The Common Agricultural Policy: Integrated Administration and Control System (IACS):

Notes for Guidance 2016

These notes tell you about the Common Agricultural Policy's Integrated Administration and Control System (IACS) 2016. Please read these notes and the "How to fill in your Single Application Form 2016" booklet carefully before you start to fill in your Single Application Form.

For more information contact your Scottish Government, Rural Payments and Inspections Division's area office or visit the Rural Payments and Services website https://www.ruralpayments.org

We are a non-advisory organisation and provide general guidance on scheme eligibility rules and how to complete our forms.

If you need specific business advice, please ask a professional adviser for help.

IMPORTANT

Changes and points to note

- If you are claiming Basic Payment Scheme you must be undertaking a minimum agricultural activity on the land you claim. Please read the Basic Payment Scheme Guidance at https:// www.ruralpayments.org for more information.
- If you are claiming Basic Payment Scheme and the Ecological Focus Area (EFA) requirements apply, you must submit a map detailing the location and size of each EFA feature with your SAF 2016.
- The Greening Guidance has been updated. Please read it at https://www.ruralpayments.org before you complete your SAF 2016.
- If you have an Agri-Environment Climate Scheme contract with annual recurrent options scheduled to be claimed for 2016 you must declare the land on which you undertake these options and tick the Agri-Environment Climate Scheme claim box on your IACS(2) (SAF base form).
- If you have a Forestry Grant Scheme contract with Woodland Creation annual maintenance or Sustainable Management of Forests annual management grants with 2016 as a claim year, you must declare the land on which you undertake these annual activities on your SAF and tick the Forestry Grant Scheme claim box on your IACS(2) (SAF base form).
- If you want to submit an application for an allocation of Basic Payment Scheme entitlements from the National Reserve you **must** submit this and your Single Application Form (SAF) online.
- If you want to authorise an advisory firm or business representative to submit your SAF you need to mandate them to allow them access to your details. You can do this online at https://www.ruralpayments.org or you and your agent or business representative need to complete a Business Mandate Form (PF05). You can get a form at https://www.ruralpayments.org or from your area office. We cannot accept a SAF from them until you have done this.
- You must submit a SAF if you want to submit an application for the Beef Efficiency Scheme. You can find more information about the scheme, which is still subject to approval from the European Commission, at https://www.ruralpayments.org

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Selected abbreviations used in this booklet

AECS	Agri-Environment Climate Scheme
BES	Beef Efficiency Scheme
BPS	Basic Payment Scheme
FGS	Forestry Grant Scheme
IACS	Integrated Administration and Control System
LFASS	Less Favoured Area Support Scheme
LMO	Land Managers Options
LPID	Land Parcel Identifier
LPIS	Land Parcel Identification System
RP	Rural Priorities
RPID	Rural Payments and Inspections Division
SAF	Single Application Form
SBS	Scottish Beef Scheme
SFPS	Single Farm Payment Scheme
SSBSS	Scottish Suckler Beef Support Scheme (Mainland and Islands)
SUSSS	Scottish Upland Sheep Support Scheme

KEY DATES

Date

ΙΔΝ

Event

Start of the SAF year. You must meet all Cross Compliance conditions from this date.

Start of the Less Favoured Area Support Scheme year.

Start of the Rural Priorities annual recurrent scheme year.

Start of the Agri-Environment Climate Scheme annual recurrent scheme year.

Start of the Forestry Grant Scheme annual management scheme year.

Deadline for RPID to receive an application to transfer Basic Payment Scheme 2015 entitlements with an effective date of 15 May 2016



Start of the Land Managers Option scheme year.



Deadline for RPID to receive your SAF if you are to avoid late claim reduction(s).

Deadline for RPID to receive your application and supporting documentation for an allocation of Basic Payment Scheme entitlements from the National Reserve if you are to avoid a penalty reduction.

Deadline for RPID to receive your Land Managers Options continuing commitments application. We will not accept continuing commitment applications received after 16 May 2016.

Basic Payment Scheme 2016 entitlements transfer window opens.



Deadline for RPID to receive amendments/additions to your SAF (if RPID received it on or before 16 May 2016) without reducing your payments.



Final deadline for RPID to receive your SAF. We will not accept your SAF after 10 June 2016.

Last day for applications and supporting documentation for an allocation of Basic Payment Scheme entitlements from the National Reserve.

Last day to nominate or change in which currency (euros or sterling) your Direct Payments support is paid.



Payment window for Basic Payment Scheme, Scottish Suckler Beef and Scottish Upland Sheep Support Schemes 2015 closes.

The last day we can allow Forestry Grant Scheme Woodland Creation capital claims to be received if the woodland creation supports the area of land you entered on your SAF 2016. If your woodland creation has not been claimed by this date, you will lose this year's woodland creation annual maintenance grant.



Payment window for Direct Payments schemes 2016 opens.

Last day to have carried out the annual review with your vet to confirm the actions undertaken within the Land Managers Options Animal Welfare Management Programme.



Cross Compliance for the current period ends.



The last date by which you must have completed and submitted your documentary evidence in support of your SAF 2016 Forestry Grant Scheme Sustainable Management of Forests activities.



Deadline for RPID to receive an application to transfer Basic Payment Scheme 2016 entitlements with an effective date of 15 May 2017.

1. Introduction

The Common Agricultural Policy (CAP) requires us to set up an Integrated Administration and Control System (IACS) to support schemes covered by the Single Application Form and other aid applications. This booklet sets out the detailed rules of the IACS and the SAF.

The Single Application Form is the claim form for:

- Basic Payment Scheme
- Less Favoured Area Support Scheme
- Rural Priorities annual recurrent options
- Agri-Environment Climate Scheme annual recurrent options
- Forestry Grant Scheme annual maintenance and management grants
- land declarations for the Land Managers Options (LMO) area-based continuing commitments
- Application for the LMO Animal Welfare Management Programme continuing commitments

If you submit a Beef Efficiency Scheme application we will use the areas claimed and eligible for payment under the Basic Payment Scheme to calculate your payment.

The Single Application Form is a declaration of **all** the permanent and seasonal agricultural and non-agricultural land parcels greater than 0.1 hectare you have in the United Kingdom as a separate IACS business. Business is the term we use to describe all our customers, even though you may not class yourself as a business.

If you have land outside Scotland please read the guidance on cross border applications in section 3.

We will use the land-use data you declare on your permanent, seasonal and common grazings land data sheet(s) to meet the data requirements of the June Agricultural Census.

You need to read the scheme guidance for any scheme you are claiming under, which requires you to submit a Single Application Form. If the scheme requires you to comply with Cross Compliance you also need to read the Cross Compliance guidance and if you are claiming Basic Payment Scheme you must also read the Greening guidance.

You can see all our guidance online at https://www.ruralpayments.org

Who needs to submit a Single Application Form (SAF)?

You must submit a SAF if you wish to claim and be paid under any of the following 2016 schemes:

- Basic Payment Scheme (including Greening and Young Farmers Payments)
- Less Favoured Area Support Scheme
- Land Managers Options
- Rural Priorities annual recurrent options
- Scottish Suckler Beef Support Scheme (Mainland and Islands)
- Scottish Upland Sheep Support Scheme
- Agri-Environment Climate Scheme annual recurrent options
- Forestry Grant Scheme's annual maintenance and management grants
- Beef Efficiency Scheme

If you do not submit a SAF, we cannot make payment under any of the schemes listed above.

The paper SAF has four parts:

- an IACS(2) base form
- an IACS(3) permanent land data sheet
- an IACS(4) seasonal land data sheet, and
- an IACS(5) common grazings data sheet

You must complete an IACS(2). You must also complete IACS(3) and IACS(4) data sheets detailing all the permanent and seasonal land you have on 15 May 2016, and an IACS(5) if you have shares in common grazings you want to claim Basic Payment, Less Favoured Area Support, Land Managers Option, Rural Priorities, Forestry Grant Scheme or Agri-Environment Climate Scheme on.

If you do not declare all your land, we may apply penalties.

Advisory firms

You can authorise an advisory firm to act for you or your business. An advisory firm can't act on your behalf until they are mandated.

If you want to do this you have to mandate your advisory firm online at https://www. ruralpayments.org or you and your advisory firm must jointly fill in a Business Mandate Form (PF05). You can get a Business Mandate Form and guidance online or from your area office.

If you also have a forestry business and you deal with more than one advisory firm, you will have to mandate one to act as a submission agent.

You will still be responsible for meeting scheme rules, for any penalties we might apply and for the recovery of any over-payment for breaches of scheme rules by yourself or the business.

2. Eligibility

To be eligible to claim under the Basic Payment Scheme, Scottish Suckler Beef Support Schemes and Scottish Upland Sheep Support Scheme you must be a farmer/crofter carrying out an agricultural activity. And, if all or part of your holding is classed as being naturally kept in a state suitable for grazing or cultivation, you must also undertake minimum farming activities on that land.

To be eligible to claim under the Less Favoured Area Support Scheme you must be a farmer/ crofter carrying out an agricultural activity, as defined in the Basic Payment Scheme guidance, and also actively farm the LFASS eligible land for the majority of the LFASS claim year.

To be eligible to claim Land Managers Options (LMO) continuing commitments you can be any land manager with land in Scotland with existing LMO continuing commitments.

To be eligible to claim Rural Priorities, Forestry Grant Scheme and Agri-Environment Climate Scheme, you must hold an approved contract, and have annual recurrent options and/or activities scheduled to be claimed in 2016.

Note: you must be 16 years of age or older, to submit a SAF.

3. Claiming subsidy

Completing your Single Application Form (SAF)

The easiest way to complete your SAF is using our new, secure and streamlined system – Rural Payments and Services. To do this you need to register with us and then login to Rural Payments and Services at https://www.ruralpayments.org

By completing the form online, you'll be able to:

- view the latest guidance on Greening and get your Greening requirement checked and instant initial validation
- create your own tailored form based on your scheme selection our system will automatically fill in parts of your form
- check your form for errors our system will notify these to you before you can go on to the next stage
- access up-to-date map and boundary information
- store all your communications, from us to you and from you to us, in one place
- view and manage your own information for example, changing your bank account details
- get 24-hour access, seven days a week

If you register with our online service, we'll send you a reminder each year ahead of the SAF submission window opening.

Your SAF can also be submitted online or on paper by:

- a business partner
- an authorised advisory firm or Business Representative, that is farm/land manager or company official or business partner
- the designated lead person for a rural community holding an RP contract, or their mandated advisory firm
- an Executor of a will

Cross border applications

If you have land in different parts of the UK, which you manage as one business, you must enter the land in each country, on that country's forms. You should return each country's forms to the local office of the country that processes your claims. In Scotland, this is the RPID area office which deals with your main location (farm) code.

However, if all the land you have in other parts of the United Kingdom is non-agricultural land and you do not claim any payments on this land you only have to complete and submit a Scottish SAF.

Under IACS rules only one country can be responsible for the processing and payment of your Basic Payment Scheme (including Greening and Young Farmers Payments) claim. In most cases we will already have assessed which country is responsible for this.

Businesses

If you are involved in different businesses and if each business is managed as a separate business you can submit a separate SAF for each one. In most cases we will already have assessed whether the businesses are separate but if we have not we may need to seek more information from you.

There are four criteria we use to assess whether businesses are separate or one for IACS purposes these are:

- legal status
- economic structure and organisation
- commercial management
- operational arrangements

RPID will withhold (or if paid, recover) subsidy if it discovers that businesses have been created for the sole purpose of artificially creating the conditions for obtaining subsidy.

If your business structure changes after 15 May 2016, this may affect the aid which you can subsequently claim. You should inform your area office before the changes occur. You will have to complete a Register a Business Form (PF01).

Registering your business

It is essential that we hold up-to-date information about your business on Rural Payments and Services. You must also tell us if:

- your name, address and contact details are not the same as on the pre-printed information on your SAF 2016
- you have changed your business name or structure since 15 May 2015
- you change your business name or structure after 15 May 2016

You can do this online at https://www.ruralpayments.org or using the Register a Business Form. You can get a Register a Business Form and guidance at https://www.ruralpayments.org or from your area office.

Registering your land

It is essential that we hold up-to-date information about your land. You must fill in a Land Maintenance Form (PF06) to tell us if the pre-printed information on your SAF 2016 is incorrect. You should do this **now** – please don't wait until you submit your SAF 2016. If the information we have is wrong, it may lead to delays in processing your application and any payments that become due.

Please tell us if you have:

- bought or sold land
- transferred land from one holding to another for any reason other than change of owner
- made changes to the permanent boundary of a land parcel
- moved internal permanent land parcel boundaries to merge or split a land parcel
- moved whole or part land parcels between holdings

- add or modify a Basic Payment Scheme permanent ineligible feature
- remove a Basic Payment Scheme permanent or soft ineligible feature
- land parcels to register for agriculture or forestry use for the first time
- land parcels going out of agriculture

You should also tell us if you make any of these changes **after** you submit your SAF 2016 as soon as they take place. This will make sure the pre-populated data in your SAF 2017 is as accurate as possible.

The Land Maintenance Form can be submitted either by the owner of the land parcel or by the long term tenant on whose SAF it appears. Seasonal tenants should arrange for the owner or long-term tenant to submit a Land Maintenance Form. An agent can also submit a Land Maintenance Form providing they have been mandated to do so.

There is more information about land parcels and maps at Annex 3. You can get the form and guidance online at https://www.ruralpayments.org or from your area office.

Transfer of land

Your SAF must show all the permanent and seasonal agricultural and non-agricultural land you have on 15 May 2016. If, during the IACS year, you take over the whole of a holding which another business has claimed or declared in 2016, we may be able to transfer the whole area on their SAF to you to support your claims under the Basic Payment and Less Favoured Area Support Schemes. Your area office can provide more information and a transfer application form.

4. Deadline for applications

Your area office must receive your SAF and all supporting documentation no later than 16 May 2016.

Late applications

We can accept your SAF and Basic Payment Scheme supporting documentation up to 25 calendar days after the closing date of 16 May 2016. If your SAF is late all the payments you receive will be reduced (see table below) unless you had a force majeure/exceptional circumstance that prevented you from submitting your SAF by the deadlines. If your Basic Payment Scheme supporting documentation is late only your Basic Payment Scheme payments will be reduced unless you had a force majeure/exceptional circumstance that prevented you from submitting documentation by the deadlines. You can read more about force majeure/exceptional circumstance at section 5.

Scheme	Days late/Penalty
Basic Payment Scheme National Reserve award	 1 - 25 calendar days 3% reduction in the amounts to be paid on the entitlements allocated for each working day your SAF is late Over 25 calendar days no award will be made

Basic Payment Scheme (including Greening,	1 – 25 calendar days
Young Farmers Payments and National Reserve award)	 1% reduction in the amounts to be paid for each working day your SAF is late
Less Favoured Area Support Scheme	Over 25 calendar daysno payments will be made
Rural Priorities	
Scottish Suckler Beef Support Schemes	
Scottish Upland Sheep Support Scheme	
Agri-Environment Climate Scheme	
Forestry Grant Scheme	
Basic Payment Scheme supporting	1 – 25 calendar days
documentation	 1% reduction in the amounts to be paid for Basic Payment Scheme for each working day your supporting documentation is late
	Over 25 calendar days
	 no Basic Payment Scheme payments will be made

Acknowledging the SAF

We will acknowledge receipt of your SAF. If you submitted it online you will be able to access our acknowledgement via your online account on Rural Payments and Services in your Customer Contact Log. If you sent us a paper form we will send you a letter. You will also be able to access it on Rural Payments and Services if you set up an online account.

Our acknowledgement letter will confirm (if applicable):

- Basic Payment Scheme area claimed
- Young Farmers Payment claimed
- Less Favoured Area Support Scheme area claimed
- a summary of Land Managers Options (LMO) land-based continuing commitments options
- a summary of LMO Animal Welfare Management Programme continuing commitments
- a summary of Rural Priorities annual recurrent options
- a summary of Agri-Environment Climate Scheme annual recurrent options
- a summary of the Forestry Grant Scheme annual maintenance and/or annual management grants
- a land use summary table
- if Greening requirements have been met
- any queries or outstanding errors on your SAF

You must check the information in the acknowledgement letter and tell us if anything is incorrect.

If we dispute receiving your paper or online SAF, you must be able to produce evidence which shows we received it on or before the closing date.

We recommend you submit your SAF online at https://www.ruralpayments.org or send the paper SAF to us by recorded delivery.

5. Amendments and additions

You can amend your SAF up to and including 31 May 2016 to:

- add or delete land parcels
- add or delete common grazings shares
- change the land use of land parcels declared
- change the schemes claimed for land parcels declared
- add Rural Priorities options that you have an approved contract for
- add options under Land Managers Options (LMO) that you have an approved contract for
- add Agri-Environment Climate Scheme options that you have an approved contract for
- add Forestry Grant Scheme annual maintenance and/or annual management grants that you have an approved contract for

You can only add LMO options if you have applied for LMO on your IACS(2) base form or selected it on the online scheme selection page and we received it on or before 16 May 2016.

If we receive amendments after 31 May 2016, we will reduce the payments on each land parcel amended by one per cent for each working day the amendment is late.

We will not accept any amendments after 10 June 2016.

Withdrawal

You can withdraw all or part of your SAF at any time if:

- you write to your area office
- we have not told you of an error in your SAF
- we have not told you of an intended inspection, which subsequently reveals an error in the area you wish to withdraw

If you want to withdraw land you must identify the land parcel and the scheme you no longer wish to claim for.

Notified error

After you send us your SAF you may realise it is incorrect or has become incorrect since it was lodged. For example, you have included in error an area of land that is ineligible for the payment you have claimed, or not told us about all the agricultural land you have. You can correct errors like these at any time and we will not penalise you if:

- you write to your area office
- we have not told you of the error first
- we have not told you of an intended inspection, which subsequently reveals the error

Your SAF cannot be amended after 10 June 2016 to add and claim a parcel, or increase areas claimed on a parcel. If you tell us about a land parcel you haven't declared on your SAF after that date, we will correct your SAF and we will not apply under declaration penalties. But you will not receive payment on that parcel.

Obvious error

You can correct a mistake in your SAF, at any time, if we classify it as an obvious error. An obvious error is one of a purely clerical nature that is obvious to us during a simple examination of your SAF or an error we find during our coherence checks which reveals a contradiction in the information you have provided on your SAF only.

Decisions on obvious error depend on the overall facts and circumstances of each individual case. We will not reduce payments in cases that we class as obvious error.

We cannot correct a mistake you made because you misunderstood scheme rules or forgot to claim:

- a land parcel for Basic Payment/Less Favoured Area Support
- a Rural Priorities annual recurrent option
- a Land Managers Option continuing commitment
- an Agri-Environment Climate Scheme annual recurrent option
- a Forestry Grant Scheme annual maintenance and/or annual management grant

We have no obligation to check your SAF for obvious error.

Force majeure/exceptional circumstances (FM/EC)

We may accept that you may have been prevented from meeting certain obligations due to a force majeure/exceptional circumstance (FM/EC) event. A FM/EC event comprises an objective element (an unusual circumstance, outside your control which prevented you from complying with scheme rules) and a subjective element (the consequences of which you could not have avoided in spite of the exercise of all due care).

Some examples of a force majeure/exceptional circumstance event are:

- the death of the farmer/beneficiary
- the long-term professional incapacity of the farmer/beneficiary
- a severe natural disaster affecting the holding's agricultural land
- the accidental destruction of livestock buildings, and
- an epizootic disease affecting livestock

To apply for force majeure/exceptional circumstances, you must write to your area office within 15 working days of being able to tell us about it.

You will need to send us as much evidence as you can to show the failure to comply with your obligations was solely due to the FM/EC event, including proof that the event occurred. We will consider each case on its merits and then notify you of our decision.

6. Inspections and records

Inspections

We must carry out inspections. If we select your business for inspection we will check to ensure you meet the rules of the scheme(s) you are claiming under.

We are not required to provide advance notice of inspections. If you, or others acting on your behalf, prevent an inspection from being carried out, we will not pay you. More detailed information about inspections is available at https://www.ruralpayments.org or from your area office.

Records

You are required to keep all records relating to any scheme you have claimed under for four years from the end of the calendar year in which you made your claim. But for Land Managers Options, Rural Priorities, Agri-Environment Climate Scheme and Forestry Grant Scheme you need to keep all records for six years from the date of the last payment.

More detailed information about the records you need to keep is available from your area office.

7. Reductions, exclusions and penalties

Failure to declare all the land you have

You must declare all the permanent, seasonal and common grazings agricultural and nonagricultural land that you have on 15 May 2016 on your SAF.

If we find a difference between the total area you declare on your SAF and the total land that you should have declared we may have to reduce payments that become due to you.

Discrepancies in areas claimed

We cannot pay you on an area greater than the area you claim on your SAF.

If we find an area greater than the area you claim on your SAF, we will only pay on the area you claim.

Under declaration penalties

If there is a difference between the total area you declare on your SAF and the total land you should have declared, we may have to apply penalties.

Over declaration penalties

Where we find a difference between the number of hectares you claimed and the number of hectares of eligible land determined (found) we may have to apply penalties.

If the ineligible land was claimed in a previous year we may have to penalise these claims too and recover some or all of the payments we have made.

Other penalties

There are also penalties on Less Favoured Area Support Scheme and Basic Payment Scheme payments for under activity and penalties for failure to comply with your Basic Payment Scheme Greening obligations.

You can find more detailed information on all the reductions, exclusions and penalties we may apply in guidance notes for each scheme. Penalties for Cross Compliance breaches are detailed in the Cross Compliance guidance.

You can find all our guidance on our website at https://www.ruralpayments.org

False declarations

A false declaration made intentionally or recklessly is a criminal offence. If we find that you have intentionally or recklessly made a false declaration you will be liable to prosecution.

8. Payments

Sterling or euros?

We can pay you under the Basic Payment, Scottish Suckler Beef Support and Scottish Upland Sheep Support Schemes in either sterling or euros (we only make payments under the Less Favoured Area Support Scheme, Land Managers Options, Rural Priorities, Agri-Environment Climate Scheme and Forestry Grant Scheme - in sterling).

If you ask us to pay you in euros we will calculate your payments using the average of the exchange rates set by the European Central Bank in September 2016.

If you ask us to pay you in euros and we have paid you in euros before, we will use the same account details for your 2016 payment unless you tell us not to.

You can change the currency you have opted to be paid in until 10 June 2016. After 10 June 2016, you will be tied to payments in either sterling or euros until the following IACS year.

Payments by BACS

We make payments under all schemes covered by IACS using the Bankers Automated Clearing Services (BACS).

We can only make payments to a bank account which accepts BACS payments. If we do not already have your business' nominated bank account details, or if you want to change them, you can do this online at https://www.ruralpayments.org or fill in a Register your Bank Details Form – Sterling (PF03) or a Register your Bank Details Form – Euros (PF04) and send it to your area office. Blank forms are available on our website at https://www.ruralpayments.org or from your area office.

Please keep your bank details up to date in Rural Payments and Services to avoid payment delays.

Please note if you register a new bank account or tell us of a change to your bank account, we will carry out checks for your security. These take at least 10 days and we cannot make payments during this period.

We are not responsible for delays to your payments because you or your agent gave us incorrect bank details or did not tell us about a change to your bank account details before we processed your payment(s).

We will not process requests for mandates.

Publishing your payment details

The European Commission introduced legislation in 2014 that requires Member States to publish annually, certain details of the amounts paid to CAP beneficiaries. Data will be published for all beneficiaries on a searchable website and will include the name and locality of the beneficiary, 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 of the beneficiary will be withheld. The first data published in this format was made available from 31 May 2015 and covered all payments made in the period 16 October 2013 to 15 October 2014. The data will be updated annually and remain available for two years from the date it is published.

9. How we look after your information

We take seriously the way we store, secure and use your personal information and how we meet our legal obligations. We will always respect your personal privacy and the requirements of the law, in particular the Data Protection Act (DPA) 1998.

We will use the information provided in the SAF to process any claims or applications you make and to keep you informed on the progress of your application.

We will also use the land use data you declare on your permanent, seasonal and common grazings land data sheet(s) to meet the data requirements of the June Agricultural Census.

We will use and/or share your information with other organisations where doing so can improve public service delivery or provide useful data relating to environmental outcomes. To see more details on how we use your information and who we share your information with, please see our privacy policy located at:

https://www.ruralpayments.org/publicsite/futures/privacy-policy/

Or available in paper form from your area office.

10. Appeals and complaints

Appealing against our decision

If we have written to tell you we have already, or soon will, refuse, reduce or recover your payment and you are not sure why we have made this decision, you should urgently contact your area office for more information.

If after this you are not satisfied with our decision, you may wish to ask us to formally review our decision under our EU Rural Payments Appeals procedure.

To do this you must submit a written request to your area office, which has to be received, no later than 60 days (legal timescale) from the date of our original decision letter on a review application form.

Area office staff will then arrange to meet with you – or phone you if you prefer – to formally review your appeal in more detail.

By law they must do this no later than 60 days from the date they receive your Request for a Review form (PF19). This will give you the opportunity to explain to a senior member of staff why you think our decision is incorrect, provide additional evidence, ask any related questions and seek relevant clarification.

The area office must then send you a written report of the review meeting within 60 days. The report will either confirm, amend or alter our original decision, or revoke it entirely and substitute a new decision.

If after this you are still not satisfied with our decision, you can submit an appeal to the Scottish Land Court. You must do this within 60 days of receiving the area office report.

You can get further information on our EU Rural Payments Appeals procedure and the Request for a Review form (PF19) at https://www.ruralpayments.org or from your area office.

Complaints about our standard of service

A complaint is an expression of dissatisfaction with our standard of service, procedures, or processes that you feel requires a response or explanation from us.

You or your representative can complain in person by phone, by email or in writing.

All complaints will be treated seriously by us and you will receive a full response.

Our complaints procedure has two stages:

Stage One – frontline resolution

Frontline resolution aims to quickly resolve straightforward customer complaints that require little or no investigation. Under this part of the procedure you should direct your complaint to the officer in charge of the staff you have been dealing with.

This person is likely to be located in your area office or with RPID in Edinburgh. They may be able to answer your concerns to your satisfaction. We aim to address your Stage One complaint in five working days.

If you are dissatisfied with our response you can ask us to consider your complaint at Stage Two.

Stage Two – investigation

We will look at your complaint at this stage if you are dissatisfied with our response at Stage One. We also look at some complaints immediately at this stage, if it is clear that they are complex or need detailed investigation before we can resolve the issue. We will acknowledge receipt of your complaint within three working days. For Stage Two complaints we will appoint an independent investigating officer who has an in-depth knowledge of the issue you are complaining about and you will receive a report at the end of the investigation.

We aim to issue this report as soon as possible but no later than 20 working days.

You can obtain further information about our complaint handling procedure at https://www.ruralpayments.org or by emailing us at SGComplaints@gov.scot

If you are not satisfied with the decision reached in the Stage Two report, you or your representative have the right to ask the Scottish Public Services Ombudsman (SPSO) to investigate your case.

The SPSO cannot normally look at:

- a complaint that has not completed our complaints procedure
- events that happened, or that you became aware of, more than a year ago
- a matter that has been or is being considered in court for example the Scottish Land Court

You can contact the SPSO at the following address:

Scottish Public Services Ombudsman 4 Melville Street Edinburgh EH3 7NS

Further information about the Scottish Public Services Ombudsman is available at http://www.spso.org.uk

The telephone number is 0800 377 7330.

If you are satisfied with the service we have provided, or wish to highlight some exceptional performance, we would be happy to hear from you. We would welcome your suggestions on how we might build on the service we provide.

11. Legal base

The legal base for the Integrated Administration and Control System is in Regulation (EU) No 1306/2013 of the European Parliament and of the Council; Commission Delegated Regulation (EU) No 640/2014; and Commission Implementing Regulations (EU) No 809/2014 and 908/2014.

The legal base for the Direct Payments Schemes for farmers under the CAP is in Regulation (EU) No 1307/2013 of the European Parliament and the Council; Commission Delegated Regulation (EU) No 639/2014; and Commission Implementing Regulation (EU) No 641/2014.

The legal base for the Less Favoured Area Support Scheme is in Regulations (EU) 1305/2013 and 1306/2013 of the European Parliament and of the Council; Commission Delegated Regulations (EU) No 640/2014 and 807/2014; and Commission Implementing Regulation (EU) 808/2014.

The legal base for Land Managers Options is in Regulations (EU) 1305/2013 and 1306/2013 of the European Parliament and of the Council; Commission Delegated Regulations (EU) No 640/2014 and 807/2014; and Commission Implementing Regulation (EU) 808/2014.

The legal base for Rural Priorities is in Regulations (EU) 1305/2013 and 1306/2013 of the European Parliament and of the Council; Commission Delegated Regulations (EU) No 640/2014 and 807/2014; and Commission Implementing Regulation (EU) 808/2014.

The legal base for the Agri-Environment Climate Scheme is in Regulations (EU) 1305/2013 and 1306/2013 of the European Parliament and of the Council; Commission Delegated Regulations (EU) No 640/2014 and 807/2014; and Commission Implementing Regulation (EU) 808/2014.

The legal base for the Forestry Grant Scheme is in Regulations (EU) 1305/2013 and 1306/2013 of the European Parliament and of the Council; Commission Delegated Regulations (EU) No 640/2014 and 807/2014; and Commission Implementing Regulation (EU) 808/2014.

We aim to provide as much guidance as possible on the IACS. But these notes do not provide a full statement of the law (which only the European Court of Justice can give). If you have any legal questions, you should get appropriate legal advice from a solicitor.

ANNEX 1

June Agricultural Census (JAC)

We will use the land data you declare on your permanent, seasonal and common grazings land data sheets to meet the land use requirements of the June Agricultural Census (JAC).

We are looking at ways we can gather more data from farmers electronically on Rural Payments and Services to help reduce the administrative burden on them.

Until we can source all the JAC data electronically, we will still send you a JAC form each year but it is a smaller form with fewer questions to answer (because we have sourced the land data from your SAF). We will send the shortened JAC 2016 to applicants who submitted a SAF 2015.

It is crucial for JAC purposes, that you declare all the land you have on your SAF.

Land seasonally let out

In order to provide comprehensive coverage of all activities on your land, you will need to record land use codes on all the land you seasonally let out in column H on your IACS(3) permanent land data sheet(s). We need this because not all land that is seasonally let in is declared on the IACS(4) (seasonal land data sheet). We will record the activity on the land using the LLO code (land let out), for example, if Ware Potatoes are being grown on land you have seasonally let out, you will need to report this as "LLO-WPOT".

Land use

We also have to collect information on specific crops that are required for the JAC. Some examples are:

- vegetables
- fodder crops
- nursery stock
- strawberries
- bedding and pot plants
- aromatic, medicinal, and culinary plants

You can see the full list of land use codes in the "How to fill in your Single Application Form 2016" booklet.

Intended land use on 15 May 2016

When you complete your SAF please tell us, as best you can, what the land use will be on 15 May 2016. This applies to land which has not yet been sown or on which a final decision has not yet been taken. In these cases, please complete the forms for JAC purposes with the best information available to you at the time of completion.

Livestock data

We use cattle data we collect from the British Cattle Movement Service's (BCMS) Cattle Tracing System (CTS) database, rather than the data on livestock you tell us about on your SAF for the JAC. This is because:

- there are considerable differences in terms of definitions and reference dates
- SAF data is collected at the aggregate business level but we need holding level data for the JAC

JAC database

We will aggregate the SAF data on land use to the holding level using the information you give us on your permanent, seasonal and common grazings land data sheet(s). If you submit an online SAF we will get this data from the land details section in the online application. We will combine this with the other holding level information collected from the reduced JAC form, including livestock, labour, rental agreements and total holding areas (including any un-mapped land).

All cattle data is sourced from the British Cattle Movement Service's Cattle Tracing System (CTS) database.

All of this data will be combined to create the JAC database and the SG Agriculture Statistics Unit (ASU) will hold the data in strictest confidence. Occasionally, we will use the JAC database to contact holdings for example, in emergencies or, during a disease outbreak, or with information which the Scottish Government considers will be beneficial to holdings.

Data that is on the JAC database is held confidentially, in line with the Data Protection Act. However, data may sometimes be shared with third parties, under strict confidentiality restrictions, in line with section 80 of the Agriculture Act 1947. You can view the Agriculture Act 1947 at www.opsi.gov.uk

ANNEX 2

Hemp growers

If you want to grow hemp you must get a licence from the Home Office. It is a criminal offence to grow hemp in the United Kingdom, for any purpose, without a licence. A fee is payable for a new licence or the replacement of an existing licence. Applications for licences are made online via the Home Office website at:

www.homeoffice.gov.uk/drugs/licensing/domestic-licences

You should apply for a licence as early as possible. They are not issued, or renewed, automatically. The Home Office will ask where and why you plan to grow hemp. You may be asked for evidence that you have a contract to supply hemp to a Home Office approved processor. A "Growers Factsheet" is available on the Home Office website. Hemp cultivation licences are presently issued for three growing seasons, but there is a requirement to submit an Annual Grower Statement to the Home Office by 1 May of each year, irrespective of whether you cultivated hemp in the previous growing season.

The Home Office address and email contacts are:

Drugs & Firearms Licensing Unit 5th Floor Fry Building 2 Marsham Street London SW1P 4DF

email: Industrialhemplicensing@homeoffice.gsi.gov.uk Telephone: 0207 035 8972

All individuals named on a licence application form must complete an enhanced Disclosure and Barring Service disclosure. A DBS disclosure can be made in advance of the application by contacting Security Watchdog, part of Capita PLC. You can contact Security Watchdog directly on 0114 241 3280 or visit their website

http://www.securitywatchdog.org.uk/applicant-guidance

The Home Office **does not** undertake DBS checks on your behalf. Please note a fee is payable to Security Watchdog for each enhanced DBS disclosure request.

DBS disclosures completed for other organisations – for example in the course of employment or voluntary work – are not "portable" for drug licensing purposes. However, as a general rule, where you have obtained an enhanced CRB or DBS check for the purposes of Home Office drug licensing, we will not require you as an individual to renew that check within three years of the disclosure date. Furthermore, if you have paid an additional fee for the optional 'update' service now offered with an enhanced DBS check obtained for another purpose, you should contact the Home Office before applying for a further check.

You must declare all the land on which you grow hemp for fibre or other purposes on your permanent, seasonal and common grazings data sheets. Land on which you grow hemp for fibre or other purposes is eligible to support a claim under the Basic Payment Scheme.

If you are claiming Basic Payment Scheme on this land you must use certified seed of one of the eligible varieties listed in the Common Catalogue of Varieties of Agricultural Plant Species on 15 March 2016. You must send the original official labels for the hemp you are growing to us with your SAF. We will return the labels to you. If sowing takes place after 15 May 2016 you must submit the labels no later than 30 June 2016.

If you need more information please contact the Direct Payments Team, Q1 Spur, Saughton House, Broomhouse Drive, Edinburgh, EH11 3XD.

Land parcels and maps

1. Introduction

The EU Regulations governing the IACS require Member States to have a register of land parcels. This register must have unique land parcel identifiers (LPID) and areas, against which we can check all claims. We hold the unique LPID and gross areas for your land on this register and this information is on the maps we issue to you. You can also view your maps on https://www.ruralpayments.org if you have an online account. You must use these unique land parcel identifiers and areas in your SAF.

Land located in other parts of the UK is subject to the Land Parcel Identification System operated in that country.

2. IACS maps

General

We will be continuing to review the boundaries of and ineligible areas within all land parcels claimed under agricultural subsidy schemes. However, it is particularly important that whenever you make a change to or think that the boundary of a land parcel is wrong that you notify us immediately, by completing a Land Maintenance Form (PF06), to enable any changes to be made.

You can find more information on the Land Maintenance Form and when you should submit one in Section 3.

In addition to the guidance in this annex we have also published guidance on "Mapping Requirements for Land Managers" and "Assessing Ineligible Land". This guidance provides additional practical examples to aid your understanding. You can see it online at https://www.ruralpayments.org.

Our standard backdrop for IACS maps is aerial photography with Land parcels identified by yellow boundaries. The table on the right hand side of the map contains land parcel counters in the left hand column (these will help you to establish which land parcel identifier belongs to each land parcel). The second column contains the unique land parcel identifiers and the third column lists the gross area of each land parcel. The total gross area for all land parcels is shown in red below this table.

For reasons of clarity we may issue you with a map that has OS MasterMap as the background. On these maps the land parcel boundaries are in blue, the table on the right hand side of the map contains the same information as the aerial photography map. The total gross area for all land parcels is shown in red below this table.

The areas held on the register correspond to the plan area within the land parcel boundary. We must validate your claim against the register **before payment is made**. It is, therefore, essential that you use the most recent map for the land that you are claiming and/or declaring.

Your map shows the gross plan areas of your land parcels. They have been calculated on the assumption that the land parcel boundary is correct. The background is either OS MasterMap which shows roads, buildings, water features and general details or aerial photography.

Please note these maps are for IACS purposes only and have no legal standing. They do not represent the ownership of the land.

PDF copies of these maps can be requested via the FIS Team Mailbox FIS_Team@scotland.gov.scot

Ineligible areas (unusable areas, such as roads, yards, buildings, ponds, and impenetrable areas of vegetation)

The areas printed on your IACS map are for the gross plan area of the land parcel. This includes ineligible areas, such as rocky outcrops and buildings contained within the land parcel. You must check your current land parcels maps for ineligible areas and ensure you do not claim on them. It is your responsibility to ensure that you deduct any ineligible land when you claim. In line with EC Regulations a Land Maintenance Form should be submitted to remove any ineligible areas such as buildings, roads and permanent water features from the boundary of your land parcels.

In addition it is your responsibility to identify permanent physical features that are not eligible for payment within a parcel and notify RPID of the location and size by submitting a Land Maintenance Form.

Changes that we must be told about, with supporting documentation for example, map of area and photographic evidence, are if you:

- add or modify a BPS permanent ineligible feature
- remove a BPS permanent or soft ineligible feature

Ineligible features are recorded on the LPIS and will eventually be shown on your IACS maps.

Disagreement over area sizes

If you do not agree with the area shown on your map, you should first check whether the boundary of the land parcel is shown correctly. If not, then amend it by completing a Land Maintenance Form. If you agree with the land parcel boundary shown, but are unhappy with the area, you can make your own arrangements to have the land professionally measured and to submit those measurements to us for approval. Any plans you submit under these arrangements should be surveyed and certified by an independent person who must hold a qualification from the Royal Institution of Chartered Surveyors (RICS), the Institution of Civil Engineers (ICE) or a similar professional body. Any map you provide under these arrangements should be drawn to scale and clearly show the areas in question, the underlying OS MasterMap detail and the OS map reference number.

Maintaining the Land Parcel Register

It is important that the register is up to date and if any land is bought or sold or boundaries change, you should update the register by completing and submitting a Land Maintenance Form. These are available on our website at https://www.ruralpayments.org or you can get one from your area office. It is in your interest to submit the form before 15 May 2016 as any form submitted after this deadline may delay your payment.

Note: If we have sent you a paper SAF and you submitted a Land Maintenance Form for one or more of your land parcels previously and it is not yet fully processed, your pre-printed data sheets (which detail your land parcels) will not reflect any of this information.

If your outstanding Land Maintenance Form relates to the boundary (and, therefore, the gross area of the land parcel), the pre-printed area in column C on your permanent and seasonal land data sheets will be the original gross area printed on the map we sent you. Unless you are confident that a different area will supersede the pre-printed area, use the pre-printed area in column C as the total area of your land parcel, or the pre-printed areas in column E as the potential eligible area. If an Agri-Environment or Forestry measure exists in the land parcel you may have to adjust the pre-printed areas when filling in your claim. If you claim more than this, and the results of your Land Maintenance Form **do not** substantiate a larger area, we may have to apply penalties. If you claim less than this, do not amend the pre-printed area, but enter the correct area claimed in the appropriate data sheet column. It is your responsibility to ensure the accuracy of the area you claim.

Map requirements for existing applicants

When submitting a Land Maintenance Form with land parcel changes, supply a map with the details of every change clearly shown. If you have an existing map, you must use it to notify changes. Do not use correction fluid when altering your boundaries. Mark crosses on the line to be altered and make any amendments in ink other than blue or yellow for maps with aerial photography as the backdrop.

If you have a new land parcel which has not been registered, draw the boundaries clearly on your existing map. Check if the previous owner/occupier has already received a new unique land parcel identifier and use this number. If the land parcel cannot be drawn on the map, supply another map showing the land parcel. The map should be an OS map (or a professional equivalent) at 1:10000 scale (or 1:2500) for land parcels up to 2000 hectares, and 1:25000 scale (or 1:10000) for land parcels above 2000 hectares. Make sure that the map sheet reference is marked on the map.

If you purchase or sell a land parcel which has already been registered you should enter the unique land parcel identifier on the Land Maintenance Form showing the type of change, date of change, area etc. You do not need to submit a map if the boundaries have not changed.

Map requirements for new applicants

Requirements differ depending on the size of the land parcel that needs to be registered. When submitting a Land Maintenance Form to register your land for the first time; supply the following types of map:

For a new land parcel up to 2000 hectares, you must submit an OS map at a scale of at least 1:10000 (maps at 1:2500 scale are also acceptable), or a professionally produced equivalent;

For a new land parcel above 2000 hectares, the map should be at a scale of at least 1:25000 (maps at 1:10000 scale are also acceptable).

Your map(s) must include:

- the code number of the holding
- for each land parcel, the land parcel boundary in blue and the estimated area in hectares. Note that acres are not acceptable. To convert from acres to hectares divide by 2.47
- for each land parcel, the reference number which you have used on your data sheet (if Land Maintenance Form submitted along with SAF)

Special categories

Common Grazings

The Grazings Clerk or other appointed person should submit a Land Maintenance Form relating to changes to the Common Grazings. Forms relating to apportionments from the Common Grazings must only be submitted once the apportionment has been officially approved and a Final Order produced by the Crofting Commission.

If you are submitting a SAF for the first time and you have a share in a Common Grazings that is not recorded on our LPIS, which you use for forage, then we require a map of 1:25000 scale covering the whole Common Grazings. We only need one map of the grazing so you may wish to contact the other shareholders in the Common Grazings and arrange with them for a map to be submitted to the relevant area office by the Township Clerk, Grazing Constable or other suitable person on behalf of the Township, Sheep Stock Club or Grazings Committee. Your SAF will not be processed until the map is supplied.

The boundary of the Common Grazings should be marked on the map and the person who submits the map should sign it on behalf of all shareholders. The map should show (or be accompanied by) a list of all shareholders with their allocated shares. Any apportionments granted should be clearly marked on the map and the area of the Common Grazings (excluding apportioned land) should be marked in hectares. If you are having difficulties supplying a map or identifying apportionments please consult your area office, who will advise on appropriate sources of information.

Legacy Agri-Environment and Forestry schemes

A Land Maintenance Form is required and a land parcel identifier given if an area has never previously been captured and is not part of an existing land parcel.

A Land Maintenance Form will be accepted and a Land Parcel Identifier given if the area is part of an existing land parcel, over 0.01 hectares and fenced-off from the remaining area of the land parcel, but only where the area is to be permanently enclosed, for example an area to be managed under an agri-environment scheme.

A Land Maintenance Form is not required when the area is part of an existing land parcel already covered by a unique Land Parcel Identifier and under 0.01 hectares, whether fenced off or not.

Who to contact if you require additional information about land parcels, maps and the register

You can call the Land Parcel Identification System (LPIS)Team on 0300 244 1938 between 9am-5pm, Monday to Thursday and 9am-4.30pm on Fridays. An answer machine service is available outside these hours. If you wish to write regarding a query, write to the LPIS Team, RPID, D1 Spur, Saughton House, Broomhouse Drive, Edinburgh, EH11 3XD.

ANNEX 4

Area office and contacts' details

RPID area offices

E-mail: sgrpid.areaoffice@gov.scot (for example sgrpid.ayr@gov.scot)

ISLE OF BENBECULA

Tel: 0300 244 9600

Fax: 0300 244 9601

BENBECULA

AFRC - RPID

Balivanich

HS7 5LA

AYR

AFRC - RPID **Russell House** King Street AYR KA8 0BE Tel: 01292 291300 Fax: 01292 291301

GALASHIELS

AFRC - RPID Cotgreen Road Tweedbank GALASHIELS TD1 3SG Tel: 01896 892400 Fax: 01896 892424

INVERURIE

(Thainstone) AFRC - RPID **Thainstone Court** INVERURIE AB51 5YA Tel: 01467 626222 Fax: 01467 626217

PERTH

AFRC - RPID **Broxden Business** Park Lamberkine Drive PERTH PH1 1RX Tel: 01738 602000 Fax: 01738 602001

GOLSPIE

AFRC - RPID The Links **Golspie Business** Park GOLSPIE **KW10 6UB** Tel: 0300 067 6841 Fax: 01408 634222

KIRKWALL

AFRC - RPID Government Buildings Charlotte House **Tankerness Lane KIRKWALL KW15 1AQ** Tel: 0300 244 9626 Fax: 0300 244 9625

PORTREE

AFRC - RPID Estates Office PORTREE IV51 9DH Tel: 01478 612516 Fax: 01478 613128

HAMILTON

DUMFRIES

DUMFRIES

DG1 3ES

AFRC - RPID

161 Brooms Road

Tel: 01387 274400

Fax: 01387 274440

AFRC - RPID Cadzow Court 3 Wellhall Road HAMILTON ML3 9BG Tel: 01698 462400 Fax: 01698 462401

LERWICK

AFRC - RPID **Commercial Road** LERWICK ZE1 0HF Tel: 0300 244 9599 Fax: 0300 244 9598

STORNOWAY

AFRC - RPID 10 Keith Street STORNOWAY HS1 2QG Tel: 01851 702392 Fax: 01851 705793

ELGIN

AFRC - RPID Government Buildings Alexander Fleming House 8 Southfield Drive ELGIN IV30 1QN Tel: 01343 569500 Fax: 01343 569501

INVERNESS

AFRC - RPID Government Building 28 Longman Road **INVERNESS** IV1 1SF Tel: 01463 234141 Fax: 01463 714697

OBAN

AFRC - RPID Cameron House Albany Street OBAN **PA34 4AE** Tel: 0300 244 9340 Fax: 0300 244 9331

THURSO

AFRC - RPID Strathbeg House Clarence Street THURSO **KW14 7JS** Tel: 0300 020 1234 Fax: 0300 020 1258

Other contacts

Land parcels and maps

AFRC - RPID Land Parcel Identification System Team D1 Spur Saughton House **Broomhouse Drive** Edinburgh EH11 3XD Tel: 0300 244 1938* Email: FIS_Team_Mailbox@gov.scot

* Open 9am-5pm Monday to Thursday and 9am-4.30pm on Fridays

Basic Payment Scheme Entitlements Transfers

AFRC - RPID **Entitlement Transfer Unit** 10 Keith Street Stornoway HS1 2QG Tel: 01851 702392 Fax: 01851 705793 Email: EntitlementTransferUnit@gov.scot

Forestry Commission Scotland: Conservancy Offices

Highland & Islands Conservancy

'Woodlands' Fodderty Way Dingwall **Ross-shire** IV15 9XB Tel: 01349 862144 Fax: 01349 866624 Email: highland.cons@forestry.gsi.gov.uk

Central Scotland Conservancy

Bothwell House Hamilton Business Park, Caird Park Hamilton ML3 0QA Tel: 01698 368530 Fax: 01698 368531 Email: centralscotland.cons@forestry.gsi.gov.uk Email: panda.cons@forestry.gsi.gov.uk

South Scotland Conservancy

55/57 Moffat Road **Dumfries** DG1 1NP Tel: 01387 272440 Fax: 01387 257888 Email: southscotland.cons@forestry.gsi.gov.uk Email: southscotland.cons@forestry.gsi.gov.uk

Grampian Conservancy

Ordiquhill Portsoy Road Huntly AB54 4SJ Tel: 01466 794542 Fax: 01466 794986 Email: grampian.cons@forestry.gsi.gov.uk

Perth and Argyll Conservancy

Upper Battleby Redgorton Perth PH1 3FN Tel: 0300 244 6005 Fax: 01738 827819

South Scotland Conservancy Area Office

Weavers Court, Forest Mill Selkirk TD7 5NY Tel: 01896 750222 Fax: 01387 257888