



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

**Terms and Conditions of the**

**Beef Finisher Payment (BFP)**

**Introduced by the**

**MINISTER FOR AGRICULTURE, FOOD AND THE MARINE**

**CLOSING DATE 9th September 2020**

All details of this Scheme can be accessed on the Department of Agriculture, Food and the Marine website

[www.agriculture.gov.ie](http://www.agriculture.gov.ie)

BFP payments are fully funded by the National Exchequer.

## 1. General Outline and Legal Basis

These are the administrative provisions for the implementation of the Scheme drawn up in accordance with the Ministers and Secretaries Act 1924.

## 2. General Provisions

- 2.1 The Beef Finisher Payment is a one-off payment.
- 2.2 The Scheme shall be administered by the Department and shall operate throughout the State in respect of eligible beef finisher herds.
- 2.3 Covid 19 State Aid Temporary Framework provisions in respect of aid to undertakings active in the primary production of agricultural products shall apply.
- 2.4 Participation in the Scheme is voluntary.

## 3. Definitions

For the purpose of the Scheme:

- 3.1 "**The Department**" shall mean the Department of Agriculture, Food and the Marine.
- 3.2 "**Minister**" shall mean the Minister for Agriculture, Food and the Marine.
- 3.3 "**Farmer**" shall mean a natural or legal person, or a group of natural or legal persons, whatever legal status is granted to the group and its members by national law, who has a herd number issued by the Department of Agriculture, Food & the Marine and who exercises an agricultural activity.
- 3.4 For the purpose of this Scheme, **Registered Farm Partnership** means a partnership which:
  - a. operates in accordance with the Partnership Act 1890
  - b. is operative for the period of the participation of this Scheme, and
  - c. is entered in "The Register" of Farm Partnerships
- 3.5 "**Holding**" shall mean all the production units managed by a farmer during 2020 and subsequent years and situated within the territory of the Republic of Ireland.

- 3.6. **“Applicant”** shall mean a farmer or farm partnership who applies for participation in the Beef Finisher Payment. An applicant may submit only **one** such application.
- 3.7. **“Herdowner”** or a person, who has applied for a herd number, means the nominated company or entity or person(s) associated with a specific herd number to whom any payments are made. The "keeper" role is classified as a non-financial role and therefore it is not possible to make payments to “keepers”.
- 3.8. **“BFP”** shall mean the Beef Finisher Payment.
- 3.9. **“BPS”** shall mean Basic Payment Scheme.
- 3.10. **“Application”** shall mean an application for a contract under the BFP in accordance with the Terms and Conditions set out herein.
- 3.11. **“AIM”** shall mean the Department’s Animal Identification and Movement system.
- 3.12. **“Eligible Animal”** shall mean those Bovine animals identified on AIM as aged 8 months or over when presented for slaughter to a slaughtering establishment approved under the European Communities (Food & Feed Hygiene) Regulations (SI 22 of 2020) in the period of 1 February 2020 to the 12 June 2020 inclusive.
- 3.13. **“Agent”** shall mean an entity that is identified on Department systems as an agent.
- 3.14. **“Dealer”** shall mean an entity that is identified on Department systems as a dealer.
- 3.15. **“Slaughtering establishment”** shall mean a food business engaged in the slaughter of animals approved under the European Communities (Food and Feed Hygiene) Regulations (SI 22 of 2020), including those slaughtering establishments approved by local authority and those slaughtering establishments approved by the Department.
- 3.16. **“Quality scheme”** shall mean the Bord Bia Sustainable Beef and Lamb Assurance Scheme.

## 5. **Objective of the Scheme**

The objective of BFP is to provide support for beef finishing farms in Ireland which have been severely impacted by the economic effects of the Covid-19 pandemic.

## 6. Conditions for the Grant of Aid

- 6.1 The Scheme will be open to all farmers who presented eligible animals for slaughter in the required period.
- 6.2 The Minister reserves the right to alter the Terms and Conditions of the Scheme, close the Scheme and/or alter the grant-aid at any time.
- 6.3 The submission of a valid application does not guarantee entry to the Scheme.
- 6.4 All applicants will be notified of the outcome of their application for participation in the Scheme.

## 7. Eligibility

An eligible applicant shall:

- 7.1 be aged eighteen years or over on date of submission of the application for participation.
- 7.2 be the holder of an active herd number with Herd Owner Status. **Herd Keeper is not acceptable.**
- 7.3 be farming a holding in respect of which a valid Basic Payment Scheme application is submitted in 2020 to the Department prior to the 30 September 2020.
- 7.4 be a member of the Bord Bia Beef and Lamb Quality Assurance Scheme at the time of application, or undertake to become a member of the quality scheme prior to 30 September 2020, and maintain that membership on a continuous basis until 30 September 2021, with the exception of farmers who discontinue their beef farming enterprise before then (not including transfers of ownership).
- 7.5 be a herd that is not an agent or a dealer.
- 7.6 must have presented animals for slaughter in the period 1 February 2020 to 12 June 2020 inclusive.

## 8. Application Procedure

- 8.1 Applications should be made using the online facility. Applicants not already registered for the Department's online services will need to register first at [www.agfood.ie](http://www.agfood.ie).
- 8.2 The opening date for receipt of valid applications is 19<sup>th</sup> August 2020 and the closing date for receipt of valid applications is 9<sup>th</sup> September 2020. Applications will not be accepted after this date.
- 8.3 Further details on the application process are available in Annex 2.

## **9. Administrative and Compliance Checks**

- 9.1 All applications for support and payment claims will be subject to administrative checks, crosschecks with relevant databases (including AIM and Bord Bia), and any other controls deemed necessary, before payments are made under the Scheme.
- 9.2 Applicants shall give permission to Bord Bia and the Department to share data for the purposes of administering the Scheme, in accordance with Annex 1.
- 9.3 Applicants shall facilitate such administrative and on-the-spot checks as the Department deems necessary. On-the-spot checks may be carried out at farm level to ensure compliance with the requirements of the Scheme.
- 9.4 No payment shall be made in favour of beneficiaries where the Department establishes that they have artificially created the conditions required for obtaining such payments with a view to obtaining an advantage contrary to the objectives of the Scheme.

## **10. Payments under the Scheme**

- 10.1 Payments shall be made on the number of eligible animals presented to an approved slaughtering establishment in the period 1 February 2020 to 12 June 2020 inclusive.
- 10.2 Based on estimates of eligible animals, a rate in the region of €100 per animal will be payable. In the event of the scheme being oversubscribed the payment due to each applicant may be subject to a linear reduction.
- 10.3 Where an animal under 10.1 has been presented for slaughter by an agent, dealer or another herdowner within 30 days of purchase, including those purchased in the mart, payment may issue to the immediate previous herdowner where the herdowner is an applicant and held the animal for 30 days or more.
- 10.4 In the case of animals identified on the Department systems as presented for slaughter by or on behalf of a slaughtering establishment, these animals shall not be eligible.

10.5 The Department of Agriculture, Food & the Marine will make payment directly to the applicant's bank account.

10.6 Participants should note that successful participation in BFP shall not confer an automatic entitlement to a payment under the Scheme and that crosschecks will be made by DAFM to ensure that eligibility criteria are met.

## **11. Penalties**

Where the commitments of the Measure as defined in section 7 are not satisfied in full, except in cases of *Force Majeure*, a 100% penalty on payments shall apply.

## **12. Review and Appeal System**

In cases where payment is withheld, applicants will be given 21 working days after formal notification in which to seek a review by the Department. Any request for a review should clearly set out the grounds for a review and should be accompanied by supporting documentation where appropriate. The applicant will be informed in writing of the outcome of that review. This initial review shall be without prejudice to the right to any subsequent appeal to the Agricultural Appeals Office.

An applicant who has had a payment withheld under the Scheme may appeal that decision to the Agriculture Appeals Office. Appeals must be lodged within three months of the date of the Department's review letter. Appeals should be addressed to the Agriculture Appeals Office, Kilminchy Court, Portlaoise, Co Laois.

## **13. Force Majeure**

13.1 Without prejudice to the actual circumstances to be taken into consideration in individual cases the following categories of *force majeure* may be recognised:

- death of the beneficiary,
- long term professional incapacity of the beneficiary,
- 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,
- 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 beneficiary's livestock or crops respectively.

#### **14. Transfer of Holding**

Where the holding is transferred by gift or inheritance, an application under the Scheme by the new applicant(s) may be taken as a transfer of the contract provided that the transferee undertakes in writing to adhere to the requirements of the Scheme for the remainder of the contract. Leases between family members may meet this undertaking provided the lessee meets the requirement outlined above.

#### **15. Partnerships**

- 15.1 Farmers in a Farm Partnership registered with the Department are eligible to apply for the Scheme, provided that:
- 15.2 The application is made under the same Registered Farm Partnership Number as the Basic Payment Application for 2020 and signed by each partner.
- 15.3 A maximum threshold of 200 animals will apply to a Registered Farm Partnership of two herds. A maximum threshold of 300 animals will apply to a Registered Farm Partnership of three or more herds.

#### **16. Responsibility of Applicant**

- 16.1 It shall be the responsibility of the applicant to familiarise him/herself with the Scheme's Terms and Conditions and with the consequences for breaches of the Scheme.
- 16.2 It shall be the responsibility of the applicant to be familiar with the commitments undertaken by participation in the scheme, and with the consequences for breaches of these.
- 16.3 The approval or payment of aid under the Scheme does not imply the acceptance by the Minister of any responsibility as regards the obligations undertaken by the applicant.

#### **17. Failure to abide by the Terms and Conditions of the Scheme**

- 17.1 Where, for the purposes of obtaining payment under the Scheme to which these Terms and Conditions relate, the applicant knowingly makes a false or misleading statement or withholds essential information, or if there is any material change in the circumstances of the applicant which would be in conflict with the letter or the spirit of the Scheme his/her participation in any or all of the Scheme may be terminated and all or part of the aid paid shall be

reimbursed. The Minister reserves the right to recover such amounts in accordance with the law.

- 17.2 The Minister also reserves the right to exclude such a person from further participation in any other Department scheme for such period as shall be determined, but in any event not exceeding a period of 6 years.

**18. Review of Financial Aids**

18.1 The Minister reserves the right to restrict the availability of the Scheme and to vary, where occasion so demands, the amount of financial aid wherever specified in the Scheme.

18.2 The obtaining of aid or the attempt to obtain aid under the Scheme by fraudulent means by the applicant or others acting alone or together may render such persons liable to prosecution.

**19. Conditions of payment**

19.1 Every payment under this Scheme shall be subject to conditions laid down by the Minister, which must be complied with in full by the applicant.

19.2 Payments under BFP shall comply with EU State aid rules applicable to enterprises engaged in agricultural production under the Covid19 Temporary State Aid Framework.

19.3 Participants should note that successful participation in BFP shall not confer an automatic entitlement to a payment under the Scheme.

**20. Tax Clearance Requirement**

Payment of financial aid as provided for in this Scheme may be subject to the condition that a tax clearance certificate from the Revenue Commissioners be furnished before a payment can be issued.

**21. Data Protection**

Your attention is drawn to the Data Protection Notice in Annex 1.



**22. Further Conditions**

- 22.1 The Minister may at any time lay down further conditions under this Scheme.
- 22.2 The Minister reserves the right to alter from time to time the procedures to be followed in the operation of the Scheme.

**23. Interpretation**

The Department may expand upon, explain, interpret or define the meaning of any aspect of the Terms or Conditions of the Scheme.

## **Annex 1.**

### **GDPR considerations in the sharing of data between DAFM, Bord Bia and any third-party service providers.**

#### **Data Protection Notice:**

##### **Part A:**

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

- The Department of Agriculture, Food and the Marine is fully committed to keeping all personal data submitted by its customers, fully safe and secure during administrative processes. All necessary technical measures have been put in place to ensure the safety and security of the systems which hold this data.
- Transparency and openness in the use of personal data held is important to the Department and therefore we aim to fully inform all our customers about the purpose(s) for which their data will be used and why, where it may be shared elsewhere and why and how long their data may be held by the Department. Information on the rights of the customers will also be provided.
- The current legislation for Data Protection in Ireland is the Data Protection Act 1988 as amended by the 2003 Data Protection Act, The Data Protection Act 2018 and The General Data Protection Regulations (EU 2016/679)
- The Data Controller for the collection and processing of all personal data in the Department of Agriculture, Food and the Marine is the Department itself, as a legal entity.

- The Data Protection Officer can be contacted as follows:  
 Data Protection Officer  
 Data Protection Unit, Corporate Affairs,  
 Department of Agriculture, Food and the Marine  
 Grattan Business Park,  
 Dublin Road, Portlaoise,  
 Co Laois.
- R32 RY6V
- Phone: 057 8694301
- Email: [dataprotectionofficer@agriculture.gov.ie](mailto:dataprotectionofficer@agriculture.gov.ie)
- Personal data processed by the Department will only be used for the specific purpose (s) as outlined when the data is collected, or in later communications, and will only be used in accordance with the Data Protection legislation in force.
- Rights of the individual in relation to personal data held by the Department:
- When you, as a customer, provide personal data to the Department you have certain rights available to you in relation to that data. These rights are outlined below and can be exercised by contacting the Data Protection Officer, as detailed above, indicating which right(s) you wish to exercise. As a customer of DAFM you have the following rights:
  - access to their data
  - rectification of their data
  - erasure of their data
  - right to lodge a complaint with the Supervisory Authority
  - restriction of processing
  - data portability
  - objection to processing

- to withdraw consent if they previously gave it in relation to processing of their personal data relating to automated decision making, including profiling.

## **Part B – Information specific to the personal data being collected**

**The following data is specific information in relation to the personal data processed for the submission of an application under the BFP Scheme**

1. Specified purpose:

The personal data sought from the data subject is required for the purpose of making an application under the BFP Scheme. Failure to provide all the personal data required to facilitate the processing of the application, including data testing, under the scheme will result in DAFM being unable to process the application.

2. Legal basis:

The BFP Scheme is implemented pursuant to the Ministers and Secretaries Acts 1924 and is operated by DAFM.

3. Recipients:

Information provided as part of the BFP Scheme application will be shared, for the purposes of processing your application with Bord Bia.

4. Transferred outside the EU:

Information provided in support of an application under the Beef Finisher Payment is not currently transmitted outside of the EU.

5. Retention Period:

The data submitted in support of the application by the data subject under BFP will be retained by DAFM as long as there is a business need to do so in line with the purposes for which it was collected.

After this time, it will be marked for destruction and will be destroyed in line with internal guidelines or guidelines for destruction received from the National Archives Office or associated permissions received from them.

6. Data provision being statutory or contractual obligation:

The data provided for this purpose is being requested under the requirements of The Beef Finisher Payment as provided for under the Minister and Secretaries Act 1924, and if the customer chooses not to provide this information their application for the BFP Scheme cannot proceed.

7. Automated Decision Making:

Personal data provided in the submission of an application under BFP will be processed automatically for the purpose of the efficient running of the scheme, and the timely payment of participants.

Automated decision making will also be used for the purposes of selecting participants for inspection in accordance with the regulations.

8. Information from Third Party:

Information from third parties [Bord Bia] will be received in relation to applicants under the Beef Finisher Payment.

9. Technical information on data collected:

Technical information on the cookies used on our Department's website is available at the following link:

<https://www.agriculture.gov.ie/legalnotices/privacy/>

## Annex 2.

### Application Process

After you log into [www.Agfood.ie](http://www.Agfood.ie) you will see your applications, the selection will depend on what schemes you participate in.

1. Click on the Exceptional Aid Measures link.

<b>Application</b>
<a href="#">Animal Event Recording System</a>
<a href="#">Animal Identification and Movements</a>
<a href="#">Beef Environmental Efficiency Programme - Suckler (BEEP-S)</a>
<a href="#">Direct Payments (BPS/Greening/SPS)</a>
<a href="#">Exceptional Aid Measures</a>
<a href="#">GLAS</a>
<a href="#">GLAS (Commonage)</a>
<a href="#">GLAS Training</a>
<a href="#">Geographic Information System</a>
<a href="#">Knowledge Transfer - Farm Improvement Plan</a>
<a href="#">Knowledge Transfer Scheme Beef</a>
<a href="#">Knowledge Transfer Scheme Sheep</a>

2. Click on the Select Scheme to Enter.

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Exceptional Aid  
Logged In:

Select Scheme To Enter | Scheme Documentation | Exit

**News**  
The object of the Beef Exceptional Aid Measure (BEAM) is to provide temporary exceptional adjustment aid to farmers in the beef sector in Ireland subject to the conditions set out in EU Commission Implementing Regulation (EU) 2019/1132. BEAM is funded by a combination of EU exceptional aid and Exchequer support, provided in light of the difficult circumstances that Irish beef farmers have been facing as a result of market volatility and uncertainty.  
The closing date for receipt of valid application is 5:00pm on Friday 20th September 2019.

**Information**

3. Click on Beef Finisher Payment

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Home | Select Scheme To Enter | Scheme Documentation | Exit

**Scheme List**  
Select the Scheme you wish to enter by clicking on the link below:

Beef Finisher Payment  
Beef Exceptional Aid Measures Scheme

#### 4. Click New Application

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Home | Select Scheme To Enter | Scheme Documentation | Exit

**Client Details**

Client Name: Your details will be displayed here.  
 Address: displayed here.  
 Phone Number:  
 Business Id:  
 Start/End Date:

**Existing Applications**

[New Application](#)

Select Application Type	Scheme Year	Application Date	Current Application Date	Status Des
No items were found				

5. The application form is pre-populated with your details, these include the number of animals that qualify for BFP, if no animals are displayed or you do not agree with the numbers you have the option to request a review. You should input the details and complete the form in full and submit the application.

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**Beef Finisher Payment**

Logged In:

Home | Return to Application List | Application Summary | Scheme Documentation | Exit

**Client Details**

Client Name: Your details display here  
 Address:  
 Phone Number:  
 Business Id:  
 Start/End Date:

The date will populate and the type of application

**Application Summary**

Application Type	Application Date	Date Application Signed	Status Description	Status Date	Approval Date	Completion Date
Beef Finishers Payment Proposal	11/08/2020	11/08/2020	Draft Online Application - Appeal	11/08/2020		

**Livestock >= 8 months slaughtered between 1st Feb 2020 to 12th June 2020**

**Animals Slaughtered**  
0

\* As per T&C's an upper limit of 100 applies for payment. For partnerships, a multiplier may apply.

The number of animals slaughtered within the dates display, if no animals or the numbers of animals are incorrect you can request these to be reviewed.

I wish to have the number of animals reviewed or appeal where 0:

6. you are required complete a number of fields.



**BPS 2020 application must be submitted by 30th September 2020**

*BPS Application for 2020 Submitted:*

Yes

If you have a 2020 BPS application yes will be displayed

**You must be or commit to be a member of SBLAS**

Are you a member of Bord Bia Sustainable Beef and Lamb Assurance Scheme (SBLAS)?  \*Required

You must select yes or no to say if you are a member of Bord Bia, SBLAS

**Scheme Declarations**

I accept the Terms and Conditions of the scheme and agree to the use of my personal data as detailed in Annex 1 of those Terms and Conditions:  \*Required

I confirm that I am not a factory controlled herd as detailed in the Terms and Conditions:

You must tick each box to accept the terms and conditions and confirm that you are not a factory controlled herd

\*Required

**Submit Application**

Version: 14.13.00-SNAPSHOT  
Datetime: 07/08/20 12:09PM

7. If you have submitted a 2020 BPS application but your BFP form displays a No you can input a note, you should complete and submit your application.

**BPS 2020 application must be submitted by 30th September 2020**

BPS Application for 2020 Submitted: No

8. If you are not a Bord Bia SBLAS member you can commit to becoming a member before 30-Sept-2020.

**You must be or commit to be a member of SBLAS**

Are you a member of Bord Bia Sustainable Beef and Lamb Assurance Scheme (SBLAS)?: No  \*Required

Do you commit to becoming a member of Bord Bia Sustainable Beef and Lamb Assurance Scheme prior to 30-Sept-2020?: Select  \*Required

9. Once you have completed the form click submit application.

**You must be or commit to be a member of SBLAS**

Are you a member of Bord Bia Sustainable Beef and Lamb Assurance Scheme (SBLAS)?: No  \*Required

Do you commit to becoming a member of Bord Bia Sustainable Beef and Lamb Assurance Scheme prior to 30-Sept-2020?: Yes  \*Required

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**Scheme Declarations**


I accept the Terms and Conditions of the scheme and agree to the use of my personal data as detailed in Annex 1 of those Terms and Conditions:  \*Required

I confirm that I am not a factory controlled herd as detailed in the Terms and Conditions:  \*Required

Submit Application

Version: 14.13.00.  
Datetime: 07/09/21

10. Once you have completed your application and click submit a message will display to confirm your application is submitted.



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**Beef Finis**  
Logged

Home | [Return to Application List](#) | [Application Summary](#) | [Scheme Documentation](#) | [Exit](#)

**Client Details**

Client Name: [Redacted]  
Address: [Redacted]  
Phone Number: [Redacted]  
Business Id: [Redacted]  
Start/End Date: [Redacted]

**Application Summary**

Application Type	Application Date	Date Application Signed	Status Description	Status Date	Approv
Beef Finishers Payment Proposal	11/08/2020	11/08/2020	Online Application Submitted - Appeal	11/08/2020	

✔ *The application has been submitted successfully.*