use from year to year.

**A10.3** If you have owned and leased entitlements, the owned entitlements will be clawed back first. Therefore, you should carefully consider the impact of leasing your entitlements to another business.

### **A11 BPS Payments**

**A11.1** Subject to an eligible claim and receipt of all necessary supporting documents we intend to make a BPS Advance Payment from 14 October 2024 of up to 70% of the estimated value of your BPS 2024 claim. Balance Payments will be made from 12 December 2024. (See Section B51).

### **A12 Rural Investment Schemes and RD Woodland Creation Schemes**

**A12.1** You must ensure you declare the appropriate land use codes to deliver the management requirements detailed in your contract. Failure to declare land use codes compatible with Management Options may result in a payment reduction and/or penalties being applied to your claim. Full details of compatible codes are listed in Annex 3.

## SECTION A: KEY MESSAGES

### **A13 Unacceptable Behaviour**

**A13.1** RPW officials should not be subjected to aggressive or offensive language or threatening behaviour from applicants/claimants or their representatives. A [Managing Unacceptable Behaviour of Welsh Government Customers](#) document is available on the Welsh Government website which explains what we consider unacceptable behaviour.

**Unacceptable behaviour may lead to the withdrawal of payments and/or the rejection of applications or claims.**

## SECTION B: BASIC PAYMENT SCHEME (BPS)

### Section B: Basic Payment Scheme (BPS)

#### B1 Introduction to BPS

**B1.1** To be eligible to receive a BPS payment you must:

- have at least 5 hectares of eligible agricultural land in Wales at your disposal on the 15 May 2024,
- if you have less than 5 hectares of eligible agricultural land in Wales but are a Cross Border farmer who relied on land outside Wales to meet the minimum 5 hectare claim size rule in 2020 you will remain eligible for 2024.
- own or lease in at least 5 BPS Entitlements.

**B1.2** You will also need to be:

- a **Farmer** undertaking agricultural activities.

#### B2 BPS

**B2.1** Direct Payments are made up of BPS, Redistributive and Young Farmer payments.

**B2.2** The BPS scheme year runs from 1 January to 31 December. Land you claim must remain eligible for the entire scheme year. You are responsible for Cross Compliance for the entire scheme year and for making arrangements for the land to be accessible to RPW inspectors throughout the year. Failure of either of these commitments may lead to penalties being applied to your claim, or exclusion from the scheme.

**B2.3** BPS is managed under the Integrated Administration and Control System (IACS), which sets down conditions for:

- identifying farmers and land
- administrative, on-the-spot and remote sensing checks to confirm the area and use of land meets UK Regulations.

**B2.4** In order to claim BPS you must declare annually on your SAF all the land that is at your disposal/within your management control (owned and rented in) on 15 May, whether or not you wish to claim payment for that land. This includes all woodland/forestry, tracks, yards and hardstandings etc. and all land that is covered by your Rural Investment Scheme and RD Woodland Creation Scheme commitments. It is important that you no longer declare land that is rented out and therefore not at your disposal/within your management control. See paragraph B5 of this booklet for an explanation of 'land at your disposal/control'.

**B2.5** BPS can be claimed by a farming business whether they are sole traders, partnerships or legal entities (although Common Land Associations are excluded), providing they meet the scheme rules. However, if we discover you have artificially



## SECTION B: BASIC PAYMENT SCHEME (BPS)

created the circumstances to gain advantage from any of the rules relating to the payment of BPS, including to avoid direct payment reductions (capping), or claiming BPS on land to activate entitlements without rearing, growing agricultural products on that land, we will investigate and may withhold payments or reject all your claims and recover monies paid. This includes the Young Farmer payment, Redistributive payment and entitlements allocated from the National Reserve.

### B3 Farmer and Agricultural Activity

**B3.1** You must be a Farmer carrying out an agricultural activity to be allocated BPS Entitlements and receive BPS payments. You must be a Farmer carrying out agricultural activity every year you claim BPS.

### B4 What is the definition of a Farmer?

**B4.1** A **Farmer** is a natural or Legal Person or a group of natural or Legal Persons, regardless of the legal status granted to such persons or groups by national law, whose **holding** is situated within the UK and who exercises an **agricultural activity**.

**B4.2** A **Holding** means all the units used for agricultural activities, managed by a Farmer (at the Farmer's disposal) and situated within the UK.

**B4.3** **Agricultural Activity** means:

- the production, rearing or growing of agricultural products including harvesting, milking, breeding animals and keeping animals for farming purposes.
- maintaining an agricultural area in a state which makes it suitable for grazing or cultivation without preparatory action going beyond usual agricultural methods and machineries. In Wales, this means the control of non-native invasive weeds and scrub.
- carrying out a minimum activity on agricultural areas naturally kept in a state suitable for grazing or cultivation. In Wales, agricultural areas naturally kept in a state suitable for grazing or cultivation are defined as areas of saltmarsh and sand dunes. The minimum activity required is that the area is grazed to a minimum average annual stocking density of 0.01 to 0.05 livestock units per hectare, or the control of non-native invasive weeds and scrub.

**B4.4** If you do not declare livestock and you do not declare arable crops or permanent crops on your SAF you must submit supporting documentation (e.g. animal movement records, invoices for hedge cutting, hedge laying or maintenance, or silage contracts) by 31 December 2024 to prove you meet the requirements above and are carrying out an agricultural activity in 2024.

**B4.5** No payment (including BPS Advance Payment) will be made until evidence you are carrying out an agricultural activity in 2024 has been received. If no evidence is submitted by 31 December 2024 your claim will be rejected.

**B4.6** If more than half of your agricultural land is classed as being 'naturally kept in a state suitable for cultivation and grazing' i.e. saltmarsh and sand dunes, you must also carry out at least one of the following activities on that land:

## SECTION B: BASIC PAYMENT SCHEME (BPS)

- grow or rear agricultural products
- undertake at least a minimum level of grazing (at least an average of 0.01 to 0.05 Livestock Units per hectare a year)
- control non-native invasive species.

### **B5 Land at your disposal / control**

**B5.1** To claim BPS payment and receive BPS Entitlements from the National Reserve you must be able to demonstrate that the land being declared in support of your claim is at your disposal/control on 15 May 2024.

**B5.2** You will be responsible for Cross Compliance requirements relating to the land for the entire calendar year (see Section E of this booklet for further details regarding Cross Compliance), as well as ensuring the land retains its BPS eligible status. For example, a field being converted to a non-agricultural activity e.g. a car park, will no longer be eligible for BPS.

**B5.3** Unless land is common land/land used in common (see paragraphs B7 – B8 of this booklet) each parcel of land can be used only once in any year to claim BPS payment and two farmers cannot use the same geographical area to claim the BPS at the same time. Where the same geographical area is used to support BPS claims by two different farmers neither will be paid until it is determined who has the right to use the land in support of their BPS claim. The farmer who does not have the right to claim payment on the land may face land over-declared penalties. It is therefore important that farmers are clear who has the land at their disposal/control and who is using it to claim payment on BPS Entitlements (licensees will not be able to claim as they don't have the land at their disposal).

**B5.4** You must be able to demonstrate you have legal occupation of the land claimed e.g. in the case of land you do not own; you have a tenancy from the landlord enabling you to farm the land as you see fit and take responsibility for keeping it in good agricultural and environmental condition. Written agreements will provide both you and RPW with evidence of your agreement.

**B5.5** Where an eligible hectare is declared by two or more farmers, the farmer who makes the decisions in relation to the agricultural activity on that land and who bears the benefits and financial risks related to those activities will be considered to have the land at their disposal / control.

### **B6 What is meant by at the farmer's disposal / control?**

**B6.1** When declaring your land on the SAF 2024 you must declare only the land that is at your disposal/control on the 15 May 2024. Land is 'at your disposal' only if:

- you are the owner occupier
- you are a tenant who has 'exclusive occupation' under either the Agricultural Tenancies Act 1995 with a Farm Business Tenancy, or a full Agricultural Holdings

## SECTION B: BASIC PAYMENT SCHEME (BPS)

Act 1986 tenancy

- you are a tenant with an unwritten tenancy with the same level of control as the above
- you have allowed a licensee on to your land under a license arrangement that is specifically for grazing, cropping or taking hay/silage over a specified and limited period of time within the year, but you have retained Management Control of the land.

### B6.2 Who has the land at their disposal to claim BPS?

Scenario describing the occupation of the land	Who can claim?	
	Tenant Status codes A, B or C	Owner Status code O
You graze your sheep or take hay/silage at the time(s) specified in a licence (oral or written). You have no autonomy to carry out other agricultural activity on the land without the permission of the licensor. <b>You cannot claim.</b>		✓
You farm the land and you are responsible for its maintenance and keeping the land in good agricultural and environmental condition, but do not have a tenancy. Your agreement with the landowner (or tenant) is such that you do not need to seek permission to maintain and farm the land as you wish or consider necessary. The licensor does not undertake or contract any agricultural activity on the land. <b>You should claim as a tenant.</b>	✓	
You carry out (or pay a contractor for) maintenance of the land and retain responsibility for its condition, but you let land you own to another farmer under a licence. The licence includes a specific period for the licensee's use of the land and specifies/limits the use that can be made of the land by the licensee. <b>You claim as the owner.</b>		✓
You carry out (or pay a contractor for) maintenance of the land and retain responsibility for its condition. You have a formal tenancy over land you sub-let to another under a licence. The licence includes a specific period for the licensee's use of the land and specifies/limits the use that can be made of the land by the licensee. <b>You should claim as a tenant.</b>	✓	

## SECTION B: BASIC PAYMENT SCHEME (BPS)

<p>You do not undertake agricultural activity on this land (other than as a contractor). You own the land and you let the land to another farmer under a licence. The licence allows the licensee to carry out (or pay for) maintenance of the land and take responsibility for its condition. <b>You cannot claim.</b></p>	✓	
<p>You do not undertake agricultural activity on this land (other than as a contractor). You have a formal tenancy over land you sub-let to another under a licence. The licence allows the licensee to carry out (or pay for) maintenance of the land and take responsibility for its condition. <b>You cannot claim and your licensee should claim as a tenant.</b></p>	✓	
<p>You do not undertake agricultural activity on your land, but you do have it at your disposal on 15 May for a short period. For the rest of the year, you let the land on a licence or a tenancy and the licensee/tenant maintains it in good agricultural and environmental condition as well as grazing it. You have the land on 15 May, but you are not a farmer on the land so cannot claim. Your licensee/tenant are farmers on the land, but don't have the land at their disposal on 15 May. <b>Therefore, neither party can claim BPS.</b></p>		

**B6.3** The important thing to note from this table is if you are a license holder who farms the land and maintains it in GAEC you are the eligible claimant and you must claim as a tenant.

**B6.4** Where land is let out to a tenant under an Agricultural Holdings Act 1986 tenancy or a Farm Business Tenancy (i.e. a formal tenancy) it is at the disposal of the tenant, not the landlord. That land must not therefore be included on the landlord's SAF at all.

**B6.5** Where you allow a licensee onto your land under a license arrangement that is specifically for grazing or taking hay/silage over a specified and limited period of time; and that licence does not transfer management control relating to BPS rules to the licensee, that land is at your disposal as the licensor. If you are the farmer (owner/tenant) in a Contract farming agreement, then you (owner/tenant) also have the land at your disposal.

**B6.6** If you are a licensee, who occupies land specifically for grazing, or taking hay/silage over a specified period of time, the land is not at your disposal and you are not eligible to claim BPS on such land and should not declare it on your SAF. It is the actions on the ground that will dictate what the arrangement is. So, if someone is doing all the farming and maintenance of the land as well as grazing or taking hay/silage over an undefined or continuing period of time it is likely that, regardless of how it is described by the parties involved, in legal terms there is a tenancy in place. Where this is the case, this grazier is actually a tenant and has the land at his disposal and should claim as a tenant.

## SECTION B: BASIC PAYMENT SCHEME (BPS)

**B6.7** Licensors should be cautious to clearly define the specific period and permitted activities of the arrangement to avoid confusion over who actually has the land at their disposal. As a claimant you should also ensure you are able to provide evidence of your agricultural activity on the land in question (e.g. animal movement records, invoices for hedge cutting, fencing or silage contracts).

**B6.8** These rules apply to both written and unwritten tenancies. We understand there can be a wide variety of arrangements in practice, but it is in your interest as a claimant to take steps early on to ensure you are able to provide sufficient evidence to deal with any queries regarding your eligibility as failure to do so may lead to over-declared penalties.

### B7 Common Land

**B7.1** You can use common land grazing rights to establish and support your claim for payment on BPS Entitlements if you have a legal right to use that land for grazing stock. You must be an Active Farmer, undertake an agricultural activity, and meet the other BPS eligibility requirements to use common land to apply for BPS. Cross Compliance requirements apply to any common land declared for BPS.

**B7.2** If there is a breach of Cross Compliance anywhere on the common, the farmer or farmers responsible for the breach may have their payments reduced in whole or in part. The BPS does not alter legal rights of common, or the exercise of those rights.

**B7.3** The Welsh Government's allocations of common land for BPS in 2024 will take account of the livestock grazing rights registered to BPS claimants on the common and the notional allocations of hectares to individual farmers will relate to their rights declared on the SAF. The forage area available for BPS may be reduced due to an increase in ungrazeable areas on the common or reduced or increased due to changes in common land declarations on SAFs annually.

**B7.4** Under The Commons (Severance of Rights) (Wales) Order 2014, a right of common to graze animals can be leased or licensed (known as 'severance') for a maximum of 5 years, and such severance is only legal if strict rules are adhered to. These rules include notifying the following people or organisations of any new leasing or licensing agreements (including borrowed rights) within 28 days:

- the local Commons Registration Authority in whose area the land is situated
- the land owner of the common over which the rights are exercisable
- the secretary of any relevant Commoners Associations, Commons Councils (when established) or any other local body responsible for the management of the common land to which the leased rights of common apply
- Natural Resources Wales, if the common to which the rights apply includes a Site of Special Scientific Interest (SSSI) under the Wildlife and Countryside Act 1981.

## **SECTION B: BASIC PAYMENT SCHEME (BPS)**

**B7.5** You should be aware that the allocation of forage land, in respect of any grazing rights declared on your SAF, may vary from year to year. Welsh Government's allocations of forage areas made in the previous year's cannot be guaranteed nor relied upon to activate BPS Entitlements.

**B7.6** You are responsible for ensuring you have sufficient land to support your BPS applications/entitlements.

### **B8 Land used in common**

**B8.1** In cases where two or more farmers share-graze portions of non-common land (and no share farming agreement exists) each can enter the field in the Field Data section of their SAF and claim for the specific portion of the grazeable area they have at their disposal (i.e. have the right of use for). It is important that the total area of land is declared between all the applications made i.e. including any ineligible and eligible land, but the addition of the total areas declared by each grazier must not exceed the total area of the parcel or this will result in delays to claim validation and may result in over-declared penalties. It is therefore important for farmers grazing portions of shared land to ensure they do not submit incorrect and conflicting data.

**Example:** a field is 20 hectares shared between two farmers. Each farmer would enter one line on the SAF (if there are no ineligible areas) with a declared area of their share of the field. Any ineligible areas must be declared by either one of the farmers declaring all of the areas or the farmers declaring them between them.

### **B9 Share farmers**

**B9.1** In cases where two or more farmers have a share farming agreement only one can claim BPS. All the land within the agreement must be included on the designated farmer's SAF and the entitlements activated must be held by that farmer. The entitlements for the agreement can only be activated for payment by the farmer who holds them on 15 May.

**B9.2** Responsibility for distributing the payments (or for any repayments should this apply) rests with the applicant farmer. Should the other members of the share farming agreement hold additional land outside of the agreement, they should submit their own SAF for this land.

**B9.3** All parties should consider carefully how the businesses are structured to ensure they comply with the scheme rules. You may wish to seek professional advice on this especially if the agreement was made some years ago.

### **B10 Dual use of land – land claimed by two or more separate farmers under different schemes**

**B10.1** To meet Rural Investment Scheme and/or RD Woodland Creation Scheme requirements a farmer must provide evidence that they have full management control of the land they enter into the scheme. Where one farmer declares the land for BPS another farmer cannot enter that land into another scheme. This is referred to as dual use.

## **SECTION B: BASIC PAYMENT SCHEME (BPS)**

**B10.2** If there is a dispute involving more than one farmer claiming to have full management control of the same area of land at the same time neither farmer will receive payment until it is established who is eligible e.g. where one farmer claims Habitat Wales Scheme and the other farmer claims BPS.

**B10.3** Farmers discovered to have declared dual use of land will need to confirm how their particular business arrangements allow both parties to meet scheme eligibility requirements.

**B10.4** Except in rare circumstances penalties are likely to be applied to your BPS payments or your Rural Investment Scheme or RD Woodland Creation Scheme payments if you submit a SAF 2024 incorrectly declaring you have land at your disposal on the 15 May 2024.

### **B11 Land Ownership and Occupation Disputes**

**B11.1** The Welsh Government cannot adjudicate land ownership or occupation, in particular where both parties provide evidence to support their claim. In these circumstances no payments will be made to either party, as payments cannot be made where a SAF cannot be fully validated.

### **B12 Land eligible for BPS**

**B12.1** The minimum claim size is 5 hectares of eligible land and therefore this is the minimum area on which BPS can be claimed and paid in 2024. The minimum eligible area in a land parcel is 0.10 hectares.

**B12.2** For BPS an eligible hectare is any agricultural area of the holding taken up by permanent grassland, arable land or permanent crops that is used for an agricultural activity or where the area is predominantly used for agricultural activities in the relevant scheme year, but is used for non-agricultural activities as listed at paragraph B21 in this booklet. It also includes some land taken out of production or afforested under Rural Investment Schemes, RD Woodland Creation Schemes, or Natural Resources Wales management agreements, under certain conditions (see paragraph B20 in this booklet).

**B12.3** You must have a minimum of 5 hectares of eligible land at your disposal on 15 May 2024 if you wish to claim BPS Entitlements and be paid BPS.

**B12.4** If you do not activate at least 5 full BPS Entitlements each year you will not activate your entitlements, receive payment and your entitlements may be clawed back and the value revert to the National Reserve (see paragraph B34 in this booklet).

### **B13 Eligible Land Types for BPS**

#### **Permanent Grassland**

**B13.1** Permanent grassland means land used to grow grasses or other herbaceous forage naturally (self seeded) or through cultivation (sown) and that has not been included in the crop rotation of the holding for five years or more. It may include other species such as shrubs and/or trees that can be grazed provided the grasses

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or other herbaceous forage remain predominant as well as, land which can be grazed and which forms part of established local practices where grasses and other herbaceous forage are traditionally not predominant in grazing areas.

**B13.2** Grasses or other herbaceous forage means all herbaceous plants traditionally found in natural pastures or normally included in mixtures of seeds for pastures or meadows, whether or not used for grazing animals, e.g. clover or sainfoin.

**B13.3** In Wales, permanent grassland also includes land where native dwarf shrubs including those in the family Ericaceae (heathers) and the species *Ulex gallii* (western gorse), and/or native species in the families Juncaceae (rushes) and Cyperaceae (sedges), are predominant and can be grazed.

**B13.4** Land which has been down to grass since 15 May 2019, and not subject to crop rotation, is reclassified as permanent grassland on 15 May 2024.

**B13.5** Land re-sown with grass or other herbaceous forage during a five-year period is still counted as permanent grassland. However, where permanent grassland has been reseeded as temporary grass following a catch crop such as stubble turnips in the last five years this must count as arable land.

**B13.6** The following crop codes are classed as permanent grassland:

- BG1 – Broadleaf – grazed
- CG1 – Coniferous – grazed
- GR2 – Grass (permanent grass – 5 years or more)
- GR8 – Grass (permanent – re-sown in last 12 months)
- GT1 – Grazed tracks
- HE7 – Heathlands (grazed)
- HE9 – Heather
- SD1 – Sand Dunes
- SM2 – Saltmarshes (grazed).

### B14 Arable Land

**B14.1** Arable Land means:

- land cultivated for crop production – including land used for combinable crops, crops grown for fibre, root crops, crops grown for animal feed such as forage maize and forage rape, field vegetables, cut flowers or bulbs and soft fruit (other than permanent crops\*). This includes where these crops are grown under greenhouses, or under cover, on soil or grass



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- land sown with pure leguminous/herbaceous forage crops (not mixtures of seeds for pasture or meadows) such as alfalfa or clovers
- temporary grassland (including herbaceous forage). This is where the land has been included in the crop rotation of the holding and has been in grass or other herbaceous forage for less than five years. Herbaceous forage is herbaceous plants traditionally found in natural pastures or normally included in mixtures of seeds for pastures or meadows, including Lucerne, Sainfoin, forage vetches and clovers
- areas available for crop production but lying fallow. Fallow land is land that has no crop production or grazing on it (this means it cannot have a land use of permanent crops or permanent grassland). This land must be maintained in a state which makes it suitable for grazing or cultivation.

\*Permanent crops are not classed as arable land but are eligible for BPS.

### **B15 Permanent Crops**

**B15.1** Permanent crops means non-rotational crops, other than permanent grassland and permanent pasture, that occupy the land for five years or more and yield repeated harvests, including nurseries and Short Rotation Coppice.

**B15.2** Nurseries means the following areas of young ligneous (woody) plants grown in the open air, for subsequent transplantation and include:

- vine and root stock nurseries
- fruit tree and berry nurseries
- ornamental nurseries
- commercial nurseries of forest trees excluding those for the holding's own requirements grown within woodland
- nurseries of trees and bushes for planting in gardens, parks, at the roadside and on embankments (e.g. hedgerow plants, rose trees and other ornamental bushes, ornamental conifers), including in all cases their stocks and young seedlings.

**B15.3** Short Rotation Coppice means areas planted with tree species that consist of woody, perennial crops, the rootstock or stools of which remain in the ground after harvesting, with new shoots emerging in the following season and with a maximum harvest cycle of 20 years:

- Alder (*Alnus* spp)
- Silver Birch (*Betula pendula*)
- Hazel (*Corylus avellana*)

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- European Ash (*Fraxinus excelsior*)
- Lime (*Tilia cordata*)
- Sweet Chestnut (*Castanea sativa*)
- Sycamore (*Acer pseudoplatanus*)
- Willow (*Salix* spp)
- Poplar (*Populus* spp).

**B15.4** You will need to provide evidence at inspection or appeal that you coppice the trees. Proof of sales could prove your eligibility.

### **B16 Land with Trees or other Ineligible Features**

**B16.1** For each parcel that contains trees or other ineligible features the following areas must be deducted from the eligible area:

- man-made constructions (e.g. buildings, hardstandings, roads and ungrazed tracks) and ineligible ponds, rivers and streams 100 m<sup>2</sup> or above
- whole areas of rocks and scree 100 m<sup>2</sup> or above
- whole areas of scrub and bracken 100 m<sup>2</sup> or above
- groups of trees 100 m<sup>2</sup> or greater.

**B16.2** Once these areas have been deducted you must also identify any remaining areas of scattered ineligible features, i.e. scree & rocks, scrub and bracken, and apply a representative area deduction.

**B16.3** After deducting the scattered ineligible features, the remaining area is used for the assessment of scattered trees. If the density is greater than 100 trees per hectare the whole parcel is ineligible. If the density is 100 trees or fewer per hectare you must apply a representative area deduction for tree trunks and stumps.

**B16.4** Orchards and scattered fruit trees are considered eligible for BPS as they fall within the definition for Permanent Crop. You must provide RPW inspectors with evidence the trees are used for food production; this could include sales receipts. Failure to satisfy RPW the trees are used for food production will result in penalties being applied to your claim, or exclusion from the scheme.

**B16.5** For full details on how to assess these areas refer to Annex 1 of this booklet.

### **B17 Landscape Features protected by Cross Compliance**

**B17.1** The following landscape features are protected under Cross Compliance by Good Agricultural and Environmental Condition 7 (GAEC 7) and so are eligible for

## SECTION B: BASIC PAYMENT SCHEME (BPS)

BPS payment. These features do not need to be deducted from the eligible area within field parcels:

- hedges and wooded strips
- ditches
- traditional stone walls
- stone faced banks
- slate fences
- Scheduled Ancient Monuments
- ponds that occur naturally or were created under a previous EU Welsh Government Rural Communities – Rural Development Programme for Wales 2014-2020 scheme with an area up to 0.10 hectares
- trees protected by Tree Preservation Orders
- 1 metre non cultivation zones
- 2 metre buffer strips
- Environmentally Sensitive Permanent Grassland (ESPG).

**B17.2** If you are claiming payment under BPS for trees that are protected by a Tree Preservation Order you will need to provide supporting evidence to confirm the Tree Preservation Order is currently in place. For this you will need to contact your Local Planning Authority to obtain either a copy of the Tree Preservation Order or a letter stating the trees are currently covered by an order. **Please note** this supporting evidence must be received by 31 December 2024. No payment (including BPS Advance Payment) will be made until evidence has been received. Evidence received after 31 December 2024 will not be accepted.

### **B18 Agricultural crops not used for agricultural purposes**

**B18.1** Land used to grow agricultural crops that are not used for agricultural purposes, e.g. for use in an anaerobic digester, remains eligible for BPS.

### **B19 Special provisions for land used for military training**

**B19.1** In some cases, eligible agricultural land will be subject to use by the Ministry of Defence for military training. This is regarded as being in the national interest and will be permitted without affecting your ability to claim BPS. Cross Compliance requirements will still apply.

## **SECTION B: BASIC PAYMENT SCHEME (BPS)**

### **B20 Rural Investment Schemes, RD Woodland Creation Schemes or NRW management agreements**

**B20.1** Eligible agricultural land that is afforested under an RD Woodland Creation Scheme (Glastir Woodland Creation) or Rural Investment Scheme woodland creation agreement (Woodland Creation Grant or Small Grants – Woodland Creation) can be used by the farmer in the woodland planting scheme to activate BPS Entitlements in 2024 only if that land was used to activate SPS payment entitlements in 2008.

**B20.2** Eligible agricultural land that is no longer eligible as a result of being included in a NRW management agreement implementing the Habitat Directive or Wild Bird Directive, can be used by the farmer to activate BPS Entitlements in 2024 only if that land was used to activate SPS payment entitlements in 2008.

**B20.3** If the eligible management agreement comes to an end the land must meet BPS land eligibility requirements if you wish to use it to activate BPS Entitlements and you must revert to using the appropriate land use/crop code. See Annex 2 of this booklet for a list of land use/crop codes.

**B20.4** If the land is not eligible for BPS, but is declared for BPS purposes over-declared penalties will be applied to your BPS payments.

**B20.5** Land qualifying under these provisions must be managed in accordance with relevant Cross Compliance rules.

**B20.6** Refer to Section C of this booklet for further details of the relevant Rural Investment Schemes.

**B20.7** Refer to Section D of this booklet for further details of the relevant RD Woodland Creation Schemes.

### **B21 Land not Eligible for BPS**

Non-agricultural areas for BPS purposes

**B21.1** Where you have doubts over land eligibility, you should contact the Customer Contact Centre.

**B21.2** Gardens, recreational parks, urban commons, zoos, ineligible ponds, buildings, hardstanding's, fenced off pylons and trees with a density greater than 100 trees per hectare, scrub, bracken, groups of trees (as detailed in Annex 1 of this booklet) are not regarded as agricultural areas for BPS and are therefore not eligible. You must however declare such areas on your SAF and Cross Compliance still applies to any such areas that are used for agricultural purposes on your holding.

### **B22 Land taken out of production due to utility works**

**B22.1** If it is compulsory for you to take land out of production under statutory powers, for example a utility company laying a pipeline, it may be difficult for you to meet the requirements to qualify for an allocation of BPS Entitlements and for claiming payment on your BPS Entitlements.

## **SECTION B: BASIC PAYMENT SCHEME (BPS)**

**B22.2** If you have land temporarily taken out of production and you cannot meet the requirements to qualify for an allocation of BPS Entitlements or payment, you may be eligible under the Force Majeure provision. Contact the Customer Contact Centre and provide details so your situation can be considered.

**B22.3** If you have land permanently taken out of production and you cannot meet the requirements to qualify for BPS payment, including maintaining your land in line with Cross Compliance requirements for the required calendar year, you should seek a compensation payment from the utility company or statutory agency responsible.

### **B23 Non-agricultural activities on BPS land**

**B23.1** If you are claiming BPS and wish to undertake non-agricultural activities you are advised to contact the Customer Contact Centre for advice. The following categories are not exhaustive but give an indication of the type of activity that falls within each category.

**B23.2** Category 1 - Activities permitted without restrictions include:

- fishing
- hedge laying competitions, local ploughing competitions or other cultivation demonstrations allowed only within applicable GAEC rules (excluding events where trade stands are present as these would fall under Category 2)
- school or university nature or farm visit
- horse riding along bridle-ways\*
- bicycle riding along defined paths or bridle-ways\*
- walking\*
- bird watching
- shooting (game)
- deer stalking
- drag hunting
- paragliding
- hang-gliding.

\*Metalled or surfaced paths or bridle-ways would in any event be considered ineligible land.

## SECTION B: BASIC PAYMENT SCHEME (BPS)

**B23.3** Category 2 - Activities permitted up to a 28-day limit include:

- shooting (clay)
- car boot sales
- festivals and events
- country fairs and shows
- farm auctions and sales
- equestrian activities (except of the type described under Category 1)
- ballooning
- car parking (whether or not associated with any of the activities listed)
- Scout or Guide camps or similar
- caravan and camp sites (for periods of more than 28 days, the affected area should not be used to support a claim. This need not affect a whole field)
- TV and film locations
- motor sports.

**B23.4** Category 3 - Activities that are not consistent with the land being in agricultural use, and therefore not eligible, include locations where the principal purpose of the land is for recreational activities or other non-agricultural activities, such as permanent sports facilities, gallops, solar panels or airports.

### **B24 How the restrictions apply**

**B24.1** In all cases the restrictions apply for the calendar year.

**B24.2** The limits apply to the number of days on which a non-agricultural use occurs, part of a day counts as one full day. If you undertake non-agricultural activities, you should also take account of the number of days the land is reserved or is being prepared for the activity, not just the number of days on which the activity actually takes place. If the limits are exceeded, the affected area, rather than the whole holding or, as the case may be, whole field will be regarded as ineligible. This guidance is for BPS purposes only. Other legal restrictions may apply, e.g. planning restrictions.

**B24.3** You must be aware that in all cases the Cross Compliance requirements will apply on the agricultural area for the whole calendar year.

## SECTION B: BASIC PAYMENT SCHEME (BPS)

### B25 Land with solar panels

**B25.1** Land parcels with solar panels on them will not be eligible for BPS. This includes the land between, underneath and around the panels, even if it is being grazed, or is accessible for grazing. We consider such land cannot be classified as having agriculture as its main purpose under BPS rules.

**B25.2** If the solar panels are concentrated in a single area within the land parcel (e.g. a corner or one end), and you want to claim for payment on the rest of the land, you must fence off the land with the panels creating 2 separate land parcels.

### B26 Special Rules for Hemp

#### Introduction

**B26.1** Land used to grow hemp for fibre or other purposes must be declared on your SAF and may be used in support of your BPS claim.

### B27 Home Office Licence

**B27.1** If you are intending to grow hemp you must obtain a licence from the Home Office in advance of sowing seed. It is a criminal offence to cultivate hemp in the United Kingdom for any purpose without such a licence. Unless you have made separate arrangements with the Home Office, an application for a licence should be made to: [Hemp Growing Licence](#).

A downloadable application guide to help you complete the application is available at: [Industrial hemp: licensing guidance](#).

Further information is available at [Controlled drugs licences fees and returns](#).

or contact the:

Home Office Drugs and Firearms Licensing Unit

Telephone: 0300 105 0248

by email them at: [DFLU.dom@homeoffice.gov.uk](mailto:DFLU.dom@homeoffice.gov.uk)

**B27.2** Applications for Home Office licences should be made as early as possible once serious consideration is being given to growing hemp. Licences are not automatically issued by the Home Office. In considering each application, the bona fides of the applicant and the purpose of growing the hemp, together with the proposed locations of the growing sites including Ordnance Survey details, will be taken into account by the Home Office. Evidence that a Contract exists to supply the hemp produced to a Home Office approved processor may also be required.

### B28 Hemp Seed labels

**B28.1** If growing hemp you must use certified seed of an eligible variety. The seed labels, confirming the variety, must be supplied with your SAF to the Welsh Government. All supporting documentary evidence **must** be submitted by 15 May 2024 at the very latest. Any documentary evidence submitted after 15 May 2024 and

## SECTION B: BASIC PAYMENT SCHEME (BPS)

by 10 June will attract a late claim penalty. Any documentary evidence submitted after 10 June will not be considered.

**B28.2** When sowing takes place after 15 May, the crop must be declared on the SAF in the Field Data section in the Secondary Crop column. Seed labels must be submitted no later than 30 June.

**B28.3** If the processing is not carried out, or the special rules for hemp are not followed, financial penalties may be imposed for not complying with the conditions for claiming the BPS.

### B29 Hemp Sampling and Testing

**B29.1** The UK must sample at least 20% of the total area growing hemp to ensure the tetrahydrocannabinol (THC) content of the crop does not exceed the prescribed level. You must therefore maintain, for each variety sown, three distinct parts of each field claimed, each part comprising of at least 4,000 plants, until at least 10 days after flowering, in case sampling is necessary.

**B29.2** These areas must not be harvested until sampling has been completed or a written notification stating sampling is not necessary has been received.

### B30 National Reserve

**B30.1** National Reserve is the name given to the pool of money taken from the total funds available for BPS for Wales.

### B31 Qualifying for National Reserve

**B31.1** You may qualify for an allocation of new BPS Entitlements from the following categories:

- New Entrant
- Young Farmer.

### B32 Who is eligible?

**B32.1** You must be an Active Farmer carrying out 'agricultural activities' and have at least 5 hectares of eligible land to be able to apply for and activate BPS Entitlements in 2024.

National Reserve Category	Eligibility Criteria	Eligibility Criteria
New Entrant	Cannot have had any agricultural activity in own name/at own risk in the 5 years before the start of your current farming activity.	Must have started agricultural activity in 2022 or a later year.



## SECTION B: BASIC PAYMENT SCHEME (BPS)

<b>Young Farmer</b>	Must be 40 years of age or less in 2024.	Must be setting up for the first time as head of holding or have control of a partnership/Legal Person (e.g. Limited Company) for the first time on 1 January 2019 or later. This could be setting up a new business or taking over an existing business. A Director of a legal company may qualify, however, for a partnership to qualify the 'Young Farmer' must own capital in the business and their decisions cannot be vetoed by other members of the partnership.
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### B33 How to apply for BPS Entitlements

**B33.1** You **must** complete a SAF 2024 by 15 May 2024 to request an allocation of BPS Entitlements. You must provide evidence of your eligibility for an allocation of BPS Entitlements by 31 December 2024.

### B34 How will the National Reserve be replenished?

**B34.1** The National Reserve will be replenished annually from a number of sources, including:

- any BPS Entitlements that have not been activated for payment during two consecutive years. This could be due to: not declaring sufficient land to activate all entitlements, failing agricultural activity checks, failing to declare 5 hectares of eligible land, or if farmers are found to be avoiding 'capping'
- any BPS Entitlements voluntarily returned
- any BPS Entitlements that are found to have been unduly allocated
- reducing the value of BPS Entitlements already allocated, to ensure there is sufficient budget available to meet the demand from Young Farmers and new entrants applying to the National Reserve or any definitive Court ruling.

### B35 National Reserve Qualifying Criteria – New Entrant Category

**B35.1** This category is available to sole traders, partnerships or a Legal Person, e.g. a Limited Company, that **started farming in 2022 or later**.

**B35.2** If you wish to be considered for entitlements as a sole trader, you **must not** have carried out any agricultural activity in your own name or at your own risk in the five years before the start of your current farming activity.

**B35.3** If you wish to be considered for entitlements as a partnership, **none** of the partners can have carried out any agricultural activities in their own name or at their

## SECTION B: BASIC PAYMENT SCHEME (BPS)

own risk, or as the person in control of, e.g. a Limited Company (i.e. Legal Person), in the five years before the start of the partnership's current agricultural activity.

**B35.4** For Legal Persons, the controlling member(s) **must not** have carried out agricultural activities in their own name or at their own risk, nor had the control of a Legal Person exercising an agricultural activity, in the five years before the start of the current agricultural activity exercised by the Legal Person.

**B35.5** Working on a farm e.g. as a farm manager or a farm labourer would not be considered as undertaking an agricultural activity.

**B35.6** You must also submit your first application for BPS no later than 2 years after the calendar year in which you started the current agricultural activity.

**B35.7** Documentary evidence **must** be submitted to confirm the date the agricultural activity commenced, this could be one or more of the following:

- confirmation of the date the holding was registered
- registration with British Cattle Movement Service (BCMS)/Animal Movement Licensing System (AMLS)
- animal record books
- pesticide records.

### **B36 What allocation of BPS Entitlements will I receive from the National Reserve as a New Entrant?**

**B36.1** If your National Reserve application is successful and your SAF 2024 requesting an allocation of entitlements meets BPS requirements, you will be allocated a number of BPS Entitlements equal to the number of eligible hectares you declared on your SAF 2024 and that are 'at your disposal' on 15 May 2024.

**B36.2** They will be valued at the entitlement rate for 2024.

**B36.3** You cannot receive additional entitlements if you already hold entitlements awarded from the National Reserve.

### **B37 National Reserve Qualifying Criteria – Young Farmer Category**

**B37.1** This category is available to sole traders and members of partnerships or limited companies, who are no more than 40 years of age in the year they apply for BPS and are setting up for the first time as head of holding or have control of a partnership/Legal Person (e.g. Limited Company) in the 5 years before submitting their first application for BPS. This could be setting up a new business or taking over an existing business.

**B37.2** The minimum age of the Young Farmer becoming head of holding or taking control as a sole trader or partnership is 18 years of age at the time they become head of holding or take control of the partnership.

## SECTION B: BASIC PAYMENT SCHEME (BPS)

**B37.3** The minimum age of the Young Farmer becoming head of holding or taking control of a Legal Person e.g. Limited Company is 16 years of age at the time they become head of holding or take control of the Legal Person.

**B37.4** If you wish to be considered for entitlements as a sole trader, in addition to being 40 years of age or less in the year you first claim BPS, you **must** have set up a new holding as head of that holding.

**B37.5** If you wish to be considered for entitlements under the Young Farmer category and are a partnership, the partnership must be controlled by a Young Farmer(s) 40 years of age or less in the year of submitting the first application for BPS. Those members of the partnership must own a share of the business and be capable of exercising effective and long term control of the partnership in terms of decisions related to management, benefits and financial risks. This control can be exercised either alone or jointly with another member of the partnership (who does not need to be 40 years of age or less). Where there is joint control, the Young Farmer must be able to demonstrate they make the decisions as detailed above. The Young Farmer cannot have decisions vetoed by non-Young Farmers.

**B37.6** Partnerships will need to supply documentary evidence demonstrating the person who is 40 years of age or less owns a share of the business and is capable of exercising the effective and long term control of the partnership, including evidence their decisions cannot be vetoed by others in the partnership, as detailed above. In the case of a Young Farmer taking over as head of holding or taking control of an existing partnership, documentary evidence must be supplied demonstrating how they exercise control of the partnership. As an example, this could include a document showing the ownership structure, or being entitled to a majority share of profits, in which case we would require a letter from a solicitor/accountant confirming the set-up of the partnership or how the share of profits are divided amongst the partners. If these documents do not demonstrate the Young Farmer(s) own(s) a share of the business or how others cannot veto the Young Farmer the application will be rejected.

**B37.7** For Legal Persons e.g. a Limited Company, a member of the company 40 years of age or less in the year of submitting the first application for BPS would need to be exercising effective control of the company in terms of decisions related to management, benefits and financial risks. If the Limited Company consists of members of various ages, the member who is 40 years of age or less **must** be capable of exercising effective control of the company, e.g. as managing director. As detailed above, this control can be exercised either on their own or jointly with another member of the Company (who does not need to be 40 years of age or less).

**B37.8** Checks will be undertaken with Companies House to establish the make up of limited companies. Where such checks prove inconclusive, documentary evidence may be requested in support of the application.

**B37.9** Photographic evidence must be provided in all cases to prove date of birth; this must be one of the following;

- passport
- driving licence

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- gun licence.

**B37.10** In all cases you must also submit documentary evidence to prove the Young Farmer(s) own(s) shares in the partnership, is/are head of the holding or has/have control of the partnership/Legal Person and cannot have their decisions vetoed. This could be one or more of the following, although it is your responsibility to ensure any documents you provide prove beyond all doubt your eligibility:

- Company Articles of Association; accountants/solicitors letter confirming partnership constitution
- bank accounts/accountants' letter to confirm share of profits
- accountants' letter to confirm division of ownership of the partnership
- bank letter confirming who has and does not have the authority to sign cheques
- or any other documentary evidence you feel is appropriate.

**For a partnership, these will need to include:**

- partnership agreement showing the partners and percentage shares/votes held and, where it exists, any variation of previous partnership document showing the changes to the original agreement
- legally binding agreement showing business shareholdings
- partnership accounts if they demonstrate shares ownership
- annual accounts naming the applicants and number of shares/votes held.

### **B38 What allocation of BPS Entitlements will I receive from the National Reserve as a Young Farmer?**

**B38.1** If your National Reserve application is successful and your SAF 2024 requesting an allocation of entitlements meets BPS requirements, you will be allocated a number of BPS Entitlements equal to the number of eligible hectares you declared on your SAF 2024 and that are 'at your disposal' on 15 May 2024.

**B38.2** They will be valued at the entitlement rate for 2024.

**B38.3** You cannot receive additional entitlements if you already hold entitlements awarded from the National Reserve.

### **B39 Can I be considered for more than one category?**

**B39.1** You can be considered for more than one category provided you complete the relevant sections on the application and provide supporting documentary evidence, but you will only be awarded entitlements under one.

## SECTION B: BASIC PAYMENT SCHEME (BPS)

### **B40 Allocation of entitlements from National Reserve**

**B40.1** If you wish to be considered for National Reserve entitlements as a new entrant you **must** complete the 'Claims and Entitlements' and 'BPS National Reserve - New Entrant' sections of the SAF 2024.

**B40.2** If you wish to be considered for National Reserve entitlements as a Young Farmer you must complete the 'Claims and Entitlements' and 'BPS Young Farmer Details – National Reserve and Payment' sections of the SAF 2024.

### **B41 Recovery for incorrect allocation**

**B41.1** Farmers who are incorrectly allocated entitlements for whatever reason will have them recovered and lose them to the National Reserve.

**B41.2** Where the number of entitlements allocated is too high the number allocated in excess will be lost to the National Reserve. Where this was an administrative error or where the error could not have been detected by the farmer, the value of the remaining entitlements will be adjusted.

**B41.3** Where a farmer who has been incorrectly allocated entitlements, sells or leases out these entitlements they will be expected to give back the number of entitlements incorrectly allocated. If you do not have sufficient entitlements to give back, the farmer who has bought or leased in the entitlements will be liable to give up the required number of entitlements.

**B41.4** Where, after the allocation of BPS Entitlements, it is found the value of the SPS Entitlements held on 15 May 2014 was incorrect or the value of the top up to entitlements from the National Reserve was incorrect the value of the entitlements that used the higher figure will be recalculated. This recalculation will also apply where the entitlements have been sold or leased. The excess value will be lost to the National Reserve.

**B41.5** Payments made in previous scheme years in respect of the incorrectly allocated entitlements will be recovered.

### **B42 Surrender of Entitlements**

**B42.1** Following the allocation of entitlements you may give up your BPS Entitlements to the National Reserve at any time.

### **B43 Transfer of Entitlements**

**B43.1** You may transfer BPS Entitlements by sale, gift or lease for the 2024 scheme year until midnight 15 May 2024.

**B43.2** Further guidance is available by reading the '*BPS Trading of Entitlements Guidance*' book, which is available on the Welsh Government website.

**B43.3** The Welsh Government has been consulting on a transition from BPS to the Sustainable Farming Scheme. As a result, the BPS entitlement transfer window will close

## SECTION B: BASIC PAYMENT SCHEME (BPS)

after 15 May 2024 until such time as Welsh Ministers have made a decision on rules regarding transfer and lease of entitlements for the 2025 scheme year.

BPS entitlements holders will be notified when the BPS entitlement transfer window for 2025 opens and will also be notified of the transfer and lease of entitlement rules.

### **B44 Usage rules for BPS Entitlements**

**B44.1** All BPS Entitlements, including entitlements allocated from the National Reserve, are subject to a two year usage rule.

**B44.2** Over any two year period you must activate (use) all of your BPS Entitlements in at least one scheme year, therefore it will not be possible to rotate entitlements using some in year 1 and the remainder in year 2. Failure to activate entitlements could be due to:

- not declaring sufficient land to activate all entitlements
- failing agricultural activity checks
- failing to declare 5 hectares of eligible land, or
- if farmers are found to be avoiding 'capping'.

**B44.3** If you lease your BPS Entitlements out, you will be relying on that farmer to ensure the two year usage rule is met. If leased in BPS Entitlements are not activated during the rolling two year period they will be lost to the National Reserve.

**Example:** in the case of a farmer who had 50 entitlements allocated (and activated) in 2020, who then activated 30 BPS Entitlements in 2021 and 50 BPS Entitlements in 2022, they will have activated all 50 entitlements at least once in the two year period. However, if in the example above, they activate only 40 entitlements in 2022 they will have not activated all 50 entitlements once in the two year period and the 10 entitlements not used will be clawed back and lost to the National Reserve.

**B44.4** The lowest value entitlements (owned or leased in) will be lost to the National Reserve first.

**B44.5** You may be exempt from the two year usage rule if you can prove you (or your business) were subject to Exceptional Circumstances or a Force Majeure event, which prevented you from activating the entitlements for the relevant BPS scheme year.

### **B45 Young Farmer payment**

**B45.1** To receive the payment you will be required to indicate you wish to claim the Young Farmer Payment on the SAF.

## SECTION B: BASIC PAYMENT SCHEME (BPS)

### **B46 What is the minimum age for Young Farmer payment?**

**B46.1** The minimum age of the Young Farmer becoming head of holding or taking control as a sole trader or partnership is 18 years of age at the time they become head of holding or take control of the partnership.

**B46.2** The minimum age of the Young Farmer becoming head of holding or taking control of a Legal Person e.g. Limited Company is 16 years of age at the time they become head of holding or take control of the Legal Person.

### **B47 Who is eligible for Young Farmer payment?**

**B47.1 Sole trader:** in addition to being 40 years of age or less in the year you first claim BPS, you **must** have set up a new holding as head of holding or have taken over an existing business as head of holding.

**B47.2 Partnership:** the partnership must be controlled by a Young Farmer(s) 40 years of age or less in the year of submitting the first application for BPS. Those members of the partnership must own a share of the business and be capable of exercising effective and long term control of the partnership in terms of decisions related to management, benefits and financial risks. This control can be exercised either alone or jointly with another member of the partnership (who does not need to be 40 years of age or less). Where there is joint control, the Young Farmer must be able to demonstrate they make the decisions as detailed above. The Young Farmer cannot have decisions vetoed by non-Young Farmers. Non-partners cannot be considered as head of holding.

**B47.3 Legal Persons e.g. a Limited Company:** a shareholder or director of the company 40 years of age or less in the year of submitting the first application for BPS would need to be exercising effective control of the company in terms of decisions related to management, benefits and financial risks. If the Limited Company consists of members of various ages, the member who is 40 years of age or less **must** be capable of exercising effective control of the company, e.g. as managing director. As detailed above, this control can be exercised either on their own or jointly with another member of the Company (who does not need to be 40 years of age or less). Salaried staff, who are not directors, cannot be considered as head of holding.

**B47.4** Checks will be undertaken with Companies House to establish the make-up of limited companies. Where such checks prove inconclusive, documentary evidence may be requested in support of the application.

### **B48 What documentary evidence will I need to provide?**

**B48.1** Photographic documentary evidence must be provided in all cases to prove date of birth, this must be one of the following: a passport, driving license or gun license.

**B48.2** In all cases you must also submit documentary evidence to prove the Young Farmer(s) is/are head of the holding or has/have control of the Partnership/Legal Person and when that control began. This evidence could be one or more of the following: Company Articles of Association; accountants/solicitors letter confirming partnership constitution; bank accounts/accountants' letter to confirm share of profits

## **SECTION B: BASIC PAYMENT SCHEME (BPS)**

or any other documentary evidence you feel is appropriate or which RPW may reasonably request when considering an application for Young Farmer payment.

**B48.3** Partnerships will need to supply documentary evidence demonstrating the person who is 40 years of age or less owns a share of the business and is capable of exercising the effective and long term control of the partnership, including evidence their decisions cannot be vetoed by others in the partnership, as detailed above. In the case of a Young Farmer taking over as head of holding or taking control of an existing partnership, documentary evidence must be supplied demonstrating how they exercise control of the partnership. As an example, this could include a document showing the ownership structure, or being entitled to a majority share of profits, in which case we would require a letter from a solicitor/accountant confirming the set-up of the partnership or how the share of profits are divided amongst the partners. If these documents do not demonstrate the Young Farmer(s) own(s) a share of the business or how others cannot veto the Young Farmer the application will be rejected.

**B48.4** All supporting documentary evidence **must** be submitted by 31 December 2024. No payment (including BPS Advanced Payment) will be made until this evidence is received. Evidence received after 31 December 2024 will not be accepted and your claim for the Young Farmer payment will be rejected.

### **B49 How will the Young Farmer payment be calculated?**

**B49.1** The payment will be 25% of the Wales 2024 entitlement value, multiplied by the number of BPS Entitlements you have activated in 2023 up to a maximum of 25 hectares.

**B49.2** The Young Farmer payment is payable for a maximum of five years from the year the business first claims Young Farmer payment.

**B49.3** For new claimants in 2024 the years between becoming head of holding and submitting the first claim in 2024 are no longer used to calculate the length of time you will receive payment.

### **B50 Redistributive Payment**

**B50.1** A Redistributive Payment is made to all claimants who are entitled to a payment under the BPS. The Redistributive Payment is paid on a rate per hectare up to a maximum of 54 hectares.

### **B51 BPS Payments (includes Redistributive and Young Farmer)**

**B51.1** For the purpose of this section, BPS payments means payments made under BPS, Redistributive and Young Farmer payment (where applicable).

**B51.2** The BPS payments are subject to an overall budget ceiling set annually by the Welsh Ministers. If the ceiling is breached payments will be scaled back by linear reduction across all payments to the level of the ceiling.

**B51.3** BPS Entitlements values may be increased in value on an annual basis to take account of the value of unclaimed entitlements in 2024 and unallocated National



## **SECTION B: BASIC PAYMENT SCHEME (BPS)**

Reserve budget in 2024. This increase applied to the entitlement value in 2024 will only apply in 2024 and will be recalculated annually taking account of the value of unclaimed entitlements and unallocated National Reserve.

**B51.4** We aim to make a BPS Advance Payment of up to 70% of your estimated claim value from 14 October 2024. This payment will be made subject to submission of an eligible BPS claim and necessary supporting documents. There may be reasons why a BPS Advance Payment cannot be made to you, for example, due to an ongoing land dispute, breaches identified at inspection or outstanding probate matters.

Your Balance Payment will be made from 12 December 2024 subject to completion of the full validation of your claim.

You should not make business decisions on the basis of receiving an Advance Payment or being paid your Balance Payment early in the payment window. Your payment could be made at any time during the payment window once all cross checks and validation checks have been completed.

**B51.5** BPS 2024 payment will only be made in pounds sterling.

**B51.6** Deductions to scheme payments and the order in which they will be applied are set out in Section G of this booklet. The net value of actual payments will be set out in the payment letters on RPW Online at the time they are paid. The letters will provide details of all reductions that apply.

**B51.7** The Welsh Government will take every possible step to identify and pursue all attempted fraudulent claims. It will also seek to ensure no payment is made to applicants who artificially create the conditions required for obtaining payments. Payments will be made only where eligibility can be confirmed beyond reasonable doubt.

### **B52 How will payments be calculated?**

**B52.1** The number of eligible hectares determined for BPS will be multiplied by the value of your BPS Entitlements to establish the BPS payment each year.

**B52.2** The number of eligible hectares used to activate BPS Entitlements will be used to calculate your Young Farmer payment and Redistributive Payment.

### **B53 Capping of higher value payments**

**B53.1** Capping will be applied to BPS payments in Wales and excludes Young Farmer payments.

## SECTION B: BASIC PAYMENT SCHEME (BPS)

**B53.2** Capping rates are as follows:

Payment Value Capping Rate

up to £150,000	0%
£150,000 to £200,000	15%
£200,000 to £250,000	30%
£250,000 to £300,000	55%
over £300,000	100%

**B53.3** There will be no deduction for wage related costs.

**B53.4** Checks will be carried out to ensure farmers haven't artificially created circumstances to avoid these reductions. If you are found to have artificially split your business to gain advantage, you could lose your payment.

### **B54 Cross Border Farmers**

**B54.1** All the land you farm in the UK is no longer covered by one BPS application. If you farm Welsh land and hold Welsh BPS Entitlements you should continue to make a claim on the Welsh SAF. If you farm land elsewhere in the UK you should complete a BPS claim for that UK country.

**B54.2** If you claim BPS 2024 in more than one UK country, you will receive more than one BPS payment. For example, if you submit a BPS claim in Wales and a BPS claim in England, subject to the eligibility criteria of each administration, you will receive two separate BPS payments.

**B54.3** Administrative or Cross Compliance penalties discovered on land located in other UK countries will not be applied to Welsh claims.

### **B55 Minimum claim size for cross border farmers**

**B55.1** The minimum claim size for BPS in Wales is 5 hectares. If you have less than 5 hectares of eligible agricultural land in Wales but are a Cross Border farmer who relied on land in Wales and land outside Wales to meet the minimum 5 hectare claim size rule in 2020 you will remain eligible for 2024.

**Example:** If you had 3 hectares of eligible Welsh land and 2 hectares of eligible English land in 2020 and you have 3 hectares of eligible Welsh land in 2024 you will still be eligible to claim BPS in Wales in 2024.

**Example:** If you had 7 hectares of eligible Welsh land and 4 hectares of eligible English land in 2020 and you have 2 hectares of Welsh land in 2024 you will not be eligible to claim BPS in Wales in 2024.

## SECTION C: RURAL INVESTMENT SCHEMES

### Section C: Rural Investment Schemes

#### C1 Introduction

**C1.2** Under domestic Rural Development legislation a set of Rural Investment Schemes have been developed to support the transition to the Sustainable Farming Scheme. These schemes are financed by the Welsh Government. Further information in relation to all schemes is available on the [Welsh Government website](#).

#### C2 Rural Investment Schemes claimed annually on the SAF

**C2.1** The following schemes must be claimed annually on the SAF:

- **Habitat Wales Scheme (HWS)** – a 1 year interim area based agri-environment scheme which aims to protect and maintain habitat land prior to the introduction of the Sustainable Farming Scheme.

**Please note:** Habitat Wales Scheme – Commons is **not** claimed on the SAF 2024. A separate claim form is available via RPW Online for Grazing Associations to claim for the Habitat Wales Scheme – Commons.

- **Organic Conversion Scheme (OCS)** – an area-based support scheme for existing agriculture producers to convert from conventional to organic production. This is a 5 year contract with funding available to be claimed in the first 2 years.
- **Organic Support (OS)** – Provides a payment per hectare for eligible land to existing organic producers who maintain full organic certification during 2024.
- **Woodland Creation Maintenance (WCM)** – a 12-year scheme intended to maintain new planting completed under the **Woodland Creation Grant** or **Small Grants – Woodland Creation**.
- **Woodland Creation Premium (WCP)** – a 12-year scheme intended to compensate for the loss of income for woodland established under the **Woodland Creation Grant** or **Small Grants – Woodland Creation**.

**C2.2** Further details can be obtained from the [Welsh Government website](#) and further updates will be published through the Gwlad e-newsletter.

#### C3 Requirements for claiming annual area payments on the SAF

**C3.1** This section covers claims for payment made on the SAF for the schemes listed at paragraph C2.

**C3.2** You should submit a SAF annually to claim schemes listed at paragraph C2.

**C3.3** You must declare all of your agricultural land in the Field Data section of your SAF. When declaring land within an Organic Conversion Scheme or Woodland Creation Grant/Small Grants – Woodland Creation contract you will need to refer to the land use codes provided in Annex 2 and/or Annex 3 of this booklet.

## SECTION C: RURAL INVESTMENT SCHEMES

**C3.4** Regulations governing the schemes require that all data is cross checked against the Welsh Government's Land Parcel Identification System (LPIS) and the information declared on all SAFs. Cross checks will be undertaken to ensure payments are made on the correct land area, there is no double funding and the land use classifications do not contradict the land use required as part of your Contract. Where appropriate you must refer to your Contract and maps to ensure appropriate areas and land use/crop codes are accurately declared on your SAF. Failure to provide sufficiently detailed information relating to individual parcels on your SAF may lead to a delay in payment being released while the claim is checked and may result in payments being reduced or penalties being applied (see Section G).

**C3.5** If the pre-populated crop/land use code on your SAF does not match the crop/land use code required to meet the terms of your contract you may need to amend the pre-populated crop/land use code, so it accurately reflects the land use as of 15 May.

### C4 Payments

**C4.1** You must claim your annual payment for the schemes listed at paragraph C2.1 of this booklet in the Claims section of your SAF, and for the Organic Conversion Scheme the Field Data section of your SAF, and submit by 15 May, or 10 June subject to late submission penalties. You are required to declare all of the land forming your agricultural holding and the relevant crop/land use codes for checking against your contract.

**C4.2** To be eligible for your annual management payment you must:

- submit a SAF annually declaring all your land
- claim payment on the SAF and submit it by 15 May (or 10 June 2024 subject to late submission penalties) in order to be paid against your Contract and/or Grant Award
- have full management responsibility and control over the land included in your Contract and/or Grant Award
- comply fully with the requirements of your Contract and/or Grant Award
- following the validation and verification of your claim(s) for Rural Investment Scheme(s) management payments will commence from 31 January 2025.

### Habitat Wales Scheme

Payments for the Habitat Wales Scheme payment will be calculated taking into account your SAF 2024 land declarations including areas where you have notified on the SAF you have been unable to comply with the management requirements, Habitat Wales Scheme grant award and any notifications made in respect of the land.

Any deductions to payments, and the order in which they will be applied are set out in Section G of this booklet. The net value of actual payments will be set out in the payment letter sent to you at the time payments are made.

## SECTION C: RURAL INVESTMENT SCHEMES

If the legal status for your business is anything other than sole trader, you will be required to complete the Habitat Wales Schedule 6 - Assurance Statement: Counter fraud and Governance on the SAF application to give assurance that reasonable and adequate governance and counter fraud procedures exists in the businesses funded.

### Organic Conversion Scheme

**C4.3** Payments for the Organic Conversion Scheme will be calculated based on the land areas claimed for payment on the SAF, entered into the Contract as detailed on the Contract Schedule which is valid on 15 May 2024 and any notifications made in respect of that land. If you claim land that is not eligible for payment, you may receive an over-declared penalty. Section G explains how over-declared penalties will be calculated.

**C4.4** Any deductions to payments and the order in which they will be applied are set out in Section G of this booklet. The net value of actual payments will be set out in the payment letter sent to you at the time payments are made. The letter will provide details of all reductions that have been applied.

**C4.5** To be eligible for Organic Conversion Scheme payment you must also:

- Ensure you meet the definition of a farmer and carry out an agricultural activity on your holding each year you are claiming payment.
- Have all land under Contract continuously certified with a recognised Organic Control Body (OCB) for the duration of the Contract. The land must not have entered into conversion prior to the start of the Contract.
- Maintain milk production for the duration of the contract and submit evidence with your claim if you have a dairy enterprise and you are claiming Payment Rate 3 Permanent and Temporary Grassland with a Dairy Enterprise.
- You must submit the following documentation by 31 December 2024:
  - Evidence of Agricultural Activity, if required
  - A copy of the latest OCB Certificate and Land Schedule.
- If you do not claim on a parcel of land under contract on your SAF, that field will be removed from the Organic Conversion Scheme contract and no payment will be made. Previous payments may also be recovered.

### Organic Support

**C4.6** Organic Support payments will be calculated on whole field parcels declared on your SAF, certified as fully organic with a recognised Organic Control Body (OCB) from 1 January 2024 to 31 December 2024. Your payment will be based on the land included in your latest OCB Land Schedule. The minimum claim size is 0.10 hectares.

## SECTION C: RURAL INVESTMENT SCHEMES

**C4.7** The payment rates will be based on the land use declared on your SAF 2024. The payment rates available for Organic Support are as follows:

<b>Payment rate</b>	<b>Description</b>	<b>Payment</b>
1	Horticulture	£300 / ha
2	Enclosed land	£45 / ha
3	Enclosed land with a dairy enterprise	£115 / ha
4	Land above the upper limit of enclosure and other specified land	£9 / ha

### **Payment rate definitions**

#### **Payment rate 1: horticulture**

Land used for horticultural production in 2024.

Horticultural crops to be sold.

Fodder crops are not eligible.

#### **Payment rate 2: enclosed land**

Grassland and arable fields.

#### **Payment rate 3: enclosed land with a dairy enterprise**

Predominantly grassland, both permanent and within a rotation.

The area of land eligible for payment rate 3 will be calculated based on the number of dairy animals on the holding using a standard livestock unit (LU) calculation. Animals declared on your SAF will be checked against EIDCymru and BCMS records.

### **Livestock units will be based on:**

<b>Livestock</b>	<b>Livestock Units (LU)</b>
Dairy cows (over 24 months)	1 LU
Dairy cow youngstock (6-24 months)	0.6 LU

## SECTION C: RURAL INVESTMENT SCHEMES

**Livestock units will be based on:**

<b>Livestock</b>	<b>Livestock Units (LU)</b>
Dairy goats (6 months or more)	0.16 LU
Dairy goats youngstock (less than 6 months)	0.04 LU
Dairy sheep (6 months or more)	0.11LU
Dairy sheep youngstock (less than 6 months)	0.04 LU

The maximum area supported under payment rate 3 will be calculated based on the number of organic dairy animals on the holding using a maximum stocking density of 1.3 LU / Ha. For example, a farm with 100 dairy LUs will be eligible for payment rate 3 on 76.9 ha (100 / 1.3), provided 76.9ha of eligible land is available. Where sufficient eligible land is not available, the payment will be capped to the area of eligible available land.

Any land in excess of the maximum available to a dairy enterprise will be paid at payment rate 2 or 4.

### **Payment rate 4: land above the upper limit of enclosure and other specified land**

Land above the upper limit of enclosure is defined as land above the agricultural enclosure and is characterised by its open nature and has received limited agricultural improvement. ([As identified on DataMapWales](#))

Other specified land includes:

- common land which is used for grazing and where you are the sole registered grazier (Sole Grazed Common Land)
- field parcels with 50% or more of the total field size made up of grazed blanket bog, coastal heath, lowland heath, and saltmarsh
- predominantly extensive upland livestock systems with low stocking densities

We will identify unenclosed upland and other specified land field parcels eligible for Payment Rate 4.

## SECTION C: RURAL INVESTMENT SCHEMES

**C4.8** Area of land that may be entered into Organic Support and maximum payment rate.

There is no upper limit to the area of land that can be submitted for Organic Support 2024. The maximum payment will be tapered according to the following:

Area	Payment
0 - 200 ha of eligible land	100% of the payment rate.
200 – 400 ha of eligible land	50% of payment rate
400 ha +	10% of payment rate

In reaching any payment threshold, the highest paying rate will be considered first, with tapering beginning on the lowest payment rate.

**C4.9** Where permanent ineligible features are introduced or identified on land included on an Organic schedule (e.g. woodland or buildings) this area will be ineligible for payment (see Annex 2).

**C4.10** Any deductions to payments and the order in which they will be applied are set out in Section G of this booklet. The net value of actual payments will be set out in the payment letter sent to you at the time payments are made. The letter will provide details of all reductions that have been applied.

**C4.11** To be eligible for an Organic Support payment you must:

- Ensure you meet the definition of a farmer and are carrying out the primary production of agricultural products. The primary production of agricultural products includes the following farming sectors; arable, beef, dairy, goats, horticulture, pigs, poultry, sheep, apiculture.
- Have 3 hectares of eligible agricultural land, or if you do not have 3ha of eligible agricultural land you are able to demonstrate you undertake over 550 standard labour hours annually.
- Not be an equine customer (including grazing horses), a forestry customer (including woodland only owners) or a group of farmers (including producer organisations).
- Maintain full management control of the land for the period 1 January 2024 – 31 December 2024. The criteria for management control can usually be met by the following:
  - an Owner Occupier of the land



## SECTION C: RURAL INVESTMENT SCHEMES

- a Tenant with a tenancy agreement under the Agricultural Tenancies Act 1995 Farm Business Tenancy or the Agricultural Holdings Act 1986
- a tenant with an unwritten tenancy with the same level of control as the above
- a Licensor

**C4.12** The following land is not eligible to receive Organic Support payment:

- Land that is not fully certified organic from 1 January 2024 – 31 December 2024
- Land in organic conversion
- Part land parcels
- Common land, where there are multiple registered graziers on the common
- Land used for non-agricultural activities.

**C4.13** You must submit the following documentation by 31 December 2024:

- The most recent OCB Certificate and Land schedule.
- For horticultural enterprises claiming payment rate 1, evidence of commercial sales of non-fodder organic horticultural produce from the holding. For example, sales receipts for vegetables.
- For diary enterprises claiming for payment rate 3, evidence milk is sold from the holding for the duration of the 2024 calendar year. For example, copy of a milk contract covering the 2024 calendar year. For those processing milk on the holding, you must provide confirmation and a written explanation evidencing how you sell your processed dairy products.
- Evidence of agricultural activity and primary production (if applicable).
- Evidence of carrying out over 550 standard labour hours annually (if applicable).

Failure to submit any required documentation by 31 December 2024 may result in the rejection of your Organic Support claim.

### **Woodland Creation Maintenance and Woodland Creation Premium**

**C4.14** Woodland Creation Maintenance and Woodland Creation Premium are annual area payments available following completion of new woodland planting under the Woodland Creation Grant or Small Grants – Woodland Creation scheme.

**C4.15** The annual maintenance is provided to maintain new planting and the annual premium payments provided as an income-forgone payment as a result of completing new planting. Both payments are available for 12 years.

## **SECTION C: RURAL INVESTMENT SCHEMES**

**C4.16** The first year's Woodland Creation Maintenance and Woodland Creation Premium cannot be claimed under the Woodland Creation Grant or Small Grants – Woodland Creation planting/fencing has been completed and claimed in the previous calendar year.

**C4.17** If you completed and claimed for new planting/fencing works after 31 December 2023 the first year's Woodland Creation Maintenance and Woodland Creation Premium payment cannot be claimed until 2025.

**C4.18** The Woodland Creation Maintenance and Woodland Creation Premium payments will be calculated annually taking into account your SAF land declarations, Contract and any notifications made.

**C4.19** Land taken out of production under a Woodland Creation Grant or Small Grants – Woodland Creation scheme commitment can only be used to support a BPS claim if the land has been successfully used to activate SPS payment entitlements in 2008. Such land can continue to be used to support your BPS claim while the land remains in an eligible afforestation commitment. Refer to paragraph B20 of this booklet for further information regarding BPS eligibility and Annex 2 Table 2.

**C4.20** To remain eligible for BPS you must use the appropriate crop/land use codes. For example, you should select BW1 for predominantly broadleaf woodland or CW1 for predominantly conifer woodland. For further information on BPS eligibility refer to Section B in this booklet.

### **C5 Notification of circumstances affecting your commitments**

**C5.1** You must notify the Welsh Government within 30 calendar days of any land changes and any circumstances affecting your commitment under the scheme, and any changes to your commitments included in your Contract and/or Grant Award. Failure to do this may result in a reduction or exclusion from payment. Failure to adhere to the time period will result in a scheme breach penalty. Notification of land changes must be made using 'Manage my Land' on your RPW Online account.

## **SECTION D: RURAL DEVELOPMENT WOODLAND CREATION SCHEMES**

### **Section D: Rural Development Woodland Creation Schemes**

#### **D1 Introduction**

**D1.1** The EU Welsh Government Rural Communities – Rural Development Programme for Wales 2014-2020 closed on 31 December 2023.

**D1.2** If you hold a **Glastir Woodland Creation** contract, depending on when the woodland was created you are required to maintain that woodland for 12 or 15 years.

Whilst the EU RDP 2014-2020 has closed, your Glastir Woodland Creation contract continues to operate in 2024 under Assimilated Law and is funded wholly by the Welsh Government.

#### **D2 Rural Development (RD) Woodland Creation Schemes claimed on the SAF**

**D2.1** Glastir Woodland Creation provided funding to establish woodland throughout Wales. Depending when new woodland was created, annual area payments can be claimed under:

- **Glastir Woodland Creation Premium (GWCP)** – a 15 year scheme intended to compensate for the loss of income for woodlands established since 2010
- **Glastir Woodland Creation Premium (GCP)** – a 12 year scheme intended to compensate for the loss of income for woodlands established since 2015
- **Glastir Woodland Creation Maintenance (GCM)** – a 12 year scheme intended to maintain new planting for woodlands established since 2015.

#### **D3 Notification of circumstances affecting your commitments under RD Woodland Creation Schemes**

**D3.1** You must notify the Welsh Government within 30 calendar days of any land changes and any circumstances affecting your commitment under the scheme, and any changes to your commitments included in your Contract. Failure to do this may result in a reduction or exclusion of aid. Failure to adhere to the time period will result in a scheme breach penalty. Notification must be made using 'Manage My Land' on your RPW Online account.

#### **D4 Requirements for claiming annual area payment on the SAF**

**D4.1** You should submit a SAF annually to claim schemes listed at paragraph D2.

**D4.2** You must declare all of your agricultural land in the Field Data section of your SAF. You must register new land by using 'Manage My Land' on your RPW Online account.

## **SECTION D: RURAL DEVELOPMENT WOODLAND CREATION SCHEMES**

**D4.3** Assimilated Law requires that all data is cross checked against the Welsh Government's Land Parcel Identification System (LPIS) and the information declared on all SAFs. Cross checks will be undertaken to ensure payments are made on the correct land area, there is no double funding and the land use classifications do not contradict the land use required as part of your Contract.. Failure to provide sufficiently detailed information relating to individual parcels on your SAF may lead to a delay in payment being released while the claim is checked, and may result in payments being reduced (see Section G) or penalties being applied.

**D4.4** If you hold a RD Woodland Creation scheme contract you must ensure you use the correct land use codes which are listed in Annex 3 of this booklet. Failure to declare land use codes compatible with Glastir management options may result in a payment reduction and/or penalties applied to your claim.

### **D5 Payment**

**D5.1** You must claim your annual management payment for the schemes listed at paragraph D2.1 of this booklet in the Claims section and the Field Data section of your SAF and submit it by 15 May, or 10 June subject to late submission penalties, in order to be paid against your RD Woodland Creation Contract. You are required to declare all of the land forming your agricultural holding and the relevant crop/land use codes for checking against your Contract.

**D5.2** To be eligible for your annual payment you must:

- submit a SAF annually declaring all your land (including common land grazing rights)
- claim payment on the SAF and submit it by 15 May (or 10 June 2024 subject to late submission penalties) in order to be paid against your Contract
- have full management responsibility and control over the land claimed
- comply fully with the requirements of your RD Woodland Creation scheme contract.

**D5.3** Payments will be calculated based on the land areas claimed for payment on the SAF, entered into the Contract as detailed in the Contract Schedule which is valid on 15 May 2024 and any notifications made in respect of that land. If you claim land that is not eligible for payment you may receive an over-declared penalty, Section G explains how over-declared penalties will be calculated.

**D5.4** Following the validation and verification of your claim RD Woodland Creation scheme annual management payments will commence from 31 January 2025.

**D5.5** Any deductions to payments, and the order in which they will be applied, are set out in Section G of this booklet. The net value of actual payments will be set out in the payment letter sent to you at the time they are made. The letter will provide details of all reductions that have been applied.

**D5.6** Land taken out of production under an RD Woodland Creation scheme commitment can only be used to support a BPS claim by the farmer/land manager if

## **SECTION D: RURAL DEVELOPMENT WOODLAND CREATION SCHEMES**

the land has been successfully used to activate SPS payment entitlements in 2008. Such land can continue to be used to support your BPS claim while the land remains in an eligible afforestation commitment. Refer to paragraph B20 of this booklet for further information regarding BPS eligibility and Annex 2 Table 2.

**D5.7** To remain eligible for BPS you must use the appropriate crop/land use codes. For example, you should select BW1 for predominantly broadleaf or CW1 for predominantly conifer. For further information on BPS eligibility refer to Section B in this booklet.

### **D6 Schemes not claimed on the SAF**

**D6.1** Schemes not claimed on the SAF are:

- Farm Woodland Scheme and Farm Woodland Premium schemes.

**D6.2** Your Contract will set out how you should claim your payment for these schemes using RPW Online.

## SECTION E: CROSS COMPLIANCE

### Section E: Cross Compliance

#### E1 Introduction

**E1.1** Cross Compliance is a regulatory requirement that must be followed in order to receive BPS, and payment for Rural Investment Schemes and the RD Woodland Creation Schemes claimed on the SAF.

**E1.2** You are responsible for ensuring you understand and meet the Cross Compliance requirements and standards, which are based on existing Assimilated Law and domestic legislation.

**E1.3** There are two elements to Cross Compliance:

- Statutory Management Requirements (SMRs), and
- Standards for keeping land in 'Good Agricultural and Environmental Condition' (GAEC).

**E1.4** These include detailed obligations under existing legislation farmers should be doing anyway, covering:

- environment, climate change and GAEC
- public health, animal health and plant health
- animal welfare.

#### E2 Cross Compliance application

**E2.1** Cross Compliance applies for the full calendar year to all agricultural areas on your holding and also to any non-agricultural areas supported under Rural Investment Schemes and RD Woodland Creation Schemes. This includes all land that is at your disposal on 15 May each year whether or not you use that land to activate BPS Entitlements. For example, if a shed on a holding is not up to standard, resulting in animal welfare issues, a Cross Compliance breach would be applied even though the area of the shed itself does not contribute to your BPS payments.

**E2.2** If you rent land in or out during the year, you will need to carefully consider the terms of the contractual agreement between yourself and the transferee/transferor. You should make sure your interests are protected in the event of a Cross Compliance breach that is directly attributable to either the farmer from whom or to whom the land was transferred.

**E2.3** Farmers claiming BPS are committing to keep the land compliant for the entire calendar year. In circumstances where land is rented between farmers claiming BPS, reductions and exclusions will be applied to the farmer to whom the non-compliance is directly attributable. Should the new occupier of the land not claim BPS in that scheme year (on any land) the original occupier who made the BPS claim for that year will continue to be the farmer liable for penalties should any breaches occur, even after the date the land was transferred.

## SECTION E: CROSS COMPLIANCE

**E2.4** For Rural Investment Schemes and RD Woodland Creation Schemes payment reductions and exclusions will continue to be applied to the farmer claiming payment. If you let or sell your land to other farmers who do not claim payment for part of the year, any breaches caused by them on that land will impact on your payment as it is your responsibility to meet the Cross Compliance standards.

**E2.5** In the case of non-compliance of the cattle and/or sheep/goats Identification and Registration Regulations, it is normally the keeper of the animals who would be liable for penalties arising from associated breaches. However, if you allow such livestock to graze your land you should ensure the keeper has properly registered them, including the need to inform BCMS for cattle, EID Cymru for sheep or the AML2 service for pigs, of the movement of animals onto and off your land. If you, or someone acting on your behalf or under your control, do not meet any of the Cross Compliance rules, we may reduce your payments for applications submitted in the calendar year the non-compliance was found.

**E2.6** If there is a breach of Cross Compliance anywhere on common land, the farmer or farmers responsible for the breach may have their payments reduced in whole or in part.

### **E3 Penalties as a result of a breach of Cross Compliance**

**E3.1** Refer to Section G in this booklet for further information of the calculation and application of Cross Compliance penalties. In addition, breaches of the SMRs may result in prosecution by the relevant specialist enforcement body.

### **E4 Cross Compliance information**

**E4.1** The Cross Compliance Farmers Factsheets provide farmers with the detailed Cross Compliance requirements. The Factsheets also include information in respect of what to expect at inspection, good practice guidance to help farmers carry out their farming practices in a compliant manner and useful contacts.

**E4.2** ['When the inspector calls'](#) guidance provides information in respect of what to expect at inspection and good practice guidance to help farmers carry out their farming practices in a compliant manner.

**E4.3** The Cross Compliance Farmers Factsheets, Cross Compliance Verifiable Standards and the Cross Compliance Payment Reduction Matrix can be found on the Welsh Government's website. For any additional queries you should contact the Customer Contact Centre.

**E4.4** You are responsible for ensuring you understand and meet the Cross Compliance requirements and standards..

**E4.5** The Gwlad e-newsletter will regularly highlight key messages, amendments and updates.

## SECTION E: CROSS COMPLIANCE

### E5 Table showing SMRs and GAECs

<b>Statutory Management Requirements (SMR)</b>	<b>Good Agricultural and Environmental Condition (GAEC)</b>
SMR 1: Water Protection	GAEC 1: Water – Establishment of Buffer Strips
SMR 2: Wild Birds	GAEC 2: Water – Use of Water for Irrigation
SMR 3: Conservation of Fauna and Flora (Biodiversity)	GAEC 3: Water – Groundwater
SMR 4: Food and Feed Law	GAEC 4: Soil and Carbon Stock – Minimum soil cover
SMR 5: Restrictions on the Use of Substances having Hormonal or Thyrostatic Action and Beta-Agonists in Farm Animals	GAEC 5: Soil and carbon stock – Minimum land management site specific conditions to limit erosion
SMR 6: Pig Identification and Registration	GAEC 6: Soil and Organic Matter – Maintenance
SMR 7: Cattle Identification and Registration	GAEC 7: Maintenance of Landscape Features
SMR 8: Sheep and Goat Identification	
SMR 9: Prevention, Control and Eradication of Transmissible Spongiform Encephalopathies (TSE)	
SMR 10: Restrictions on the Use of Plant Protection Products	
SMR 11: Welfare Standards for the Protection of Calves	
SMR 12: Welfare Standards for the Protection of Pigs	
SMR 13: Welfare Standards for the Protection of Animals Kept for Farming Purposes	



## SECTION F: BUSINESS STRUCTURE CHANGES AND LAND CHANGES

### Section F: Business Structure Changes and Land Changes

#### F1 Business details

**F1.1** To register your business details for the first time, you need to complete the [online registration form](#). Please refer to the [how to register guidance](#) for further details. The vast majority of changes to business details can be done online. However, Welsh Government may require further details on any major changes. Please contact the Customer Contact Centre for further information.

**F1.2** If you are involved in a number of farming businesses you should not assume the businesses, even if they are separate legal entities, such as a Limited Company or a partnership, will be treated as separate for the purposes of applying for agricultural funding. This is to ensure farmers are not artificially creating circumstances to receive payment.

**F1.3** Separate applications may be submitted for different businesses in which you are involved, but only if they are managed as separate businesses according to certain criteria. The Welsh Government will take into account:

- the legal status of the businesses
- the names and responsibilities of those involved (including percentage shareholdings if appropriate)
- how far operations are run separately on a practical day-to-day basis
- whether there are separate farm plans and accounts
- independence of decision-making between the separate farms, and
- where the overall economic control and benefit rests.

**F1.4** These factors are not necessarily conclusive by themselves and you may be asked to provide additional information such as partnership agreements, Certificate of Incorporation, Articles of Association and/or accounts. It is ultimately your responsibility to demonstrate to the Welsh Government's satisfaction the businesses are separate.

**F1.5** Farming businesses that merge or split will need to be assessed on a case by case basis as to their particular circumstances in relation to the agricultural funding applied for. Factors the Welsh Government will need to consider include:

- any arrangements for transfer/lease of entitlements
- the status of the business (i.e. whether new/continuing/separate).

**F1.6** Written details of any mergers/splits must be submitted, using your RPW Online account or by sending them to the Customer Contact Centre, to be assessed.

## **SECTION F: BUSINESS STRUCTURE CHANGES AND LAND CHANGES**

### **F2 Updating your records**

**F2.1** You are reminded to notify the Welsh Government of any changes to your business details. The Welsh Government need changes, such as a partner joining or leaving the business, i.e. a change to the business structure, notified in writing and signed by all partners. Amendments to incorrect details pre-populated on forms or printed on correspondence, e.g. incorrect phone number or misspelling of names or addresses, can be notified in writing to the Customer Contact Centre or by using your RPW Online account, but need not be signed by all partners. It is your responsibility to ensure the records held for your farming business are kept up to date and accurate. This includes your language preference (Welsh or English) for correspondence.

### **F3 Use of National Insurance Numbers (NINos)**

**F3.1** We require National Insurance (NI) numbers for all members of a farming business to enable validation of potential dual claims to ensure they are treated appropriately and to help validate young and new farmers.

**F3.2** New claimants can add their NI number during the online registration process. If you are not sure how to find your NI number you should contact: [National Insurance website](#) or call:

National Insurance Registrations Helpline  
Telephone: 0300 200 3500  
Textphone: 0300 200 3519

### **F4 Payments**

**F4.1** All scheme payments must be made by BACS. If you change your bank details you must inform the Welsh Government so payments can be made direct into your new bank/building society account and you should do so without delay to avoid payment delays.

### **F5 Land changes**

**F5.1** You must inform the Welsh Government of changes to land parcels and any land transfers within 30 days of the change(s) taking place. Where the 30 day deadline is not met, you must notify the Welsh Government of changes to your land at the earliest possible opportunity.

**F5.2** Please complete a 'Manage My Land' submission, using your RPW Online account, to:

- register land parcels
- add, delete or change permanent features
- notify us of land transfers (i.e. purchases / sales / rentals)

## **SECTION F: BUSINESS STRUCTURE CHANGES AND LAND CHANGES**

- change rental end dates
- notify us of boundary changes (merges / splits / moving boundaries).

Full guidance on how to use 'Manage My Land' is available on the [Welsh Government website](#).

**F5.3** Farmers with Rural Investment Scheme or RD Woodland Creation Scheme, a contract and/or Grant Award are all reminded a scheme breach penalty will be applied where the 30 day deadline is not adhered to.

### **F6 Changes to land that require new field numbers**

**F6.1** Applications for new field numbers must be made on a 'Manage My Land' submission on RPW Online.

**F6.2** Fields which fall into one of the categories listed below may need new field numbers:

- fields not previously registered for IACS purposes
- fields which have been permanently split
- fields which have been permanently amalgamated
- fields which have new boundaries.

**F6.3** 'Manage My Land' will provide you with the field number(s) for these changes, which you should also use when completing your SAF. This means you will need to add the new field number(s) in the Field Data section of your SAF and remove any field number(s) that no longer exist.

Please check you have not claimed under both the old (if no longer used) and new field numbers as this could incur financial penalties. Remember to add the new field numbers in the Field Data section on the SAF and also click 'Remove' for all the old field numbers if no longer used.

**F6.4** You do not need to notify the Welsh Government where a field has been divided on a temporary basis either between two or more crops or two or more applicants. These should be shown on your SAF using separate lines for each area of the field if they are still at your disposal on 15 May.

**F6.5** Buildings and yard areas may only be split if an obstructing boundary is in place and both areas have a separate access route. If there is no obstructing boundary and separate access route you must not split the existing land parcel.

### **F7 Unregistered land**

**F7.1** If you intend to declare unregistered land on your SAF, you must submit a 'Manage My Land' submission within 30 days of acquiring the land.

## **SECTION F: BUSINESS STRUCTURE CHANGES AND LAND CHANGES**

**F7.2** You will also need to supply proof of ownership or right of occupation when registering new land. If you own the land you are registering you must submit the following;

- **Title Deeds** or
- **Copy of Register of Title.**

These documents **must** include the associated map.

If you are the tenant or grazier of the land you must submit either a letter from the owner confirming they have authorised the use of the specific land by you for agricultural purposes, including dates, or a tenancy agreement signed by both parties. Any other evidence will not be considered appropriate and will be rejected.

**F7.3 Please note** you do not need to register land that has already been registered with the Welsh Government. 'Manage My Land' will show whether or not the land has already been registered.

### **F8 Transfer of land**

**F8.1** If you are selling, buying or renting out/renting in land that will be at your disposal on 15 May, you must notify RPW within 30 days of the transfer taking place. You must do so on a 'Manage My Land' submission on RPW Online.

You will also need to supply proof of ownership or right of occupation when registering or transferring in new land. If you own the land you are registering you must submit the following;

- **Title Deeds** or
- **Copy of Register of Title.**

These documents **must** include the associated map.

If you are the tenant or grazier of the land you must submit either a letter from the owner confirming they have authorised the use of the specific land by you for agricultural purposes, including dates, or a tenancy agreement signed by both parties. Any other evidence will not be considered appropriate and will be rejected.

### **F9 Location of land**

**F9.1** The Welsh Government is required to allocate CPH Numbers which identify the location of all blocks of land.

### **F10 Mapping updates of the agricultural land in Wales**

**F10.1** RPW is continuously updating its mapping database using the latest MasterMap information provided by Ordnance Survey.

**F10.2** This may have resulted in changes to the land parcels on your holding, such as alterations to field boundaries and/or areas of permanent features, such as buildings, roads, rivers and ponds. We will inform you of any changes that impact on your claim as part of the SAF validation process.

## SECTION F: BUSINESS STRUCTURE CHANGES AND LAND CHANGES

**F10.3 It is very important you check the Field Data section of your SAF 2024 to ensure it is fully completed.** You should also check to ensure any changes resulting from a land inspection undertaken during 2023 (details are contained within the IACS 7A), or changes as a result of an appeal, have been made to your SAF.

### F11 Sketch maps

**F11.1** RPW is required to map certain areas within field parcels. The SAF will prompt you to complete an electronic sketch map where this is required as a part of your application. If you are completing a 'Manage My Land' submission, please refer to the 'How to use Manage My Land' booklet on the [Welsh Government website](#) for further guidance.

The SAF may prompt for an electronic sketch map to be completed where:

- two distinct crop codes have pre-populated where one of the crop codes is either BW1, CW1, GC1, GC2, GC3, GR9, GS1, GS2, HE6, RE3, SC2 and if the area declared for one of these crop codes is different to the area pre-populated. For example GR2 & SC2 have been declared but the area declared for SC2 has been changed from the area pre-populated
- the crops are ineligible for certain schemes, e.g. part of the parcel contains SC3 – Streamside Corridor – not eligible for BPS and the remainder contains GR2 – Permanent Grassland (eligible for BPS)
- there has been a change to an existing pond eligible for BPS (PD1) or you are declaring a new pond eligible for BPS in a parcel
- there has been a change to an existing Permanent Feature or you are declaring a new Permanent Feature in a parcel, as below:

ZZ10 – Woodland – coniferous – group

YY14 – Woodland – coniferous – scattered (trees > 100/Ha)

ZZ11 – Woodland – broadleaf – group

YY15 – Woodland – broadleaf – scattered (trees > 100/Ha)

YY16 – Woodland – trunks and stumps

ZZ20 – Bracken – group

YY21 – Bracken – scattered

ZZ22 – Scrub/gorse/briar – group

YY23 – Scrub/gorse/briar – scattered

ZZ40 – Scree/rock outcrops/boulders sand group

## SECTION F: BUSINESS STRUCTURE CHANGES AND LAND CHANGES

- YY41 – Scree/rock outcrops/boulders/sand – scattered
- ZZ30 – Ponds – ineligible
- ZZ31 – Rivers and streams
- TR2 – Stock excluded – woodland – coniferous (including Christmas trees)
- WS1 – Stock excluded – woodland – broadleaf
- NO1 – Non-agricultural activities
- ZZ89 – Buildings/yards
- ZZ92 – Hardstandings
- ZZ94 – Roads
- ZZ97 – Tracks – ungrazed

Under some circumstances, land parcels that have been subject to 2023 Land Inspection cases may ask for a sketch map to be completed. If the land declaration matches the 2023 Land Inspection and no changes have been made to the parcel since the inspection was carried out, you can enter a tick in the 'Change due to inspection' box on the land parcel in the Field Data section. By ticking this box, you will not be required to submit a sketch map for the parcel. We will use the 2023 Inspection details. If anything has changed on the parcel since the inspection was carried out i.e. any changes made to permanent features, etc then you will need to provide a sketch map and the 'Change due to inspection' box should not be ticked.

If there have been any boundary changes since the inspection was carried out, a Manage My Land submission will need to be completed. This can be done by using your RPW Online account, if you have not already done so.

### F12 Land Tenure Details

**F12.1** We are carrying out a review and updating the tenure details for all land parcels we hold. You **must** check the pre-populated tenure details, including rental dates where applicable for your land parcels and amend where necessary on the 'Field Data' section. Please note, BPS eligibility remains unchanged, therefore, to claim BPS you must retain management control of all fields claimed on the 15<sup>th</sup> May.

We have added a new Tenure Type 'D – Grazing Licence' which you should use if you hold a grazing licence and you are the licensee.

## SECTION G: REDUCTION, EXCLUSION AND CORRECTION OF ERRORS

### Section G: Reduction, Exclusion and Correction of Errors

#### G1 Introduction

**G1.1** If your SAF and/or supporting documentation is received late or is found to be inaccurate, or where you do not meet the requirements of the schemes, reductions and exclusions will be applied according to scheme regulations.

#### G2 Late applications for payment

**G2.1** The SAF can be accepted up to 25 calendar days after the closing date of 15 May 2024 i.e. by midnight on the 10 June 2024. The regulations require that SAF's received by the Welsh Government more than 25 calendar days late (i.e. after 10 June 2024) cannot be accepted. This rejection will apply to all schemes claimed on the SAF.

**G2.2** Except in cases of Force Majeure or Exceptional Circumstances, if you submit your SAF after the 15 May 2024 deadline, this will result in your scheme payments being reduced by 1% per working day for each day late during the 25 calendar day period up to and including 10 June 2024.

#### G3 Late applications for the allocation of BPS Entitlements from the National Reserve

**G3.1** Where the SAF also includes the application for the allocation of BPS Entitlements from the National Reserve an additional 3% per working day will be applied to the BPS payment, for each day late during the 25 calendar days period. National Reserve applications received after this period will not be allocated BPS Entitlements.

#### Examples:

- A SAF which includes the application for the allocation of BPS Entitlements received on 25 May 2024 is 10 calendar days / 7 working days late and results in:
  - a 1% per working day reduction in the value of a farmer's scheme payment (including BPS) =7%.
  - a 3% per working day reduction in the value of a farmers BPS payment = 21%.
- A SAF received on 11 June is outside the SAF window. The claim must be totally rejected.

#### G4 Late supporting documentation

**G4.1** All supporting documentary evidence for BPS **must** be received by 31 December 2024. No payment (including BPS Advance Payment) will be made until evidence you are carrying out an agricultural activity in 2024 has been received (if required). If no evidence is submitted by 31 December 2024 your

## SECTION G: REDUCTION, EXCLUSION AND CORRECTION OF ERRORS

claim will be rejected.

**G4.2** All supporting documentary evidence for Rural Investment Schemes, specifically the Organic Conversion Scheme and Organic Support, **must** be received by 31 December 2024. Any documentation received after this date will not be considered and scheme payments may be affected.

### **G5 Failure to declare all the agricultural land / areas on the holding**

**G5.1** Failure to declare all the agricultural land/areas over which you have management control on your SAF (including all owned and rented in land) and not just on which you are claiming BPS, Rural Investment Scheme or RD Woodland Creation Schemes payments e.g. woodland/forestry, tracks, yards, hardstanding's, etc.), may result in your payments being reduced.

**G5.2** Where there is a difference between the area declared on the SAF and the total agricultural land/areas on the holding that should have been declared, reductions in payments of the schemes will apply as follows:

<b>Difference</b>	<b>Reduction</b>
up to 3%	no reduction in payment
more than 3% and up to 20%	1% reduction in payment
more than 20% and up to 50%	2% reduction
more than 50%	3% reduction

### **G6 Discrepancies in respect of areas declared for BPS, Rural Investment Schemes and RD Woodland Creation Schemes**

**G6.1** Where the actual area of a crop group on the ground is determined to be greater than that declared on the SAF, the area declared on the SAF will be used for calculating payments.

**G6.2** The crop groups are:

- areas declared for the purposes of activation of payment entitlements under the BPS, Redistributive and Young Farmer payment
- areas established in respect of land receiving the same rate of aid, for all Rural Investment Schemes
- areas established in respect of land receiving the same rate of aid for RD Woodland Creation Schemes.

**G6.3** Areas declared on the SAF 2024 against which you have claimed BPS and RD Woodland Creation Schemes, and the Organic Conversion Scheme will be used to calculate your payments for these schemes. **There is no requirement to claim payment against individual fields for the Habitat Wales Scheme, Organic Support, Woodland Creation Maintenance and Woodland Creation Premium.** Your claim will be based on the parcels of land included in your contract, grant award or in the case of Organic Support, your OCB Certificate and Land Schedule.



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**G6.4** For BPS it may be possible to offset over declaration in respect of one land parcel against under declaration of another, but only following inspection.

**G6.5** Where the determined area for a crop group is less than that declared on the SAF, payment will be calculated on the basis of the lesser area. However, where the difference in the area declared for all crop groups is determined to be less than 0.10 hectares payment will be based on the area declared.

### **G7 Discrepancies within crop groups**

#### **BPS Over-Declared Penalties**

**G7.1** Where the difference between the eligible area declared and area determined for a crop group is more than either 3% or 2 hectares of the determined area, the area eligible for payment will be reduced by 1.5 times the difference found.

**G7.2** The penalty will not exceed 100% of the amounts based on the area declared.

#### **Examples:**

- BPS eligible area is declared as 100 hectares but is determined to be 98.5 hectares. No reduction will apply since the difference is not more than 3% or 2 hectares, but BPS payment will be based on 98.5 hectares
- BPS eligible area is declared as 100 hectares but is determined to be 90 hectares. Since the difference is 10 hectares, the BPS payment will be made on 75 hectares, which is 90 hectares minus 15 hectares (10 hectares x 1.5).

**G7.3** However, where the difference between the area declared and area determined for a crop group is more than either 3% or 2 hectares, but no more than 10% of the determined area, the penalty applied will be calculated (as described above) and will be reduced by 50%. This will apply separately for each of the Schemes - BPS, Redistributive and Young Farmer.

#### **Example:**

- BPS eligible area is declared as 100 hectares but is determined to be 88 hectares. As the over-declared area is more than 10%, the over declared cannot be halved. The BPS payment will be made on 70 hectares, which is 88 hectares minus 18 hectares (12 hectares x 1.5)
- BPS eligible area is declared as 200 hectares but is determined to be 190 hectares. The penalty is calculated as 10 hectares x 1.5 = 15 hectares. As the over declared area is less than 10%, the BPS penalty of 15 hectares will be halved. The BPS payment will be made on 190 hectares – 7.5 hectares = 182.5 hectares.

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### **G8 Rural Investment Schemes and RD Woodland Creation Schemes**

**G8.1** Where the difference between the eligible area declared and area determined for a crop group is more than either 3% or 2 hectares of the determined area, the area eligible for payment will be reduced by 1.5 times the difference found.

**G8.2** The penalty will not exceed 100% of the amounts based on the area declared.

#### **Examples:**

- Organic Conversion Scheme eligible area is declared as 100 hectares but is determined to be 98.5 hectares. No reduction will apply since the difference is not more than 3% or 2 hectares, but payment will be based on 98.5 hectares
- Organic Conversion Scheme eligible area is declared as 100 hectares but is determined to be 90 hectares. Since the difference is 10 hectares, the payment will be made on 75 hectares, which is 90 hectares minus 15 hectares (10 hectares x 1.5).

**G8.3** However, where the difference between the area declared and area determined for a crop group is more than either 3% or 2 hectares, but no more than 10% of the determined area, the penalty applied will be calculated (as described above) and will be reduced by 50%.

#### **Examples:**

- Organic Conversion Scheme eligible area is declared as 100 hectares but is determined to be 88 hectares. As the over-declared area is more than 10%, the over declared cannot be halved. The payment will be made on 70 hectares, which is 88 hectares minus 18 hectares (12 hectares x 1.5)
- Organic Conversion Scheme eligible area is declared as 200 hectares but is determined to be 190 hectares. The penalty is calculated as 10 hectares x 1.5 = 15 hectares. As the over declared area is less than 10%, the penalty of 15 hectares will be halved. The payment will be made on 190 hectares – 7.5 hectares = 182.5 hectares.

### **G9 Young Farmer Payment: Breaches of scheme eligibility criteria**

**G9.1** Penalties should be applied if you breach the eligibility criteria for the scheme. Breaches may be identified from administrative checks or on-the-spot inspections, and you will be notified in writing if breaches are found.

**G9.2** Young Farmer payments will not be paid or will be recovered in full if the applicant does not meet or is found to not meet the qualifying conditions as set out in paragraphs B45 – B48 of this booklet.

**G9.3** If it is found false evidence has been provided to prove eligibility, as well as not being paid the Young Farmer payment an additional penalty, corresponding to 20% of what the Young Farmer payment would have been paid, shall be recovered from payments in the next calendar year. If the full amount cannot be taken from the payments in the next calendar year, the remainder will be deducted from payments

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made in the following two years, as necessary. Reductions required in the three years following the over-declaration can be taken from BPS payments, Rural Investment Scheme or RD Woodland Creation Schemes payment.

### **G10 Rural Investment Schemes and RD Woodland Creation Schemes: Breaches of scheme criteria**

**G10.1** Assimilated Law and domestic regulations state penalties should be applied if you breach the eligibility criteria for the schemes. Breaches may be identified from administrative checks or on-the-spot inspections, and you will be notified in writing if breaches are found.

**G10.2** Any reductions or exclusions will be based on the severity, extent, duration and recurrence of the breach. The reductions and exclusions will be applied to previous years' payments under certain circumstances. In significantly serious circumstances this could mean the Contract is terminated and may result in you being barred from entering another Rural Investment Scheme for up to two years.

**G10.3** The Welsh Government assesses breaches against verifiable standards relating to the scheme eligibility criteria. A matrix is used to determine the level of penalty to be applied. You can view the verifiable standards and the penalty matrices on the [Welsh Government website](#).

**G10.4** If you claim for non area related payments, e.g. capital works, and the Welsh Government determine part or all of the costs claimed are ineligible, no payment will be made for the ineligible costs. If the amount of ineligible costs is determined to be more than 10% of the eligible costs, an amount equivalent to the value of ineligible costs will be deducted from your payment.

**G10.5** Where false claims are made, or the farmer fails to provide the necessary information, this will result in the exclusion of payments in the year of the finding and any amounts already paid in that year will be recovered. In addition, you may be excluded from receiving support under Rural Investment Schemes in both the year of the finding and in the following calendar year.

**Example:** a farmer claims £110 of capital works and £13.20 is determined to be ineligible. The claim will be reduced by the value of the ineligible amount (£13.20) and a penalty of the equivalent amount (£13.20) will be applied. The farmer's original claim will be reduced by £26.40, resulting in a payment of £83.60.

### **G11 Reductions relating to Cross Compliance requirements**

**G11.1** Regulations state penalties should be applied if the standards and requirements for Cross Compliance are breached. Breaches may be identified from administrative checks or on-the-spot inspections, and you will be notified in writing if breaches are found.

**G11.2** If you fail to meet the SMRs or GAEC requirements, whether negligently or intentionally, you could lose some or all of your BPS, land based Rural Investment Scheme or RD Woodland Creation Scheme payments. In determining these reductions and exclusions, account will be taken of the extent, severity, duration and reoccurrence of the non-compliance and to whom the non-compliance is directly

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attributable.

**G11.3** In the case of non-compliance of the cattle and/or sheep/goats Identification and Registration Regulations, it is normally the keeper of the animals who would be liable for penalties arising from associated breaches. However, if you allow such livestock to graze your land you should ensure the keeper has properly registered them, including the need to inform BCMS, EID Cymru or the AML2 service of the movement of animals onto and off your land.

**G11.4** If you are claiming payments under any schemes subject to Cross Compliance in 2024, you are responsible for meeting the full Cross Compliance requirements for the full calendar year. In circumstances where land is transferred between farmers claiming BPS, reductions and exclusions will be applied to whom the non-compliance is directly attributable, however for Rural Investment Scheme and RD Woodland Creation Schemes payments, reductions and exclusions will continue to be applied to the farmer claiming payment. If you let or sell your land to other farmers for part of the year who do not claim payment, any breaches caused by them on that land will impact on your payment claims as it is your responsibility to meet the Cross Compliance standards for the calendar year. In addition, breaches of the SMRs may result in prosecution by the relevant specialist enforcement body.

**G11.5** You should note the Cross Compliance requirements apply for the full calendar year.

**G11.6** If you transfer land in or out during the year you will need to consider carefully the terms of any Contractual agreement between yourselves and the transferee/transferor. You should make sure your interests are protected in the event of a Cross Compliance breach that is directly attributable to either the farmer from whom or to whom the land was transferred.

**G11.7** You should be informed of any determined non-compliance within three months of the date of the inspection. For overdue TB tests this will be within three months of the Animal and Plant Health Agency notifying Welsh Government a TB test has gone overdue, not the date the TB test was due.

## **G12 INTENT**

### **Negligence**

**G12.1** If you fail to comply with Cross Compliance requirements through negligence, you will have the total amount of direct payments you receive reduced in respect of the calendar year in which the non-compliance is found. The reduction will generally be 3% of the total payment due, but this could be reduced to 0% or increased to 5% depending on the nature of the breach.

**G12.2** If you fail to comply with more than one requirement within the same Cross Compliance area (e.g. within public, animal and plant health), you will have the failures treated as one non-compliance.

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**G12.3** There are three areas of Cross Compliance:

- Environment, climate change and good Agricultural condition of the land (SMR 1-3 and GAEC 1-7)
- Public health, animal health and plant health (SMR 4-10)
- Animal welfare (SMR 11-13).

**G12.4** If you fail to comply with the requirements or standards in different areas of Cross Compliance you will have reductions applied separately to each non-compliance. The percentage reductions will be added together but the maximum reduction will be 5% of the overall payment where breaches have not reoccurred or been applied as intentional breaches. A table of the Cross Compliance Factsheets can be found at Section E of this booklet.

**G12.5** Where a non-compliance of the same requirement or standard reoccurs within a three-year period, the reduction calculated for the repeated non-compliance will be increased by a multiplier of 3, provided you were informed of the earlier non-compliance, and you had the opportunity to remedy the breach. If there are further reoccurrences of the non-compliance, the reduction fixed as a result of the previous non-compliance will continue to be multiplied by 3 up to a maximum of 15% at which point the negligent penalty will be capped.

**G12.6** Once a negligent breach penalty has reached the capped threshold of 15%, if you again fail to comply with the same standard or requirement within a three-year period, you will be treated as having intentionally failed to comply. The percentage reduction to be applied will be calculated by taking the previous negligent penalty before being capped to 15% and multiplying by 3. The rules for intentional non-compliance will now be applied for any further repeated breaches of the same standard. Intentional breaches attract a significantly higher penalty.

### **Intentional non-compliance**

**G12.7** If you intentionally fail to comply, you will generally have your overall payments reduced by 20% but this could be reduced to 15% or increased to 100% depending on the importance of the breach measured by extent, severity, permanence and reoccurrence.

**G12.8** Where an intentional non-compliance relates to a particular scheme, you will be excluded from that scheme for the current calendar year.

### **G13 Penalty assessment**

**G13.1** The Welsh Government assesses Cross Compliance breaches against verifiable standards. A matrix is used to determine the level of penalty to be applied. You can view both the verifiable standards and the penalty matrix on the Welsh Government website.

## **SECTION G: REDUCTION, EXCLUSION AND CORRECTION OF ERRORS**

### **G14 Accumulation of reductions**

**G14.1** For the BPS, reductions to payments will be applied where applicable to that part of the payment. Different deductions apply to the BPS payment payable from Entitlement, Redistributive Payment and the Young Farmer payment. Therefore, they are detailed separately. The deductions will be made in the order below and each successive reduction will be based on the amount resulting from the previous reduction:

#### **BPS (payable from entitlements)**

- over-declared
- late submission of SAF, and application for BPS Entitlements and late supporting documentation
- non declaration of area
- capping, linear reductions in order to respect the BPS budget
- Cross Compliance.

#### **Redistributive Payment**

- over-declared
- late submission of SAF and late supporting documentation
- non declaration of areas
- linear reductions in order to respect the BPS budget
- Cross Compliance.

#### **Young Farmer payment**

- over-declared and Young Farmer penalty
- late submission of SAF and late supporting documentation
- non declaration of areas
- linear reduction to respect payment ceiling
- linear reductions in order to respect the BPS budget
- Cross Compliance.

**G14.2** For Rural Investment Schemes and RD Woodland Creation Schemes, reductions to payments will be made in the following order and each successive reduction will be based on the amount resulting from the previous reduction:

## SECTION G: REDUCTION, EXCLUSION AND CORRECTION OF ERRORS

- over-declared
- breach of scheme eligibility criteria
- late submission
- non declaration of area
- Cross Compliance.

### **G15 Circumstances under which reductions and exclusions may not apply**

**G15.1** The Welsh Government may accept a farmer was prevented from fulfilling certain obligations due to a course of events amounting to either Force Majeure or Exceptional Circumstances. If so, the farmer will retain their right to aid in respect of the area at the time when the case of Force Majeure or the Exceptional Circumstance occurred, and penalties and recoveries may not be applied. Force Majeure is defined as unusual circumstances, outside a farmer's control, the consequences of which, in spite of all due care, could not be avoided except at the cost of excessive sacrifice on their part. Examples of Force Majeure and Exceptional Circumstances which may be recognised include:

- the death of the farmer/land manager
- long term professional incapacity of the farmer/land manager
- a severe natural disaster gravely affecting the holding
- the accidental destruction of livestock buildings on the holding
- an epizootic or a plant disease affecting part or all of the farmer/land manager's livestock or crops respectively
- expropriation of all or a large part of the holding, if that expropriation could not have been anticipated on the day of lodging the application.

**G15.2** Application for Force Majeure or Exceptional Circumstance must be made in writing to the Welsh Government within 15 working days of you, or someone entitled on your behalf, being in a position to do so. Each notification will be carefully considered on a case-by-case basis. For the Welsh Government to consider whether the event in question can be accepted as Force Majeure or Exceptional Circumstances, conclusive proof must be provided that the event has occurred. You should therefore ensure your application contains all relevant evidence to support your case, which you should submit using your RPW Online account or by sending it to the Customer Contact Centre.

## **SECTION G: REDUCTION, EXCLUSION AND CORRECTION OF ERRORS**

**G15.3** For BPS, Force Majeure and Exceptional Circumstances are available in respect of:

- late submission of application
- the right to aid in respect of eligible areas declared on the SAF but no longer available to you
- not meeting the BPS requirement for having land at your disposal/control on 15 May 2024
- first allocation of BPS Entitlements, including any years used to calculate the value of BPS Entitlements
- non-use of BPS payment entitlements
- inability to comply with Cross Compliance obligations
- not meeting the BPS requirement for the land to comply with the eligibility condition throughout the calendar year.

**G15.4** For Rural Investment Schemes and RD Woodland Creation Schemes Force Majeure and Exceptional Circumstances may be available in respect of:

- late submission of application
- the right to aid in respect of eligible areas declared on the SAF but no longer available to you because of the Force Majeure/Exceptional Circumstances event
- inability to comply with Cross Compliance
- the requirement for the partial or full reimbursement of aid paid
- administrative penalties.

### **G16 Obvious error**

**G16.1** The Welsh Government operates this provision as set out in article 4 of Commission Implementing Regulation 809/2014 (as retained and amended in domestic law) and may only recognise errors that can be straightforwardly identified at a clerical check of the information given in the aid applications, applications for support, payment claims or supporting documentation.

**G16.2** As a general rule, an obvious error has to be detected from information given in the SAF submitted, i.e. where an administrative check on the coherence of the documents and the information submitted to support the claims (especially the application form, supporting documents, declarations, etc.) reveal such errors.



## **SECTION G: REDUCTION, EXCLUSION AND CORRECTION OF ERRORS**

### **G17 Amendments and additions**

**G17.1** Provided your SAF is submitted by midnight on 15 May 2024, you can make amendments to your SAF without penalty up to and including 31 May 2024 to:

- add agricultural parcels of land that were at your disposal/control on the 15 May 2024
- change the use of land parcels, and/or
- change the schemes claimed on individual parcels of land.

**G17.2** Amendments received after 31 May 2024 will receive a late submission penalty of 1% per working day in respect of the parcels of land subject to the amendment. No amendments will be accepted after 10 June 2024.

**G17.3** However, if you have already been notified of an error in your SAF, or if you have been notified of an inspection which subsequently reveals errors, you cannot rectify the error or amend details of the parcels of land concerned.

### **G18 Notified error**

**G18.1** You may notify the Welsh Government in writing at any time that part of your SAF is incorrect or has become incorrect since it was lodged. The information you give will be used to amend your application without applying reduction to payments; although this provision is not available to increase a claim. You may not however correct such errors if you have been notified by the Welsh Government of the error in your SAF, or notified of an inspection which subsequently reveals an irregularity. An example would be notification of a field declared for the BPS, which had not been at your disposal/control on 15 May 2024.

**G18.2** The notified error provision is available for Rural Investment Schemes and RD Woodland Creation Schemes. An example would be notification of a field declared for the Habitat Wales Scheme, which is no longer under your management control.

**G18.3** If you discover an error or omission in respect of information entered on the Cattle Tracing System for your cattle, you should notify BCMS of the error immediately. You may avoid Cross Compliance penalties if the central livestock movement databases are corrected before any Cross Compliance inspection begins or you meet the requirements for notified error.

### **G19 Withdrawal**

**G19.1** You can withdraw all or part of your SAF at any time without penalty, except where you have been notified of errors, or have been notified of an inspection.

**G19.2** Your application to withdraw must be made either via your RPW Online account or in writing to the Customer Contact Centre. If you withdraw your SAF, you have the opportunity to submit another application within the submission period. Any payments made in relation to the withdrawal will be recovered, with interest.

## SECTION H: INSPECTIONS

### Section H: Inspections

#### H1 Inspections

**H1.1** A percentage of farmers must be inspected each year to ensure the scheme rules are being met. This includes BPS, Young Farmer, Redistributive Payment, Rural Investment Schemes, RD Woodland Creation Schemes and Cross Compliance, in addition to other inspections carried out by other Government Departments or Farm Assurance Schemes.

**H1.2** Where it is discovered there has been a breach of the rules, financial penalties may be applied to any BPS, Young Farmer, Redistributive payments and Rural Investment or RD Woodland Creation Schemes land based scheme payments you receive.

#### H2 What are they?

**H2.1** RPW must carry out on the spot controls (OTSC) inspections each year to confirm regulatory requirements and scheme conditions are being met. These inspections are carried out by Rural Inspectorate for Wales (RIW) and other Competent Control Authorities (CCA).

**H2.2** The legislation sets out the minimum number of inspections to be carried out each year, and they are selected by an automated combined risk and random assessment process.

**H2.3** The minimum percentage of inspections to be carried out is:

- BPS (including Young Farmer and Redistributive Payment) – 1% of all beneficiaries
- Rural Investment Schemes – 5% of all beneficiaries
- RD Woodland Creation Schemes – 5% of all beneficiaries.
- Cattle Identification – 3% of keepers/beneficiaries
- Sheep and Goat Identification – 3% of keepers/beneficiaries
- Cross Compliance – 1% of all beneficiaries.

**H2.4** These minimum percentages may need to be increased in the current year or following calendar year if the level of errors found during inspections exceeds levels permitted in the regulations. Additional inspections may also be undertaken as a result of a referral from a member of the public or other organisations.

**H2.5** Notice of an inspection is strictly limited, with precise timings provided in regulations. Broadly, inspections are to be unannounced, although in exceptional cases it is acceptable to allow up to 48 hours' notice. Generally, one inspector will carry out the inspection, but colleagues or auditors (or both) may accompany them occasionally.

## **SECTION H: INSPECTIONS**

**H2.6** Satellite imagery may also be used to assess land eligibility, and where discrepancies are identified an on-farm inspection may also be undertaken.

### **H3 Why do we need to visit you?**

**H3.1** We need to visit you to check:

- details of declarations and claims for payment
- Scheme requirements
- the identification, registration and movement of animals
- Cross Compliance requirements.

### **H4 What will we do?**

**H4.1** Inspecting officers will inspect your farm(s) and check, where appropriate, land, crops, livestock on farm records and reported movements to BCMS for cattle or EID Cymru for sheep.

**H4.2** After arriving at your farm or when making the appointment, the inspecting officer will explain:

- the purpose of the visit
- the reason for the inspection
- what they will need from you
- how the inspection will be carried out
- how long the inspection may take (although this may depend on the findings of the inspection).

### **H5 How can you be ready for an inspection?**

**H5.1** You can be ready for an inspection by:

- ensuring you have responded to all Welsh Government correspondence to resolve any queries with your applications
- informing Welsh Government of any changes to your applications, e.g. land use changes, in a timely manner
- keeping up-to-date, complete and accurate records.

**H5.2** A pre-inspection check list has been provided at page 81 of this booklet to help you prepare for an inspection.

## SECTION H: INSPECTIONS

**H5.3** Further information is also available in the 'When the inspector calls. A helpful guide for farmers' booklet available at: [Farm Inspections](#) or from the Customer Contact Centre.

### H6 How can you help us?

**H6.1** You can help us by:

- filling in your claims and declarations accurately and submitting them on time
- keeping copies of your claims and declarations so you can refer to them
- keeping your records as set out in 'When the inspector calls'
- making sure your records and documents are up to date and close at hand
- accompanying the inspecting officer during the inspection, if at all possible.

### H7 How can we help you?

**H7.1** If you are concerned with your record keeping or complying with the scheme, the Farm Liaison Service (FLS) is available at any time. If you contact FLS they will be able to look at your records to see you are recording the right sort of information in the right order. This will give you more confidence and make our job easier if we need to visit. We give our assurance such advice will not lead to an inspection.

**H7.2** The FLS will not be allowed to help you if an inspection has been announced.

### H8 Land Based Schemes

#### What schemes are covered by land inspections?

**H8.1** Schemes covered by land inspections are:

- BPS (including Young Farmer and Redistributive Payment)
- Rural Investment Schemes
- RD Woodland Creation Schemes.

#### What the inspector does

**H8.2** The inspector will check the claimed areas do not include land that is not eligible for the scheme and scheme requirements are being complied with. This may involve measuring fields, including the areas of grass or arable crops and excluding ineligible areas such as roads, hardstanding's, areas with more than 100 trees per hectare or buildings etc.

## SECTION H: INSPECTIONS

**H8.3** The inspector will need to check evidence that supports your land claims, e.g. rental agreements for seasonal grazing. They may also have to undertake additional checks to evidence you meet the definition of a farmer and are carrying out agricultural activity (where applicable). This could include a check of receipts and invoices.

**H8.4** If you are claiming the Young Farmer payment the inspector will ask for evidence to support your claim.

**H8.5** For Rural Investment Schemes and RD Woodland Creation Schemes the inspector will check you are complying with all scheme requirements.

**H8.6** Some land inspections are carried out by us using Remote Sensing satellite imagery. These images, together with aerial photographs, allow us to assess the amount of eligible land, without sending out an inspector. If there are no queries, you will not hear from us. If there are queries, we might send out an inspector or we might send you a letter explaining the query and asking you to let us know if we are right.

### What do we look for?

**H8.7** The inspector will check:

- the boundaries of all fields are accurate
- all ineligible features such as buildings, roads, tracks, bracken, scrub, etc. have been declared
- all groups of trees and ineligible woodland has been removed from the forage area of the field
- information, such as rental agreements, show you are the rightful user of the land
- information, such as rental agreements, receipts, invoices show you have Management Control of the land
- the grazing/activity diary (if required by the Habitat Wales Scheme)
- you have complied with all Rural Investment Scheme and RD Woodland Creation Scheme Contract requirements.

### How can you help us?

**H8.8** You can help us by:

- checking all fields on the SAF and making sure the areas you declare are correct
- deducting all non-grazeable areas, such as trees, streams, buildings, bracken, scrub, etc.
- keeping your grazing/activity diary (if required by the Habitat Wales Scheme)

## SECTION H: INSPECTIONS

- contacting the Customer Contact Centre or the Farm Liaison Service if you require clarification/guidance on scheme rules.

### H9 Cattle Identification Inspections

#### What the inspector does

**H9.1** The inspector will count all the animals, read and check both ear tags, check all passports and reconcile each of these against the farm records and the Cattle Tracing System (CTS) database.

#### What do we look for?

**H9.2** The main purpose of the inspection is to verify:

- the cattle are double tagged in accordance with current regulation, and replacement tags are ordered, and re-tagging is performed appropriately
- the cattle are correctly registered with BCMS
- appropriate records are being kept relating to births, deaths and movements
- movements of animals on and off the farm are being notified to BCMS within 3 calendar days
- deaths are reported to BCMS within 7 calendar days.

#### How can you help us?

**H9.3** You can help us by:

- making sure there is a registered keeper for the livestock
- being prepared to present the animals and making sure the facilities for handling livestock are suitable and well maintained (this will reduce any risk to people handling the stock, the livestock and the inspecting officers)
- keeping up-to-date, accurate records and identification documents
- using CTS Online for registrations and checking the information held on CTS if possible.

### H10 Sheep and Goat Identification Inspections

#### What the inspector does

**H10.1** The inspector will count your animals to verify the accuracy of your records by reconciling sheep numbers against your records and information supplied on the annual inventory, the movement documents and purchase and sales invoices. They will also check a representative sample of ear tags to ensure the sheep have been tagged correctly and the ear tags are included in the records where appropriate.

## SECTION H: INSPECTIONS

### What do we look for?

**H10.2** The inspector will check:

- your flock record book is up to date and accurate
- your records confirm the number of animals on your farm on 1 January as part of the Annual Stock-take
- your flock, as counted at the inspection, reconciles with the Annual Inventory
- your sheep/goats are tagged correctly
- you are properly registered with Animal and Plant Health Agency
- you have correct movement licence documents, which correspond with your animals' movements and records
- you have notified all movements to EID Cymru
- you have a record of all animals which have died
- you have a record of any animals that have had electronic tags inserted and replaced.

### How can you help us?

**H10.3** You can help us by:

- making sure there is a registered keeper for the livestock
- being prepared to present the animals and making sure the facilities for handling livestock are suitable and well maintained (this will reduce any risk to people handling the stock, the livestock and the inspecting officers)
- keeping up-to-date, accurate records and identification documents
- making sure you have reported all movements to EID Cymru.

## H11 Cross Compliance Inspections

**H11.1** Cross Compliance is a set of requirements which all claimants must comply with to retain their full entitlement to payments. Failure to comply with these requirements (a breach) will lead to a penalty being applied to payments under all your claims.

## SECTION H: INSPECTIONS

**H11.2** These responsibilities are as follows:

<b>Competent Control Authority</b>	<b>Area of Responsibility</b>
Welsh Government	SMRs 2, 3, 4, 6, 7, 8, 9, 10 GAECs 1, 2, 4, 5, 6 and 7
Welsh Government (Accompanied by Natural Resources Wales)	SMR 1 and GAEC 3
Animal and Plant Health Agency	SMRs 11, 12, 13
Veterinary Medicines Directorate (Inspections performed by the Animal and Plant Health Agency)	SMR 5

**H11.3** A Cross Compliance inspection may be carried out by one or more inspectors, and you may be inspected more than once during the year. This could be because the relevant Competent Control Authority (CCA) was unable to check all the requirements for which it has responsibility at a single inspection or because your business has been selected for inspection by more than one CCA.

**H11.4** Each CCA selects and carries out inspections separately, and the Welsh Government will inspect cattle and sheep separately from the main Cross Compliance inspections. However, wherever possible, we will try and co-ordinate and combine inspections.

### **What you need to do prior to the visit**

**H11.5** The pre-inspection checklist at page 81 of this booklet will help you.

### **What we will check**

**H11.6** The inspecting officer will confirm SMRs and GAECs are being met through:

- visually assessing the land
- physically checking animals
- examining records.

**H11.7** We also check Cattle Tuberculosis (TB) tests under SMR 4 (Food and Feed Law) have been completed from the Animal and Plant Health Agency (APHA) database directly.

### **How can you help us?**

**H11.8** You can help us by:

- referring to the Cross Compliance Factsheets. They will tell you the key points for each SMR and GAEC
- asking the Farm Liaison Service for assistance if you are not clear on what to do



## SECTION H: INSPECTIONS

- making sure all TB tests are completed within the timeframes and by the due dates set out by APHA.

### H12 Record keeping

**H12.1** You must keep, for up to 10 years, all of the records and information you need to evidence you have provided complete and accurate information on your SAF, and other applications, and have complied with your undertakings.

**H12.2** There are also specific livestock record requirements to be observed. These records must meet the current regulative requirements in terms of animal registration, identification, movement and numbers. Standard record books for cattle, sheep and goats are available from the Customer Contact Centre and Farm Liaison Service.

**H12.3** If you would like the Welsh Government to look at your records to give you guidance as to whether they meet the necessary standard, you should contact the Customer Contact Centre to make an appointment for you to meet the Farm Liaison Service. The FLS is not able to check the accuracy of the records but can give guidance on whether the format meets the required regulations. Remember, this service cannot rectify errors already discovered at inspection, or if an inspection has already been announced.

### H13 What happens after an Inspection?

**H13.1** At the end of the physical inspection the inspector will complete an inspection summary form which summarises the main findings of the inspection and provide details if a breach is found. **Please note** administrative checks following the inspection may also identify additional breaches.

**H13.2** You will be asked to sign the form to acknowledge the inspection has taken place and you understand the main findings.

**H13.3** The top copy will be left with you and the bottom copy will be retained by the inspector. Sometimes there may be other forms left with you, which set out in detail additional findings.

**H13.4** If we have completed a cattle inspection and found an error, we will leave you another form with a list of the tag numbers on which we have found an error. We will take away any spare passports found and give you a receipt for these.

**H13.5** If we have completed a livestock inspection and found a high number of ear tag errors or are unable to reconcile all the animals on the farm, we may place the farm under a movement restriction order.

**H13.6** If you do not understand anything on these forms, ask the inspector to explain.

**H13.7** For all inspections, further administrative checks may need to be made after the inspection before the details can be finalised.

**H13.8** When all checks have been completed the inspection details are entered into our computer database to allow validation of your claim. An 'inspection findings letter' will be sent to you explaining the effects of any breach found at inspection.

## SECTION H: INSPECTIONS

**H13.9** Beneficiaries and animal keepers who are compliant will not receive a letter.

### **H14 Most common errors – which lead to financial penalties**

**H14.1** The most common errors include:

For all inspections:

- failure to maintain adequate, complete and up to date records.

For Livestock:

- failure to maintain proper animal ear tag identification.

For Cattle:

- failure to report movement of cattle to BCMS within 3 calendar days
- failure to report deaths of cattle to BCMS within 7 calendar days

For Rural Investment Schemes:

- capital works not fully completed within a set time or to the correct standard
- damage to habitat land
- no activity or stocking diary kept and/or information inaccurately recorded
- stocking levels or stock exclusion requirements not being met
- failure to declare land changes and changes to ineligible features.

## SECTION H: INSPECTIONS

### H15 Farmers pre-inspection check list

Below is a list of the main checks to help you prepare for an inspection and to remind you of some of the requirements which should be checked regularly. This is not a comprehensive list, and you are advised to use this table in conjunction with the full set of scheme rules and requirements.

<b>All Inspections:</b>
Make sure all your records, registers and diaries are up to date. <b>Example:</b> check records required for: 1 Cross Compliance (e.g. cattle register including dates of birth, movements and deaths are recorded, uses of medicine and Plant Protection Products are recorded). 2 Rural Investment Schemes (e.g. stocking diaries and activity diaries).
<b>Land Inspection:</b>
Check all land available to you has been correctly declared, including any changes since submitting the SAF.
Ensure all field boundaries are correct and all ineligible features have been deducted.
<b>Rural Investment Scheme and RD Woodland Creation Schemes Inspections:</b>
Check your Contract and/or Grant Award to ensure all requirements have been followed.
<b>Livestock Inspections:</b>
Ensure all your records are complete and up to date, with details of all births, movements and deaths.
Check your animals have not lost their tags; if tags are missing order replacements and re-tag as soon as possible.
Check you have passports for all cattle on your holding. Return any passports which you no longer have the animals for to BCMS.
Check all cattle, which have been sold or have died, have been reported to BCMS.
If you have off lying land or stock away from home, check with your local Animal Health office if you need to keep separate records and report movements.
Have handling facilities available for livestock during the inspection e.g. a crush for cattle.

## SECTION H: INSPECTIONS

### **Cross Compliance Inspections:**

Check the Cross Compliance Factsheets on the Welsh Government website to ensure you are meeting SMR and GAEC requirements.

### **When the Inspection is Complete:**

Ask to sign the Inspection Summary form and any continuation forms to acknowledge the inspection has taken place and you understand the main findings.

Ensure any requirements listed on the Inspection Summary form are undertaken within the stated time scale.

For cattle inspections:

You will be left a list of the tag numbers where we have found an error. We will take away any passports you do not have animals for and give you a receipt for these.

## SECTION I: APPEALS AND COMPLAINTS PROCEDURE

### Section I: Appeals and Complaints Procedure

#### I1 Appeals procedure

**I1.1** The 'Independent Appeals Process for Rural Grants and Payments' allows you to request a review if you feel the Welsh Government has not reached a correct decision according to the rules of a scheme. The process will review decisions concerning:

- BPS
- Farm Woodland Scheme, Farm Woodland Premium Scheme
- Rural Investment Schemes
- RD Woodland Creation Schemes.

**I1.2** The appeals process consists of two stages:

- Stage 1: review by RPW
- Stage 2: review by an Independent Appeals Panel (if you are dissatisfied with the Stage 1 response).

**I1.3** The Independent Panel make recommendations to the Welsh Ministers, who take the final decision which concludes the process.

**I1.4** There is no charge for Stage 1 of the process but there is a charge at Stage 2 – £50 for a written hearing or £100 for an oral hearing. These charges are repaid in full if the Stage 2 appeal is either partially or fully successful.

**I1.5** Appeals, including supporting evidence, must be received within 60 days of the date of the letter outlining the decision you wish to appeal against.

**I1.6** We welcome receiving correspondence in Welsh and will respond to any correspondence in Welsh if that is your preferred language. This will not lead to delay.

**I1.7** Further details of the appeals process and how to submit an appeal using the online appeal form, can be obtained from the Customer Contact Centre or our website at: [Rural Grants and Payments appeals: Guidance](#).

## SECTION I: APPEALS AND COMPLAINTS PROCEDURE

### I2 Complaints procedure

**I2.1** Complaints will be dealt with under the Welsh Government's procedure on Complaints. Further advice on how to make a complaint can be obtained from the Complaints Advice Team:

Complaints Advice Team  
Welsh Government  
Cathays Park  
Cardiff  
CF10 3NQ

Tel: 03000 251378

E-mail: [complaints@gov.wales](mailto:complaints@gov.wales)

Website: [Complaints about Welsh Government](#)

**I2.2** You may also choose to contact the Public Services Ombudsman for Wales:

1 Ffordd yr Hen Gae,  
Pencoed,  
CF35 5LJ  
Tel: 0300 790 0203  
Website: [Ombudsman](#)

## SECTION J: DATA DISCLOSURE

### Section J: Data Disclosure

#### J1 General Data Protection Regulation: Privacy Notice

**J1.1** This notice informs you about the Welsh Government's use of the information provided on the Single Application Form (SAF) or any other document used in connection with your application for aid under the Direct payments, Rural Investment Schemes and RD Woodland Creation. It also explains the Welsh Government's processing and use of your personal data and your rights under the General Data Protection Regulation.

The data controller for the information submitted as part of SAF 2024 is the **Welsh Government, Cathays Park, Cardiff, CF10 3NQ.**

The data protection officer for the same information is the **Data Protection Officer, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.**

Email: [DataProtectionOfficer@gov.wales](mailto:DataProtectionOfficer@gov.wales)

**J1.2** The information will be processed and managed by the Welsh Government in accordance with its obligations and duties under the following European Regulations (as retained by the Direct Payments to Farmers (Legislative Continuity) Act 2020 (c.2) and Regulations (UK) 2020/90 & 2020/91)

- Council Regulations No 1305/2013
- Council Regulation No 1306/2013
- Council Regulation No 1307/2013
- Commission Regulation No 640/2014
- Commission Regulation No 807/2014
- Commission Regulation No 808/2014
- Commission Regulation No 809/2014
- Commission Regulation No 907/2014
- Commission Regulation No 908/2014
- General Data Protection Regulation No 679/2016.

The information will primarily be used for the purposes of processing and determining applications on the SAF. However, the Welsh Government may also make use of the information supplied for other purposes, which will include those connected with its functions and duties under the Direct payment, Rural Investment Schemes and RD Woodland Creation Schemes and with its statutory environmental obligations.

## SECTION J: DATA DISCLOSURE

**J1.3** The lawful basis for the processing is that it is necessary for the performance of a task carried out in the exercise of official authority vested in the Welsh Government.

**J1.4** The Welsh Government collects personal data to identify your location and your farm business(es). The Welsh Government does not collect any special category data.

**J1.5** The data is processed through an automated process of business rules that use the Customer Reference Number (CRN) as a primary key for the majority of reports.

**J1.6** Your information will be stored in accordance with the Commission Implementing Regulation No 908/2014, 'Conservation of Accounting Information'.

### **J2 Reasons for sharing personal data**

**J2.1** Eligibility will be dependent, among other things, on meeting the requirements of Cross Compliance. The agencies currently involved in enforcing these requirements and with whom the Welsh Government may share information are:

- Natural Resources Wales
- Animal and Plant Health Agency
- Veterinary Medicine Directorate
- Welsh Local Authorities
- Food Standards Agency Wales
- DEFRA
- Other UK Government Agriculture Offices.

The information may be used for the following:

- Cross Compliance and cross checking between Governmental organisations to prevent breaches.
- the production and publication of maps showing the areas of land that have received agricultural funding.
- compilation of reports of aggregated data and/or summary statistics to be made publicly available
- informing decisions relating to policy changes and funding including research studies conducted on behalf of the Welsh Government to inform Monitoring and Evaluation of Rural Development Schemes



## SECTION J: DATA DISCLOSURE

- identification of landowners/users in events of emergencies, e.g. disease control and breach control
- protecting applicant's interest in land conservation and issues that may arise due to funding queries
- allowing partner organisations to fulfil their legal duties
- disclosure to regulatory authorities, such as HM Revenue and Customs, Local Authorities and the Police
- publication of certain information and responding to requests for information. For more about this see paragraphs J3.2 – J3.3 in this booklet.

### **J3 The Publication and Disclosure of Information**

**J3.1** The information will be managed and used by the Welsh Government in accordance with its obligations and duties under the:

- Freedom of Information Act 2000
- Data Protection Legislation
- Environmental Information Regulations 2004
- Commission Regulation No 908/2014
- The European Union (Withdrawal) Act 2018.

**J3.2** Your information, including your personal information, may be the subject of a request by another member of the public. When responding to such requests the Welsh Government may be required to release information, including your personal information.

**J3.3** The Welsh Government is required to publish details of the amounts paid to rural support beneficiaries. Data will be published for all beneficiaries and will include the name and locality of the farmer/land manager and details of the amounts and schemes for which subsidy has been paid. However, for those receiving less than the equivalent of €1,250 in subsidies the name will be withheld. The data will be published annually on 31 May and remain available for two years from the date it is published.

## SECTION J: DATA DISCLOSURE

### J4 Rights under the General Data Protection Regulation (GDPR)

**J4.1** The GDPR gives individuals rights in respect of the personal data held on them. These rights include:

- the right to be informed (this notice)
- the right to ask for and receive copies of the personal data the Welsh Government holds about them, although the Welsh Government can sometimes withhold some data or not provide copies
- the right, in some circumstances, to prevent or restrict the Welsh Government processing personal data
- the right, in some circumstances, to have wrong data rectified
- the right, in some circumstances, to have data erased (to be forgotten).

If you wish to exercise any of your rights under the GDPR, you should contact the Welsh Government at the address provided at the beginning of this notice.

**J4.2** Individuals also have the right to ask the Information Commissioner, who enforces and oversees the GDPR, to assess whether or not the processing of their personal data is likely to comply with the GDPR. The Information Commissioner can be contacted at:

Information Commissioner's Office – Wales  
2nd Floor, Churchill House  
Churchill Way  
Cardiff  
CF10 2HH

Tel: 0330 414 6421. Email: [wales@ico.org.uk](mailto:wales@ico.org.uk).

Website: [Information Commissioner's Office](#).

## SECTION K: SINGLE APPLICATION FORM

### Section K: Single Application Form

#### K1 Guidance and help for completing your SAF

**K1.1** The '2024 Single Application Form (SAF) Online How to Complete Guide' is available on the [Welsh Government website](#). This guide provides detailed instructions for completing each section of the SAF.

**K1.2** The SAF also includes specific guidance within the application itself:

- If there is guidance available for the page you are currently completing a Help for this Page button will be visible on the top right of the page. This button will open guidance which will provide a further explanation for each question or item on the page.
- Some questions on the SAF will also include specific help on how to provide an answer. If specific help for the question is available a Help button will appear.

**K1.3** If you have any problems completing your SAF please contact the Customer Contact Centre for further guidance (see Annex 7 for contact details). RPW staff are available to provide help and explain how the application should be completed.

**K1.4 Our Regional Offices are open to the public strictly by appointment only.**

If you need additional support, particularly if you are completing the SAF for the first time the Customer Contact Centre can provide telephone support. The Customer Contact Centre can also make a 'Digital Assistance' appointment for you to attend a Regional Office where a member of staff can guide you through the process.

Please make arrangements to complete your online SAF as soon as possible using the available guidance and help outlined above.

**K1.5 Please note** RPW staff will provide help and support but cannot be held responsible for what you do or do not claim – this is your responsibility.

#### K2 Deadline for submitting the SAF

**K2.1** The Welsh Government must receive your completed SAF no later than midnight on Monday 15 May 2024. Applications received from 16 May 2024 up to and including 10 June 2024 will incur financial penalties. Applications and claims received after 10 June 2024 cannot be accepted.

A SAF submission reminder broadcast message will be issued week commencing 22 April, week commencing 6 May 2024 and week commencing 3 June 2024 to those customers who are yet to submit their application.

**K2.2** All supporting documents for BPS must be received by 31 December 2024. No payment (including BPS Advance Payment) will be made until evidence you are carrying out an agricultural activity in 2024 has been received. If no evidence is submitted by 31 December 2024 your claim will be rejected.

**K2.3** All supporting documents for Rural Investments Schemes (Organic Conversion Scheme and Organic Support) must be received by 31 December 2024. If supporting documents are not received by this date your claim will be rejected.

## SECTION K: SINGLE APPLICATION FORM

**K2.4** If you do not submit your supporting documentation this could result in some or all of your payments being reduced, or your applications and claims being rejected. Please see K8 for a full list of supporting documents.

**K2.5** Refer to Section G in this booklet for details regarding penalties and reductions for late submission of the SAF and supporting documentation.

### **K3 Who can submit your SAF?**

**K3.1** The SAF must be submitted by someone who has been authorised by the business to submit applications on the business's behalf.

**K3.2** If you wish for an agent or third party to submit the application on behalf of the business, and they are not already authorised to do so, follow the instructions on the RPW Online webpages, or contact the Customer Contact Centre to request a 'Rural Payments Wales (RPW) Online Authorisation for Agent / Woodland Agent / Farming Union and Farming Association' form.

### **K4 Claiming payment for schemes on the SAF**

**K4.1** You will need to ensure you have claimed for all of the schemes you intend to on the SAF. The 'Claims' page will be the first page presented to you when you begin to complete your SAF, and this is where you must indicate your wish to claim BPS 2024, claim payment under Rural Investment Scheme, RD Woodland Creation Schemes a, and/or apply for BPS National Reserve Entitlements.

**K4.2** You will also need to indicate the fields you wish to use to support payment for each scheme you are claiming. This must be done in the Field Data page of the SAF. **In 2024 you will not need to indicate the fields you wish to use to support payment for the following Rural Investment Schemes - Habitat Wales Scheme, Woodland Creation Maintenance or Woodland Creation Premium.** Your claim will be based on the parcels of land included on your Habitat Wales Scheme grant award, Woodland Creation Grant or Small Grants – Woodland Creation contract.

**K4.3** Organic Support payments will be calculated on whole field parcels declared on your SAF, certified as fully organic with a recognised Organic Control Body (OCB) from 1 January 2024 to 31 December 2024. Your payment will be based on the land included in your latest OCB Land Schedule. The minimum claim size is 0.10 hectares.

**K4.4** For BPS you also need to enter a claim against any common land grazing rights on the Common Land page you wish to use to support payment.

**K4.5** To help make the SAF easier to complete, wherever possible, your SAF will be pre-populated with scheme claim ticks in the 'Claims' page and in the 'Field Data' page. The 'Claims' page will be pre-populated with scheme claim ticks where our records show you hold a contract and/or grant award for the following schemes: Habitat Wales Scheme, Organic Conversion Scheme and RD Woodland Creation Schemes.

**K4.6** The 'Field Data' page will be pre-populated where our records show you hold a contract and/or grant award for the following schemes: RD Woodland Creation

## SECTION K: SINGLE APPLICATION FORM

Schemes and Organic Conversion Scheme. For BPS 2024 you will be able to select the option to pre-populate claim ticks if you received a payment for BPS 2023.

**K4.7** It is important you check the pre-populated information on your SAF and make any changes you need to ensure you have claimed for all of the schemes and areas you wish to.

**K4.8** If you do not indicate the schemes you are claiming together with the fields and common land rights you are using for payment, this may result in a reduction in payment, penalties or even prevent you from receiving payment altogether.

**K4.9** You can use the Summary page on the SAF to check your application includes all schemes you wish to claim. This can be accessed at any time whilst you are completing your SAF.

### **K5 Declaring land on the SAF**

**K5.1** You must declare on the SAF all the agricultural land that is at your disposal on the 15 May 2024 and include all land that is in a Rural Investment Scheme or a RD Woodland Creation Scheme.

**K5.2** You should not include land you own but have rented out, as this is not at your disposal and should only be declared by the farmer renting it in.

**K5.3** You will be able to declare the fields that are at your disposal in the 'Field Data' page on your SAF. On this page you will be asked to declare all of the land types and features in each field. Please refer to Annex 2 of this booklet for a full list of the crop codes that are available to do this. Also, at Annex 3 there is further guidance on the crop codes that should be used to support Woodland Creation.

**K5.4** You must accurately declare all ineligible and permanent features on the holding and temporary ineligible features. Annex 1 of this booklet provides further guidance for declaring permanent features.

**K5.5** You must also take into account any eligible land temporarily taken out of production (e.g. pipelines for utility companies).

**K5.6** To help make the SAF quicker to complete, your SAF will be pre-populated with the fields our records show are at your disposal on 15 May 2024. It is important you check to ensure all of the land you need to declare has been included on your SAF. You will need to add any fields that are at your disposal but have not been pre-populated, including any land transfers or short term rentals for 2024. You will need to delete fields that are no longer at your disposal on 15 May 2024.

**K5.7** Wherever possible the SAF will also be pre-populated with crop codes and areas based on your declaration in 2023. You must check any pre-populated crop codes and areas, and amend them where necessary to reflect the situation on the ground as at 15 May 2024. If the 'Crop' or 'Area' boxes in the Field Data page of your SAF have not been pre-populated for any fields you will need to ensure you complete these boxes. You must ensure your land declaration accurately reflects the position as at 15 May 2024.

## SECTION K: SINGLE APPLICATION FORM

### K6 Declaring Common Land on the SAF

**K6.1** Use the 'Common Land' section of the SAF to declare any common land rights you hold. If you declared common land rights on the SAF 2023 these will be pre-populated for you on your SAF. You must ensure you declare all common land grazing rights that are available for your own use and tick the BPS box for any rights you wish to claim BPS on.

**K6.2** If you have applied for and been given a field reference number for sole grazed commons this will be pre-populated in the Field Data page of your SAF. You must not declare sole grazed commons in the Common Land section.

### K7 Pre-populated information on the SAF

**K7.1** The SAF 2024 will be pre-populated with as much information as possible based on the information held by RPW and your declaration in 2023, as follows:

SAF Section	Populated Information
Claims	<p>Claim ticks for Habitat Wales Scheme, Organic Conversion Scheme and RD Woodland Creation Schemes where our records show you hold a Contract and /or Grant Award.</p> <p><b>Please note:</b> Claim ticks will not be pre-populated for Organic Support, Woodland Creation Maintenance and Woodland Creation Premium.</p> <p>When you start your SAF, you can choose to include claim ticks for BPS 2024. These will only be pre-populated where you have received a payment for BPS 2023.</p> <p><b>Please note:</b> If the BPS 2024 claim ticks are not pre-populated, and you wish to claim payment, you must ensure you enter the BPS 2024 tick in the Claims Section.</p>
BPS Entitlements	The entitlements you hold according to our records. This will not include transfers that have not yet been processed.
Business Organisation	The number of individuals in the business as currently held in our records.
Cross Compliance	When you start your SAF, you can choose to populate this section with the same answers you provided in 2023.
Common Land	<p>The common land grazing rights you declared in the previous year.</p> <p>When you start your SAF, you can choose to include claim ticks on common land for BPS 2024. These will only be populated where you have received a payment for BPS 2023.</p>

## SECTION K: SINGLE APPLICATION FORM

	<p><b>Please note:</b> If the BPS 2024 claim ticks are not pre-populated, and you wish to claim payment, you must ensure you enter the BPS 2024 tick for all common land entries you wish to support payment.</p>
Field Data	<p>Fields which our records show are at your disposal on 15 May 2024. Where possible this will include crops, mapped permanent features and areas.</p> <p>Claim ticks for Organic Conversion Scheme and RD Woodland Creation Schemes for fields our records show are included in a Contract you hold.</p> <p><b>Please note:</b> There is no requirement to claim payment against fields for the Habitat Wales Scheme, Organic Support, Woodland Creation Maintenance and Woodland Creation Premium. Your claim will be based on the parcels of land included on your Habitat Wales Scheme grant award, Woodland Creation Grant or Small Grants – Woodland Creation contract.</p> <p>Your claim for Organic Support will be based on the parcels declared on your SAF and listed on your OCB Certificate and Land Schedule.</p> <p>When you start your SAF, you can choose to include claim ticks on eligible crops for BPS 2024. These will only be populated where you have received a payment for BPS 2023.</p> <p><b>Please note:</b> If the BPS 2024 claim ticks are not pre-populated, and you wish to claim payment, you must ensure you enter the BPS 2024 tick for all eligible crops on all fields you wish to support payment.</p> <p>We will pre-populate the tenure details. You will be required to check the details including land rental dates where applicable and amend as necessary.</p>

**K7.2** Ensure you check the pre-populated information on your SAF carefully and make any changes necessary to make your declaration accurate and complete for 2024. It is your responsibility, to ensure the information you provide, including pre-populated information, is correct.

### **K8 Supporting Documents**

**K8.1** The supporting documents which are required for Rural Investment Schemes – Organic Conversion Scheme and Organic Support including to demonstrate you are carrying out Agricultural Activity, are subject to the 31 December 2024 deadline.

## SECTION K: SINGLE APPLICATION FORM

The supporting documents which are required for BPS are subject to the 31 December 2024 deadline.

<b>BPS, Organic Conversion Scheme and Organic Support – Agricultural Activity</b>	
<p>If you do not declare livestock details in the Stocking Levels section and do not declare Arable or Permanent crops in the Field Data Section, you must provide evidence of carrying out agricultural production.</p>	<p>Evidence the business is carrying out agricultural production. This may include:</p> <ul style="list-style-type: none"> <li>• Flock or herd records</li> <li>• Arable crop / grass seed receipts</li> <li>• Milk recording records</li> <li>• Sales receipts</li> <li>• Veterinary evidence</li> <li>• Agronomist reports</li> <li>• Fence receipts</li> <li>• Hedging receipts</li> <li>• Fertiliser receipts</li> <li>• Pesticide receipts</li> <li>• Silage, haylage or hay sales invoices.</li> </ul> <p>Evidence the business is maintaining the land in a condition suitable for grazing or cultivation. This may include:</p> <ul style="list-style-type: none"> <li>• Copies of invoices used for the control of non-native invasive weeds and scrub e.g. pesticides</li> <li>• Copies of farm records that show work to control non-native invasive weeds and scrub, e.g. topping, harrowing, rolling, cutting, use of pesticides</li> <li>• Copies of contracts or farm records for maintenance work on stock proof boundaries, e.g. fencing, hedge cutting / planting.</li> </ul>

<b>BPS – Young Farmer (National Reserve and Payment)</b>	
<p>Photographic evidence confirming your date of birth (if not already supplied).</p>	<ul style="list-style-type: none"> <li>• Passport</li> <li>• Driving licence</li> <li>• Gun licence certificate.</li> </ul>
<p>Evidence you are head of holding (if not already supplied).</p>	<ul style="list-style-type: none"> <li>• Accountant or Solicitor Certificate to confirm Young Farmer status – this pro forma is available from the Customer Contact Centre</li> </ul>



## SECTION K: SINGLE APPLICATION FORM

	<p><b>or</b></p> <ul style="list-style-type: none"> <li>• Partnership agreement showing the partners and percentage shares/votes held and, where it exists, any variation of previous partnership document showing the changes to the original agreement</li> <li>• Legally binding agreement showing business shareholdings</li> <li>• Partnership accounts if they demonstrate shares ownership</li> <li>• Bank accounts / accountant's letter to confirm share of profits</li> <li>• Annual accounts naming the applicants and number of shares / votes held</li> <li>• Any other documentary evidence you feel is appropriate.</li> </ul>
<b>BPS – New Entrant – National Reserve</b>	
Evidence of New Entrant eligibility.	<ul style="list-style-type: none"> <li>• Accountant or Solicitor Certificate to confirm New Entrant status – this pro forma is available from the Customer Contact Centre</li> </ul> <p><b>or</b></p> <ul style="list-style-type: none"> <li>• Confirmation of the date the holding was registered</li> <li>• Registration with BCMS/AMLS</li> <li>• Animal record books</li> <li>• Pesticide records</li> <li>• Other appropriate documentary evidence to prove eligibility.</li> </ul>
<b>BPS – Tree Preservation Orders (TPO)</b>	
Trees protected by a Tree Preservation Order.	<ul style="list-style-type: none"> <li>• A copy of the Tree Preservation Order for the trees being claimed for BPS</li> <li>• A letter from the Local Planning Authority stating the trees being claimed for BPS are covered by a Tree Preservation Order.</li> </ul>
<b>Organic Conversion Scheme</b>	
Evidence if you have an Organic Conversion Scheme Contract.	<ul style="list-style-type: none"> <li>• Evidence of Agricultural Activity, if required</li> <li>• A copy of the latest Organic Control Body (OCB) Certificate and Land Schedule</li> </ul>

## SECTION K: SINGLE APPLICATION FORM

Organic Support	
Evidence if required, if you are claiming Organic Support.	<ul style="list-style-type: none"><li>• Evidence of Agricultural Activity and Primary Production, if required</li><li>• A copy of the latest OCB certificate and Land Schedule</li><li>• If you are claiming for Horticulture, evidence of selling non-fodder organic horticultural crops</li><li>• If you are claiming for dairy, evidence of selling organic milk or products derived from milk</li><li>• Evidence of 550 standard labour hours, if required.</li></ul>

**K8.2** If you are submitting supporting documentation by post, rather than via RPW Online, please ensure you post these in good time with sufficient postage. **Please note** the Welsh Government will not be able to accept correspondence with insufficient postage, which might mean your supporting documentation will not be accepted or receipted.

**K8.3** Recorded delivery is advisable, but it should be noted recorded delivery is not a guarantee your correspondence will be received by the Welsh Government by the deadlines mentioned above. No matter what postage arrangements are used, or reasons for delays (i.e. insufficient postage), late submission penalties or rejection and subsequent loss of payments may occur.

### K9 Submitting your SAF

**K9.1** The Summary provided with the SAF is located towards the end of the application. This provides an overview of your declaration and can be used to check you have claimed for all of the schemes and included all of the land you need to.

**K9.2** The Submission section of the SAF is the final part of the application. This includes the 'Errors and Information' page which will show or link to all of the information and error messages that are currently showing in your application. You will need to correct any errors before you can submit your SAF. If there are any information messages you should review these and consider whether you need to amend your declaration accordingly.

**K9.3** Before submitting your SAF you will be asked to tick a box to confirm you have read and agree with the 'Declarations & Undertakings'. By ticking this box on the SAF you are declaring you are fully abiding with:

- the SAF schemes rules
- the 'Declaration and Undertakings' contained in the SAF
- the '2024 Single Application Rules Booklet'
- the latest 'Cross Compliance Farmers Factsheets'.

## SECTION K: SINGLE APPLICATION FORM

**K9.4** By agreeing to the 'Declarations and Undertakings' you are accepting it is your responsibility to ensure the information you are declaring on your SAF is correct.

**Please note** any person who makes a false declaration or fails to notify the Welsh Government of a material change to the information given in the SAF is liable to prosecution. A false, inaccurate or incomplete statement or failure to notify the Welsh Government of any material changes to the information given in the SAF may result in loss of entitlement and/or recovery of any payments made.

**K9.5** When you submit your SAF you will receive an instant online receipt which you can print for your records. If you do not receive an online receipt please let us know by sending us an online message from your RPW Online account or contacting the Customer Contact Centre.

**K9.6** Within one working day of submitting your SAF, you should receive a copy of your completed application in the 'Messages' section of your RPW Online account. In addition to the copy of your completed form, the message will include a copy of any sketch maps you have provided and a copy of the Summary section. If you do not receive this message, please let us know by sending us an online message from your RPW Online account or by contacting the Customer Contact Centre.

**K9.7** You are advised to use the copy of your SAF provided in the 'Messages' section of your RPW Online account to double check your application includes all of the schemes and land you wish to claim. Any missing data or correction of errors must be notified to the Customer Contact Centre no later than 10 June 2024 to be accepted. Requests to amend your claim that are received from 3 June 2024 up to and including 10 June 2024 will attract a late claim penalty.

### **K10 Responding to queries**

**K10.1** Please respond to any queries raised by the Welsh Government regarding your SAF at the earliest opportunity. Failure to do so could result in delayed payments, payment reductions and exclusions.

**K10.2** We welcome receiving correspondence in Welsh and will respond to any correspondence in Welsh if that is your preferred language. This will not lead to a delay in processing your SAF for payment.

# **ANNEX 1: DECLARING AND DEDUCTING INELIGIBLE FEATURES**

## **Annex 1: Declaring and Deducting Ineligible Features**

### **AN1.1 Introduction**

**AN1.1.1** Ineligible features are non-grazeable or non cropable areas within a field parcel. They include man-made constructions such as buildings, hardstandings, ungrazeable tracks, water features and natural features such as, rocks, scree, (bare areas) scrub, bracken and groups of trees.

**AN1.1.2** Non-agricultural areas such as gardens, solar panels, caravan parks and riding arenas should also be declared on the SAF with the appropriate crop code (NO1) as these are ineligible.

**AN1.1.3** These ineligible features must be declared on the SAF against the relevant code and the ineligible area deducted from the total area of the field parcel. A full list of ineligible features are available at Annex 2 of this booklet.

### **AN1.2 Important information on deductions of trees/woodland**

**AN1.2.1** The rules now apply a more prescriptive regime for field parcels with trees and ineligible scattered features.

**AN1.2.2** Where there is a group of trees the whole area occupied by them is to be deducted from the eligible area of the parcel (not just a deduction for the trunks). The impact is a possible reduction of your eligible area.

**AN1.2.3** Where a parcel has scattered trees with a density of more than 100 trees per hectare (of the maximum eligible area), the whole parcel will not be eligible for BPS.

**AN1.2.4** Where a parcel has scattered trees with a density of 100 trees or fewer per hectare of the maximum eligible area you will need to make a deduction for the tree trunks and exposed roots to establish a final grazeable area within the parcel.

### **AN1.3 What is the Maximum Eligible Area?**

**AN1.3.1** The Maximum Eligible Area of the field parcel is the potential eligible area left after all deductions for ineligible features have been made from the whole field size.

**AN1.3.2** To calculate the Maximum Eligible Area of your field parcel, and calculate the scattered tree density, you should deduct all ineligible features from the whole field parcel area in the following order:

- 1 identify and deduct ineligible areas for man-made features, including man-made ponds
- 2 identify and deduct ineligible areas for water features; rivers (100 m<sup>2</sup> and over), streams (100 m<sup>2</sup> and over), and natural ponds (over 0.10 hectares)
- 3 identify and deduct ineligible areas for groups of natural bare areas, such as rocks/scree 100 m<sup>2</sup> and over

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- 4 identify and deduct ineligible areas for groups of scrub/bracken 100 m<sup>2</sup> and over
- 5 identify and deduct ineligible areas for groups of trees 100 m<sup>2</sup> and over
- 6 assess scattered natural features less than 100 m<sup>2</sup>:
  - a. natural bare areas (rocks/scree)
  - b. scrub/bracken.

### AN1.4 Calculating 100 trees per hectare (100 trees/hectare)

**AN1.4.1** Once the Maximum Eligible Area has been calculated, the 100 trees per hectare is assessed against the Maximum Eligible Area, including scattered groups of less than 100 m<sup>2</sup>.

- If the density is over 100 trees/hectare the whole field parcel is ineligible for BPS. See example (a) at AN1.4.2 below.
- If the density is equal to or less than 100 trees/hectare, the field is eligible for BPS, but a deduction must be made for the area covered by trees. See example (b) at AN1.4.2 below.

#### Example:

A field parcel has a total whole field size of 5.50 hectares.

The total of all ineligible man made features, water features and natural features where the area is over 100 m<sup>2</sup> (identified in steps 1 - 5 at AN1.3.2 above) is 1.25 hectares.

A further assessment of scattered rocks and bracken is completed (steps 6a - 6b at AN1.3.2 above) and an ineligible area of 0.25 hectares is identified. The Maximum Eligible Area is therefore:

Field Parcel Size	= 5.50 hectares
Less Total Ineligible Areas	= 1.25 hectares (sum of steps 1 - 5 above)
Less scattered feature assessment	= 0.25 hectares (sum of step 6 a - b above)
Maximum Eligible Area	= 4.00 hectares

#### AN1.4.2 100 trees/hectare examples:

- (a) The Maximum Eligible Area of 4.00 hectares has been calculated and this area has more than 400 scattered trees covering this area. **The whole land parcel is ineligible for BPS.**
- (b) The Maximum Eligible Area of 4.00 hectares has been calculated and this area has only 50 scattered trees covering this area. The land parcel is eligible for BPS, **but an assessment should be completed for the area of scattered trees and this area should be deducted from the Maximum Eligible Area calculated for the field:**

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Maximum Eligible Area	= 4.00 hectares
Less Assessment	= 0.25 hectares (for scattered trees)
Parcel Eligible Area	= 3.75 hectares

### AN1.5 How do I identify and calculate the Ineligible Features?

**AN1.5.1** You need to identify and declare all the ineligible features for each field parcel you declare on your SAF in hectares.

**AN1.5.2** To calculate the area of a feature in hectares you should measure the length and width in metres, multiply them together and divide by 10,000 m<sup>2</sup> (the area of 1 hectare). For example, a building measuring 10 m x 10 m = 100 m<sup>2</sup>. Dividing by 10,000 m<sup>2</sup> = 0.01 hectares.

**AN1.5.3** Areas can only be declared to 2 decimal places and therefore all calculations should be rounded up or down to the nearest number, e.g. 0.005 hectares should be rounded up to 0.01 hectares, whilst 0.014 hectares should be rounded down to 0.01 hectares.

### AN1.6 SAF 2024 Interactive Maps

**AN1.6.1** On RPW Online you can use the interactive mapping tool and aerial photography to help you identify and calculate the ineligible features within your field.

**AN1.6.2** The following guidance explains how to identify, calculate and declare each type of ineligible feature within each land parcel.

#### Man made features

### AN1.7 What is a man made feature?

**AN1.7.1** A man made feature is a 'structure that has been constructed rather than occurring naturally', such as buildings, hardstandings, ungrazed tracks, roads and ponds. A full list of man made features is available at Annex 2 of this booklet.

### AN1.7.2 How do you calculate the area of man made and non agriculture features?

- Identify the man made feature within the field parcel and
- measure the features length and width.

**Example:** a building of 20 m by 10 m equals 200 m<sup>2</sup> and should be declared as 0.02 hectares, a track of 100 m by 3 m is 300 m<sup>2</sup> and should be declared as 0.03 hectares.

- If there are more than one of the same type of feature in the field you must add together the area of each separate feature.

**Example:** a field contains two buildings, one measured as 0.01 hectares and one measured as 0.02 hectares. The total area for buildings should therefore be added

## **ANNEX 1: DECLARING AND DEDUCTING INELIGIBLE FEATURES**

together and a total area of 0.03 hectares (0.01 hectares + 0.02 hectares) is calculated for buildings.

- If the total area calculated for the individual feature(s) is 0.01 hectares or greater, select the appropriate code at Annex 2 of this booklet and declare the area calculated for the feature against the field parcel
- these areas should be declared and deducted from the total field size as shown at AN1.3.2 above.

### **What if the area of the individual man-made feature is less than 0.01 ha?**

**AN1.7.3** If the area of an individual man-made feature is calculated to be less than 0.01 hectares and there are no other man made features in the field parcel, that feature is deemed insignificant and does not need to be declared.

**AN1.7.4** However, if there are many of the same features in the field, e.g. pig sheds, a whole parcel assessment should be carried out and the area of all these individual features should be added together. Details of how to complete the assessment are shown at AN1.12 in this booklet.

**AN1.7.5** If there is more than one type of ineligible feature in the field parcel, and when these areas are added together they come to 0.01 hectares or more, the total area for all these features should be declared on the SAF set against the main feature.

**Example:** a field parcel contains a building with an area of 0.004 hectares, a hardstanding with an area of 0.004 hectares and a track of 0.003 hectares. A total declared area of 0.011 hectares (0.004 hectares + 0.004 hectares + 0.003 hectares = 0.011 hectares) should be declared against code ZZ89.

### **When is a man made pond eligible?**

**AN1.7.6** All man-made ponds must be declared as features; however man-made ponds that were constructed as a result of a EU Welsh Government Rural Communities – Rural Development Programme for Wales 2014 – 2020 scheme and are a maximum size of 0.10 hectares are eligible for BPS. Please see the crop codes for all ponds at Annex 2 in this booklet.

## **Water features**

### **AN1.8 What is a water feature?**

**AN1.8.1** Water features are naturally occurring streams, rivers and ponds (0.01 hectares or greater). A full list of water features is available at Annex 2 in this booklet.

### **AN1.8.2 How do you calculate the area of water features?**

- Identify the water features within the field parcel; i.e. all river and streams and ponds (0.01 hectares or greater)

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- measure the features length and width.

**Example:** a river of 55 metres long by an average of 6 metres wide equals 330 m<sup>2</sup> and should be declared as 0.03 hectares for rivers and streams.

- If there are more than one of these features in the field you must add together the area of each separate feature.

**Example:** a field contains two rivers, one measured as 0.01 hectares and one measured as 0.02 hectares. The total area for rivers and streams should therefore be added together and a total area of 0.03 hectares (0.01 hectares + 0.02 hectares) is calculated for rivers and ponds.

- If the total area calculated for the individual feature(s) is 0.01 hectares or greater, select the appropriate code at Annex 2 of this booklet (ZZ30 for ponds, ZZ31 for rivers/streams) and declare the area calculated for the feature against the field parcel
- these areas should be declared and deducted from the total field size as shown at AN1.3.2 above).

### **What if the area of the individual water features is less than 0.01ha?**

**AN1.8.3** If the area of an individual water feature is calculated to be less than 0.01 hectares and there are no other water features in the field parcel, that feature is deemed insignificant and does not need to be declared.

**AN1.8.4** However, if there are many of the same water features in the field, e.g. a number of streams and a river, a whole parcel assessment should be carried out and the area of all these individual features should be added together. Details of how to complete an assessment are shown at AN1.12 in this booklet.

### **When is a pond eligible?**

**AN1.8.5** Under BPS, natural ponds and ponds which were created under an EU RD scheme with a maximum size of 0.10 hectares, are eligible for BPS. See the eligible crop codes at Annex 2 of this booklet.

## **Natural Bare Area**

### **AN1.9 What is a Natural Bare Area?**

**AN1.9.1** Natural bare areas are features equal to or over 100 m<sup>2</sup> that include scree, boulders, rocky outcrops and sand, that provide no area available for grazing.

**AN1.9.2** A description of the different densities for scree, boulders and rocks is available at paragraph AN1.14 of this booklet.

### **AN1.9.3 How do you calculate the area of ineligible natural bare area?**

- Identify ineligible bare areas within the field parcel that equal or are greater than 100 m<sup>2</sup>



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- measure the area of the separate features
- if there is more than one of these features in the field you must add together the area of each separate feature that is equal to or over 100 m<sup>2</sup>.

**Example:** a field contains two large areas of scree and boulders, the area of scree measured as 0.92 hectares and the area of boulders measured as 0.47 hectares. The total area for scree and boulders should therefore be added together and a total area of 1.39 hectares (0.92 hectares + 0.47 hectares) is calculated for Scree/Rock Outcrops/Boulders/Sand.

- Select the appropriate code at Annex 2 of this booklet and declare the area calculated for the feature(s) against the field parcel
- these areas should be declared and deducted from the total field size as shown at AN1.3.2 above.

### What if the areas of the individual groups are less than 100 m<sup>2</sup>?

**AN1.9.4** If the area of an individual group is calculated to be less than 0.01 hectares and there are no other natural bare areas in the field parcel, that feature is deemed insignificant and does not need to be declared.

**AN1.9.5** However, if there are many bare areas in the field, e.g. a number of separate groups scattered across the field or features that are not wholly ineligible (see the ineligible features density descriptions in the table at AN1.14 in this booklet) an assessment for natural bare areas should be completed at field level.

**AN1.9.6** Details of how to complete an assessment are shown at AN1.14 in this booklet.

### Groups of scrub and bracken

#### AN1.10 What is scrub and bracken?

**AN1.10.1** Scrub is clumps of bushes, each dense enough to either exclude stock or provide no grazing (e.g. Gorse, Bushes, Hawthorn and Briar), and bracken is a tall fern with coarse lobed fronds which grows thickly in open areas of countryside, especially on hills, and in woods.

- Group of Scrub – Dense area equal to or over 100 m<sup>2</sup> that is totally impenetrable to stock with no evidence of paths within.
- Group of Bracken – Dense area equal to or over 100 m<sup>2</sup> that is totally impenetrable to stock with no evidence of paths within. Also, where there is deep litter grading into organic build up rather than soil beneath, confirming accumulation over many years.

**AN1.10.2** A description of the different densities for scrub and bracken are available in the table at AN1.14 in this booklet.

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### **AN1.10.3 How do you calculate the area of an ineligible group of scrub and bracken?**

- Identify the wholly ineligible features within the field parcel that equal or are greater than 100 m<sup>2</sup>
- measure the area of the separate features
- if there are more than one of these features in the field you must add together the area of each separate feature that is equal to or over 100 m<sup>2</sup>.

**Example:** a field contains two large areas of scrub, one measured as 0.25 hectares and one measured as 0.56 hectares. The total area for scrub should therefore be added together and a total area of 0.81 hectares (0.25 hectares + 0.56 hectares) is calculated for scrub.

- Select the appropriate code at Annex 2 of this booklet and declare the area calculated for the feature(s) against the field parcel.

**AN1.10.4** A separate declaration is required for groups of scrub and groups of bracken and these areas should be deducted from the total field size (as shown at AN1.3.2 above).

### **What if the areas of the individual groups are less than 100 m<sup>2</sup>?**

**AN1.10.5** If the area of an individual group is calculated to be less than 0.01 hectares and there are no other features in the field parcel, that feature is deemed insignificant and does not need to be declared.

**AN1.10.6** However, if there are many of the same features in the field, e.g. a number of separate groups scattered across the field or features that are not wholly ineligible (see the ineligible features density descriptions in the table at AN1.14 in this booklet) an assessment for scrub and bracken should be completed at field level.

**AN1.10.7** Details of how to complete an assessment are shown at AN1.12 in this booklet.

## **Groups of trees**

### **AN1.11 What is a group of trees?**

**AN1.11.1** A group of trees is defined as three or more trees (which do not belong to a traditional boundary) growing very close together creating a canopy of branches that form an area of cover above the ground equal to or over 100 m<sup>2</sup> (10 m x 10 m).

**AN1.11.2** The area covered by the canopy and not the tree trunks and stumps should be used when working out the ineligible area for a group of trees. For example, a group of 5 trees in the middle of a field, with a canopy measuring approximately 25 m x 25 m will have an ineligible area of 625 m<sup>2</sup>, which is 0.06 hectares.

## **ANNEX 1: DECLARING AND DEDUCTING INELIGIBLE FEATURES**

**AN1.11.3** A tree is defined as a woody perennial plant, typically having a single stem or trunk capable of growing to a considerable height (normally over 1.3 m above ground level) and bearing lateral branches at some distance from the ground. Some trees may have more than one single stem/trunk growing out of a base, but these will still be considered as one tree.

**AN1.11.4** A single line of two or more trees occurring within hedges or another traditional boundary, that is considered as a landscape feature under GAEC, is eligible and does not require a deduction to be made.

**AN1.11.5** You must distinguish between coniferous and broadleaf trees. A full list of codes for ineligible trees is available at Annex 2 of this booklet.

**AN1.11.6** Orchards, short rotation coppice and trees protected by Tree Preservation Orders are eligible for BPS payments and should not be used in calculating ineligible groups of trees. The areas covered by these trees should be measured and declared on the SAF using the appropriate crop code from Annex 2 in this booklet.

### **AN1.11.7 How do you calculate the area of ineligible groups of trees?**

- Identify the groups and type of trees within the field parcel that equal or are greater than 100 m<sup>2</sup>
- measure the area of the separate groups and type of trees
- if there are more than one of these groups in the field you must add together the area of each group of trees that is equal to or over 100 m<sup>2</sup>.

**Example:** a field contains three groups of broadleaf trees, one measured as 0.30 hectares, one measured as 0.25 hectares and one measured as 0.56 hectares. The total area for group of broadleaf trees should therefore be added together and a total area of 1.11 hectares (0.30 hectares + 0.25 hectares + 0.56 hectares) is calculated for groups of broadleaf trees.

- Select the appropriate code at Annex 2 in this booklet and declare the area calculated for the types of tree against the field parcel
- a separate declaration is required for each type of group of trees and these areas should be deducted from the total field size as shown at AN1.3.2 above.

### **What if the canopy covers the whole land parcel?**

**AN1.11.8** If the tree canopy covers the entire area of the land parcel, you should declare the whole field parcel as either ungrazed Coniferous or ungrazed Broadleaf.

**AN1.11.9** In this situation, you should still declare and deduct any ineligible areas for man-made features, water features and natural bare areas, but there is no need to calculate the tree density for 100 trees/hectare.

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**What if the areas of the individual group of trees are less than 100 m<sup>2</sup> or there are only single trees in the field?**

**AN1.11.10** If the area of an individual group of trees is calculated to be less than 100 m<sup>2</sup> (0.01 hectares) or there are only scattered individual trees across the land parcel a tree density assessment must be made to assess the 100 trees/hectare density for the land parcel.

**AN1.11.11** Details of how to assess and calculate the 100 trees/hectare is shown at AN1.13 in this booklet.

**Assessment for ineligible areas excluding those less than 100 m<sup>2</sup>**

**AN1.12 What is an assessment?**

**AN1.12.1** An assessment is an estimation of ineligible areas for scattered features (natural bare areas, scrub and bracken) across the whole land parcel that should be declared on the SAF and deducted from the overall eligible area of your land parcel.

**AN1.12.2** An assessment is required:

- where the density of the features allows for some grazing and therefore are not wholly ineligible  
  
and/or
- where the individual area(s) of wholly ineligible features are less than 100 m<sup>2</sup>.

**AN1.12.3** The assessment is calculated by multiplying the area of the scattered feature by an appropriate percentage reduction for the ineligible features based on the ineligible features density descriptions at the table at AN1.14 in this booklet.

**Example:** an area of 5 hectares is identified with scattered bracken that has an ineligible density of 30%. The assessment calculation is therefore 5 hectares x 30% = 1.50 hectares of ineligible area for scattered bracken.

**How do you identify an area of scattered features for assessment?**

**AN1.12.4** An assessment should be carried out at a land parcel level, if the scattered features cover the whole parcel e.g. bracken, or on a more specific area of the parcel if the scattered feature is localised to a specific area of the parcel e.g. scree/boulders.

**AN1.12.5** You can use the description of the different densities for natural bare areas, scrub and bracken at AN1.14 in this booklet to identify the description that best fits the scattered features remaining in the land parcel.

**AN1.12.6** If there is only one type of scattered feature remaining in the land parcel e.g. bracken, and the feature has a consistent density and covers the whole parcel, a whole parcel assessment can be carried out on that scattered feature.

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**AN1.12.7** However, if there are more than one type of scattered feature remaining in the land parcel e.g. bracken and scree, and these features have different densities or do not cover the whole land parcel, an assessment should be carried out on the specific areas of the scattered features within the land parcel.

### **How do you determine the density and appropriate percentage reduction for the ineligible feature?**

**AN1.12.8** From the description of the different densities for natural bare areas, scrub and bracken in the table at AN1.14 in this booklet you should select a description that best fits the scattered features. Each description has a representative range for the density percentage expected for those features. These percentages are not definitive and should be used as a guide when determining the density percentage you use to calculate the final ineligible area of the scattered features for each land parcel. You should be cautious and if in doubt declare a lower eligible area.

### **Assessment at a parcel level**

**AN1.12.9** If the land parcel has only one type of scattered feature e.g. bracken, of similar density scattered across the whole land parcel, you can complete an assessment at the whole parcel level.

- The area for assessment is the whole parcel size less any deductions already made for man-made features, water features, groups of ineligible features of 100 m<sup>2</sup> or over from the total land parcel area
- the percentage reduction for assessment is chosen from the ranges provided at AN1.14 in this booklet
- multiply the area for assessment by the chosen percentage reduction to calculate the ineligible area of the scattered feature
- this area should then be declared and deducted from the total field size (as shown at AN1.3.2 above).

**Example:** a parcel has a total area of 10.20 hectares:

- you calculate and deduct an area of 0.70 hectares of man-made features, water features, groups of ineligible features of 100 m<sup>2</sup> or over, leaving an area of 9.50 hectares for assessment
- you estimate a percentage reduction of 5% based on the density description in the table at AN1.14 in this booklet 'Larger proportion of denser areas of bracken, but still allowing free access to stock. Limited amounts of litter but with grass growing through' Range 3 – 9%
- your assessment for scattered bracken is calculated as 0.48 hectares (9.50 hectares x 5% ineligible)
- this area of 0.48 hectares is declared against the land parcel on the SAF using code YY21

## ANNEX 1: DECLARING AND DEDUCTING INELIGIBLE FEATURES

- the Maximum Eligible Area for the field is now 9.02 hectares (9.50 hectares – 0.48 hectares for scattered bracken) against which the 100 trees/hectare density rule can be applied.

### Assessment on a specific area within a parcel

**AN1.12.10** If the land parcel has one feature of different densities in different parts of the field or more than one type of scattered feature e.g. bracken and scree, an assessment can be carried out on the separate and specific areas of the scattered features provided the total ineligible areas for each area are added together to give a single ineligible area for identified scattered feature on the SAF.

- Measure the area identified for assessment
- choose the appropriate percentage reduction for an assessment of the feature from the ranges provided at AN1.14 in this booklet
- multiply the area for assessment by the chosen percentage reduction to calculate the ineligible area of the scattered feature within that specific area
- add up all the ineligible areas from the separate assessment for each type of feature
- select the appropriate code at Annex 2 in this booklet and declare the area calculated for the feature(s) against the field parcel
- separate scattered feature declarations are required for natural bare areas (scree/boulders/rocks/sand), scrub and bracken and these areas should be deducted from the total field size as shown at AN1.3.2 above.

**Example:** a parcel has a total area of 10.20 hectares:

- you identify separate areas of scattered bracken measuring 5.00 hectares, and two separate areas of scattered scree, measuring 2.30 hectares and 1.50 hectares
- you estimate a percentage reduction for each of the separate areas:
  - a. 5% for bracken based on the density description in the table at AN1.14 in this booklet 'Larger proportion of denser areas of bracken, but still allowing free access to stock. Limited amounts of litter but with grass growing through' Range 3 – 9%
  - b. 15% for the larger area of scree based on the density description in the table at AN1.14 in this booklet 'Scattered rock and boulders forming small areas where limited grazing is available Range 15 – 19%
  - c. 40% for one area of scree based on the density description in the table at AN1.14 in this booklet 'Bare rock and boulders forming larger areas of limited grazing Range 20 – 50%

## **ANNEX 1: DECLARING AND DEDUCTING INELIGIBLE FEATURES**

- your assessment for scattered features is calculated as follows:
  - a. ineligible scattered bracken is calculated as 0.25 hectares (5.00 hectares x 5% ineligible)
  - b. ineligible scattered scree/rocks is calculated as 0.35 hectares (2.30 hectares x 15% ineligible)
  - c. ineligible scattered scree/rocks is calculated as 0.60 hectares (1.50 hectares x 40% ineligible)
- at a parcel level, the assessment for scattered bracken is 0.25 hectares and for scree/rocks is 0.95 hectares (0.35 hectares + 0.60 hectares)
- these areas of 0.25 hectares and 0.95 hectares are declared against the land parcel on the SAF using codes YY21 and YY41 respectively.

The Maximum Eligible Area for the field is now 9.00 hectares (10.20 hectares – 1.20 hectares for scattered bracken and scree) against which the 100 trees/hectare density rule can be applied.

### **AN1.13 Tree density (100 trees per hectare)**

**AN1.13.1** From 2015 a parcel with scattered trees with a density of more than 100 trees per hectare of the maximum eligible area calculated is ineligible for BPS.

**AN1.13.2** Where there is a density of 100 trees or fewer per hectare of the maximum eligible area calculated from the whole parcel, you will need to calculate and make a deduction for the trees to establish a final grazeable area within the parcel.

**AN1.13.3** A tree is defined as a woody perennial plant, typically having a single stem or trunk capable of growing to a considerable height (normally over 1.3m above ground level) and bearing lateral branches at some distance from the ground. Some trees may have more than one single stem/trunk growing out of a base, but these will still be considered as one tree.

**AN1.13.4** A single line of two or more trees within a hedge or another traditional boundary, that is considered as a landscape feature under GAEC, is eligible and does not require a deduction to be made.

### **What are defined as scattered trees?**

**AN1.13.5** For the purposes of calculating the 100 trees/hectare density, scattered trees are defined as:

- individual trees where the canopy is not interconnecting with other trees
- a single line of two or more trees growing very close together creating a canopy within a field parcel but not part of a traditional boundary
- groups of trees with an ineligible area of less than 100 m<sup>2</sup>.

## ANNEX 1: DECLARING AND DEDUCTING INELIGIBLE FEATURES

### How do I calculate the 100 trees/hectare density?

**AN1.13.6** The 100 trees/hectare density can also be considered as 100 trees over an area of 10,000 m<sup>2</sup>. This means a single tree has an average area of 100 m<sup>2</sup> or covers an average area of 10 m x 10 m. Therefore, a covering of scattered trees less than 10 metres apart from each other in any direction would also be considered to be exceeding the 100 trees/hectare density threshold. It is expected that in most cases, trees less than 10 metres apart would be regarded as a group of trees and deducted as appropriate. See AN1.11 above.

**AN1.13.7** For the SAF declaration, the tree density can be calculated by multiplying the Maximum Eligible Area by 100 to give a total number of trees for the land parcel. If the density is equal to or over this number the field parcel is ineligible for BPS and should be declared using the appropriate crop code (YY15 or YY14).

**Example:** a Maximum Eligible Area for the field is calculated as 9.50 hectares (whole parcel size 10.20 hectares, less 0.70 hectares for wholly ineligible features). The maximum tree density for that area is 950 trees (9.50 hectare x 100 trees/hectare). A total of 950 trees are estimated/counted on the Maximum Eligible Area for the parcel and therefore is ineligible for BPS.

- The calculated maximum eligible area should be declared on the SAF against the appropriate crop code – YY14 for coniferous tree cover or YY15 for broadleaf tree cover.

### What if the tree density is less than 100 trees/hectare?

**AN1.13.8** If the tree density is less than 100 trees per hectare, the calculated maximum eligible area of the field is eligible for BPS, but a deduction must be made for the area covered by tree trunks and stumps.

**AN1.13.9** Again this assessment can either be against the total calculated maximum eligible area or on specific area(s) within the maximum eligible area if there is a clearly defined area of scattered trees, and completed as follows:

- Confirm the area of trees for assessment (maximum eligible area or clearly defined area)
- confirm the percentage reduction for technical assessment from the table at AN1.14 in this booklet
- multiply the area for assessment by the chosen percentage reduction to calculate the ineligible area of the tree trunks and stumps
- this area should then be declared using code YY16 Trunks & Stumps (Density <100 trees/Ha) and deducted from the total field size as shown at AN1.3.2 above.



## ANNEX 1: DECLARING AND DEDUCTING INELIGIBLE FEATURES

### AN1.14 Ineligible features density descriptions percentage levels

**AN1.14.1** The density assessment covers four types of features that must be declared on the SAF:

Crop Description	Crop Code
Trunks & Stumps (Density <100 trees/Ha)	YY16
Bracken	YY21
Scrub including gorse bushes and briar	YY23
Scree/rock outcrops/boulders/sand	YY41

**AN1.14.2** The following table should be used to determine the density and appropriate percentage reduction for the ineligible feature listed.

- Each feature is split into categories with a percentage area deduction range set for each category. You should select a category with the description that best fits the scattered features
- each description has a representative range for the density percentage expected for those features
- these percentages are not definitive and should be used as a guide when determining the final density percentage you use to calculate the ineligible area of the scattered features
- these are the descriptions that will be used by the Rural Inspectorate Wales and for remote sensing inspections.

### AN1.14.3 Ineligible features density table

Ineligible Features Density Table				
Density Level	Scree/Rock Outcrops/ Boulders/ Sand (YY41)	Scrub including gorse bushes and briar (YY23)	Bracken (YY21)	Trunks & Stumps (Density <100 trees/Ha) (YY16)
<b>Level 1 Description</b>	Scattered bare rock within a grazed parcel.	Presence of many single bushes (e.g. Gorse, Hawthorn) where grazing is available.	Some evidence of bracken may be visible on the aerial image.	Individual scattered trees where the combined area of all the trunks and stumps would not total 100 m <sup>2</sup> (0.01 Ha).
<b>Level 1 Ineligible % range</b>	<b>1 – 4%</b>	<b>1 – 4%</b>	<b>1 – 2%</b>	<b>0%</b>

## ANNEX 1: DECLARING AND DEDUCTING INELIGIBLE FEATURES

<b>Ineligible features density table</b>				
<b>Density Level</b>	<b>Scree/Rock Outcrops/ Boulders/ Sand (YY41)</b>	<b>Scrub including gorse bushes and briar (YY23)</b>	<b>Bracken (YY21)</b>	<b>Trunks &amp; Stumps (Density &lt;100 trees/Ha) (YY16)</b>
<b>Level 2 Description</b>	Scattered rock and boulders forming small areas where limited grazing is available.	Presence of many scattered bushes and limited areas where these form clumps. Grazing available beneath and between.	Larger proportion of denser areas of bracken, but still allowing free access to stock. Limited amounts of litter but with grass growing through.	Numerous scattered trees with grazing beneath and between. Open woodland (e.g. oak, larch) where the canopy offers no shading or accumulation of leaf-litter to restrict grazing beneath.
<b>Level 2 Ineligible % range</b>	<b>5 – 19%</b>	<b>5 – 9%</b>	<b>3 – 9%</b>	<b>1 – 9%</b>
<b>Level 3 Description</b>	Bare rock and boulders forming larger areas of limited grazing.	Predominantly grazeable but many clumps of bushes, each dense enough to either exclude stock or provide no grazing.	Generally, dense bracken but still allowing access to stock. Litter of decaying bracken covers the site but has not built up to any depth. Grass growing through the litter.	N/A
<b>Level 3 Ineligible % range</b>	<b>20 – 49%</b>	<b>10 – 39%</b>	<b>10 – 39%</b>	<b>N/A</b>

## ANNEX 1: DECLARING AND DEDUCTING INELIGIBLE FEATURES

<b>Ineligible features density table</b>				
<b>Density Level</b>	<b>Scree/Rock Outcrops/ Boulders/ Sand (YY41)</b>	<b>Scrub including gorse bushes and briar (YY23)</b>	<b>Bracken (YY21)</b>	<b>Trunks &amp; Stumps (Density &lt;100 trees/Ha) (YY16)</b>
<b>Level 4 Description</b>	More than half the area offers no grazing due to bare rock, quarry spoil, etc.	Dense areas of scrub with some limited grazing beneath and only accessible to stock by definite paths. Presence of bramble. Dingles dropping steeply to stream, low light penetration, offering limited grazing and stock access restricted to definite paths.	Tall, dense bracken restricting stock movements to paths only. Deep accumulation of litter.	N/A
<b>Level 4 Ineligible % range</b>	<b>50 – 99%</b>	<b>40 – 99%</b>	<b>40 – 99%</b>	<b>N/A</b>

## ANNEX 1: DECLARING AND DEDUCTING INELIGIBLE FEATURES

Ineligible features density table				
Density Level	Scree/Rock Outcrops/ Boulders/ Sand (YY41)	Scrub including gorse bushes and briar (YY23)	Bracken (YY21)	Trunks & Stumps (Density <100 trees/Ha) (YY16)
<b>Level 5 Description</b>	Areas of rock, shingle, quarry or mining spoil where no grazing is available.	Dense area of scrub or gorse totally impenetrable to stock. No evidence of paths within.	Dense impenetrable bracken. Livestock keep clear throughout much of the year. Deep litter grading into organic build up on the ground rather than soil beneath, confirming accumulation over many years.	Group(s) of three or more trees (which do not belong to a traditional boundary) growing very close together creating a canopy of branches that form an area of cover above the ground).
<b>Level 5 Ineligible % range</b>	<b>100% ineligible</b>  Areas over 100 m <sup>2</sup> should be declared as 100% ineligible and deducted from the land parcel area.	<b>100% ineligible</b>  Areas over 100 m <sup>2</sup> should be declared as an ineligible group and deducted from the land parcel area.	<b>100% ineligible</b>  Areas over 100 m <sup>2</sup> should be declared as an ineligible group and deducted from the land parcel area.	<b>100% ineligible</b>  Areas over 100 m <sup>2</sup> should be declared as an ineligible group and deducted from the land parcel area.

## ANNEX 1: DECLARING AND DEDUCTING INELIGIBLE FEATURES

The table below identifies all of the crop codes for land/areas/features, which may be present in a field. You must consider these codes and enter them within the Field Data section of your SAF to declare the areas and features in the field parcels that are at your disposal. You must also review any pre-populated codes and change these where necessary.

**Important:** Different land/areas/features in a field parcel must be declared on separate lines on your SAF against the field reference, as appropriate.

**Example:** a total field size of 5.00 hectares, which has 4.95 hectares of permanent grass (GR2), 0.02 hectares of hardstanding (ZZ92) and an ungrazed track (ZZ97) covering 0.03 hectares must have each area declared against the field on separate lines.

The table below also sets out whether each crop code is eligible for payment under the BPS, Rural Investment Schemes or RD Woodland Creation Schemes..

**The rules for declaring landscape features and ineligible areas on your holding are explained at Annex 1 of this booklet. It is important you assess and declare these areas on your holding. Failure to do so may result in an over-declaration of eligible areas, which may lead to reductions and penalties.**

### Crop codes for Woodland

Groups of trees and areas of scattered trees with a density greater than 100 trees per hectare are considered ineligible for BPS.

Annex 1 of this booklet provides guidance on how to assess these areas so you can declare them on your SAF, using the following crop codes:

ZZ10 – Woodland – coniferous – group (ineligible for BPS)

ZZ11 – Woodland – broadleaf – group (ineligible for BPS)

YY14 – Woodland – coniferous – scattered with a density greater than 100 trees / hectare (ineligible for BPS)

YY15 – Woodland – broadleaf – scattered with a density greater than 100 trees / hectare (ineligible for BPS)

**Areas of scattered woodland with a density less than 100 trees/hectare are eligible for BPS.** For these areas, you should use the appropriate crop code for the land type on the ground, e.g. GR2 (Grass – permanent – over 5 years). You should also declare YY16 (Trees – individual trunks and stumps – ineligible for BPS) where the total area taken up by trunks and stumps in the field parcel amounts to more than 50 m<sup>2</sup>.

## **ANNEX 1: DECLARING AND DEDUCTING INELIGIBLE FEATURES**

### **Non-agricultural Activities**

Paragraph B23 in this booklet lists non-agricultural activities for BPS. Code NO1 must be used when these activities are taking place on the land.

### **Use of crop/land use codes for grass**

For areas that have been grass for 5 years or more these are considered permanent grassland so use GR2.

For areas that have been grass for less than 5 years, following an arable crop, use GR1. Grass may be reclassified from GR2 to GR1 only if the land has been subject to arable crop rotation within the last 5 years.

Where an area of permanent grassland has been grass for 5 years or more and re-sown with grass in the last 12 months then the code GR8 should be used

## ANNEX 2: LAND / AREA DECLARATION AND USE CODES

### Annex 2: Land / Area Declaration and Use Codes

**Table 1: Crop Codes to declare in the Field Data section**

RD Woodland Creation Schemes and Woodland Creation Maintenance and Woodland Creation Premium claimants **must** refer to Annex 3 for guidance on which crop codes to declare in support of their claim.

**Please Note:** For Habitat Wales Scheme HS08 (Arable Plants) where a spring sown crop will be established in 2024, for all crops other than Barley, Oats, Rye, Triticale and Wheat **you must** seek approval via your RPW Online account.

Annex 2: Table 1: Crop/Land Description	Crop Code	Land Cover Classification	BPS Eligible	Habitat Wales Eligible	OCS / OS Payable	OS Payment Rate 1
Apples	AP4	Permanent Crop	Yes	Yes	Yes	Yes
Arable crop – mixed	MC3	Arable	Yes	Yes	Yes	No
Artichokes	AR2	Permanent Crop	Yes	Yes	Yes	Yes
Asparagus	AS1	Permanent Crop	Yes	Yes	Yes	Yes
Aubergine	AU1	Arable	Yes	Yes	Yes	Yes
Bamboo	BA2	Permanent Crop	No	Yes	Yes	No
Barley – spring sown	BA5	Arable	Yes	Yes	Yes	No
Barley – winter sown	BA4	Arable	Yes	Yes	Yes	No
Basil	BA6	Arable	Yes	Yes	Yes	Yes
Beans – field – spring sown	BN4	Arable	Yes	Yes	Yes	No
Beans – field – winter sown	BN5	Arable	Yes	Yes	Yes	No
Beans – green	BN2	Arable	Yes	Yes	Yes	No
Beans – mung	BE11	Arable	Yes	Yes	Yes	No
Broadleaf – grazed	BG1	Permanent Grass	Yes	Yes	Yes	No
Beans – soya	BN3	Arable	Yes	Yes	Yes	No

## ANNEX 2: LAND / AREA DECLARATION AND USE CODES

Annex 2: Table 1: Crop/Land Description	Crop Code	Land Cover Classification	BPS Eligible	Habitat Wales Eligible	OCS / OS Payable	OS Payment Rate 1
Beets/Mangolds	BT1	Arable	Yes	Yes	Yes	No
Bilberries/Cranberries	BS2	Permanent Crop	Yes	Yes	Yes	Yes
Blackberries/Loganberries/ Raspberries	BS1	Permanent Crop	Yes	Yes	Yes	Yes
Black Medicks	ME6	Arable	Yes	Yes	Yes	Yes
Borage	BO1	Arable	Yes	Yes	Yes	No
Buckwheat	BU1	Arable	Yes	Yes	Yes	No
Cabbages and other brassicas – spring sown	CA21	Arable	Yes	Yes	Yes	Yes
Cabbages and other brassicas – winter sown	CA22	Arable	Yes	Yes	Yes	Yes
Camelina	CA18	Arable	Yes	Yes	Yes	No
Canary seed / Reed Canary Grass	CY1	Arable	Yes	Yes	Yes	No
Carrots	CA20	Arable	Yes	Yes	Yes	Yes
Celeriac	CE2	Arable	Yes	Yes	Yes	Yes
Coniferous – grazed	CG1	Permanent Grass	Yes	Yes	Yes	No
Chicory	CH5	Arable	Yes	Yes	Yes	Yes
Chilli	CI1	Arable	Yes	Yes	Yes	Yes
Chilli - Tree	CT1	Arable	Yes	Yes	Yes	Yes
Clover	CL4	Arable	Yes	Yes	Yes	No
Clover – sweet	CL3	Arable	Yes	Yes	Yes	No
Comfrey	CO5	Arable	Yes	Yes	Yes	Yes
Coppice – short rotation	CO4	Permanent Crop	Yes	Yes	Yes	No



## ANNEX 2: LAND / AREA DECLARATION AND USE CODES

Annex 2: Table 1: Crop/Land Description	Crop Code	Land Cover Classification	BPS Eligible	Habitat Wales Eligible	OCS / OS Payable	OS Payment Rate 1
Crambe	CR2	Arable	Yes	Yes	Yes	Yes
Cress – salad	CR4	Arable	Yes	Yes	Yes	Yes
Cress – water	CR5	Arable	Yes	Yes	Yes	Yes
Cucumbers	CU1	Arable	Yes	Yes	Yes	Yes
Daffodils	DA1	Arable	Yes	Yes	Yes	Yes
Dill	DL1	Arable	Yes	Yes	Yes	Yes
Edible thistle	TH1	Permanent Crop	Yes	Yes	Yes	Yes
Evening Primrose	EV1	Arable	Yes	Yes	Yes	Yes
Fallow – natural regeneration	FA3	Arable	Yes	Yes	Yes	No
Fallow – grass sown	FA4	Arable	Yes	Yes	Yes	No
Fallow – sown wildlife cover	FA5	Arable	Yes	Yes	Yes	No
Fennel	FE2	Arable	Yes	Yes	Yes	Yes
Fenugreek	FE1	Arable	Yes	Yes	Yes	Yes
Field corners/woodland edge (stock excluded)	GC3	Other	No	Yes	No	No
Field Margins	FM1	Other	Yes	Yes	Yes	No
Forage Rape	RA9	Arable	Yes	Yes	Yes	No
Gooseberries/Redcurrants/Blackcurrants/Whitecurrants	BS3	Permanent Crop	Yes	Yes	Yes	Yes
Grapes	GR7	Permanent Crop	Yes	Yes	Yes	Yes
Grass (stock excluded)	GR9	Other	No	Yes	No	No
Grass – permanent – over 5 years	GR2	Permanent Grass	Yes	Yes	Yes	No

## ANNEX 2: LAND / AREA DECLARATION AND USE CODES

Annex 2: Table 1: Crop/Land Description	Crop Code	Land Cover Classification	BPS Eligible	Habitat Wales Eligible	OCS / OS Payable	OS Payment Rate 1
Grass – permanent – resown in last 12 months	GR8	Permanent Grass	Yes	No	Yes	No
Grass – temporary – under 5 years	GR1	Arable	Yes	Yes	Yes	No
Heather	HE9	Permanent Grass	Yes	Yes	Yes	No
Heathlands (stock excluded)	HE6	Other	No	Yes	No	No
Heathlands – grazed	HE7	Permanent Grass	Yes	Yes	Yes	No
Hemp	HE2	Arable	Yes	Yes	Yes	No
Herbage seed	HE8	Arable	Yes	Yes	Yes	No
Hops	HO1	Permanent Crop	Yes	Yes	Yes	Yes
Horseradish	RA4	Arable	Yes	Yes	Yes	Yes
Lavender	LA1	Arable	Yes	Yes	Yes	Yes
Lentils	LE1	Arable	Yes	Yes	Yes	Yes
Lettuce	LE3	Arable	Yes	Yes	Yes	Yes
Linseed/Linola – spring sown	LI4	Arable	Yes	Yes	Yes	No
Linseed/Linola – winter sown	LI5	Arable	Yes	Yes	Yes	No
Lucerne	LU2	Arable	Yes	Yes	Yes	No
Lupins – sweet	LU1	Arable	Yes	Yes	Yes	No
Maize/Sweetcorn	MA6	Arable	Yes	No	Yes	No
Marrows/Pumpkins/Squash/ Courgette	MA5	Arable	Yes	Yes	Yes	Yes
Melons	ME3	Arable	Yes	Yes	Yes	Yes
Melons – Water	ME5	Arable	Yes	Yes	Yes	Yes
Millet	MI1	Arable	Yes	Yes	Yes	No

## ANNEX 2: LAND / AREA DECLARATION AND USE CODES

Annex 2: Table 1: Crop/Land Description	Crop Code	Land Cover Classification	BPS Eligible	Habitat Wales Eligible	OCS / OS Payable	OS Payment Rate 1
Miscanthus	MI5	Permanent Crop	Yes	Yes	Yes	No
Mixed production horticulture	MP1	Arable	Yes	Yes	Yes	Yes
Mushrooms	MU2	Arable	Yes	Yes	Yes	Yes
Mustard	MU3	Arable	Yes	Yes	Yes	Yes
Mustard – brown	MU5	Arable	Yes	Yes	Yes	Yes
Nitrogen fixing crops – mixed	MN1	Arable	Yes	Yes	Yes	No
Nursery – trees – ornamentals	NU11	Permanent Crop	Yes	Yes	Yes	Yes
Nuts – chestnuts	NU2	Permanent Crop	Yes	Yes	Yes	Yes
Nuts – hazel/cob	NU5	Permanent Crop	Yes	Yes	Yes	Yes
Nuts – pistachios	PI1	Permanent Crop	Yes	Yes	Yes	Yes
Nuts – walnuts	NU4	Permanent Crop	Yes	Yes	Yes	Yes
Oats – spring sown	OA5	Arable	Yes	Yes	Yes	No
Oats – winter sown	OA4	Arable	Yes	Yes	Yes	No
Oilseed rape – spring sown	RA8	Arable	Yes	Yes	Yes	No
Oilseed rape – winter sown	RA7	Arable	Yes	Yes	Yes	No
Onions/Leeks/Shallots/Garlic	ON2	Arable	Yes	Yes	Yes	Yes
Orchard – mixed	OR3	Permanent Crop	Yes	Yes	Yes	Yes
Oregano	OR2	Arable	Yes	Yes	Yes	Yes
Osiers	OS1	Permanent Crop	Yes	Yes	Yes	No
Parsley	PA1	Arable	Yes	Yes	Yes	Yes
Parsnips	PA2	Arable	Yes	Yes	Yes	Yes
Pears	PE10	Permanent Crop	Yes	Yes	Yes	Yes
Peas – chickpeas	PE3	Arable	Yes	Yes	Yes	Yes

## ANNEX 2: LAND / AREA DECLARATION AND USE CODES

Annex 2: Table 1: Crop/Land Description	Crop Code	Land Cover Classification	BPS Eligible	Habitat Wales Eligible	OCS / OS Payable	OS Payment Rate 1
Peas (vining and other) – spring sown	PS2	Arable	Yes	Yes	Yes	Yes
Peas (vining and other) – winter sown	PS3	Arable	Yes	Yes	Yes	Yes
Pepper	PP1	Arable	Yes	Yes	Yes	Yes
Plantains	PL3	Arable	Yes	Yes	Yes	Yes
Plums/Greengages/Cherries/Almonds	PL2	Permanent Crop	Yes	Yes	Yes	Yes
Pond buffer zone (Previously Glastir)	GC2	Other	No	Yes	No	No
Ponds – eligible for BPS (refer to paragraph B17)	PD1		Yes	No	No	No
Potato – sweet	PO2	Arable	Yes	Yes	Yes	Yes
Potatoes	PO1	Arable	Yes	Yes	Yes	Yes
Radishes	RA2	Arable	Yes	Yes	Yes	Yes
Reed beds/swamps (stock excluded)	RE3	Other	No	Yes	No	No
Reeds	RE1	Other	No	Yes	No	No
Rhubarb	RH1	Permanent Crop	Yes	Yes	Yes	Yes
Rocket	RO2	Arable	Yes	Yes	Yes	Yes
Roses	RO1	Permanent Crop	Yes	Yes	Yes	Yes
Rushes	RU1	Other	No	Yes	No	No
Rye – (including Meslin) – spring sown	RY4	Arable	Yes	Yes	Yes	No

## ANNEX 2: LAND / AREA DECLARATION AND USE CODES

Annex 2: Table 1: Crop/Land Description	Crop Code	Land Cover Classification	BPS Eligible	Habitat Wales Eligible	OCS / OS Payable	OS Payment Rate 1
Rye – (including Meslin) – winter sown	RY5	Arable	Yes	Yes	Yes	No
Saffron	SA1	Arable	Yes	Yes	Yes	Yes
Sage	SA9	Arable	Yes	Yes	Yes	Yes
Sain Foin	SF1	Arable	Yes	Yes	Yes	No
Salsify	SA3	Arable	Yes	Yes	Yes	Yes
Saltmarshes – grazed	SM2	Permanent Grass	Yes	Yes	Yes	No
Saltmarshes (stock excluded)	SM1	Other	No	Yes	No	No
Sand Dunes	SD1	Permanent Grass	Yes	Yes	Yes	No
Scorzonera	SC1	Arable	Yes	Yes	Yes	Yes
Scrub/gorse/briar (stock excluded not eligible for BPS) – (Previously Glastir)	GS1	Other	No	Yes	No	No
Scrub/gorse/briar – stock excluded – not eligible for BPS	GS2	Other	No	Yes	No	No
Siam Pumpkin	SP7	Arable	Yes	Yes	Yes	Yes
Sorghum	SO3	Arable	Yes	Yes	Yes	No
Spelt Wheat – spring sown	SP8	Arable	Yes	Yes	Yes	No
Spelt Wheat – winter sown	SP9	Arable	Yes	Yes	Yes	No
Spinach	SP3	Arable	Yes	Yes	Yes	Yes
Squash – Banana	SQ1	Arable	Yes	Yes	Yes	Yes
Squash - Butternut	SQ2	Arable	Yes	Yes	Yes	Yes
Squash – Japanese Pie	SQ3	Arable	Yes	Yes	Yes	Yes
Strawberries	ST1	Permanent Crop	Yes	Yes	Yes	Yes

## ANNEX 2: LAND / AREA DECLARATION AND USE CODES

Annex 2: Table 1: Crop/Land Description	Crop Code	Land Cover Classification	BPS Eligible	Habitat Wales Eligible	OCS / OS Payable	OS Payment Rate 1
Streamside corridor	SC2	Other	No	Yes	No	No
Streamside corridor – (Previously Glastir)	GC1	Other	No	Yes	No	No
Streamside corridor – not eligible for BPS	SC3	Other	No	Yes	No	No
Sunflower seed	SU2	Arable	Yes	Yes	Yes	Yes
Swedes	SW4	Arable	Yes	Yes	Yes	Yes
Temporary unusable area	TT99	Other	No	No	No	
Tobacco	TO1	Arable	Yes	Yes	Yes	Yes
Tomatoes	TO2	Arable	Yes	Yes	Yes	Yes
Tracks – grazed	GT1	Permanent Grass	Yes	Yes	Yes	No
Trees with a tree preservation order	TP8	Other	Yes	Yes	Yes	No
Trefoils	TR5	Arable	Yes	Yes	Yes	No
Trefoils – Common Birdsfoot	TR9	Arable	Yes	Yes	Yes	No
Triticale – spring sown	TC4	Arable	Yes	Yes	Yes	No
Triticale – winter sown	TC3	Arable	Yes	Yes	Yes	No
Tulips	TU4	Arable	Yes	Yes	Yes	Yes
Turnips/Typhon/Colza	TU5	Arable	Yes	Yes	Yes	Yes
Vetches	VE3	Arable	Yes	Yes	Yes	Yes
Wheat – spring sown	WT2	Arable	Yes	Yes	Yes	No
Wheat – winter sown	WT1	Arable	Yes	Yes	Yes	No
Woad	WO1	Permanent Crop	Yes	Yes	Yes	No
Yam	YA1	Arable	Yes	Yes	Yes	Yes

## ANNEX 2: LAND / AREA DECLARATION AND USE CODES

### Annex 2: Table 2:

Crop Codes to declare land in the Field Data section, which have been entered into a RD Woodland Creation Scheme and/or Rural Investment Scheme woodland creation contract and/or grant award and **are eligible for BPS subject to specific conditions** (refer to paragraph B20 for guidance), i.e. they are considered afforested under a woodland creation scheme.

**Please note** once your RD Woodland Creation Scheme commitment or Rural Investment Scheme woodland creation contract and/or grant award finishes any associated afforestation commitment also finishes. This land must then be declared with an appropriate land use code listed in Table 1 and/or Table 3. If you declare land as set aside after a contract and/or grant award has finished your claims may be reduced and over-declared penalties applied.

Any land previously set aside under an EU Welsh Government Rural Communities – Rural Development Programme for Wales 2014-2020 agreement will no longer be eligible for BPS by declaring crop codes BW1 or CW1 where the contact has ended e.g. Glastir Entry/Advanced, Glastir Advanced. This must be declared with an appropriate land use code listed in Table 1 and/or Table 3.

<b>Annex 2: Table 2: Crop/Land Description</b>	<b>Crop Code</b>	<b>Land Cover Classification</b>	<b>BPS Eligible</b>	<b>Habitat Wales Eligible</b>	<b>OCS / OS Payable</b>
Woodland – broadleaf – stock excluded – eligible for BPS	BW1	Other	Yes	Yes	No
Woodland – coniferous – stock excluded – eligible for BPS	CW1	Other	Yes	Yes	No

### Annex 2: Table 3:

Permanent features ineligible for BPS and certain RD Woodland Creation Scheme and Rural Investment Scheme woodland creation contracts and/or grant awards.

## ANNEX 2: LAND / AREA DECLARATION AND USE CODES

<b>Annex 2: Table 3: Crop/Land Description</b>	<b>Crop Code</b>	<b>Land Cover Classification</b>	<b>BPS Eligible</b>	<b>Habitat Wales Eligible</b>	<b>OCS /OS Payable</b>
Woodland – coniferous – group	ZZ10	Other	No	Yes	No
Woodland – broadleaf – group	ZZ11	Other	No	Yes	No
Woodland – coniferous – scattered	YY14	Other	No	Yes	No
Woodland – broadleaf – scattered	YY15	Other	No	Yes	No
Woodland – trunks and stumps	YY16	Other	No	Yes	No
Woodland – coniferous – stock excluded – ineligible for BPS	TR2	Other	No	Yes	No
Woodland – broadleaf – stock excluded – ineligible for BPS	WS1	Other	No	Yes	No
Bracken – group	ZZ20	Other	No	Yes	No
Bracken – scattered	YY21	Other	No	Yes	No
Scrub/gorse/briar – group	ZZ22	Other	No	Yes	No
Scrub/gorse/briar – scattered	YY23	Other	No	Yes	No
Ponds – ineligible	ZZ30	Other	No	No	No
Rivers and streams	ZZ31	Other	No	No	No
Scree/rock outcrops/boulders/sand – group	ZZ40	Other	No	Yes	No
Scree/rock outcrops/boulders/sand – scattered	YY41	Other	No	Yes	No
Buildings/yards	ZZ89	Other	No	No	No
Hardstandings	ZZ92	Other	No	No	No
Roads	ZZ94	Other	No	No	No
Tracks – ungrazed	ZZ97	Other	No	No	No
Non-agricultural activities	NO1	Other	No	No	No



## ANNEX 3: AFFORESTATION AND NATURAL RESOURCES WALES (NRW) MANAGEMENT AGREEMENTS

### Annex 3: Afforestation Schemes and Natural Resources Wales (NRW) Management Agreements

**For land entered into an eligible afforestation scheme:**

For land entered into an eligible afforestation scheme, if the land gave right to SPS payment in 2008 and was eligible for SPS or BPS when it was first planted, it can be considered eligible for BPS during the period it is subject to the terms and conditions of your Contract.

Afforestation Scheme	Eligible Management Options	
Woodland Grant Scheme (WGS 3)	LEAP	Woodland for stock exclusion
	NB	New planting with Better Land Contribution
	NC	New planting of coppice
	NK	New planting of coppice with better land contribution
	NP	New planting
	NS	New planting eligible for set-a-side
	NZ	New planting by natural regeneration (set-a-side)
Farm Woodland Premium Scheme (FWPS) *	Arable Land – outside LFA	
	Arable Land – DA	
	Arable Land – SDA	
Afforestation Scheme	Eligible Management Options	
Glastir Woodland Creation	PLTD	New woodland
Glastir Woodland Creation Premium (GWCP)		
Glastir Woodland Creation	PLTD	New woodland, planted since 2015
Glastir Woodland Creation Premium (GCP)		
Glastir Woodland Creation Maintenance (GCM)		
Woodland Creation Grant	PLTD	New woodland
Small Grants – Woodland Creation		
Woodland Creation Premium (WCP)		
Woodland Creation Maintenance (WCM)		

## **ANNEX 3: AFFORESTATION AND NATURAL RESOURCES WALES (NRW) MANAGEMENT AGREEMENTS**

\* For Farm Woodland Premium Scheme your Contract may include the period after your annual payments have been made when you are prevented from felling those trees.

**Land where trees have been planted under the above afforestation Contracts must use one of the following codes:**

- BW1 – Broadleaf Woodland (stock excluded) – To be used if the area gave rise to SPS payment in 2008 and the land under Contract is in an eligible management option
- CW1 – Coniferous Woodland (stock excluded) – To be used if the area gave rise to SPS payment in 2008 and the land under Contract is in an eligible management option
- WS1 – Broadleaf Woodland (stock excluded) – To be used if the area did not give rise to SPS payment in 2008 or the land under Contract is not in an eligible management option
- TR2 – Coniferous Woodland (stock excluded) – To be used if the area did not give rise to SPS payment in 2008 or the land under Contract is not in an eligible management option.

Eligibility for BPS under these afforestation schemes is only available for 'new planting'. If you hold one of these agreements you should check whether your Contract contains one of the 'new planting' options for that land.

If you declare the land as BW1/CW1 and our checks discover your Contract and/or Grant Award does not contain an eligible option the land will not be eligible for BPS payment and over-declared penalties will be applied.

Once your afforestation commitment finishes you cannot continue to declare the land for BPS and must either declare WS1 or another of the woodland codes.

### **Land entered into Natural Resources Wales (NRW) Management Agreements**

Some of your land may have been designated as a Site of Special Scientific Interest (SSSI) by Natural Resources Wales (or its predecessor), including special areas of conservation or special protection areas.

The management policy that has been agreed will explain the reasons and include specific management regimes you are required to undertake. In some instances, this could include excluding stock from grazing certain areas.

Since land can be considered eligible for BPS if you undertake minimum agricultural activities, including maintaining the land in a state suitable for grazing and cultivation (see Section B of this booklet), land under NRW management agreements will be assessed against the BPS land eligibility rules.

### **ANNEX 3: AFFORESTATION AND NATURAL RESOURCES WALES (NRW) MANAGEMENT AGREEMENTS**

You should declare the land cover code that best reflects the condition of the land on 15 May each year, e.g. GR2 for permanent grassland or ZZ11 for groups of broadleaved trees.

You should not declare woodland areas as BW1/CW1 if those areas are included in a NRW management agreement, as this could result in an over-declared penalty when our checks discover the management agreement does not prevent the land being eligible for BPS.

## ANNEX 4: KEY DATES

### Annex 4: Key Dates

Date	Event
1 January 2024	Start of the BPS year.
1 January 2024	Cross Compliance requirements begin for 2024.
4 March 2024	SAF 2024 available.
22 April 2024	A SAF submission reminder Broadcast Message will be issued week commencing 22 April 2024.
6 May 2024	A SAF submission reminder Broadcast Message will be issued week commencing 6 May 2024.
15 May 2024	Closure of Transfer & Lease of BPS Entitlements 2024.
15 May 2024	Closing date for receipt of SAF 2024 without penalty.
31 May 2024	Final day to make amendments to the land declared on the SAF 2024 (without penalty), submitted by 15 May 2024.
3 June 2024	A SAF submission reminder Broadcast Message will be issued week commencing 3 June 2024.
10 June 2024	Final day for receipt of SAF 2024 (subject to late penalties). All SAFs received after 10 June will be rejected.
19 June 2024	Final day for response to the 'Preliminary Checks: Permanent Features and Duplicate Fields' letter to avoid penalties.
30 June 2024	When sowing for hemp takes place after 15 May, seed labels must be submitted no later than 30 June.
14 October 2024	BPS Advance Payments will commence.
12 December 2024	BPS Balance Payments will commence.
31 December 2024	<p>Deadline for submission of BPS Supporting Documents.</p> <p>Deadline for submission of Organic Conversion Scheme Supporting Documents.</p> <p>Deadline for submission of Organic Support Supporting Documents.</p>
31 January 2025	Rural Investment Schemes and RD Woodland Creation payments will commence.

## ANNEX 5: GLOSSARY OF TERMS

### Annex 5: Glossary of Terms

Acronyms and Terms	Explanation
Agricultural activity	<ul style="list-style-type: none"> <li>• The production, rearing or growing of agricultural products including harvesting, milking, breeding animals and keeping animals for farming purposes</li> <li>• maintaining an agricultural area in a state which makes it suitable for grazing or cultivation without preparatory action going beyond usual agricultural methods and machineries. In Wales, this means the control of non-native invasive weeds and scrub</li> <li>• carrying out a minimum activity on agricultural areas naturally kept in a state suitable for grazing or cultivation. In Wales, agricultural areas naturally kept in a state suitable for grazing or cultivation are defined as areas of saltmarsh and sand dunes. The minimum activity required is that the area is grazed to a minimum average annual stocking density of 0.01 to 0.05 livestock units per hectare, or the control of non-native invasive weeds and scrub.</li> </ul>
Agricultural area	Any area taken up by arable land, permanent grassland and permanent pasture, or permanent crops.
Arable land	Land cultivated for crop production or areas available for crop production but lying fallow including areas set aside.
Area determined	<ul style="list-style-type: none"> <li>• For area related schemes, the area for which all eligibility criteria or other obligations relating to the conditions for the granting of the aid have been met, regardless of the number of the payment entitlements at the farmer/land manager's disposal; or</li> <li>• for area-related support measure, the area of plots or parcels as identified by means of administrative or on-the-spot checks.</li> </ul>
Artificiality	Farmers who artificially create the circumstances to gain advantage from any of the rules relating to the payment of BPS, including to avoid direct payment reductions (capping), by declaring/not declaring land at their disposal will be investigated and payments may be withheld, or all claims rejected and monies paid recovered. This includes Young Farmer payment and entitlements allocated from the National Reserve.
BACS	Bankers Automated Clearing System.

## ANNEX 5: GLOSSARY OF TERMS

Acronyms and Terms	Explanation
Beneficiary	A farmer as defined above and in relation to Active Farmer, subject to Cross Compliance receiving direct payments or farmer/land manager receiving rural development support.
CPH	County Parish Holding number, identifies the location of the land. Farmers may have more than one CPH, but all CPH numbers will be linked to one Customer Reference Number.
CRN	Customer Reference Number. A unique business identifier in the format A0098765.
Cross Compliance	The Statutory Management Requirements and the Good Agricultural and Environmental Conditions.
ESPG	Areas designated as Environmentally Sensitive Permanent Grassland and protected under GAEC 7 of Cross Compliance. These areas are: <ul style="list-style-type: none"> <li>• Special Areas of Conservation (SAC)</li> <li>• Special Protection Areas (SPA)</li> <li>• and areas falling within a biological 'Site of Special Scientific Interest' (SSSI) (excluding those designated for geological/earth science features).</li> </ul>
Farmer	A natural or Legal Person, or a group of natural or Legal Persons who exercises an agricultural activity. See Section B4.
GAEC	Good Agricultural and Environmental Condition.
Habitat Wales Scheme Habitat Classifications	Areas of land where a Habitat Wales Scheme grant award requires the land to be managed in a particular way. The management requirements will be different depending on the Habitat Classification/s included in the grant award you have accepted.
Gwlad e-newsletter	Newsletter published online by the Welsh Government.
Herbaceous forage	Any herbaceous plant traditionally found in natural pastures or normally included in mixtures of seeds for pastures or meadows. These mixtures can include Lucerne, Sainfoin, forage vetches and clovers.
Holding	All the units used for agricultural activities, managed by a farmer (includes owned and rented land).

## ANNEX 5: GLOSSARY OF TERMS

Acronyms and Terms	Explanation
IACS	Integrated Administration and Control System. This is the base control for Direct Payment and land based Rural Investment Schemes and RD Woodland Creation Schemes.
Keeper	As defined in the BCMS Cattle Handbook and the Sheep and Goat Handbook.
Lease	Rental agreement or similar temporary transaction.
LUs	Livestock Units.
NRW	Natural Resources Wales.
Nurseries	The following areas of young ligneous (woody) plants grown in the open air, for subsequent transplantation: <ul style="list-style-type: none"> <li>• vine and root stock nurseries</li> <li>• fruit tree and berry nurseries</li> <li>• ornamental nurseries</li> <li>• commercial nurseries of forest trees excluding those for the holding's own requirements grown within woodland</li> <li>• nurseries of trees and bushes for planting in gardens, parks, at the roadside and on embankments (e.g. hedgerow plants, rose trees and other ornamental bushes, ornamental conifers), including in all cases their stocks and young seedlings.</li> </ul>
Permanent crops	Non-rotational crops other than permanent grassland that occupy the land for five years or longer and yield repeated harvests including nurseries, and short rotation coppice.
Permanent grassland	Land used to grow grasses or other herbaceous forage naturally (self-seeded) or through cultivation (sown) and that has not been included in the crop rotation of the holding for five years or longer.
RPW Online	The Welsh Government's online system. Farmers and their Agents/Farming Unions can enrol on this system in order to submit applications, view correspondence, payments, maps etc. and to liaise with RPW.
SAF	Single Application Form.
Sale	The sale or any other definitive transfer or ownership of land or payment entitlements; it does not include the sale of land where land is transferred to public authorities or for use in the public interest and where the transfer is carried out for non-agricultural purposes.

## ANNEX 5: GLOSSARY OF TERMS

<b>Acronyms and Terms</b>	<b>Explanation</b>
Short rotational coppice	Areas planted with tree species that consist of woody, perennial crops, the rootstock or stools of which remain in the ground after harvesting, with new shoots emerging in the following season and with a maximum harvest cycle of 20 years.
SMR	Statutory Management Requirement.
Transfer	The lease or sale or actual inheritance or anticipated inheritance of land or payment entitlements or any other definitive transfer thereof; it does not cover the reversion of entitlements upon expiry of a lease.



## ANNEX 6: LIST OF REFERENCE DOCUMENTS

### Annex 6: List of References Documents

Below is a list of documents that are available to farmers in Wales. In addition, guidance on a wide variety of issues concerning the schemes covered by the Single Application Form have been published in the Gwlad e-newsletter and is available on the [Welsh Government's website](#).

Document	What it Covers
Cross Compliance: Farmers Factsheets	Detailed information to help farmers meet the Statutory Management Requirements (SMRs) and the standards to keep land in Good Agricultural and Environmental Condition (GAEC) plus contacts for further information.
SAF Guidance	'2024 Single Application Form (SAF) Online How To Complete Guide'.  '2024 Single Application Rules Booklet'.
BPS – Transfer of Entitlements	Guidance notes on the transfer process for BPS Entitlements.

## ANNEX 7: CONTACTS

### Annex 7: Contacts

The [Welsh Government's website](#) and the Gwlad e-newsletter contain information on the BPS and other schemes covered by the SAF.

#### RPW Online

Access the RPW Online service via the [Welsh Government website](#). Alternatively, to request access to RPW Online or, if you have any queries on using the online system, please call the Customer Contact Centre on 0300 062 5004.

#### Farmer Enquiries – Customer Contact Centre

Your first point of contact for all telephone enquiries and email correspondence should be the Customer Contact Centre where staff are on hand to provide information and answer queries.

You can use the 'Messages' page on your RPW Online account to send an enquiry to the Customer Contact Centre. Alternatively, you can use the following contact details:

Tel: 0300 062 5004

PO Box address: Rural Payments Wales, PO Box 251, Caernarfon, LL55 9DA

The Customer Contact Centre opening times will be extended during the SAF application window as follows:

- 1 March to 26 April 2024 (excluding Bank Holidays):  
Monday to Friday: 9:00am to 4:00pm
- 29 April to 15 May 2024 (excluding Bank Holidays):  
Monday to Thursday: 9:00am to 5:00pm  
Friday: 9:00am to 4:00pm

#### Regional and Area Offices

**Our Regional Offices are open on an appointment basis only.**

Caernarfon Divisional Office  
Welsh Government  
Victoria Dock  
Caernarfon  
Gwynedd  
LL55 1TH

Carmarthen Divisional Office  
Government Buildings  
Picton Terrace  
Carmarthen SA31 3BT

Llandrindod Wells Divisional Office  
Welsh Government  
County Hall  
Spa Road East  
Llandrindod Wells LD1 5LG

Aberystwyth Regional Office  
Welsh Government  
Rhodfa Padarn  
Llanbadarn Fawr  
Aberystwyth SY23 3UR

## ANNEX 7: CONTACTS

### Access to RPW Offices for people with disabilities or additional needs

If you have any additional 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 website](#). 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 e-newsletter 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 at [Subscribe to farming and forestry news \(Gwlad\)](#).