

Guidance Notes for Applications for Funding under Measure 10.1 of the Rural Development Programme 2014-2020

Payment to Payment for Agri-Environment- Climate Commitments

Version No:3.7 05/02/2020

MANAGING AUTHORITY (EAFRD)

Funds and Programmes Division, Triq il-Kukkanja,
Santa Venera (Malta), SVR 1411
Telephone: (+)356 2200 1108
Email: rdd.meae@gov.mt



Rural Development Programme for Malta 2014-2020

Part financed by the European Union
Co-financing Rate:
75% European Union; 25% Government of Malta
*The European Agricultural Fund for Rural Development:
Europe investing in rural areas*



Contents

1.	Measure 10.1 – Payment for Agri-Environment-Climate Commitments	6
2.	Legal Basis	8
3.	General Requirements/Conditions (where applicable)	8
4.	General Eligibility/Entry Conditions (applicable to all AECM's)	10
4.1.	What happens if a beneficiary cannot fulfil commitments due to a <i>force majeure</i> incident?. 10	
5.	Potential Eligible beneficiaries.....	11
6.	How is the eligible area of support calculated?	11
7.	The Agri-Environment-Climate Measures 2014-2020	12
7.1.	AECM 1 - Measure to control weeds in orchards and vineyards by mechanical, instead of chemical, methods	12
7.1.1.	Aim.....	12
7.1.2.	Specific Eligibility Requirements.....	12
7.1.3.	Commitments	12
7.1.4.	Support rate:	13
7.2.	AECM 2 – Support for the maintenance of recommended tree species replacing Alien Species or planted on slopes and terraces to prevent soil and wind erosion.....	13
	AECM 2A -Support for the maintenance of tree species planted on slopes and terraces	13
	AECM 2B - Support for the maintenance of tree species planted to replace invasive alien species	13
7.2.1.	Aim.....	13
7.2.2.	Commitments	15
7.2.3.	Support rate:	15
7.3.	AECM 3 – Measure supporting the introduction of bee boxes on holdings.....	16
7.3.1.	Aim.....	16
7.3.2.	Eligible beneficiaries	16
7.3.3.	Specific eligibility requirements:.....	16
7.3.4.	Commitments	17
7.3.5.	Support rate:	18

7.4.	AECM 4 – Measure for the implementation of an Integrated Pest Management Plan targeting Vineyards and Orchards.....	19
7.4.1.	Aim.....	19
7.4.2.	Specific eligibility requirements.....	19
7.4.3.	Commitments	20
7.4.4.	Support rate:	20
7.5.	AECM5 – Measure for the implementation of a soil management and conservation plan on a parcel	21
7.5.1.	Aim.....	21
7.5.2.	Specific eligibility requirements.....	21
7.5.3.	Commitments	22
7.5.4.	Support rate:	23
7.6.	AECM 6.....	23
7.6.1.	Aim.....	23
7.6.2.	AECM 6A – Measure for the integration and maintenance of autochthonous Maltese species – Maltese Black Chicken	24
7.6.3.	Specific eligibility requirements.....	24
7.6.4.	Commitments	24
7.6.5.	Support rate:	24
7.7.	AECM 6B – Measure for the integration and maintenance of autochthonous Maltese species – Maltese Ox	24
7.7.1.	Specific eligibility requirements.....	24
7.7.2.	Commitments	25
7.7.3.	Support rate:	25
7.8.	AECM 6C - Measure for the integration and maintenance of autochthonous Maltese species – Carob, & Mulberry	25
7.8.1.	Specific eligibility requirements.....	25
7.8.2.	Commitments	25
7.8.3.	Support rate:	25
8.	The Application Process	25
8.1.	Step-by-step	26

8.1.1.	Step 1.....	26
8.1.2.	Step 2.....	26
8.1.3.	Step 3.....	26
8.1.4.	Step 4.....	26
8.1.5.	Step 5.....	27
8.2.	What if the applicant cannot apply in person?.....	27
8.3.	What will happen to the application after it is completed?	27
8.4.	Changes in committed area.....	27
9.	Controls and Penalties.....	28
9.1.	Area-related measures.....	28
9.1.1.	Reductions.....	28
9.1.2.	Administrative penalties	29
9.2.	Animal-related measures.....	29
9.2.1.	Reductions.....	29
9.2.2.	Administrative penalties	30
9.3.	Non-compliance with eligibility criteria other than the size of area or number of animals, commitments or other obligations	30
9.4.	Double-funding	31
9.5.	Suspending the support	31
10.	Publicity Obligations.....	31
11.	Data Protection Provisions.....	32
12.	Transparency	32
13.	Monitoring and Evaluation.....	32
14.	Selection.....	32
15.	Frequently Asked Questions (FAQs)	33
15.1.	Can anyone apply for these AECMs?	33
15.2.	Can one apply for support under AECMs and ANC on the same parcel?	33
15.3.	What would happen in case of failing to keep to commitment/s?	33
15.4.	What happens if the beneficiary refuses to pay back a grant when/if requested?	33

15.5. Where is the support provided for these AECMs coming from?.....	33
Annex 1 – Siġar Preżenti fuq il-proprjetà (Template)	35
Annex 2 – Fertiliser Application Record (Template)	36
Annex 4 – Health Certificate Form (Bees)	41
Annex 5 – Bee Box Records (Template).....	42
Annex 6: Record for trees present on a holding pertaining to the AECM (Template)	43
Annex 7 – Alien Species	44
Annex 8 – Species Permitted for Planting on Agricultural Land	45
Annex 9 – Schedule III of LN 489/2011 – General Principles of Integrated Pest Management	47
Annex 10 – IPM Monitoring Sheet (Template).....	48
Annex 11 – Livestock Traceability (Template).....	49
Annex 12 – Vaccination Record: Maltese Black Chicken (Template).....	50
Annex 13: Record of movement of bee boxes	51
Annex 14: AECM 5 Record sheet for parcels	52

1. Measure 10.1 – Payment for Agri-Environment-Climate Commitments

Agri-environment-climate measures (AECMs) are designed to encourage farmers to protect and enhance the environment on the land that they manage. They provide payments to farmers in return for a service, in the form of a multi-annual commitment to observe a set of prescribed management practices over a period of 5 years. The agri-environment-climate measures (AECMs) for Malta aim to enhance cultivation methods adapted to the environment and the features of landscapes, and specifically to enhance Maltese biodiversity and ecosystem services; these also promote water conservation and water quality improvement and contribute to climate change adaptation and mitigation principally by increasing efficiency of input use and improving soil management. By thus supporting the more sustainable management of land in rural areas, they contribute to the maintenance of a favourable landscape and environment for the wider Maltese population, tourists and other visitors to the islands.

Support under this measure will be provided for the following operations¹:

AECM 1: Using mechanical control (rather than herbicides) for weeds in permanent crop production systems (olives, vines, orchards);

AECM 2: Maintenance of recommended tree species replacing Alien Species or planted on slopes and terraces to prevent soil and wind erosion;

AECM 3: Introduction of bee boxes on holdings;

AECM 4: Implement an Integrated Pest Management Plan targeting vineyards and orchards;

AECM 5: Measure for the implementation of a soil management and conservation plan on a holding;

AECM 6: Integration and maintenance of autochthonous Maltese species.

Contribution to Focus Areas and Cross-Cutting Objectives

Focus Area 4A: restoring, preserving and enhancing biodiversity, including in Natura 2000 areas and high nature value farming, and the state of European landscapes

Adoption of the proposed AECM both in and around Natura 2000 sites will enhance the ecological benefits of those areas, supporting the aims of nature conservation and in many instances, contributing directly to the achievement of the Natura 2000 management plans. In conjunction with the use of Measure 16 (Cooperation) to establish the partnerships, funding will be prioritised towards planning and AECM actions in farmed landscapes

which have Natura 2000 sites within them.

Focus Area 4B: improving water management, including fertiliser and pesticide management

Integrated Pest Management (IPM) and Soil management planning, where adopted, are likely to reduce the levels of pesticides, nutrients and soil sediments which could otherwise enter both ground and surface waters, and also increase water retention in soils through development of a higher level of Soil Organic Matter (SOM). These plans will also encourage practices which are well-suited to the micro-climatic conditions in Malta, encouraging enhanced disease, pest, and drought resilience, as well as targeting soil erosion, compaction and SOM, all of which represent important aspects of climate change adaptation.

Focus Area 4C: preventing soil erosion improving soil management

Soil management will be improved both by the tree planting options and by the adoption of SMP (when applicable) which will enhance soil structure, reduce erosion and increase soil organic matter (SOM).

Focus Area 5E: fostering carbon sequestration in agriculture and forestry

Tree planting and enhanced soil management will assist in the management and sequestration of soil and atmospheric carbon, and the reduction of Nitrous Oxide (NO) emissions from farmland.

Contribution to Cross-Cutting Objectives

Environment

Reduced use of pesticides will be beneficial to local flora and fauna (and soil micro-biology) whose populations are likely to have suffered from significant and largely uncontrolled increase in use of these inputs over the past 30 years. One of the AECMs targets the splitting of fertiliser applications which will reduce the impact of nitrates on groundwater, and enhanced soil management will improve the generally current poor and deteriorating soil depth and quality, hence enhancing its hydrological regulating function. Support to maintain and restore bee keeping in and around garrigue and maquis, which is currently understood to be declining, will make an important contribution to ecosystem pollination services which will specifically benefit the biodiversity of this high-nature value habitat, comprising many significant Natura 2000 sites, as well as improving agricultural sustainability particularly for those crops which depend upon insect pollination. Support to plant trees will bring many environmental benefits, whilst removal of alien species and support to conserve native breeds of livestock and trees will help to protect and enhance Maltese biodiversity. The implementation of all these measures through territorially-planned collective partnerships will ensure appropriate local targeting of measures to where they will have greatest environmental value, and enable valley and landscape project officers to encourage a good level of uptake among small farms, to maximise cumulative benefits to biodiversity and landscape quality.

Innovation

Support for increased bee keeping, as well as support for Maltese indigenous tree species and breeds of livestock, offer potential for further product development, enabling micro-enterprises and SMEs to develop niche products for the Maltese market and for tourism. Support for IPM and soil management can foster innovation in practices for sustainable and profitable farming.

Climate

Reductions in the use of agrochemicals will reduce Greenhouse Gas (GHG) emissions overall through reduced consumption of fossil fuels. Improved soil and water management will assist in reaching carbon sequestration targets, reduce N-emissions from soil and help Malta to adapt to climate change with increased periodicity of winter rainfall and increased summer temperatures. Increased planting of indigenous trees will enhance sequestration of carbon and protect soils and reduce flood damage, when appropriately sited in the landscape.

2. Legal Basis

- Article 28 of Regulation (EU) No 1305/2013 of the European Parliament and of the Council on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and repealing Council Regulation (EC) No 1698/2005;
- Article 47 of Regulation (EU) No. 1305/2013 of the European Parliament and of the Council on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and repealing Council Regulation (EC) No 1698/2005;
- Commission Delegated Regulation (EU) No 807/2014 supplementing Regulation (EU) No. 1305/2013 of the European Parliament and of the Council on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and introducing transitional provisions;
- Commission Implementing Regulation (EU) No 808/2014 laying down rules for the application of Regulation (EU) No 1305/2013 of the European Parliament and of the Council on support for rural development by the European Agricultural Fund for Rural Development (EAFRD);
- The Statutory Management Requirements and the Good Agricultural and Environmental Conditions (GAEC) (which shall be related to the environment, climate change, good agricultural condition of land, public health, animal health and plant health, and animal welfare);
- Rules on cross compliance pursuant to Article 93 of Regulation (EU) No 1306/2013 and Annex II of the same Regulation.

3. General Requirements/Conditions (where applicable)

- Farmers will be required to keep records relevant to their holding. These will be subject to checks and controls by relevant competent authorities including the Certification Body (IAID) and the Agriculture and Rural Payments Agency (ARPA);
- AECM 1, 2, 3, 4, 5, 6c are area based measures. For AECM 1, 4 and 5 the commitment is based on a parcel basis, for AECM 2 and 6c the commitment is based on the number of trees whilst for AECM 3 the commitment is based on the number of bee boxes;
- Beneficiaries can only apply for support for one AECM per parcel between AECM 1, 2 and 6c. Other combinations may be allowed if provided in the RDP. Currently only AECM 3 can be linked with other AECMs;
- AECM 3 can be linked with any other AECM on the same parcel provided that the beekeeper implementing AECM 3 and the farmer implementing the other AECM are different beneficiaries. Support rates will remain unchanged for both beneficiaries;
- All individuals for support under Measure 10.1 are subject to controls by the ARPA Control Unit and the Certification Body (IAID). Upon applying for support they are automatically obliged to grant access to control officials without prior warning;

- AECMs must be implemented in the form of five year commitments. Such commitments may be shorter than 5 years if permitted by transitional regulations. The applicant is required to submit an annual application claim each year of the commitment, until the commitment is complete
- **In line with article 28 (5) of article of reg 1305 of 2013 an annual extension may be granted by the Managing Authority if such possibility is available in the RDP.**
- Technical forms such as (but not limited to) Soil Management Plans (SMPs, when applicable), Integrated Pest Management Plans (IPMPs) and Fertiliser Plans (FPs) must be compiled by an Agronomist or Technical Advisor recognised by the Competent Authority As a basic conditionality to all AECMs farmers must register garrigue land which is deemed to be apt

for registration. Eligible garrigue land to be apt for registration must be surrounded on a minimum of three sides by agricultural land and must also be fully enclosed (with necessary access points) with a boundary rubble wall. The boundary rubble wall must be constructed in accordance with all PA requirements and regulations;

- Farmers must ensure land meets annual minimum agricultural maintenance. Wherever agricultural land is not in production, farmers are obliged to till the agricultural area between 1st April and 31st May each year, as stipulated by Article 4(1)(a) of Regulation (EU) No 639/2014;
- Farmers must observe the baseline Cross Compliance Requirements which include the Statutory Management Requirements (SMRs) and the Good Agricultural and Environmental Conditions (GAEC);
- Farmers must adhere to the **latest** (as may be updated) Approved Plant Protection Products Lists and Revoked Plant Protection Products List published by the MCCA. These list the placing on the market of plant protection products, specifying strict criteria for approval of substances, to ensure a high level of protection for human and animal health and the environment as well as those plant products which have been revoked from use. In particular, this Regulation provides that carcinogens, mutagens, endocrine disruptors, substances toxic for reproduction or which are very persistent will not be approved, unless exposure to humans is negligible. It also establishes a mechanism for the substitution of more toxic pesticides by safer (including non-chemical) alternatives. The lists can be accessed on the following link <https://mccaa.org.mt/Section/Content?contentId=1158>;
- Commitments under AECMs last for five years. If during this commitment period, a parcel on which a measure was being implemented is transferred to another person, two options are possible:
 1. The person taking over the parcel undertakes to continue the commitment for the remainder of the period (an adequate assessment shall be made by the new farmer to ensure that the objective of the measure would still be achieved). In which case, he/she will be receiving the support tied to the measure for the remaining years, **OR**;
 2. If the person taking over the parcel does not wish to continue the commitment, the beneficiary (person transferring the parcel) will have to reimburse the assistance granted on that parcel. The reimbursement would only be on the parcel which was transferred (and hence the transferred parcel where the obligation will no longer be maintained) and not on the whole commitment
- In case of transfer of holdings (or part of) following the first year of commitment, obligations pertaining to the AECM must be maintained. In case a parcel is transferred at any stage during the five-year commitment the transferee must comply for the remaining period of time with the applicable AECM commitments as explained above. The Agriculture and Rural Payments Agency reserves the right to reject the transfer of the commitment(s). Funds will be recovered in case of breach from the transferee, who would have accepted the commitments upon the transfer. The transferee will be required to return funds for the parcel which was transferred from the date of commencement, i.e. including the funds of that parcel which were granted to the previous land manager/s.

In cases where the farmer cannot maintain the commitment on one or more specific parcels for the entire duration of the 5-year period, the farmer will have the option to drop the mentioned parcels from his commitment as long as the commitment of at least 1 tumolo (eligibility criteria) of agricultural land is still maintained. Besides refunding all payments received on that specific parcel throughout the commitment, no additional penalties will apply as long as:

1. the farmer declares the removal of such parcels at front office by submitting a Force Majeure

Request prior to ceasing the obligations

of the commitment AND;

2. the MA or ARPA find no objections to such commitment being dropped.

- As a result of regulatory changes; 1305/2013 Article 48 stipulates that the beneficiary can either continue with the commitment according to the new rules or the beneficiary can also choose to stop the commitment without any obligation for reimbursement.
- Adding of new parcels to the same commitment is not allowed. A new contract needs to be signed (hence farmer needs to meet eligibility criteria with new contract)
- In case the beneficiary is deceased, the commitment can either be stopped with no recoveries¹ required or the new farmer taking over can choose to continue the remainder of the commitment
- . In cases of AECM 3, 6a, 6b and 6c where a farmer wishes to increase the number of bee-boxes (AECM 3), animals (AECM 6a and 6b) or trees (AECM 6c) within the same already attached/tied parcels under the AECM (where applicable), then a farmer does NOT need to enter into a new 5year commitment but can increase the number of bee-boxes/animals/trees. The eligibility criteria need not be met once more when registering the new bee-boxes/animals/trees (in cases where new parcels are added, the minimum 0.04ha always has to be maintained and applies)
- Beneficiaries under all AECMs will be required to attend training, as instructed by the Managing Authority, relevant to the AECM subscribed to within 3 years from acceptance on the scheme. Training may be supported under Measure 1 and will be free of charge. The Paying Agency reserves the right to suspend/recover payment until submission of course certificate. **Upon award of course certificate, farmers are obliged to present this certificate to Front Office;** The Front office will keep a copy and original will be kept by beneficiary in their file.
- Furthermore, beneficiaries will be obliged to take advice for adequate fulfilment of all commitments and obligations within 3 years from acceptance on the scheme. Whilst preferable, such advice shall not necessarily be received from a recognised Farm Advisory System referred to in Articles 12 to 14 of Regulation (EU) No 1306/2013). Proof of service received will be requested. Advice may be supported through Measure 2. The Managing Authority shall notify as to the type of acceptable advice under this measure.
- The training/advice needs to be completed by the beneficiary of the AECM. In case of natural farmers, this would be the farmer who is carrying out the commitment. In case of legal farmers since the beneficiary is the company, the contact person (as listed on IACS profile) is obliged to attend the training/advice or nominate a suitable person to attend in his/her stead.**
- In case of transfer of commitments, the training/advice will only need to be carried out by the new beneficiary if the training/advice was not carried out by the original beneficiary. In such cases the beneficiary who is taking over the commitment will have three years to carry out the training/advice from the date of the request of the transfer or before the end of the commitment whichever comes first. If the new beneficiary has already participated in training covering the same AECM or received advice then he shall have no obligation to pursue new training or advice. In the case of advice, if the farmer would have already availed himself/self of advice under this programming period then farmer is not required to receive the advice once again.**
- In case the request to transfer the commitment is carried out and the original beneficiary has still not been invited to participate in training/advice the new beneficiary will take over the training/advice obligation.**
- For AECMs 4,5 and 6a all checks/documentation (including but not limited to Soil tests, SMPs, IPMPs) are to be carried out/compiled by the recognised competent persons.
- A person is deemed recognised/competent for the purpose of these guidelines as from the date of first registration as found on <https://agriculture.gov.mt/en/phd/Pages/registeredAdvisors.aspx>
- When it comes to calculating the support rate pro-rata this will always be rounded down to the nearest

¹ Refer to section 4.1 Force Majeure

animal/bee box/tree.

- The measurements 0.1124Hectares/ 1 tumolo and 1124m² are used interchangeably in these guidelines (1 tumolo is equivalent to 1124m²)

4. General Eligibility/Entry Conditions (applicable to all AECM's)

- Article 28(3) of Regulation (EU) No. 1305/2013 stipulates that Measure 10 will only cover those commitments going beyond the relevant mandatory standards established pursuant to Chapter I of Title VI of Regulation (EU) No. 1306/2013, the relevant criteria and minimum activities as established pursuant to points (c)(ii) and (c)(iii) of Article 4(1) of Regulation (EU) No. 1307/2013, and relevant minimum requirements established by National Law;
- Eligible farmers must be registered in the IACS Farmer Registry and the Nitrates Registry as maintained by the Directorate of Agriculture;
- All agriculture reference parcels claimed should be unambiguously located on site and through satellite images and registered with the Agriculture and Rural Payments Agency (ARPA) – the Paying Agency – at time of application;
- Other eligibility conditions, including (but not only) the minimum size of parcels, will be listed further on in the specific Measure section.

4.1. What happens if a beneficiary cannot fulfil commitments due to a *force majeure* incident?

Force majeure is generally considered to imply an abnormal or unforeseeable circumstance beyond a project holder's control, the consequences of which could not be avoided by reasonable action. A written application for *force majeure* has to be submitted to the ARPA within 15 days from the date on which the beneficiary, or the responsible person entitled by said beneficiary, is in a position to do so. After consultation, the ARPA will decide whether to accept or reject the application. Should the ARPA accept the *force majeure* request, there will be no major consequences. But if the *force majeure* application is rejected by the ARPA and the commitment is not honoured, the ARPA may seek to recover all funds paid accordingly. The MA will be notified by the ARPA upon receiving any request for *force majeure* consideration, and will be kept informed throughout the entire process.

5. Potential Eligible beneficiaries

- Farmers;
- Groups of farmers;
- Beekeepers;
- Other land managers, including NGOs;
- A mixture of both (as indicated under the general description) who carry out, on a voluntary basis, operations consisting of one or more agri-environment-climate commitments on agricultural land.

The eligibility of groups of farmers stems from the potential of such groups to multiply the environmental and climate benefits related to AECM practices and can play a significant role in providing environmental public goods. Groups of farmers with a legal status and other types of groups (e.g. formed on ad hoc basis) shall be eligible. This can also include producer groups, and farmers working in partnership with NGOs and other environmental experts, and/or local municipalities (in valley/area management partnerships).

6. How is the eligible area of support calculated?

All land use changes must be carried out prior to the application or payment claim process and during the request period. There will be specific request period prior to the application campaign (normally during July-August) whereby potential beneficiaries have the opportunity to submit a request for application². Dates pertaining to the above-mentioned request period will be established and published by the Managing Authority and the Agriculture and Rural Payments Agency (ARPA). The request is not the official application and does not guarantee that the request will eventually be accepted. If a **request** is accepted, parcels 'requested' for a particular measure will be automatically included in the next Area Aid Applications. In cases where a request is not accepted, the farmer will be informed with the rationale for refusal.

Applications will only be formally accepted on signing the contract. During the application process no changes shall be carried out.

It is important to note that the following features are considered as ineligible and the area they occupy will not be included. During the request process you are required to indicate or confirm whether any such features are present on the parcels you manage:

- Residential or commercial properties including swimming pools and built farmhouse complexes;
- Cemetery;
- Concrete (permanent) pathways and platform wider than 2 metres;
- Areas not for agricultural activity throughout the year;
- Abandoned land;
- Quarries;
- Bird trapping sites;
- Bird hides;
- Horse tracks;
- Dumping areas (Consisting of junk, iron barrels also as used for fencing);
- Forests;
- Water courses wider than 2 meters;
- Acacia and Eucalyptus.

Please note that if during the checks or controls it transpires that such features were not omitted from your declaration a penalty may be applied.

It should be noted that the above list is not exhaustive.

7. The Agri-Environment-Climate Measures 2014-2020

7.1. AECM 1 - Measure to control weeds in orchards and vineyards by mechanical, instead of chemical, methods

7.1.1. Aim:

The objective of this measure is to incentivise farmers to control weeds growing in vineyards and orchards between 15th October and 15th March, using mechanical means. The measure will oblige farmers to use a

² During the request period, ARPA will crosscheck the eligibility of the request/parcels

grass cutter/mower to control weeds growing in vineyards and orchards during the winter season.

This measure promotes biodiversity and supports local flora and fauna. Farmers would also be supplying temporary foraging area for bees leading to a potential increase in the pollinator population which is an essential component of Maltese agricultural systems and elemental to enhancing the diversity of its animal and plant life. This measure will aid in the prevention of soil erosion and run off. This will be achieved as the weeds will act as a cover crop during the winter months, when the majority of rain fall occurs. Erosion occurs most rapidly on areas where there is no soil cover. The weeds, naturally occurring in vineyards and orchards, can reduce the impact of raindrops that otherwise would detach soil particles and make them prone to erosion. In addition surface runoff is slowed by the cover, allowing improved moisture infiltration.

7.1.2. Specific Eligibility Requirements

- In order to apply for aid a farmer must have a minimum of 0.1124 hectares (1 tumolo) of permanent crops (fruit trees/ olive trees/vines). Any polygons in parcels that are found to have less than 0.04 hectares of orchards and vineyards³ are ineligible for payment;
- Payment may only be granted on agricultural area which has been maintained in line with annual minimum agricultural activity.

7.1.3. Commitments:

- Between 15th October till the 15th of March weeds can only be controlled with a mower/ grass cutter. Weeds removed during this period can be retained as mulch;
- The use of herbicides is prohibited throughout the year with the exception of specific herbicide targeting Bermuda grass between 15th June and 15th August;
- Nitrogen based fertiliser must be split into a minimum of 2 separate applications - a template of the Fertiliser Application record can be found under Annex 2;
- In the event that farmers do not retain the weeds as mulch (removed between the 15th October and the 15th of March) they are required to cultivate intercrops between vines and orchards. Eligible intercropping plants are nitrogen fixing plants of the vicia.spp group (**excluding vicia.faba**) as well as hedysarum.spp;
- Farmers are required to maintain records of use of herbicides and records in relation to Cross Compliance obligations. These are to be presented to the ARPA inspectors at the time of inspection.

7.1.4. Support rate:

€110.67 per tumolo per year (equivalent to €984.92 per hectare per year).

7.2. AECM 2 – Support for the maintenance of recommended tree species replacing Alien Species or planted on slopes and terraces to prevent soil and wind erosion

AECM 2A -Support for the maintenance of tree species **planted on slopes and terraces**

AECM 2B - Support for the maintenance of tree species **planted to replace invasive alien species**

³ Orchards and vineyards denote a homogenous area of permanent crops intentionally planted and maintained for food, whether processed or not.

7.2.1. Aim:

The aim of this measure is to allow for regular clearing of weeds, the removal of dry undergrowth in summer months to prevent any fire outbreak, any trimming, pruning or support (fertiliser/pesticide application) required to safeguard the health and protect the trees.

This measure will have a positive impact on biodiversity, enhancing the countryside with non-alien species which work in harmony with our unique ecosystems.

As well as providing an expanded habitat for local flora and fauna, through the introduction of the measures it will indirectly promote the planting of new trees which can be designed as buffer zones between agriculture and valuable natural assets such as watercourses. In addition, through increasing the number of trees present on a holding and the location of such trees, farmers are indirectly targeting issues such as water logging, and erosion caused by water and wind.

This measure is further divided into 2 sub-measures as follows:

- Support for the maintenance of tree species planted on sloping land and terraces $\geq 11\%$. which are prone to soil erosion **2A**;
- Support for the maintenance of tree species planted to replace invasive alien species, from here on known as **2B**.

Specific eligibility requirements

- If; applying under 2A all trees planted must be listed in Annex 8 and have to be planted on sloping or terraced land prone to soil and wind erosion (i.e. have an inclination of $\geq 11\%$).
- If applying under 2B each invasive alien tree removed (which must be listed in Annex 7) must be replaced by two (2) tree species found in Annex 8.
- In order to be eligible for this AECM (both 2A and 2B) the beneficiary must either:

be selected as a beneficiary of non-productive investment Measure 4.4 and complete the project. The applicant must present a copy of the results of non-productive investment measure⁴;

OR,

in cases where the farmer did not apply for funding under M4.4 and is privately funding the planting/removal, the beneficiary must provide the necessary photographic evidence as per the ARPA photography guidelines which can be found in the ARPA document titled ‘Supplementary Guidelines for Implementation of AECMs 2014-2020‘

- Trees must be located on eligible agricultural land (as stipulated under Section 4 of this document);
- When applying under this aecm farmers are required to identify where they will be removing/ planting the trees by specifying the reference parcel Ids and take the necessary photographic documentation as per ‘Supplementary Guidelines for Implementation of AECMs 2014-2020‘, ⁵
- When applying for aid under **2A** farmers will only be able to plant trees on sloping fields and terraced fields which have an inclination of $\geq 11\%$.
- Trees need to have been planted/removed prior to the application claim but after the first AECM request period which was issued on 21st November 2016.
- The removal of alien species as listed in Annex 7 and the planting (both under sub-measure 4.4) needs to be in accordance with ERA Guidelines on managing non-native plant invaders and restoring plant communities in terrestrial settings in the Maltese Islands⁶ and the recommended list of trees for planting found in Annex 8
- To ensure a better environmental impact, when removing one invasive species a beneficiary is obliged to plant two recommended tree species, although these do not necessary have to be of the same species;
- Any activity that involves alien plant removal and/or native plant conservation translocation (such as a reintroduction) within Natura 2000 sites or other protected area⁷ requires prior authorisation from ERA⁸

⁴ NOTE: support under AECM 2 will be granted on a pro-rata per hectare basis, regardless of the number of trees supported under M4.4 or privately funded by the farmer

⁵ Link to download supplementary guidelines available on Agriculture website in the other section :

<https://agriculture.gov.mt/en/arpa/Pages/RuralDevelopmentMeasures.aspx>

⁶ Vide ‘Guidelines on managing non-native plant invaders and restoring plant communities in terrestrial settings in the Maltese Islands, 2013’ available at <https://www.mepa.org.mt/guidelines-alienplants> [last accessed 19.11.2016]

⁷ An updated list of protected areas in Malta is available online at: <http://cdr.eionet.europa.eu/mt/eea/cdda1>. This list is indicative only and farmers should always seek ERA’s advice prior to proceeding with removal/planting

⁸ Contact Address: Nature Permitting, Ecosystems Management Unit, Environment and Resources Authority Hexagon House, Spencer Hill Marsa MRS 1441 Telephone: (+356) 2292 3500 Website: <http://era.org.mt/> Email: nature.permitting@era.org.mt and ias.malta@era.org.mt

- In the event that the original placement of the alien species, hindered agricultural practices due to its placement, the replacement tree(s) may be planted in a different location on the same farmer's holding. In addition to this if the farmer deems that the replacement trees would be more efficient in preventing soil erosion on a different location on their holding, they must notify the authorities of the new location for inspection purposes;
In removing species farmers must adhere to the provisions for removal of alien species laid out in the 'Guidelines on managing plant invaders and restoring Native Plant Communities'.⁹

7.2.2. Commitments

- In order to apply for aid a farmer must have a minimum of 0.1124 hectares of agricultural land. Any parcels that are found to be less than 0.04 hectares of eligible land, whether in a less favoured area or not, are ineligible for payment;
- For AECM 2A only parcels which are located on sloping land will count towards the number of eligible trees per hectare. Parcels which are not located on sloping land can only be utilised to reach the 0.1124 Ha minimum eligible criteria but these cannot be used to increase the number of trees which can be planted on sloping land;
- For AECM 2B the number of trees planted will still have to respect the 18 per Ha limit even if more trees have been planted under M4.4. All agricultural parcels can be committed to increase the number of trees.
- Payment may only be granted on agricultural area which has been maintained in line with annual minimum agricultural activity;
- Farmers are required to maintain records of use of fertiliser/pesticide and records in relation to Cross Compliance obligations. These are to be presented to ARPA inspectors at the time of inspection;
Pest control and rationalization of fertilizer and pesticide treatments: in the event of a pest infestation or demonstrable lack of overall health of tree, the farmer is required to address any infestations/ deficiencies through responsible pesticide and fertilizer practices;
- The farmer is obliged to implement specific maintenance actions relevant to the tree species. Mainly canopy management, green pruning and production pruning;
- Farmers will be obliged to keep a record pertaining to the trees present on the parcel linked to the AECM using Annex 6;
- In the event that a tree planted dies, at any point during the 5 years commitment, the farmer is obliged to replace it at his own expense.

7.2.3. Support rate:

€38.99 per tree per year with a limit of aid being granted on a maximum of 18trees/ha (which amounts to a maximum of €701.82 per hectare).

Although the actions under this AECM are supported through M4.4 (removal and planting of trees) it is not obligatory for farmers to apply and benefit from M4.4 before benefiting from AECM 2¹⁰

⁹ Guidelines on managing non-native plant invaders and restoring native plant communities in terrestrial settings in the Maltese Islands (MEPA 2011). Available at <http://www.mepa.org.mt/lpgdocuments/LEG.pdf>

¹⁰ Funding for planting and removal for trees under Measure 4.4 will only be eligible after an application for M4.4 has been submitted to the Managing Authority and an acknowledgement is issued by the Managing Authority.

7.3. AECM 3 – Measure supporting the introduction of bee boxes on holdings

7.3.1. Aim:

The objective of this measure is to incentivise beekeepers to set up bee boxes on agricultural land located not farther than 3km from garigue land. The intention is to support registered established beekeepers. This measure would be particularly beneficial in areas which have a high garrigue/maquis to agricultural land ratio, due to the wild flower varieties naturally occurring in such areas.

This measure promotes biodiversity and supports local ecosystems and the species which reside within these systems. Beekeepers would be increasing the pollinator population which is an essential component of Maltese agricultural systems and instrumental to enhancing the diversity of its animal and plant life.

Whilst increasing the pollinator population, numerous other endemic and indigenous species which support the local biodiversity will benefit, enhancing the overall biodiversity of Maltese farm land and neighbouring ecosystems.

This will also have a positive impact on biodiversity, enhancing the countryside and promoting a practice which works in harmony with our unique ecosystems. Farming depends on biodiversity. Many crops need the pollination provided by bees and other insects - more than a third of the world's agricultural crops depend on pollination.

7.3.2. Eligible beneficiaries:

Registered beekeepers affiliated with an apicultural society.

7.3.3. Specific eligibility requirements:

- In order to apply for aid a beekeeper must link a minimum of 0.1124 hectares of agricultural land (Any parcels that are found to be less than 0.04 hectares of eligible land is ineligible for payment);
- To apply for support the beekeeper must be registered with an Apicultural Society and the National Competent Authority;
- ARPA will verify with the Competent Authority that bee-keepers are registered;
- Upon application for aid, the beekeeper must provide Farmer FIC and location of parcels where bee boxes will be kept. These must be located within a 3km range from garigue land;
- The farmer must sign a disclaimer¹¹ at the Front Office stating that:
 - they permit the beekeeper to keep bee boxes on their holding and (the farmer retain responsibility for land eligibility conditions and cross compliance obligations for all land linked to this AECM; The farmer will not be able to transfer the land attached to AECM 3 for the duration of the 5year contract;
 - The farmer can only support one bee-keeper (on the other hand, a bee-keeper can link up with more than one famer).
- In registering for support the applicant (bee-keeper) is required to have a minimum of 5 active bee boxes registered under this AECM (not necessarily all receiving support). Although a minimum of 5 active bee-boxes must be maintained (including both registration with VPRD as well as tagging of same bee-boxes), for funding purposes the bee-keeper can register bee boxes as permitted on a pro-rata basis (5 bee-boxes per hectare, rounding down). For example, a farmer with two separate tumoli of land i.e. 2,248m² can apply for funding of 1 bee-box). Support will be provided on a maximum of 5 bee boxes per hectare per year;
- Due to the nature of this AECM it is suggested that beekeepers register at least .0.2 Hectares of agricultural land in order to obtain land required for the payment of at least 1 bee box

¹¹ This does not apply where the bee-keeper is also the farmer to which the bee-boxes are being linked in AECM

- All land tied to this AECM must be within 3KM of garigue land;
- Bee-keepers must mark, upon application, the ‘reference’ parcel. This is the parcel where bee-boxes under this AECM will be kept during the year, with the exception of the period when these have to be moved elsewhere (following a pre-notification to ARPA identifying the agricultural area where the bee-boxes will be located);
- AECM 3 can be linked with any other AECM on the same parcel provided that the beekeeper implementing the AECM and the farmer implementing the other AECM are different beneficiaries. Support rates will remain the same for both AECMs

7.3.4. Commitments:

- During the year, the bee-boxes must be moved from the reference parcel to a different agricultural area located at least 3KM away (from the reference parcel);
- Prior to the movement, the bee-keeper is obliged to pre-notify ARPA (identifying the location of the agricultural area or garrigue where the bee-boxes will be located)
- Beekeepers have to record all movements of bee boxes under this AECM, a template has been provided (Annex 13)
- Boxes must be maintained in the ‘second’ agricultural area for a minimum duration of 4 weeks;
- Boxes will be moved to different garrigue/maquis locations an estimated 3 times in a year, this is to accommodate the 3 honey seasons in the Maltese islands. (with a minimum of two movements per year e.g. from reference parcel to another agricultural/garrigue area at least 3k away, and back to A or other).
- All beehives must be kept on agricultural land, which land has to be in the vicinity (3KM) of garigue.
- For the exclusive (only) purpose of AECM 3, the Maltese Authorities acknowledge garrigue areas as agricultural land in line with Article 28 (2) of Regulation 1305/13. Bee boxes must be kept on agricultural land (including garrigue) throughout the year
- Farmers will be required to maintain any records relevant to the AECM, including details of movement of bee-boxes, and also those relevant to Cross Compliance. These are to be presented to the ARPA inspectors at the time of inspection.
- Beneficiaries must keep and maintain a minimum of 5 registered active bee boxes (not necessarily all receiving funding);
- Beekeepers cannot receive aid on more than 5 bee boxes per Ha. Additional attached land (i.e. beyond the 1 ha) can support additional bee-boxes under this Measure on a pro-rata basis;
- Beekeepers must demonstrate affiliation with an Apicultural Society through a membership card or declaration by the society;
- Upon application for aid the beekeeper must provide Farmer FIC and location of holding where bee boxes may be kept. These must be located within a 3km range from garigue land;
- ARPA will carry out checks through visual inspection to verify presence of bee boxes, the number of

bee boxes matching the minimum/maximum requirements and the end number of total boxes upon which aid is being claimed; upon registering bee boxes for support the beneficiary will be required to put physical identification in accordance with ARPA requirements on each box upon which the beekeeper is registering for aid. Instructions on how to attach the identification is provided by ARPA with the document titled 'Supplementary guidelines'.¹²

- Upon inspection, all boxes upon which aid is being requested must be clearly identifiable with no evidence of tampering in accordance with PA requirements – controlled through visual inspection and record keeping of physical identification;
- In the event that a bee box colony dies then the beekeeper must ensure a new active bee colony is put into the tagged box. In the event that inactive tagged boxes are found upon inspection then the beekeeper must return support granted on this/these boxes;
- Beekeepers can apply for support on land owned by different registered farmers, however, a farmer can only support one beekeeper;
- The beekeeper will be required to identify the location on the holding where the bee boxes will be set up – verified through IACS;
- The beekeeper must ensure that the individual who owns the land upon which the boxes are located is aware that ARPA inspectors will visit the site to conduct inspections relevant to the bee boxes;
- should there be a breach of cross compliance obligations both the farmer and the beekeeper will incur applicable penalties;
- Beekeepers are required to commission the apicultural society to conduct an annual inspection of their colony through the services of a competent person who must certify in accordance with Annex 4 of this document that bees are in good health and free from a number of diseases (as listed under aforementioned Annex). For the first year of the commitment the certificate under Annex 4 must be submitted prior to the signing of the contract. For the following years of the commitment the certificate must be provided when submitting the annual application claim
- In the event that the beekeeper suspects his colony is diseased he should immediately contact the society he is a part of to request an inspection, this requirement is over and above any compulsory action that is to be taken by the keeper as directed by the respective regulations and/or the National Competent Authority;
- Beekeepers are required to keep a record of all bee boxes under their ownership including those not receiving support under this measure – a template of this record can be found in Annex 5. These must be presented by the beekeeper upon inspection or when requested;
- In cases where VPRD finds significant fault on any specific beekeeper under this measure, the Paying Agency will be immediately informed and recoveries up to 100% may be applied.

7.3.5. Support rate:

€125.95 per bee box with a maximum of 5 bee boxes per hectare which amounts to €629.75 per hectare per year.

¹² Link to download supplementary guidelines available on Agriculture website in the other section : <https://agriculture.gov.mt/en/arpa/Pages/RuralDevelopmentMeasures.aspx>

Support on a pro rata basis both below and above a hectare (or 5 boxes) is possible.

In cases where a beekeeper has already registered 5 active bee-boxes, of which only (for example) one box is receiving payment due to limited agricultural land attached to the AECM, manages to attach NEW eligible parcels to this AECM, the bee-keeper can request that payment be received for other boxes (already linked to the measure as active bee-boxes, albeit not receiving payment). Therefore, the bee-keeper does not need to re-obtain the eligibility criteria of a minimum 5 bee-boxes for adding new boxes for payment purposes.

7.4. AECM 4 – Measure for the implementation of an Integrated Pest Management Plan targeting Vineyards and Orchards

7.4.1. Aim:

The objective of this measure is to incentivise farmers to have an Integrated Pest Management Plan which is implemented on vineyards and orchards. IPM programs seek to account for economic benefits and environmental costs by combining biological, cultural, and chemical pest control techniques to reduce pest infestation to economically acceptable levels.

The introduction of an IPM will assist in the creation of a suitable ecological infrastructure within the agricultural landscape. It will have a positive impact on biodiversity, enhancing the countryside and promoting a practice which works in harmony with our unique ecosystems, whilst reducing the need for pesticides and harmonising a balance between agriculture productivity and natural pest control concepts.

Pesticides can contaminate soil, water, and the crop itself. In addition to killing insects or weeds, pesticides can be toxic to a host of other organisms including birds, fish, beneficial insects, and non-target plants. Insecticides are generally the most acutely toxic class of pesticides, but herbicides can also pose risks to non-target organisms. In taking an ecologically based pest control approach the measure is reducing the reliance on synthetic chemical pesticides, alternatively enhancing biodiversity, the countryside and promoting a practice which works in harmony with our unique ecosystems.

7.4.2. Specific eligibility requirements:

- In order to apply for aid a farmer must have **a minimum of 0.1124 hectares (1 tumulo) of permanent crops (fruit trees/ olive trees/vines)**. Any parcels that are found to have less than 0.04 hectares of orchards and vineyards¹³ are ineligible for payment.
- Payment may only be granted on agricultural area which has been maintained in line with annual minimum agricultural activity;
- The farmer must present upon application a copy of the IPMP for their holding;
- This plan will need to be reviewed annually and a copy of this will need to be presented with every application claim;
- Farmers will be required to maintain any records relevant to the AECM and also those relevant to Cross Compliance obligations. These are to be presented to the ARPA inspectors at the time of inspection.

¹³ Orchards and vineyards denote a homogenous area of permanent crops intentionally planted and maintained for food, whether processed or not.

7.4.3. Commitments:

- The IPM Plan must be drafted by individuals identified under Annex 9 and presented at application stage; a list of recognised individuals will be made available online in 2017¹⁴;
- Installation of traps on parcels to allow the farmers to identify the kind of pest/severity of infestation. Installation of traps must be based on the plans;
- Farmers will be required to retain a record, which must cover the date when monitoring was performed, the pest the farmer was monitoring for and the number of pest(s) recorded (if any) – Annex 10 is a template of the record to be kept;
- An IPMP must include at least 3 of the following techniques (however in the event that technical advisor believes additional techniques will be beneficial to achieving the objectives then these too must be included in the IPMP):
 - Cultural practices that can help prevent buildup of pests (e.g. pruning and tillage methods);
 - Field sanitation and seed bed sanitation;
 - Use of pest-resistant varieties;
 - Managing sowing, planting or harvesting dates;
 - Water/irrigation management;
 - Soil and nutrient management (including mulching, zero/low tillage, fertilizer management);
 - Practices to enhance the buildup of naturally existing predator populations;
 - Use of traps or trap crops;
 - Biological inputs;
 - Biological control through release of predators, parasites or pathogens;
 - Bio-pesticides;
 - Biological preparations (e.g. neem extract);
 - Chemical inputs;
 - Chemicals that disrupt insect behaviour (e.g. pheromones);
 - Growth-regulators.

7.4.4. Support rate:

€168.08 per tumolo per year **OR** €1495.92 per hectare per year

7.5. AECM5 – Measure for the implementation of a soil management and conservation plan on a parcel

7.5.1. Aim:

The objective of this measure is to incentivise farmers to prepare and implement a Soil Management Plan (SMP) on their parcels targeting three primary soil related threats on a parcel level; erosion, compaction and low soil organic matter. The SMP must be drafted and signed by a competent person whose name is published on the website of the competent authority (Plant Protection Directorate).¹⁵

Soil supports organisms that are essential for a healthy and sustainable environment. The introduction of a SMP on a parcel level will target various threats faced by Maltese soils. Through enhancing soil organic matter, and targeting issues like erosion and compaction, this measure has the potential, from an environmental angle to add several benefits.

The implementation of a SMP has the potential to; better filter water prior to it reaching the groundwater table; enhance water retention and storage; mitigate the impacts of extreme weather events; improves soil structure; provide microbial habitat; and serves as a source of long-term, slow-release nutrients. In addition it enhances the soil ability to store carbon dioxide (CO₂) and other GHGs in soil organic matter.

The benefits of leaving land fallow for extended periods include rebalancing soil nutrients, re-establishing soil biota, breaking crop pest and disease cycles, and providing a haven for wildlife.

Through the promotion of composting (to increase organic matter) green wastes such as vegetation, wood and other organic wastes are diverted from landfills, and can play a role in reducing greenhouse gas emissions.

This measure sets different targets for irrigated/non-irrigated¹⁶¹⁷ land. These targets are further explained hereunder.

The definition of an irrigated parcel is linked to the potentiality of the parcel to be irrigated. **Hence, irrigated land refers to agricultural areas purposely provided with water, for example by means of pipes and sprinklers.** In this respect, for the purposes of support under AECM5, the ARPA shall be carrying out checks to determine whether land is irrigated or non-irrigated on the basis of the following:

- Presence of pipes (both temporary and permanent) on the parcel in question imply that parcel is to be considered as irrigated
- Presence of sprinklers on the parcel in question imply that parcel is to be considered as irrigated
- Presence of water storage infrastructure (including ‘bir’ and ‘giebja’), equipment or facilities on the parcel in question
- Presence of any other equipment intended to provide irrigation on the parcel in question

The presence on the parcel of any one of the above items, whether in use or not, make a parcel ‘irrigable’, and hence shall be declared by the farmer as ‘irrigated land’.

Naturally, due to such distinction and parameters, the registration of the parcel as irrigated/non-irrigated is of central importance. In view of this:

- Reliance on the farmer’s registration/declaration for compliance purposes of the parcel as irrigated/non-

¹⁵List of advisors can be found on: <https://agriculture.gov.mt/en/phd/Pages/registeredAdvisors.aspx>

¹⁶ ‘Dry’ and ‘non-irrigated’ are used interchangeably and are not intended to have different meanings for the scope of this measure.

¹⁷ Irrigated land refers to land that is ‘irrigable’, as per criteria provided by ARPA. Note that such criteria may be further clarified in the ARPA AECM supplementary guidelines ‘Supplementary Guidelines for Implementation of AECMs 2014-2020’ Link to download supplementary guidelines available on Agriculture website in the other section :

<https://agriculture.gov.mt/en/arpa/Pages/RuralDevelopmentMeasures.aspx>

irrigated is made;

- Where an anomaly arises, a false declaration process which may have an impact on other payments will be triggered (the declaration of the advisor will be adopted for the scope of this measure).

At no point during the commitment period (after signing of contract) can a parcel change registration from dry to irrigated and vice-versa. The parameters (and possible resulting penalties) applicable for the type of land (dry or irrigated) will remain applicable throughout the commitment period.

Farmers are required to make reference to the ARPA document¹⁸ guidance with regards to the classification of a parcel as irrigated/non-irrigated. Farmers are advised that any false declaration vis-à-vis dry/irrigated land may result to cross-compliance penalties extending beyond this specific measure.

ARPA can consider requests by farmers to register numerous adjacent parcels registered on the same farmer and growing the same crop group, as one parcel. In such cases, if one of the group of 'parcels' is registered as irrigated, then the entire parcel shall be assessed as irrigated and there shall be no difference in registration of same in terms of irrigated/non-irrigated.

Parcels will only be considered adjacent if they are touching and/or divided by boundary walls, passageways or roads. The possibility to register numerous adjoining parcels as one parcel is not applicable where parcels are divided by parcels registered on other farmers or parcels registered on the same farmer but are not part of the **same** AECM 5 commitment.

The grouping of parcels needs to remain the same throughout the whole commitment. All soil tests/SMPs in subsequent years have to follow the same grouping which was used in the first year. Changes to the 'groupings' are not permitted, with the exception of approved parcel removal

The SMP should be directed at the adoption of measures and actions to:

- minimise soil erosion on the parcel
- in the case of irrigated land, increasing soil organic matter from 2% to a minimum of 3%¹⁹
- in the case of non-irrigated land, increasing soil organic matter to a minimum of 1%¹⁷
- setting various standards to prevent compaction

7.5.2. Specific eligibility requirements:

- In order to apply for aid a farmer must have a minimum of 0.1124 hectares (1 tumoli) of arable land. Any parcels that are found to be less than 0.04 hectares, are ineligible.
- During the request period the farmer must present either a copy of the soil test results or a receipt showing proof that the soil sample has been submitted covering all parcels being included in the commitment²⁰
- All submitted soil samples need to be collected by advisors who are already recognised on the date the sample was submitted to the lab (ie if an advisor was registered on the 18th of April then all soil samples submitted need to be dated from 18th April onwards. Soil samples dated prior to the 18th April will not

¹⁸ Link to download supplementary guidelines available on Agriculture website in the *other section* :

<https://agriculture.gov.mt/en/arpa/Pages/RuralDevelopmentMeasures.aspx>

¹⁹ If the 3% (1% in the case of non-irrigated land) soil organic matter of a parcel is not achieved at the end of the AECM agreement, this will lead to at least 1/3 recovery of the total amount received during the whole 5 years on the specific parcel for failing to achieve one of three SOM specific targets.

²⁰SMP must be compiled by the competent advisor, soil tests must be collected under the supervision of the competent advisor

be deemed eligible for AECM 5 and can result in a rejection of the application /termination of the commitment leading to recovery of funds. All soil samples are to be collected under the supervision of the recognised competent person. Samples shall not be collected by the direct beneficiary applying under AECM 5, for whom the samples are being collected. The recognised competent person remains responsible for the sample collection process. All samples need to be labelled with the new parcel numbers (example MLH-0000-00000).

- The farmer must then present a copy of the SMP during the first application campaign. For the first year the farmer does not need to provide an additional soil test (since the soil test would have already been provided during the request period).
- From the second application claim till the end of the commitment; the SMP will need to be updated and submitted along with the latest soil tests during the annual application campaign.²¹
- soil tests have to be carried out annually; from the second year of the commitment all soil samples need to be collected and submitted to the laboratory by the 31st October of the year prior to the payment campaign.
(ie for application claim of 2020 all samples will need to reach the laboratory by the 31st October 2019. The results should then be submitted during the application claim along with the updated SMP.
- The soil sample linked to the SMP in any given cycle has to be collected/compiled by the same advisors however; farmers can change advisors during different years of the commitment.

²¹ For 2018 commitments only, the SMP will be covering both the application claim of 2018 and 2019. Farmers will then need to submit the soil test with the updated SMP annually for the remaining years of their commitments (as from 2020).

- The chosen sampling strategy shall be based on the advisors' evaluation, depending soil type and management of the land.
- The plan will need to be updated and resubmitted annually together with the soil test results.
- Only arable land is eligible for support under this measure. Permanent cropland is ineligible for support under AECM5.
- Irrigated Agricultural land with soil organic matter (SOM) below 2% is ineligible (GAEC obligation). When submitting a request for application for the first time, the farmer must present a SOM test with a result of 2% or upwards to be eligible.²² Soil test results should be issued from institutions or entities approved by the SMP Competent Authority and collected by the Advisor. This 2% eligibility requirement is not applicable in the case of non-irrigated parcels.
- Parcels which are non-irrigable are also required to submit soil tests upon application (request period) and annually;
- Farmers shall submit copies of their fertiliser plan, soil analysis results (for NPK) (at application) with the SMP all of which must be compiled by a competent person as specified by the agricultural directorate. In case the farmer does not use any fertiliser on the parcels under commitment, a declaration needs to be signed at the Front Office stating that no fertiliser (organic and inorganic) will be used on any of the parcels being committed under AECM 5
- Farmer must also submit a crop plan with the SMP
- Where a parcel has up to 15% landscape features, then parcel is 100% eligible i.e. 85% arable area + 15% landscape features.
- Where a parcel has more than 15% (for example, 20%) landscape features, then parcel is eligible but ALL landscape features' area is eliminated (in this example, 80% of the parcel remains eligible, 20% considered non-eligible).
- Permanent crops (even when planted as a result of the Soil Management Plan) are always considered ineligible, irrespective of polygon size.

7.5.3. Commitments:

- Farmers must implement the measures and actions included in the Soil Management Plan.
- The SMP should be in line with the guidelines issues by the Competent Authority which should include:
 - a list of soil threats identified on each parcel and the possible environmental consequence.
 - have a map showing risks of runoff and water erosion.
 - Actions to mitigate the soil threats.
 - **Composting – Composting has to be carried out on at least 1 parcel from the whole holding committed under AECM5, such parcel must be part of the same AECM 5 commitment²³**
 - **Submit copy of the crop plan and fertiliser plan**
 - **At least 2 of the following actions/practices on each parcel of the holding committed under AECM 5:**
 - Crop residue incorporation
 - Mulching
 - Planting of trees to target erosion

²² In the case of irrigated land, the 2% SOM is an eligibility criterion which needs to be maintained throughout the 5 years. If at any point the SOM test shows that a particular parcel falls below the 2% such parcel will be deemed ineligible and will result in 100% recoveries on that parcel (not the entire commitment it may be linked to).

²³ Prior to adding of compost to the soil farmers are obliged to take photographic evidence of the use of compost on their holding and date it accordingly. Such evidence would need to be provided in case of inspection

- Conservation tillage
- Green manuring
- Cultivation of forage crops
- Plant vegetative filter strip in low lying and runoff areas of fields
- Strip cropping

In the event that the technical advisor believes additional techniques will be beneficial to achieving the objectives then these should be included in the SMP.

- Soil testing for Organic Matter must be carried out annually for Soil Organic Matter (SOM) throughout the commitment years. The soil test results must be submitted to ARPA during the annual application claim
- The annual soil samples for testing must be collected by the authorised advisor who prepares the SMP, who should follow soil sampling guidelines issued by the Competent Authority and needs to be collected according to the W spatial pattern.
- The cost of the soil tests and the SMP is to be borne by the beneficiary since this is included in the payment rate of the measure i.e. as part of the rate per tumolo/hectare.
- On the spot checks will be carried out by ARPA which shall include where necessary sampling and testing for Soil Organic Matter.
- Leave the committed parcels fallow between 1st July and 1st October every year during the summer months. Summer fallow is the practice of allowing land to lie idle during the growing season,
- During the fallow period (1st July and 1st October) farmers cannot apply pesticides and non-organic fertiliser²⁴ to the parcels under commitment
- Farmers will be required to maintain any records relevant to the AECM and also those relevant to Cross Compliance obligations. These are to be presented to the ARPA inspectors at the time of inspection.

7.5.4. Support rate:

€213.75 per tumolo per year **OR** €1902.36 per hectare per year

²⁴ During this time, only organic fertiliser can be applied on the parcel as specified in the Maltese Nitrates Action Programme

7.6. AECM 6

7.6.1. Aim:

The aim of this measure is to promote the protection, maintenance and enhancement of autochthonous Maltese farm species encouraging an increased level of awareness and responsibility amongst farmers for native breeds. Through national and international involvement it will assure these species survival and maximize their potential in agricultural systems.

The aim of this measure is to conserve and maintain biodiversity by preserving Maltese indigenous breeds in danger of genetic erosion in particular the species mentioned below, by supporting the rearing, breeding and maintenance of these species.

This measure directly promotes agricultural biodiversity which is a sub-set of biodiversity. It encompasses species directly relevant to agriculture. Genetic erosion in agricultural and livestock biodiversity is the loss of genetic diversity, including the loss of individual genes, and the loss of particular combinations of genes (or gene complexes) such as those manifested in locally adapted breeds. This measure aims at the conservation, sustainable use and enhancement of plant and animal genetic resources.

7.6.2. **AECM 6A – Measure for the integration and maintenance of autochthonous Maltese species – Maltese Black Chicken**

7.6.3. Specific eligibility requirements:

- All Maltese Black Chicken needs to be certified as such (breed) by competent individuals who are identified as such by the competent authority
- Have a minimum of 30 heads (0.315 LU) of Maltese Black chicken in order to be eligible for support. This minimum (30) is to be maintained throughout the contract period;
- ;Farmers will be required to maintain any records relevant to the sub measure and also those relevant to Cross Compliance obligations. These are to be presented to the ARPA inspectors at the time of inspection.

7.6.4. Commitments:

- Beneficiaries will be required to ensure all Maltese Black Chicken are ringed or micro-chipped using appropriate (as instructed by the Competent Authority) tamper proof rings/micro-chips;
- Applicants are required to fill in the livestock form (template) under Annex 11. For verification purposes each individual head must have a signed certificate of accreditation clearly stating the identifying number on the poultry ring. Accreditation must be based on established breed characteristics as established by the Competent Authority;
- All poultry upon which the applicant is applying for aid must also have a vaccination program in place. For this purpose, the farmer is required to fill in the vaccination form under Annex 12 and update it accordingly;

7.6.5. Support rate:

€20 per head per year with a minimum requirement of 30 heads or 0.315 livestock units (LU), which equates to €600 per 0.315 LU per year.

7.7. AECM 6B – Measure for the integration and maintenance of autochthonous Maltese species – Maltese Ox

7.7.1. Specific eligibility requirements:

- Livestock breeders registering for support under this AECM must provide breed certification (attesting to the purity of the breed)²⁵ for each livestock unit, as per official documentation issued by such competent authority as may be established by law or by the responsible Ministry;
- Applicable to livestock breeders who are registered with the Food and Veterinary Regulation Division;
- Farmers will be required to maintain any records relevant to the sub measure and also those relevant to Cross Compliance obligations. These are to be presented to the ARPA inspectors at the time of inspection.

7.7.2. Commitments:

- Must rear Maltese Ox - herd book must be kept up to date;

7.7.3. Support rate:

€1557.28 per head per year, which equates to €1557.28 per Livestock Unit (LU) per year

7.8. AECM 6C - Measure for the integration and maintenance of autochthonous Maltese species – Carob (harrub), Black Mulberry(Tut) and White Mulberry(ċawsli)

7.8.1. Specific eligibility requirements:

- Carob, black/white Mulberry trees found on site;
- Trees must be located on eligible agricultural land (as stipulated under Section 4 of this document);
- In order to apply for aid a farmer must have a minimum of 0.1124 hectares of agricultural land. Any parcels that are found to be less than 0.04 hectares of eligible land, are ineligible for payment. Eligible land means any agricultural area taken up by arable land or permanent crops;
- Parcels not containing any trees can still be included under this AECM in order to reach the eligible area of 1 tumolo as well as to be able to increase the number of trees eligible under this AECM. For example; a farmer has a field of 1 tumolo which contains 18 eligible trees, the farmer can only receive aid for 2 trees, however he may choose to add another parcel of 8 tumoli to obtain a total area of 1 hectare and thus be able to include all 18 trees even though the second parcel would not contain any eligible trees.
 - Payment may only be granted on agricultural area which has been maintained in line with annual minimum agricultural activity.

7.8.2. Commitments:

²⁵ The purity of the Maltese Ox must be of at least 96.87%.

- The farmer is obliged to implement specific maintenance actions relevant to the tree species and ensure that the tree is maintained in good health;
- Farmers will be required to maintain any records relevant to the AECM and also those relevant to Cross Compliance obligations. These are to be presented to the ARPA inspectors at the time of inspection;

7.8.3. Support rate:

€38.99 per tree per year with a limit of aid being granted on a maximum of 18 trees/ha (equivalent to a maximum of €701.82 per hectare).

8. The Application Process

The call for applications will be launched on the specified period which will be notified on the Government gazette Applications are received between 7.30 and 3.30PM at:

- Front Office, Agriculture and Rural Payments Agency, Pitkali Markets, Ta' Qali, L/O Attard, Malta and between 7.30 – 1PM at:
- Gozo Office, Government Experimental Farm, Mgarr Road, Xewkija, Gozo

Submission of applications/payment claims under Measure 10.1 is an electronic process. Applicants can be assisted by operators who will fill-in the application form on the basis of declarations made by the same applicant. The applicant will then be required to endorse the application form once this is entirely filled-in. Applications submitted after the stipulated deadline (as per Government Gazette notifications) will **NOT** be accepted. The MA in consultation with ARPA reserves right to extend the application period (application claim period as per Commission notification).

8.1. Step-by-step

The application process will mainly be carried out in five steps, as explained below:

8.1.1. Step 1

Compilation of the Applicant's (Farm) Register. This contains personal information of applicant, and the entity represented, including information such as:

- Contact details;
- Bank details;
- Land areas under your management.

Documentation required is the following:

- **VALID** ID Card/Passport – in the case of individual applicants;
- In the event that a company is applying then they must provide the following documentation:
Memorandum of Association, VAT Certificate and ID Card of the person representing the Company.

8.1.2. Step 2

It is highly important that at this stage, only parcels managed by the applicant are declared. If during checks/controls it transpires that the applicant declared parcels which are/were managed by someone else, penalties may be imposed due to false declaration.

8.1.3. Step 3

Applicant will be required to provide information on any ongoing commitment pertaining to the 2007-2013 agri-environmental measures (Measure 214).

8.1.4. Step 4

There are/will be specific request period/s prior to the application campaign whereby potential beneficiaries have the opportunity to submit a request for application.

Dates pertaining to the above-mentioned request period will be established and published by the Managing Authority and the Agriculture and Rural Payments Agency (ARPA).

8.1.5. Step 5

On completion of the information related to the 2007-2013 AEMs, the applicant will then proceed with the application on the 2014-2020 AECMs. This will entail an automated process as information declared in the crop plan will filter parcels available for the respective AECM. Where possible, the operator will guide the applicant through the process.

Once the application process is fully completed, a printed version will be presented which the applicant must sign. Accepted applications will be followed-up with a contract which must be signed by the beneficiary and the Managing Authority. This is to be considered as binding, setting out the applicant's declarations and holding the applicant responsible for the information provided.

Note that for each successive year following the application, the applicant **must** make a claim to renew the application and receive payment. This will be carried during the specified application period in the respective calendar year.

8.2. What if the applicant cannot apply in person?

If the applicant is unable to present himself/herself at the Front Office, an agent may be appointed on behalf of the applicant. In doing so, the agent will be authorised to act on behalf of the applicant in all dealings concerning the application process and any subsequent agreement entered into, including receipt of payment. In such case, the following documentation is required:

- Power of attorney (Prokura);
- Valid ID Card of the land manager;
- Valid ID Card of the agent holding the power of attorney.

8.3. What will happen to the application after it is completed?

All applications submitted will undergo a series of administrative checks. Through administrative controls all elements possible to control by administrative means will be carried out. This may include cross-checking with

Competent Authorities and other relevant databases. Such checks serve to ensure eligibility of the submitted application.

A number of beneficiaries will also be selected for on-the-spot controls. This means that if a beneficiary is selected in the sample for on-the-spot controls, he/she will be subject to (unannounced) visits from an inspector on the respective holding, with the scope of ensuring conformity with all relevant commitments. If an irregularity is discovered at any level of checks and controls, the beneficiary will be subject to penalties. The severity of the penalty will be dependent on the degree of non-compliance.

8.4. Changes in committed area

A farmer may submit a request to change the separate/individual area committed by not more than 5% throughout the commitment period. This 5% flexibility is allowed to cover for minor changes at committed parcel/s level.

	Scenarios	Process
1	Beneficiary request to remove all parcels committed and therefore stop commitment.	Commitment shall be closed and all support issued under this commitment shall be recovered.
2	Beneficiary request to remove one or more parcels committed. Total commitment area is less than 0.1124HA	Commitment shall be closed and all support issued under this commitment shall be recovered.
3	Beneficiary request to remove one or more parcels committed. Total commitment area remaining after removal of parcels is more than 0.1124HA	Commitment shall be updated. Parcels removed as requested. All support issued to these removed parcels under this commitment shall be recovered.
4	Beneficiary request to remove part-of parcel committed. Total area removed exceeds 5%. Eligible area of parcel is more than 0.04ha	Commitment shall be updated. Parcel removed. All support issued to this parcel under this commitment shall be recovered.
5	Beneficiary request to remove part-of parcel committed. Total area removed does not exceed 5%. Eligible area of parcel is more than 0.04ha	Parcel not removed. No breach
6	Beneficiary request to remove part-of parcel committed. Total area removed does not exceed 5%. Eligible area of parcel is less than 0.04ha	Commitment shall be updated. Parcel removed. All support issued to the parcel under this commitment shall be recovered.
7	Beneficiary requests to transfer the entire commitment to another farmer.	Commitment is transferred on the second farmer. Commitment of transferee will cover the remaining years of the original commitment
8	Beneficiary requests to transfer one or more parcels committed to another farmer. Both commitments have the minimum area of 0.1124ha	Parcels are transferred to transferee. New commitment is opened on the transferee. Commitment of transferee will cover the remaining years of the original commitment.
9	Beneficiary requests to transfer one or more parcels committed to another farmer. One of the commitments have less than the minimum area of 0.1124ha	Farmer is informed with the breach. If farmer insistent parcels are transferred to transferee. Process described in case 8 will be followed. The commitment with less than the minimum area will be closed and considered as breach. Support issued on these parcels under the original commitment will be recovered from the transferor.

10	Beneficiary requests to transfer part-of parcel committed to another farmer. Both new parcels have minimum area required of 0.04ha.	Parcel is split and transferred as long as both parcels have the required minimum area and also the 2 commitments have the minimum required area of 0.1124ha. Process described under case 8 shall follow. Otherwise the parcel has to be removed from the transferor and all support issued through the commitment on that parcel is collected.
11	Beneficiary requests to transfer part-of parcel committed to another farmer. One of the new parcels do not have the minimum area required 0.04ha. Area to transfer is more than 5% of parcel.	Transfer is blocked. If farmer insists then parcel is removed from the commitment and considered as a breach. All support issued to the farmer on the parcel in question on this commitment shall be recovered. In case the area to be transfer is less than 5% the scenario described under scenario 5 is adopted.

9. Controls and Penalties

Commission Delegated Regulation (EU) No 640/2014 lays down common rules applicable to direct payment scheme and rural development measures within the scope of the Integrated Administration and Control System (IACS). This section summarises the main rules and core principles. The overviews provided are without prejudice to the legal text. Article 19 of the delegated regulation lays down the administrative penalties to be applied in cases of over-declaration. In addition, Article 15 stipulates rules concerning exceptions from the application of administrative penalties, while Article 16 regulates the consequences of non-declaration of all areas.

As regards animal-related measures, Article 30 of the delegated regulation defines the basis for calculation and Article 31 of the same regulation the administrative penalties.

Principles how refusals and withdrawals of support and administrative penalties should be applied for non-compliance with eligibility criteria, commitments and other obligations other than the over-declaration of the areas or number of animals are laid down in Article 35 of the delegated regulation. Furthermore, Article 63 of Commission Implementing Regulation (EU) No 809/2014 lays down rules how over-declarations of expenditure incurred should be handled.

9.1. Area-related measures

9.1.1. Reductions²⁶

²⁶ Additional AECM 5 penalties' notes:

- If practices as instructed by the technical advisor are not adhered to during the 5 year commitment, a 100% penalty on the whole payment shall be applied;
- If the 3% soil organic matter of a parcel is not achieved at the end of the AECM agreement, this will lead to at least 1/3 recovery of the total amount received during the whole 5 years for failing to achieve one of three Measure specific targets;
- If during the AECM 5 commitment, soil test results show an organic matter of less than 2%, then the commitment will be terminated and any support given would have to be reimbursed.

Size of over-declaration	Penalty
Up to 2 Hectares (Ha) or 3%	No Penalty
More than 2 Ha or more than 3% but not more than 20% (of the area determined)	Twice the difference of the over claim. Example: If the over claim is 3 Ha, ARPA will reduce the claim

In accordance with Article 19 of Commission Delegated Regulation No 640/2014, if a beneficiary is found to have submitted incorrect declarations within a payment claim for area related measures, penalties shall be applied accordingly. The table hereunder outlines the calculation of penalties in case of over declaration:

	by 3 Ha and apply an additional 6Ha penalty
More than 20% (up to 50%) of the area determined	100% (the whole payment)
More than 50% of the area determined	More than 100% (see below)

Sometimes a penalty can be more than 100% of a payment. The extra penalty is calculated based on the amount of land the farmer claimed for incorrectly.

Example:

- A farmer claims payment for 10 Ha of eligible land;
- He actually only has 3 Ha of eligible land;
- The difference is therefore of 7Ha.

Because 7 Ha is more than 50% of 3 Ha, the farmer will lose their whole payment (as seen in the table above). ARPA will also deduct an amount equal to the value of the over claim from future payments. In this example, the amount to be deducted will be the value of 7 Ha. This amount will be taken from future payments for the crop group in question.

9.1.2. Administrative penalties

Article 16 stipulates that if the beneficiary leaves agricultural parcels undeclared, and if that area is more than 3% of the area declared, the overall amount of area-related support should be reduced by up to 3% depending on the severity of omission.

Article 19(1) of Delegated Regulation 640/2014 prescribes administrative penalties: *"If, in respect of a crop group (...) the area declared for the purposes of any area-related (...) support measures exceeds the area determined (...), the aid shall be calculated on the basis of the area determined reduced by twice the difference found if that difference is more than either 3 % or two hectares, but no more than 20 % of the area determined. If the difference is more than 20 % of the area determined, no area-related (...) support shall be granted for the crop group concerned"*.

Where *"the difference is more than 50 %, no area-related (...) support shall be granted for the crop group concerned. Moreover, the beneficiary shall be subject to an additional penalty equal to the amount of aid or support corresponding to the difference between the area declared and the area (...)"*²⁷

Kindly also refer to the table included under Section 9.1.1. of this guidance document.

²⁷ Article 19(2) of Delegated Regulation

9.2. Animal-related measures

9.2.1. Reductions

Article 30 of the delegated regulation (EU) No. 640/2014 describes the applicable rules in relation to animal-related support measures. Granting of support is limited to the number of animals shown in the payment claim. If the number of animals declared exceeds that determined as a result of administrative or on-the-spot checks, the support shall be calculated on the basis of animals determined. Article 30(4) and (5) of the delegated regulation define how loss of ear tags of bovine and ovine or caprine animals are handled.

Number of animals found not compliant	Penalty to be applied
Up to 3 animals	No Penalty
More than 3 animals not compliant and less than 10% (of the declared animals)	The percentage of the animals not compliant will be deduced from the payment.
More than 3 animals not complaint, more than 10% but less than 20%.	Twice the percentage of the animals not compliant will be deduced from the payment
More than 3 animals not complaint and more than 20%.	Nil Payment
More than 3 animals not compliant and more than 50%	Nil Payment and an additional penalty equivalent to the animals not found

9.2.2. Administrative penalties

Article 31 of Delegated Regulation describes the administrative penalties for animal-related support measures: if more than three animals are found with non-compliances, the support should be reduced by the percentage calculated by dividing the number of animals found with non-compliances by the number of animals determined. The same applies in case more than three animals are found with non-compliances, but the percentage calculated is not more than 10%.

If the percentage is more than 10% but not more than 20%, the support should be reduced by twice the percentage. If the percentage is more than 20%, no support should be granted under the support measure for the claim year concerned.

If the percentage is more than 50%, no support should be granted under the animal-related measure concerned. Additional penalty equalling to the amount of support based on the difference between the number of animals declared and the number of animals determined shall also be applied.

This is explained further in the table included under Section 9.2.1. of this guidance document.

9.3. Non-compliance with eligibility criteria other than the size of area or number of animals, commitments or other obligations

Article 35 of the Delegated Regulation lays down specific provisions for the refusals, withdrawals and penalties for non-compliance with the eligibility criteria other than the size of area or number of animals, commitments and other obligations. Details on the penalties to be applied in this respect, will be available on the Paying Agency's website upon launch of the relevant AECM.

Eligibility criteria are non-paid pre-entry conditions to be fulfilled both when entering into the scheme and normally to be respected throughout the duration of the commitment. In case of non-compliance with eligibility

criteria, payments will be reduced, refused or withdrawn according to the severity of the identified non-compliance. ARPA reserves the right to recover all funds already issued under this Measure.

In case of non-compliance with commitments and/or other obligations, partial or full refusal or withdrawal shall be applied. Withdrawals mean that the support paid earlier, in the form of annual payments has to be recovered from the beneficiary in part or in full. Refusals mean that the amount claimed in the payment claim will be partially reduced or not paid at all.

Non-compliances are classified under two categories which have different effects on the refusals and withdrawals:

1. The support claimed shall not be paid or shall be withdrawn in full where the eligibility criteria are not complied with;
2. The support claimed shall not be paid or shall be withdrawn in full or in part where the following commitments and other obligations are not complied with:
 - (a) commitments established in the rural development programme, or;
 - (b) where relevant, other obligations of the operation established by Union or National law or established in the rural development programme, in particular public procurement, State aid and other obligatory standards and requirements, as may be applicable.

9.4. Double-funding

Further to the point on double-funding listed under the sections related to specific eligibility requirements, the following instances of possible double-funding shall also be avoided. No payments will be issued to farmers to carry out actions in order to comply with obligations/commitments which are also imposed under the greening obligation under the Direct Aid Rules.

9.5. Suspending the support

Article 36 of Delegated Regulation 640/2014 specifies the rules on suspending the support. *“The paying agency may suspend the support relating to certain expenditure where a non-compliance resulting in an administrative penalty is detected.(...) The paying agency may only suspend support where the non-compliance does not prejudice the achievement of the overall purpose of the operation concerned, and if it is expected that the beneficiary is able to remedy the situation during the maximum period defined”*.

“The suspension shall be lifted by the paying agency as soon as the beneficiary proves to the satisfaction of the competent authority that the situation has been remedied. The maximum period of suspension shall not exceed three months”. A shorter maximum period may also be set *“depending on the type of operations and the effects of the non-compliance in question”*.

Therefore, suspending the support will be applied in cases where commitments and/or other obligations are not fulfilled and the beneficiary is expected to be able to correct the non-compliance. If the beneficiary cannot remedy the situation during the maximum period defined, the administrative penalty will be applied.

10. Publicity Obligations

Beneficiaries of Union support are required to adhere to the applicable publicity requirements laid down in Annex III of Commission Implementing Regulation (EU) No 808/2014 (as may be amended). The MA retains the right to lift this obligation, in writing, in line with Commission Implementing Regulation (EU) 2016/669, amending Implementing Regulation (EU) No 808/2014).

In line with the above regulations and the MA visual identity guidelines which are available on the MA website, all Measure 10.1 commitments do not carry publicity obligations.

11. Data Protection Provisions

Whilst abiding to the provisions set in the Data Protection Act regarding the handling of personal data, the Managing Authority and/or Paying Agency will retain the right to disclose or exchange information about any application and agreement to or with other organisations or consultants which the Managing Authority and/or Paying Agency considers appropriate for administration, evaluation and monitoring purposes. **Contact information may also be shared with other 3rd parties to provide the training and advice which are being supported for free under Measures 1 and 2 respectively.**

12. Transparency

Because the AECMs involve expenditure of public money, there is public interest in how the money is spent. In this respect the Managing Authority will ensure that the principle of transparency is fully respected in the implementation of operations under Malta's Rural Development Programme 2014-2020.

Annually, and by no later than 30th May of each year, the Agriculture and Rural Payments Agency (ARPA) is bound to provide a list of beneficiaries who received payment during the preceding financial year (16th October to 15th October) in line with Chapter IV of Title VII of Regulation (EU) No 1306/2013 of the European Parliament and of the Council.

13. Monitoring and Evaluation

From time to time, the Managing Authority may conduct economic, environmental or other monitoring evaluation of the measure which may involve your participation in a postal survey or personal interviews. Managing Authority officials or consultants/evaluators engaged by the Managing Authority may contact beneficiaries as necessary. In applying for support under this measure the beneficiary is deemed automatically as agreeing to cooperate with or take part in such studies, which are important for reviewing the effectiveness of the measure.

14. Selection

It is assumed that potentially all beneficiaries of each AECM provide the same environmental benefits as they are subject to the same commitments. Therefore, there is no need to undertake any selection of beneficiaries. However, due to the significant additional benefits likely to arise, priority will be given to applications in Natura 2000 areas. Moreover, since management actions are spatially planned at a landscape scale, priority in applications will also be given to those which have been endorsed by an advisor (as established under Measure 2), as being coherent with the aims and targets of a local area management plan. This latter criterion shall only be applicable if at the time of application window, Measure 2 is available for potential beneficiaries.

15. Frequently Asked Questions (FAQs)

15.1. Can anyone apply for these AECMs?

These measures recognize the person managing the land/livestock breeders. So for example, if an owner of the land allows someone else to cultivate the land (land manager), then it is the latter who is eligible to apply and not the owner. In other words, it is the person responsible for tilling the land. Entities such as non-governmental organizations entrusted with the management of a particular area are also eligible.

15.2. Can one apply for support under AECMs and ANC on the same parcel?

It is allowed to undertake a commitment under ANC (Measure 13) and another agri-environment-climate (Measure 10.1) on the same parcel.

15.3. What would happen in case of failing to keep to commitment/s?

If the beneficiary failed to meet all the obligations, or if a beneficiary informs the Authorities that he/she is no longer interested in maintaining the commitment, the beneficiary in question will not receive support. In cases where a beneficiary has already received aid, the Paying Agency may impose reductions and sanctions (as per Commission Delegated Regulation (EU) No 640/2014 and Commission Implementing Regulation (EU) No 809/2014) which may amount to full recovery of support granted.

15.4. What happens if the beneficiary refuses to pay back a grant when/if requested?

Funds may be recovered from any other project/commitment, including other EU/National measures/schemes from which the beneficiary is due payment, present or future. In the absence of any other project or commitment, legal proceedings would be initiated to recover the money owed and interest will continue to accrue.

15.5. Where is the support provided for these AECMs coming from?

AECMs are implemented under Malta's Rural Development Programme 2014-2020. Support is partly financed by the European Union, through the European Agricultural Fund for Rural Development (EAFRD) and partly from the Government of Malta at a rate of 75/25 (%). AECMs are fully co-financed meaning that no contribution from the beneficiary's end is required.

DISCLAIMER: The Managing Authority reserves the right to, in particular on the basis of approval or direction by the European Commission, amend from time to time certain criteria established by this guidance document. Such amendments may become applicable and enforced retrospectively, as from the date of application.

In case of any conflicts between these guidelines and the RDP or Legal basis, the latter will be given priority. The English version will be the legal binding text. Potential beneficiaries are requested to seek any clarifications deemed necessary prior to commitment.

NB: Where reference is made to size of parcels, this is referring to eligible agricultural land.

Annex 1 - Siġar Preżenti fuq il-proprjetà (Template)

Isem u Kunjom: _____

Numru tal-karta tal-identità: _____

Nota: Il-firma tal-Applikant trid tiġi nkluża fl-aħħar tad-dokument.

Speċi ta' Siġar	Numru tal-Għalqa	Numru ta' siġar preżenti

Rekords tax-xahar/xhur _____ **tas-sena** _____ **Paġna:** _____

Annex 2 - Fertiliser Application Record (Template)²⁸

Isem u Kunjom: _____

Numru tal-karta tal-identità: _____

Nota: Il-firma tal-Applikant trid tiġi nkluża fl-aħħar tad-dokument.

Xiri u Trasport ta' Demel

Tip ta' demel (eż. Nagħaġ)	Data ta' meta nxtara	Data ta' meta ġie applikat	Kwantità (Kilos)	Isem u kunjom, u indirizz ta' minn fejn ġie prodott id-demel	Isem u kunjom, u registrazzjoni tal-vettura li ġarret id-demel	Numru tal-ghalqa

Rekords tax-xahar/xhur: _____ tas-sena _____ Paġna: _____

Xiri u Trasport ta' Demel

Nota: Il-firma tal-Applikant trid tiġi nkluża fl-aħħar tad-dokument.

Tip ta' fertilizzant artifiċjali	Data ta' meta nxtara	Data ta' meta ġie applikat	Kwantità (Kilos/Litri)	Valur tal-NPK			Numru tal-ghalqa
				(N) Nitroġenu	(P) Fosfru:	(K) Potassju	
				(N) Nitroġenu	(P) Fosfru:	(K) Potassju	
				(N) Nitroġenu	(P) Fosfru:	(K) Potassju	
				(N) Nitroġenu	(P) Fosfru:	(K) Potassju	
				(N) Nitroġenu	(P) Fosfru:	(K) Potassju	
				(N) Nitroġenu	(P) Fosfru:	(K) Potassju	
				(N) Nitroġenu	(P) Fosfru:	(K) Potassju	
				(N) Nitroġenu	(P) Fosfru:	(K) Potassju	

²⁸ Most data can be obtained from the farmers

Annex 3

VOID

Annex 4 - Health Certificate Form (Bees)

Date of visit:

Name of bee keeper:

VRD Number of beekeeper:

ID Number of beekeeper:

Address/es where the bees are kept (and visit took place):

.....

Health Certificate:

I, the undersigned, commissioned by Apicultural Society
..... hereby certify that I have inspected the below bee-hives
(boxes) hives belonging to Mr.....,

And certify that that the bees are / are not (cross out as necessary) in good health and free from any of the following diseases and that no tampering with the seal could be noticed:

- 1) Small Hive Beetle;
- 2) Varroa and acariasis
- 3) Tropilaelaps mite;
- 4) European foul brood;
- 5) American foul brood;

Notes (including other diseases not mentioned above or if tampering with seal was noticed) :

.....
.....
.....
.....
.....
.....

Stamp and signature (if applicable) of competent person

Annex 5 - Bee Box Records (Template)

Name: _____

I.D: _____

Year: _____²⁶

Box Number	Box Location for support ²⁹

²⁹ Bee-keeper is to clearly state which is the reference parcel (besides listing all parcel numbers linked to the AECM)

Annex 7 - Alien Species³⁰

Scientific Name	Maltese Name	English name
<i>Agave americana</i>	<i>l-agave; is-sabbara tal-Amerka;</i>	American century plant/American agave
<i>Agave sisalana</i>	<i>is-siżal; l-agave s-siżalana; is-sabbara tal-Amerka</i>	Sisal agave
<i>Cenchrus setaceus</i>	<i>Xewk tal-fjura żgħira</i>	Fountain grass
<i>Pennisetum villosum</i>	<i>il-pennizetum, il-pjuma</i>	Feathertop grass
<i>Eichhornia crassipes</i>	<i>il-ġjaċint</i>	Common water hyacinth/Floating water hyacinth
<i>Schinus terebinthifolia</i>	<i>is-siġra tal-bżar;</i>	Brazilian Pepper
<i>Carpobrotus edulis</i>	<i>is-swaba' tal-Madonna</i>	Hottentot fig
<i>Carpobrotus acinaciformis</i>	<i>xuxet San Ġwann</i>	Eland's sourfig
<i>Pistacia atlantica</i>	n/a	Mount Atlas Mastic Tree
<i>Ricinus communis</i>	<i>Ir-riġnu</i>	Castor Oil Plant
<i>Acacia Cyclops</i>	<i>l-akaċja tal-ghajn/taċ-ċiklopi</i>	Coastal Wattle
<i>Acacia saligna</i>	<i>L-akacja</i>	Blue-leaved Wattle
<i>Acacia karroo</i>	<i>l-Acacja tax-Xewk</i>	Karoo Thorn
<i>Leucaena leucocephala</i>	<i>il-gażżija l-bajda, il-lewkena;</i>	Lead Tree
<i>Eucalyptus camaldulensis</i>	<i>is-siġra tal-gamiam</i>	Red Gum
<i>Eucalyptus gomphocephala</i>	<i>is-siġra tal-gamiam</i>	Tuart
<i>Pittosporum tobira</i>	<i>il-pittosporum</i>	Shrubby Putterlick
<i>Ailanthus altissima</i>	Xumakk Falz	Tree-of-Heaven
<i>Tropaeolum majus</i>	<i>il-kaboċċinella</i>	Garden nasturtium

³⁰ Major Plant Invaders and Possible Management Options – Datasheets extracted from ‘Guidelines on managing non-native plant invaders and restoring native plant communities in terrestrial settings in the Maltese Islands’ – MEP

Annex 8 - Species Permitted for Planting on Agricultural Land³¹

Scientific Name	Maltese Name	English Name
<i>Actinidia chinensis</i>	n/a	Kiwi/ Chinese Gooseberry
<i>Arbutus unedo</i>	Imbragla	Strawberry Tree
<i>Carica</i>	n/a	Papaya/ Babago
<i>Carya illinoensis</i>	Ġeww Amerikan	Pecan nut
<i>Citrus spp.</i>	Lumi, Laring, Laring tal bakkaljaw, Lumicell, Mandolin, Trong, n/a, Bergamott, n/a, n/a.	Lemon, Orange (incl Seville), Lime, Tangerine, Citron, Grapefruit, Bergamot, Shaddock, Kumquat.
<i>Crataegus Azarolus</i>	Ghanzalor	Azarole
<i>Cydonia oblonga</i>	Sfargel	Quince
<i>Diospyros spp.</i>	Kaki	Persimmon
<i>Eriobrya japonica</i>	Naspli	Japensese medlar
<i>Ficus carica</i>	Tin	Fig
<i>Junglans regia</i>	Ġeww	Common Walnut
<i>Malus spp.</i>	Tuffieħ	Apple
<i>Mespilus germanica</i>	Fomm il-lipp	Medlar
<i>Morus spp.</i>	Ċawsli, Tut	Mulberries
<i>Musa paradisiacal</i>	Banana	Banana
<i>Persea Americana</i>	n/a	Avocado
<i>Phoenix dactylifera</i>	Palma tat- tamal	Date palm
<i>Physalis spp.</i>	Tadam tal- fosdqa	n/a
<i>Prunus dulcis</i>	Leww	Almond
<i>Prunus spp</i>	Frott irqiq	Peach, apricot, plum, cherry, cherry plum, mahaleb cherry, sloe, Chinese plum
<i>Punica granatum</i>	Rummien	Pomegranate
<i>Pyrus spp.</i>	Langas	Pear
<i>Sorbus aucuparia, S. domestica</i>	Żorba	Rowans
<i>Vitis vinifera</i>	Dwieli	Vines
<i>Zizyphus jujube</i>	Żinzel	Jujube
<i>Olea europaea</i>	Żebbuġa	Olive

³¹ Guidelines on Trees, Shrubs and Plants for Planting and Landscaping in the Maltese Islands' - Appendix 6 Environmental Management Unit Planning Directorate, January 2002.

Annex 9 - Schedule III of LN 489/2011 - General Principles of Integrated Pest Management

1. The prevention and, or suppression of harmful organisms should be achieved or supported among other options especially by:
 - crop rotation;
 - use of adequate cultivation techniques (e.g. stale seedbed technique, sowing dates and densities, under-sowing, conservation tillage, pruning and direct sowing);
 - use, where appropriate, of resistant/tolerant cultivars and standard/ certified seed and planting material;
 - use of balanced fertilisation, liming and irrigation/drainage practices;
 - preventing the spreading of harmful organisms by hygiene measures (e.g. by regular cleansing of machinery and equipment);
 - protection and enhancement of important beneficial organisms, e.g. by adequate plant protection measures or the utilisation of ecological infrastructures inside and outside production sites.
2. Harmful organisms must be monitored by adequate methods and tools, where available. Such adequate tools should include observations in the field as well as scientifically sound warning, forecasting and early diagnosis systems, where feasible, as well as the use of advice from professionally qualified advisors.
3. Based on the results of the monitoring the professional user has to decide whether and when to apply plant protection measures. Robust and scientifically sound threshold values are essential components for decision making. For harmful organisms threshold levels defined for the region, specific areas, crops and particular climatic conditions must be taken into account before treatments, where feasible.
4. Sustainable biological, physical and other non-chemical methods must be preferred to chemical methods if they provide satisfactory pest control.
5. The pesticides applied shall be as specific as possible for the target and shall have the least side effects on human health, non- target organisms and the environment.
6. The professional user should keep the use of pesticides and other forms of intervention to levels that are necessary, e.g. by reduced doses, reduced application frequency or partial applications, considering that the level of risk in vegetation is acceptable and they do not increase the risk for development of resistance in populations of harmful organisms.
7. Where the risk of resistance against a plant protection measure is known and where the level of harmful organisms requires repeated application of pesticides to the crops, available anti-resistance strategies should be applied to maintain the effectiveness of the products. This may include the use of multiple pesticides with different modes of action.
8. Based on the records on the use of pesticides and on the monitoring of harmful organisms the professional user should check the success of the applied plant protection measures.

Annex 10 - IPM Monitoring Sheet (Template)

Name: _____

I.D: _____

Year: _____³⁰

Parcel	Date	Pest ³¹	Number of pests present	Traps checked
(e.g.) 12345	20/04/2016	Aphids	10	3 (traps)

³⁰ This form must be filled in annually and all previous year(s) records must be retained.

³¹ This will be based on the farmers IPM, based on the pests they are meant to be monitoring for at that stage. From lessons conducted farmers should have a basic understanding of pests affecting vineyards and orchards.

Annex 11 - Livestock Traceability (Template)

Name: _____

I.D: _____

Year: _____³²

Species (mark where applicable):

___ Maltese Black Chicken

Tag/ Ring / Micro- Chip ID №	M	F³³

³² This form must be filled in annually and all previous year(s) records must be retained.

³³ Gender; tick where applicable

Annex 14: AECM 5 Record sheet for parcels

Parcel Number	Organic Matter % (Include full date when Y of test was carried out and attach soil test result)	Dry/Irrigated (irrigable) (as declared by farmer ³⁵)	Source of Irrigation	Arable Land Total Area	Practices	Authorised Consultant Signature
	Year 1 _____					Year 1
	Year 2 _____					Year 2
	Year 3 _____					Year 3
	Year 4 _____					Year 4
	Year 5 _____					Year 5
	Year 1 _____					Year 1
	Year 2 _____					Year 2
	Year 3 _____					Year 3
	Year 4 _____					Year 4

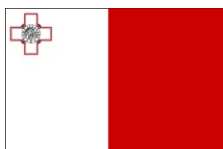
³⁵ Advisors to complete this Annex 14 once they have cross checked ARPA's parcel registration list

	Year 5					Year 5
	Year 1					Year 1
	Year 2					Year 2
	Year 3					Year 3
	Year 4					Year 4
	Year 5					Year 5
	Year 1					Year 1
	Year 2					Year 2
	Year 3					Year 3
	Year 4					Year 4
	Year 5					Year 5

Rural Development Programme for Malta 2014-2020

Part financed by the European Union
Co-financing Rate:

75% European Union; 25% Government of Malta



***The European Agricultural Fund for Rural Development:
Europe investing in rural areas***