



GOVERNMENT OF MALTA
MINISTRY FOR AGRICULTURE,
FISHERIES AND ANIMAL RIGHTS
AGRICULTURE AND RURAL PAYMENTS AGENCY



GOVERNMENT OF MALTA
MINISTRY FOR EUROPEAN FUNDS AND
THE IMPLEMENTATION OF THE ELECTORAL PROGRAMME

GUIDELINES DIRECT PAYMENTS 2023-2027

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Agency

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BACKGROUND INFORMATION

INTRODUCTION

The purpose of these guidelines is to define the implementation of the Direct Aid and shall include instructions concerning the commitments and applicable provisions and penalties applicable under the different Direct payments interventions.

These Guidelines shall be continuously reviewed and updated in order to fully comply with EU Regulations and relevant guidance documents issued by the Commission.

ARPA may not be held responsible for any damages related to changes that shall be carried out to the CAP SP. All information and rates in this document are subject to changes.

LEGAL BASIS

- Regulation (EU) 2021/2115 of the European Parliament and of the Council of 2 December 2021 establishing rules on support for strategic plans to be drawn up by Member States under the common agricultural policy (CAP Strategic Plans) and financed by the European Agricultural Guarantee Fund (EAGF) and by the European Agricultural Fund for Rural Development (EAFRD) and repealing Regulations (EU) No 1305/2013 and (EU) No 1307/2013.
- Regulation (EU) 2021/2116 of the European Parliament and of the Council of 2 December 2021 on the financing, management and monitoring of the common agricultural policy and repealing Regulation (EU) No 1306/2013.
- Commission Delegated Regulation (EU) 2022/1172 of 4 May 2022 supplementing Regulation (EU) 2021/2116 of the European Parliament and of the Council with regard to the integrated administration and control system in the common agricultural policy and the application and calculation of administrative penalties for conditionality.
- Commission Implementing Regulation (EU) 2022/1173 of 31 May 2022 laying down rules for the application of Regulation (EU) 2021/2116 of the European Parliament and of the Council with regard to the integrated administration and control system in the common agricultural policy.
- All other implementing/delegated acts issued through empowerments of the above mentioned legislative acts.
- CAP SP for Malta



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PART I - RESPONSIBILITIES OF EACH AUTHORITY

SUBJECTS INVOLVED IN THE PAYMENT OF AID

The management of the payments in the area-related measures foresees the involvement of the following institutionalised subjects:

- **The Ministry for Agriculture, Fisheries, and Animal Rights:** As designated in the CAP SP MAFA shall be responsible for the national program regarding the Direct Payment Schemes.
- **The Agriculture and Rural Payments Agency (ARPA) of MAFA:** shall be responsible for the management and implementation of the Direct Payment Schemes. Moreover, ARPA shall be the responsible body for the management of all data integrated in the IACS (Integrated Administration and Control System) in relation to the aid (collection and maintenance of land-related data) and the management of multi-annual commitments under eco-schemes.

The units below within the ARPA will be responsible for the following tasks:

- **The Front Office:** shall receive and process all claims, perform the initial administrative checks and interact directly with the clients making sure submitted applications and relevant supporting documentation are correct and complete.
- **Authorisation IACS Schemes:** shall be responsible for the co-ordination and authorisation of payments under the Direct Payment interventions.
- **The Control Unit (IACS & non-IACS Controls):** shall be responsible for implementing the control system for Direct Payments, carry out on-the-spot checks/ remote sensing/ monitoring (as applicable) and record the results of these controls in the control system on the SITIAgri.
- **The LPIS team:** shall be responsible for managing and maintaining all the required geographic data within the LPIS;
- **The Payments Unit:** shall be responsible for the execution of the payment after the approval of the Director General of the Paying Agency and the monitoring of the budget forecasts of the scheme in the PAMS (Payments Administration and Information System).
- **The Accounts Unit:** shall be responsible for the delivery and co-ordination of the X/I fields to be used in the payment files, for debt management and the recording of the transactions in the ARPA's books of Accounts and the reporting of expenditure routine reports.
- **The Veterinary Regulation Directorate:** shall be the authority responsible of the maintenance and up-keeping of the National Livestock Database, in line with all Union rules relating to the Livestock sector and National Legal Notices.



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MANAGERIAL FLOW AND RELATIVE RESPONSIBILITIES FOR SUBMISSION OF REQUESTS

Each year ARPA will open short time windows to allow farmers to submit any change within their holding which will reflect on the application for Direct Payments. Each year the application will be based on the previous year, therefore in case of changes farmers must inform ARPA to update the LPIS (Land Parcel Identification System) to avoid unnecessary penalties. During these periods farmers may also express their interest in applying for specific interventions, ARPA shall determine whether such farmers would be eligible to benefit from the indicated interventions and make sure they are reflected in the pre-filled applications.



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PART II - AID PERTAINING TO THE DIRECT PAYMENTS SCHEMES

INTRODUCTION

Malta will be implementing the following schemes to support farmers with holdings pertaining within the territorial scope of Malta under the Direct Payments:

- Basic Income Support for Sustainability (BISS)
- Payment for Small Farmers (PSF)
- Complementary Income Support for Young Farmers (CISYF)
- Eco-scheme 1 – Dedicating parcels to enhance biodiversity and pollination
- Eco-scheme 2 – Integrated Pest Management
- Eco-scheme 3 – Use of Bio-degradable Mulch
- Eco-scheme 4 – MSS – Early harvesting of multi-species swards
- Eco-scheme 5 – NPE – Arable land for non-productive elements
- Eco-scheme 6 – CPM – Certified propagating material resistant to pathogens & cultivation of crop or plant varieties with less demand for water
- Coupled Income Support Measure 1 (CIS Dairy)
- Coupled Income Support Measure 2 (CIS Beef)
- Coupled Income Support Measure 3 (CIS Sheep)
- Coupled Income Support Measure 4 (CIS Tomatoes)

DEFINITIONS

All definitions provided in the CAP Strategic Plan (CAP SP) apply throughout this entire document within the meaning provided therein.

DP INTERVENTIONS



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BASIC INCOME SUPPORT FOR SUSTAINABILITY

As from 2023 Malta shall cease using the payment entitlements allocated for the Basic Income Support. In line with article 22 of EC 2021/2115 Malta shall be paying a uniform rate per Hectare to all farmers for all eligible areas in Malta, hence the BISS shall not be based on payment entitlements. The eligible areas are determined through the LPIS.

BISS – ELIGIBILITY CRITERIA

Farmers applying to receive aid under the BISS shall satisfy the baseline mandatory requirements as follows:

- a) comply with the definition of an active farmer as defined in the CAP SP;
- b) must have a minimum total holding of 0.3 Ha of eligible agricultural area;
- c) At parcel level the minimum area is of 0.01 Ha;
- d) Applications are to be submitted within the deadlines as established by ARPA;
- e) Must be registered in the IACS Farmer Registry as maintained by ARPA and the Nitrates Registry as maintained by the Directorate of Agriculture at the time of application;
- f) All eligible hectares claimed should be unambiguously located on site and through satellite images and registered with ARPA at the time of application;
- g) The holding on which the application is submitted shall be in Malta;
- h) Applicants shall be in line with standard mandatory agricultural conditions and thus should be able to provide records of their actions.

BISS – PAYMENT RATE CALCULATION

- Minimum Rate set in CAP SP 2023 – €475.20
- Maximum Rate set in CAP SP 2023 – €844.34
- Minimum Rate set in CAP SP 2024 – €417.46
- Maximum Rate set in CAP SP 2024 – €695.76
- Minimum Rate set in CAP SP 2025 – €375.83
- Maximum Rate set in CAP SP 2025 – €601.34
- Minimum Rate set in CAP SP 2026 – €375.83
- Maximum Rate set in CAP SP 2026 – €576.28
- Minimum Rate set in CAP SP 2027 – €40.75
- Maximum Rate set in CAP SP 2027 – €62.49



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PAYMENT FOR SMALL FARMERS

As from 2023 Malta shall be providing this voluntary scheme under which small farmers may be paid a lump sum payment of €250 per year. This scheme replaces all Direct Payment interventions to this end farmers opting to apply for this intervention may not benefit from other DP interventions.

Farmers who apply for this intervention may opt out of this scheme by informing ARPA in writing using form in Annex II, during the request period as set by ARPA.

PSF – ELIGIBILITY CRITERIA

Farmers applying to receive aid under the PSF shall satisfy the baseline mandatory requirements as follows:

- a) Must have a minimum of 0.3 Ha of eligible agricultural area; and in the case of the payment for small farmers, active farmers must not have more than 1 eligible hectare declared under their name;
- b) At parcel level of 0.01 Ha;
- c) Complies with the definition of an active farmer as defined in the CAP SP;
- d) Applications are to be submitted within the deadlines as established by ARPA;
- e) Active farmers must be registered in the IACS Farmer Registry as maintained by ARPA and the Nitrates Registry as maintained by the Agriculture Directorate at the time of application;
- f) All eligible hectares claimed should be unambiguously located on site and through satellite images and registered with ARPA at time of application.
- g) The holding on which the application is submitted shall be in Malta;
- h) The active farmer has not opted out of this scheme.

PSF – PAYMENT RATE CALCULATION

Eligible applicants are paid a lump sum payment of €250 per year. Farmers with area determined of less than 0.3 Ha shall be deemed ineligible for payment. Farmers with area determined that exceeds 1.0 Ha shall be deemed ineligible for payment as well.



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COMPLIMENTARY INCOME SUPPORT FOR YOUNG FARMERS (CISYF)

The Complimentary Income Support for Young Farmers shall be paid at a flat rate per hectare, as a top up on the Basic Income Support for Sustainability payment and is payable to newly setup young farmers that comply with the Eligibility Conditions outlined under this intervention.

Support will be provided either:

- for five (5) years from the first year of submission of the application for this intervention;
- or in the case of those already receiving support under Article 50 of Regulation (EU) No 1307/2013 for the remainder of the five (5) year period from the first year of submission of the application;
- or five years from the first year of registration of the holding in the Nitrates Register; whichever comes first.
- And beneficiary must be at or under the age of 40 years to be eligible

INCOME SUPPORT CISYF – ELIGIBILITY CRITERIA

Eligible beneficiaries must comply with the following eligibility criteria:

- a. Comply with the definition of an active farmer as defined in this Plan;
- b. Comply with the definition of a young farmer farmers who have newly set up for the first time as defined in this Plan; “Newly setup for the first time” refers only to farmers who registered their holding in the Nitrates Register within the last 5 years as at the closing date of the application campaign);
- c. Comply with the definition of “head of holding” for the first time as defined in the Plan;
- d. Eligible parcels must be at least must have a minimum of 0.01 Ha;
- e. must have a minimum total holding of 0.3 Ha of eligible agricultural area;
- f. Applications are to be submitted within the deadlines as established by ARPA;
- g. All eligible hectares claimed should be unambiguously located on site and through satellite images and registered with ARPA at time of application;
- h. Those already receiving support under Article 50 of Regulation (EU) No 1307/2013 are eligible for support for the remainder of the five (5) year period from the first year of submission of the application, given that they are eligible in line with the above criteria.
- i. Appropriate training and/or skills required:
 - I. Possess certification of participation to a relevant training in the field of agriculture or in other fields which are relevant to agricultural enterprises; or
 - II. Potentially eligible young farmers must have attended training concerning the rules and requirements pertaining to conditionality and for the social conditionality as from 1 January 2025 unless introduced earlier.



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CISYF – PAYMENT RATE CALCULATION

- Minimum Rate set in CAP SP 2023 – €520.64
- Maximum Rate set in CAP SP 2023 – €560.00
- Minimum Rate set in CAP SP 2024 – € 520.64
- Maximum Rate set in CAP SP 2024 – €700.00
- Minimum Rate set in CAP SP 2025 – € 520.64
- Maximum Rate set in CAP SP 2025 – €672.00
- Minimum Rate set in CAP SP 2026 – € 520.64
- Maximum Rate set in CAP SP 2026 – €644.00
- Minimum Rate set in CAP SP 2027 – €70.00

The intervention shall take the form of an additional annual top-up payment per eligible hectare.



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ECO-SCHEME 1 – DEDICATING PARCELS TO ENHANCE BIODIVERSITY AND POLLINATION (ES 1)

Beneficiaries must commit to dedicating a whole area of at least one land parcel to biodiversity for 3 years by refraining from cultivating the land for crop production and without the use of Plant Protection Products, including fertilisers. The scheme shall compensate farmers who decide to forego their income on whole parcels whilst cultivating plants of high ecological value on that parcel.

ES 1 – ELIGIBILITY CRITERIA

- Farmers eligible for BISS;
- Committed parcels must at least have a total eligible area of 0.04 Ha throughout the commitment period;
- A parcel shall be deemed eligible if:
 - (i) it consists of arable land
 - (ii) is maintained under annual minimum activity
 - (iii) is kept in good agricultural condition all year round
- At commitment level the minimum area must at least be 0.04 Ha;
- Farmer must declare the plant species in the IACS digital crop plan;
- The application may not be submitted unless the farmer indicates at least 3 of the plants listed in Annex I in the crop plan.

ES 1 – COMMITMENTS

- No Plant Protection Products or fertilisers shall be allowed;
- Whole eligible area of the parcels committed in holding dedicated to biodiversity for at least 3 years;
- Whole eligible area of the parcel must be planted with the plant species listed in Annex I;
- The application may not be submitted unless the farmer indicates at least 3 of the plants listed in Annex I in the crop plan. Each plant must at least cover 10% of the eligible area;
- Farmer must upload photos through Biedjacam each year as evidence of the adherence with the commitments under the scheme;
- Parcel must be maintained under annual minimum Agricultural activity.

ES 1 – PAYMENT RATE CALCULATION

- Minimum Rate set in CAP SP 2023 – €1,700.00
- Maximum Rate set in CAP SP 2023 – €2,500.00
- Minimum Rate set in CAP SP 2024 – €1,700.00
- Maximum Rate set in CAP SP 2024 – €3,036.00
- Minimum Rate set in CAP SP 2025 – €1,700.00
- Maximum Rate set in CAP SP 2025 – €3,036.00
- Minimum Rate set in CAP SP 2026 – €1,700.00
- Maximum Rate set in CAP SP 2026 – €3,036.00
- Minimum Rate set in CAP SP 2027 – €1,100.00
- Maximum Rate set in CAP SP 2027 – €1,335.84

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The intervention shall take the form of an annual payment per eligible hectare covered by the commitment.

REGULATORY REFERENCES AND LEGAL BASIS FOR ES1

<u>Scheme</u>	<u>Legislation</u>
ES1	Directive 2000/60/EC
ES1	Council Directive 91/676/EEC
ES1	Directive 2009/1147/EC
ES1	Council Directive 92/43/EEC
ES1	Regulation (EC) No 178/2002
ES1	Regulation (EC) No 1107/2009
ES1	Directive 2009/128/EC
ES1	LN 345 of 2015
ES1	SL 549.66
ES1	SL 549.25
ES1	SL 549.42
ES1	SL 549.44
ES1	Food Safety Act 2002
ES1	SL 430.07
ES1	LN 284 of 2011
ES1	SL 430.08
ES1	LN 489 of 2011



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ECO-SCHEME 2 – INTEGRATED PEST MANAGEMENT

Farmers under this scheme shall be asked to follow an integrated approach in their agricultural activity, incorporating various agronomic practices, monitoring through enhanced knowledge and apply targeted solutions to specific problems.

ES 2 – ELIGIBILITY CRITERIA

- Farmers eligible for BISS;
- Committed parcels must at least have a total eligible area of at least 0.04 Ha throughout the commitment period;
- At commitment level the minimum area is 0.04 Ha;
- Farmer must provide an integrated pest management plan issued by a recognised Farm advisory service in line with LN 99 of 2019 or by competent consultant as approved by the Plant Health Directorate;
- The IPMP must be in line with guidelines issued by the Agriculture Directorate and should include at least 3 of the following techniques:
 - Agricultural practices that can help prevent build-up 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 build-up 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;
 - Chemical inputs
 - Chemicals that disrupt insect behaviour (e.g. pheromones)
 - Growth-regulators.

ES 2 – COMMITMENTS

- Beneficiaries must follow the Integrated Pest Management Plan on the whole area of the whole land parcel/s, for at least three (3) consecutive years.
- The IPM Plan must be drafted by competent individuals
- These plans must be in line with guidelines issued by the Agriculture Directorate where applicable with enhanced emphasis on specific monitoring, prevention and control mechanisms that favour the protection of biodiversity and de-risking of contamination from PPPs.
- Beneficiaries must install 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 are 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)
- Farmer must before submitting the application declare the crop type in BiedjaCam and record the use of PPPs on such crops



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- Parcel must be maintained under annual minimum Agricultural activity
- Farmers must attend training related to the crops under cultivations by the end of the commitment period

ES 2— PAYMENT RATE CALCULATION

- Minimum Rate set in CAP SP 2023 – € 1,500.00
- Maximum Rate set in CAP SP 2023 – € 2,000.00
- Minimum Rate set in CAP SP 2024 – €1,500.00
- Maximum Rate set in CAP SP 2024 – €2,328.00
- Minimum Rate set in CAP SP 2025 – €1,500.00
- Maximum Rate set in CAP SP 2025 – €2,328.00
- Minimum Rate set in CAP SP 2026 – €1,500.00
- Maximum Rate set in CAP SP 2026 – €2,328.00
- Minimum Rate set in CAP SP 2027 – € 900.00
- Maximum Rate set in CAP SP 2027 – € 1,047.60

The intervention shall take the form of an annual payment per eligible hectare covered by the commitment.



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REGULATORY REFERENCES FOR ES2 SCHEME

<u>Scheme</u>	<u>Legislation</u>
ES2	Directive 2000/60/EC
ES2	Council Directive 91/676/EEC
ES2	Regulation (EC) No 178/2002
ES2	Regulation (EC) No 1107/2009
ES2	Directives 79/117/EEC
ES2	Directives 91/414/EEC
ES2	Directive 2009/128/EC
ES2	Directive 2000/60/EC
ES2	Natura 2000 legislation
ES2	LN 345 of 2015
ES2	SL 549.66
ES2	SL 549.25
ES2	Food Safety Act 2002
ES2	SL 430.07
ES2	LN 284 OF 2011
ES2	SL 430.08
ES2	LN 489 of 2011



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ECO-SCHEME 3 – ENCOURAGING THE USE OF BIO-MULCH

Beneficiaries must commit use Bio-degradable mulch for at least one crop cycle. Agricultural plastic mulch films are used in production of specialty crops to modify soil temperatures, conserve soil moisture and reduce weed pressure, ultimately improving crop productivity. The scheme intends to be tied to the purchase of biodegradable mulch given the positive environmental benefits associated with it. The use of biodegradable mulch results in reduced waste generation as compared to conventional mulch, which is nonrecyclable material and is thus disposed of in landfill with negative externalities associated with such practice. The use of biodegradable mulch is also considered positive from a practical perspective given that the conventional mulch may get clogged up with machinery. There is also an element of reduced time resource and work effort being required to collect and dispose of biodegradable mulch. This shall primarily target the sector that cultivates intensive crops.

ES 3 – ELIGIBILITY CRITERIA

- Farmers eligible for BISS;
- Committed parcels must at least have a total eligible area of 0.04 Ha (of crops cultivated using biodegradable mulch) throughout the commitment period;
- At commitment level the minimum area is 0.04 Ha;
- ES 3 and 6 are compatible to be applied on the same parcel;
- Farmer must declare the crop type in the digital crop plan;
- Only arable land is eligible under this eco-scheme;
- Organic farmers may not benefit from this scheme.

ES 3 – COMMITMENTS

- Farmers must submit geo-tagged photos using BiedjaCam for that particular Calendar Year;
- Parcel must be maintained under annual minimum Agricultural activity;
- No herbicides may be used, de-weeding may only be carried out through manual and/or mechanical means;
- Farmer must keep records of fiscal documents related to the purchase of the Bio-degradable mulch, clearly indicating the purchase of such mulch;
- Beneficiaries must commit to use bio-degradable mulch compliant with EU standard EN 17033 on at least the whole growing cycle of one crop.
- Farmer must declare the crop on which the Bio-degradable mulch shall be used.

ES 3 – PAYMENT RATE CALCULATION

- Minimum Rate set in CAP SP 2023– €400
- Maximum Rate set in CAP SP 2023 – €430
- Minimum Rate set in CAP SP 2024 – €400
- Maximum Rate set in CAP SP 2024 – €484.00
- Minimum Rate set in CAP SP 2025 – €400
- Maximum Rate set in CAP SP 2025 – €484.00
- Minimum Rate set in CAP SP 2026 – €400
- Maximum Rate set in CAP SP 2026 – €484.00



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- Minimum Rate set in CAP SP 2027 – €200
- Maximum Rate set in CAP SP 2027 – €225.12

The intervention shall take the form of an annual payment per eligible hectare covered by the commitment.

REGULATORY REFERENCES AND LEGAL BASIS FOR ES3

<u>Scheme</u>	<u>Legislation</u>
ES3	Council Directive 91/676/EEC
ES3	Directive 2009/147/EC
ES3	Directive 92/43/EEC
ES3	Regulation (EC) No 178/2022
ES3	Regulation (EC) No 1107/2009
ES3	Directives 79/117/EEC
ES3	91/414/EEC
ES3	Directive 2009/128/EC
ES3	Directive 2000/60/EC
ES3	Natura 2000 legislation



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ECO-SCHEME 4 – (MSS) EARLY HARVESTING OF MULTI-SPECIES SWARDS

This eco-scheme supports early harvesting of forage and fodder crops whilst prohibiting synthetic fertiliser and fostering multi-species swards, specifically mixtures of *Gramineae* (cereals like wheat, barley, oats) and *Leguminosae* (legumes like peas, beans, lentils).

Participants are to commit to mixed-seed types with a minimum of two crop types, refrain from applying synthetic fertilisers, and harvest and collect produce at pre-mature growth stages between April 1 and May 15. Applicants shall be required to commit to sowing and harvesting varieties of *Gramineae* and/or *Leguminosae* crops earlier than the conventional maturing period. Overall, this eco-scheme shall promote more sustainable practices that benefit air quality, soil health, and local food systems and markets.

ES 4 – ELIGIBILITY CRITERIA

- Active farmers as defined under Malta's CAP Strategic Plan;
- Beneficiaries eligible for BISS
- Committed parcels must at least have a total eligible area of 0.04Ha throughout the commitment period;
- At the commitment level the minimum area is 0.04Ha;
- The scheme provides for a one (1) year commitment period;
- ES 4 and 5 are compatible to be applied on the same parcel
- Eligible crops shall be a variety of cultivars from the *Gramineae* and/or *Leguminosae* families;
- Farmers shall declare the list of committed cultivars in the IACS digital crop plan;
- Applicants shall at the application stage indicate at minimum a mixture of two (2) different crops they are committing to via the crop plan on each parcel;
- Designated parcel of land shall be deemed eligible if it is:
 1. arable land
 2. maintained under annual minimum activity
 3. kept in good agricultural condition all year round

ES 4 – COMMITMENTS

- Eligible applicants may be required to use ARPA's mobile software application (*BiedjaCam*) to submit their crop plan inclusive of at minimum (2) different eligible crops and declare which of varieties they are committing to;
- The committed area must be sown in full with the eligible varieties;
- Farmers must keep records of fiscal documents related to the purchase of the varieties which shall be made readily available for any on-the-spot checks by officials;
- Harvesting must occur between April 1st and May 15th of each year.
- Throughout the committed period, no synthetic fertilisers and arable stubble burning are allowed.
- The eco-scheme requires the beneficiary to submit any requested photos and/or proof of purchase by ARPA as indicated and in line with the submitted crop plan.



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ES 4 – PAYMENT RATE CALCULATION

- Minimum Rate set in CAP SP 2024 – €447.00
- Maximum Rate set in CAP SP 2024 – €631.20
- Minimum Rate set in CAP SP 2024 – €447.00
- Maximum Rate set in CAP SP 2024 – €631.20
- Minimum Rate set in CAP SP 2025 – €447.00
- Maximum Rate set in CAP SP 2025 – €631.20
- Minimum Rate set in CAP SP 2026 – €447.00
- Maximum Rate set in CAP SP 2026 – €631.20

The intervention shall take the form of an annual payment per eligible hectare covered by the commitment. A uniform flat rate amount per hectare will be paid. The annual payment rate shall be calculated by determining the total amount of area declared and total amount of area found for a particular claim year; then divide the approved financial allocations by the least between these two variables. It is recommended to affect a slight manual reduction to safeguard exceeding the financial limit due to rounding differences in the payment calculation process.

Nonetheless the indicated Maximum and Minimum rates set in the CAP SP are to be respected.

REGULATORY REFERENCES AND LEGAL BASIS FOR ES4

<u>Scheme</u>	<u>Legislation</u>
ES4	Directive 2000/60/EC
ES4	L.N. 345 of 2015
ES4	S.L. 549.66
ES4	S.L. 549.25
ES4	Food Safety Act 2002 (Act No. XIV of 2002)
ES4	S.L 430.07
ES4	L.N 284 of 2011
ES4	S.L 430.08
ES4	L.N.489 of 2011
ES4	WTO Agreement on Agriculture legislation



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ECO-SCHEME 5 – (NPE) ARABLE LAND FOR NON-PRODUCTIVE ELEMENTS

This land-based eco-scheme aligns with the goal of recovering soil health and quality whilst promoting sustainable practices by incentivising farmers to allocate a minimum of 7% of arable land to land lying fallow.

The scheme setup conforms with Article 31 Subsection 7(a) of Regulation 2021/2115, which is to build on the BISS program. Should BISS beneficiaries allocate 7% of eligible land from their holding, they will be automatically eligible for this additional payment. Their commitment under this eco-scheme shall include maintaining non-productive areas and managing them sustainably. Subsequently, farmers may, on an annual basis shift the dedicated non-productive area to a new section of the parcel thereby rendering short-term sectional recovery of arable land, its soil and organic content; or maintain the existing allocation and establishing ecological and biodiversity benefits complementary to the surroundings.

Farmers will be required to earmark a designated portion of their agricultural land for non-productive endeavours from 1st May till 15th October. During this, these areas are left lying fallow. Minimum commitments are set based on an inclusive range of agricultural holdings. All applicants shall be required to comply with the below minimum requirements.

This commitment extends to the diligent upkeep but minimum land management and soil cover of these non-productive areas to optimize their ecological impact.

ES 5 – ELIGIBILITY CRITERIA

- Active farmers as defined under Malta's CAP Strategic Plan
- Farmers eligible and registered under BISS
- ES 4, 5 and 6 are compatible and can be applied on the same parcel
- Eligible areas shall be arable land. Permanent cropland shall not be supported under this scheme
- Committed Parcels must not be associated already with AECC 5 or any other AECC or eco-schemes not complementary to this proposed scheme
- Land is maintained under annual minimum activity, and it is kept in good agricultural condition all year round.

ES 5 - COMMITMENTS

- Established minima were based on the conditionality requirements of this scheme particularly the conditionality with, and additionality to, GAEC 8.
1. Applicants that are eligible for BISS will be required to allocate a minimum of continuous 7% arable land as land lying fallow, that must not in any case be less than 0.03ha of continuous arable land.
 - The designated portion shall be land lying fallow between 1st May and 15th October. Minimum activity is to be maintained during the scheme's implementation period.

Should beneficiaries opt for the enhanced option, all terms apply equally



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ES 5 – PAYMENT RATE CALCULATION

- Minimum Rate set in CAP SP 2024 – 2027 – €112.00
- Maximum Rate set in CAP SP 2024 – 2027 – €335.00

The intervention shall take the form of an annual payment per eligible hectare covered by the commitment. A uniform flat rate amount per hectare will be paid. The annual payment rate shall be calculated by determining the total amount of area declared and total amount of area found for a particular claim year; then divide the approved financial allocations by the least between these two variables. It is recommended to affect a slight manual reduction to safeguard exceeding the financial limit due to rounding differences in the payment calculation process.

Nonetheless the indicated Maximum and Minimum rates set in the CAP SP are to be respected.

REGULATORY REFERENCES AND LEGAL BASIS FOR ES5

<u>Scheme</u>	<u>Legislation</u>
ES5	Council Directive 91/676/EEC
ES5	Regulation (EC) No 1107/2009
ES5	Directive 2009/128/EC
ES5	Directive 2000/60/EC
ES5	Natura 2000
ES5	L.N. 345 of 2015
ES5	S.L. 549.66
ES5	S.L. 549.25
ES5	Food Safety Act 2002
ES5	S.L 430.07
ES5	L.N 284 of 2011
ES5	S.L 430.08
ES5	L.N.489 of 2011
ES5	WTO agreement on Agriculture



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ECO-SCHEME 6 – (CPM) - CERTIFIED PROPAGATING MATERIAL RESISTANT TO PATHOGENS & CULTIVATION OF CROP OR PLANT VARIETIES WITH LESS DEMAND FOR WATER.

This Eco-scheme aims to promote the use of certified disease and pathogen-resistant plant materials along with the cultivation of crop and plant varieties with less demand for water.

Beneficiaries under this Eco-Scheme commit themselves to use either of these practices, certified disease and pathogen-resistant plant materials, and cultivation of crop and plant varieties with less demand for water. Farmers are encouraged to combine these elements when technically feasible and such propagating material is available.

By compensating farmers for costs incurred on certified propagating materials that are resistant to pathogens, farmers can receive financial support whilst reducing the need for PPPs and treatment and contributing to overall agricultural sustainability.

Farmers are encouraged to use proactive techniques by utilizing disease-resistant propagating materials at the sowing stage to prevent pathogen outbreaks and crop losses. This approach aligns with practices outlined in Directive 2009/128/EC, which emphasizes economically and ecologically justified interventions to reduce pesticide use.

The proposed eco-scheme shall also assist farmers in developing a crop plan with less demand for water. This intervention shall make use of the proposed board to pre-determine the acceptable crops and varieties deemed fit for the purpose. At the request stage, the beneficiaries may then declare from such, their committed types within the crop plan.

ES 6 – ELIGIBILITY CRITERIA

- Active farmers as defined under Malta's CAP Strategic Plan;
- Beneficiaries eligible for BISS
- Committed parcels must at least have a total eligible area of 0.04 Ha (of cultivated pathogen-resistant materials and/or crop or plant varieties with less demand for water) throughout the commitment period;
- ES 3, and 5 are compatible and can be applied on the same parcel
- At the commitment level the minimum area is 0.04 Ha;
- The scheme provides for a one (1) consecutive year commitment period.
- Farmers shall declare the list of committed materials and varieties and their selected commitment period in the IACS digital crop plan;
- Farmers shall use certified disease- pathogen resistant plant materials, including seeds, grafts, varieties and other certified propagating materials to strengthen crop resilience;
- Declared pathogen-resistant materials and varieties with less demand for water must be part of the verified list that is deemed fit by competent bodies as designated by MAFA (Specified in Annex III). Beneficiaries may commit to this scheme by making an annual payment claim and be able to present proof of purchase of eligible and verified materials and varieties when requested;
- Applicants shall at the application stage indicate at least one crop they are committing to via the crop plan;
- Designated parcel of land shall be deemed eligible if:
 - o it is arable land
 - o is maintained under annual minimum activity
 - o is kept in good agricultural condition all year round



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ES 6 - COMMITMENTS

- Eligible applicants may be required to use ARPA's mobile software application (Biedjacam) to submit their crop plan and declare which of the board-verified plant varieties with less demand for water they are committing to;
- Eligible farmers should declare their commitment to one (1) consecutive year with a seasonal or annual crop rotation system; The selected pathogen-resistant materials and/or crop or varieties with less demand for water that shall be included in the submitted crop plan have to be part of the pre-established propagating material deemed fit by the board;
- The committed area must be sown in full with the certified materials;
- The dedicated area is to be maintained under annual minimum activity and in good agricultural condition all year round;
- Farmers must keep records of fiscal documents related to the purchase of the certified pathogen-resistant propagating material and crop or varieties with less demand for water and shall be made readily available for any on-the-spot checks by officials;
- ARPA may require the beneficiary to submit any requested photos and/or proof of purchase by ARPA as indicated and in line with the submitted crop plan.

ES 6 – PAYMENT RATE CALCULATION

- Minimum Rate set in CAP SP 2024 – €313.00
- Maximum Rate set in CAP SP 2024 – €543.60
- Minimum Rate set in CAP SP 2025 – €313.00
- Maximum Rate set in CAP SP 2025 – €543.60
- Minimum Rate set in CAP SP 2026 – €313.00
- Maximum Rate set in CAP SP 2026 – €543.60
- Minimum Rate set in CAP SP 2027 – €313.00
- Maximum Rate set in CAP SP 2027 – €543.60

The intervention shall take the form of an annual payment per eligible hectare covered by the commitment. A uniform flat rate amount per hectare will be paid. The annual payment rate shall be calculated by determining the total amount of area declared and total amount of area found for a particular claim year; then divide the approved financial allocations by the least between these two variables. It is recommended to affect a slight manual reduction to safeguard exceeding the financial limit due to rounding differences in the payment calculation process.

Nonetheless the indicated Maximum and Minimum rates set in the CAP SP are to be respected.



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Regulatory References and Legal Basis for ES6

<u>Scheme</u>	<u>Legislation</u>
ES6	Council Directive 91/676/EEC
ES6	Regulation (EC) No 178/2002
ES6	Regulation (EC) No 1107/2009
ES6	Directive 2009/128/EC
ES6	Directive 2000/60/EC
ES6	Natura 2000
ES6	L.N. 345 of 2015
ES6	S.L. 549.66
ES6	S.L. 549.25
ES6	Food Safety Act 2002
ES6	S.L 430.07
ES6	L.N 284 of 2011
ES6	S.L 430.08
ES6	L.N.489 of 2011
ES6	WTO agreement on Agriculture



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DP ECO-SGW - ECO-SCHEME: SHEEP AND GOATS WELFARE SCHEME

This scheme shall target reducing the stocking density of sheep and goats to improve their health and overall welfare. The Council of Europe, under their recommendation concerning Goats and Sheep, has stipulated that good stockman ship should be kept fulfilling the animal's need for appropriate nutrition and physical comfort in connection to their normal behavior such as getting up, lying down, resting and sleeping, ruminating, eating, and grooming among others. Stocking density has a critical role in the welfare of sheep and goats and their productivity. A smaller floor space, which results in higher stress levels, can also adversely affect the reproductive capacity of both sheep and goats and their social and feeding behaviors. Furthermore, a larger space allowance can increase their meat and milk yield and improve the quality of their wool. Stocking density was also found to have an EN 308 EN impact on sheep's immune system; specifically, greater space allowance leads to higher humoral immune response for ewes. Local legislation on the required space allowance establishes at least 1.5 sqm for each calf of at least six months old. However, there is no national mandate for adult sheep and goats and thus the Competent Authority has established that, as common practice, the industry follows the same 1.5 sqm per head space allowance for animals used for scientific purposes. Through this scheme, a 1.8 sqm per head space allowance shall be committed by the farmers which is equivalent to a 20% improvement in stocking density.

ELIGIBILITY CRITERIA:

- Active farmers as defined under Malta's CAP SP
- Eligible beneficiaries for the sheep and/or goat sector must have the following:
 - o At least 20 adult female sheep/goat of twelve (12) months or older;
 - o The adult female sheep/goat registered under their name, in the National Livestock Database for a minimum period of six (6) months, and till the end of December. The animals that remain on the same farm when a farm is transferred from one farmer to another, are still deemed eligible for funding if this is done throughout the indicated retention period (e.g. transfer from father/mother to son/daughter) and if the transfer is a result of Force Majeure and has been recognised by the Force Majeure Board.
 - o The number of eligible heads shall be determined by an automated extraction from the NLD that shall be checked for correctness by the Land Based Measures Unit (LBMU) within ARPA;
 - o Conform with the minimum requirements on the identification and registration of animals as set out in Regulation (EU) No 2016/429.
 - o Express their interest on an annual basis in line with the deadlines established by ARPA.
- Each holding is currently subject to a holding capacity that is calculated based on the adult animal head and the 1.5 sqm stocking density requirement established by the Competent Authority as common practice. This scheme aims to improve stocking densities by 20%, thus having holdings maintain a stocking density of 1.8 sqm or better.



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- The amount of aid provided by this scheme shall be calculated based on the number of retained adult animal heads in compliance with the indoor stocking density of a minimum of 1.8 sqm for potentially eligible animals.

ES SGW – PAYMENT RATE CALCULATION

- Minimum Rate set in CAP SP 2025 – €25
- Maximum Rate set in CAP SP 2025 – €35
- Minimum Rate set in CAP SP 2026 – €25
- Maximum Rate set in CAP SP 2026 – €35
- Minimum Rate set in CAP SP 2027 – €25
- Maximum Rate set in CAP SP 2027 – €35

DP ECO-BDW - ECO-SCHEME: BOVINE DAIRY WELFARE SCHEME

Malta registered the second-highest livestock density in the European Union at 3.3 LSU/ ha and the highest grazing livestock density at 2.5 LSU/ha of fodder area in 2020 with the cattle industry comprising the biggest chunk of livestock population at 33.9%. Furthermore, it is reported that out of 14,447 cattle in the country, 5,996 or 42% are dairy cows as of the same year. Therefore, lowering the stocking density of dairy cows will significantly contribute to lowering the stocking density of Malta's livestock industry. The level of stocking density affects both the welfare of cattle and the quality and quantity of dairy production. Increasing stocking density levels can negatively affect a cow's rumination time, stress levels and amount of time spent resting. Consequently, dairy farms with densities that are beyond their holding capacity can suffer from lower milk production, decreased milkfat percentage and yields, and a higher EN 263 EN chance of a cow being culled. Additionally, breeding pens with larger stocking densities may result in lower conception rates. Hence, it is in the interest of each farmer to ensure that the stocking densities are kept at a manageable level while maximizing the area of their dairy farms. In addition, national environmental legislation prevents farm animals from being kept outdoors primarily due to all of Malta being declared a nitrates-vulnerable zone (NVZ). In Malta, there is no specific regulation on the indoor stocking density of animals for farming. Instead, as common practice, the industry and regulators observe the same indoor stocking density level provided by SL439.20 for animals kept for scientific purposes, which is at 7.5 sqm for adult bovine. From this, authorities have derived holding capacities for each holding on a case-by-case basis to ensure habitable areas for adult bovines. As a means of improving overall well-being via a reduction in stocking density, this commitment proposes a 9 sqm indoor adult bovine stocking density that would see enhanced well-being over the existing density conditions. Thus, welcoming a 20% improvement in stocking density for beneficiaries who may opt to commit. It should be noted that outdoor areas are excluded. Consultations held with relevant stakeholders ensured that the proposed minimum is realistic and relatively achievable, and hence may bring about applicants. Whilst the targeted audience is all holdings with dairy livestock, the scheme seeks to identify a balance so as not to steer or tilt dairy farming communities to a major decrease that may destabilise or threaten food and job security. The dairy industry across the Maltese



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Islands produces numerous fresh and local products subject to daily consumption and of cultural/traditional significance. Moreover, almost half of the worked arable land is cultivated for forage crops that contribute towards livestock feed. The proposed 9 sqm allocation is also in line with the recommendation of the European Food Safety Authority which states “...that each cow has enough space to move and lie down comfortably, by providing at least 9m2 of space per cow in indoor housing”. Incentivising farmers to allot adequate space per dairy cow shall not only contribute to achieving the animal welfare targets of the country but also assist dairy farms in achieving efficiency in milk production and less income forgone on tending to bovine stress- or density-borne diseases and issues.

ELIGIBILITY CRITERIA

- Active farmers as defined under Malta’s CAP SP
- Eligible beneficiaries for the dairy sector as defined under Coupled Income Support for Dairy Sector (CIS M1), must have the following:
 - o A contract or agreement with a dairy processor which clearly stipulates the milk yield (in kgs) to be supplied;
 - o Fulfil 75% of the milk yield set out in the contract or agreement with the dairy processor. If this yield is not reached, beneficiaries will not be eligible for support under this intervention unless proven that it was due to a Force majeure or due to a direction provided by the competent authority;
 - o For an animal to be eligible for funding, by the time of data extraction, it must be registered under the name of the applicant, in the National Livestock Database (NLD) for a period of at least three (3) months from 1st October till end of December (Irrespective of the time when/if it leaves the farm on the last day of December); is a female appertaining to a dairy cow breed; and has at least one calf registered to that animal. The animals that remain on the same farm when a farm is transferred from one farmer to another, are still deemed eligible for funding if this is done throughout the indicated retention period (e.g., transfer from father/mother to son/daughter) and if the transfer is a result of Force Majeure and has been recognised by the Force Majeure Board.
 - o The number of eligible heads shall be determined by an automated extraction from the NLD that shall be checked for correctness by the Land Based Measures Unit (LBMU) within ARPA;
 - o Conform with the minimum requirements on the identification and registration of bovine animals as set out in Regulation (EC) No 1760/2000, and as amended by Council Regulation (EU) No 517/2013, Regulation (EU) No 653/2014 and Regulation (EU) No 2016/429. Express their interest on an annual basis in line with the deadlines established by ARPA.
- Beneficiaries must own at least one dairy cow, with one calf registered to that cow, to be eligible for this scheme.



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- Each holding is currently subject to a holding capacity that is calculated based on adult dairy cows and the 7.5 sqm stocking density requirement. This scheme aims to improve stocking densities by 20%, thus having holdings maintain an indoor stocking density of 9 sqm or better.
- The amount of aid provided by this scheme shall be calculated based on the number of retained adult dairy cows in compliance with the stocking density of a minimum of 9 sqm for potentially eligible animals.

ES BDW – PAYMENT RATE CALCULATION

- Minimum Rate set in CAP SP 2025 – €101.00
- Maximum Rate set in CAP SP 2025 – €136.00
- Minimum Rate set in CAP SP 2026 – €101.00
- Maximum Rate set in CAP SP 2026 – €136.00
- Minimum Rate set in CAP SP 2027 – €101.00
- Maximum Rate set in CAP SP 2027 – €136.00

Important Note: This scheme (DP ECO-BDW - ECO-SCHEME: BOVINE DAIRY WELFARE SCHEME) is subject to official approval by the European Commission



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AECCs COMPATIBILITY WITH ECO-SCHEMES

Only one AECC shall be allowed on each parcel, however AECCs may be applied for on the same parcel with eco-schemes as follows:

AECC 1a, b & c – May be combined with all Eco-schemes

AECC 2 - May be combined with all Eco-schemes

AECC 3 - May be combined with all Eco-schemes except for eco-scheme 4 and eco-scheme 6

AECC 4 - May be combined with all Eco-schemes

AECC 5 – May be combined with any of the Eco-schemes except with eco-schemes 1, 2 and 5.

AECC 6 – It is not area related

AECC 7a & b - May be combined with Eco-schemes 4, 5 and 6

Complementary on the same parcel	☑
Not complementary not on the same parcel	X

	ES 1	ES 2	ES 3	ES 4	ES 5	ES 6
Approved AECCs						
AECC 1 Integration and maintenance of autochthonous Maltese species	☑	☑	☑	☑	☑	☑
AECC 2 Measure for the maintenance of trees	☑	☑	☑	☑	☑	☑
AECC 3 Environmental commitments to control weeds in orchards and vineyards by mechanical, instead of chemical methods	☑	☑	☑	X	☑	X
AECC 4 Introduction of bee boxes on holdings	☑	☑	☑	☑	☑	☑
AECC 5 Implementation of soil management and conservation plan on a parcel	X	☑	☑	☑	X	☑
AECC 6 Broiler welfare scheme	☑	☑	☑	☑	☑	☑
AECC 7 Organic Farming	X	X	X	☑	☑	☑
Approved Eco-schemes:						
ES 1 Dedicating parcels to enhance biodiversity and pollination		X	X	X	X	X
ES 2 Integrated Pest Management	X		X	X	X	X
ES 3 Encouraging the Use of Bio-mulch	X	X		X	X	☑
Proposed Eco-schemes:						
New ES 4 Early Harvesting of Multi-Species Swards	X	X	X		☑	X
New ES 5 Arable land for non-productive elements	X	X	X	☑		☑
New ES 6 Certified propagating material resistant to pathogens & cultivation of crop or plant varieties with less demand for water.	X	X	☑	X	☑	



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COUPLED INCOME SUPPORT

Coupled income support will be used to support those sectors that are highly disadvantaged and that are important for socioeconomic or environmental purposes, namely, the dairy, beef, sheep, and tomatoes (for processing) sectors.

The small size of Malta combined with the island's insularity creates several natural and structural disadvantages for these sectors.

The following four sectors shall be supported:

- Dairy;
- Beef;
- Sheep;
- Tomato (for processing)



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DAIRY SECTOR MEASURE (CIS M1)

This scheme shall be based on an automatic claim system as provided for under Article 65 of EC 2021/2116 based on the National Livestock Database administered by the VRD.

CIS M1 – ELIGIBILITY CRITERIA

Eligible beneficiaries must comply with the following eligibility criteria:

- a. Must have a contract or agreement with a dairy processor which clearly stipulates the milk yield (in kgs) to be supplied;
- b. Must fulfil 75% of the milk yield set out in the contract or agreement with the dairy processor. In the case that this yield is not reached, beneficiaries will not be eligible for support under this intervention unless it can be proven that it was due to a Force majeure or due to a direction provided by the competent authority;
- c. For an animal to be eligible for funding, by the time of data extraction, it must be registered under the name of the applicant in the National Livestock Database for a period of at least three (3) months from 1st October till the end of December (Irrespective of the time when/if it leaves the farm on the last day of December); is a female appertaining to a dairy cow breed; and has at least one calf registered to that animal. When a farm is transferred from one farmer to another, and the animals remain on the same farm throughout the retention period (e.g. transfer from father/mother to son/daughter) if the transfer is a result of Force Majeure and has been recognised as such by the Force Majeure Board, these animals can still be deemed as eligible for funding. The number of eligible heads shall be determined by an automated extraction from the NLD that shall be checked for correctness by the LBMU;
- d. Comply with the minimum requirements on the identification and registration of bovine animals as set out in Regulation (EC) No 1760/2000 and European Parliament and Council regulation 2016/429 as applicable;
- e. Must express their interest in this intervention on an annual basis in line with the deadlines established by ARPA.

CIS M1 – PAYMENT RATE CALCULATION

- Planned Rate set in CAP SP 2023 – 2027 – €405
- Minimum Rate set in CAP SP 2023 – €380
- Maximum Rate set in CAP SP 2023 – €440
- Minimum Rate set in CAP SP 2024 – €380
- Maximum Rate set in CAP SP 2024 – €520
- Minimum Rate set in CAP SP 2025 – €380
- Maximum Rate set in CAP SP 2025 – €520
- Minimum Rate set in CAP SP 2026 – €380
- Maximum Rate set in CAP SP 2026 – €520
- Minimum Rate set in CAP SP 2027 – €380
- Maximum Rate set in CAP SP 2027 – €520

The intervention shall take the form of an annual payment per eligible head. A uniform flat rate amount per head will be paid.



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The annual payment rate shall be calculated by determining the following variables:

- The contracted amount in Kg for each farmer shall be divided by 10,000 to arrive to the maximum entitlement amount per farmer
- The number of eligible heads per farmer is determined from the NLD

The least amount between the above two variables for each farmer shall be taken in consideration for payment, the potential value of eligible heads for each farmer are added together and then the financial allocation is divided by this total value.

BEEF SECTOR (CIS M2)

This scheme shall be based on an automatic claim system as provided for under Article 65 of EC 2021/2116 based on the National Livestock Database administered by the VRD.

CIS M2 – ELIGIBILITY CRITERIA

Eligible beneficiaries must comply with the following eligibility criteria:

- Must have their bovines registered in the National Livestock Database under their name for a minimum period of six (6) months before the date of slaughter; When a farm is transferred from one farmer to another, and the animals remain on the same farm throughout the indicated retention period (e.g. transfer from father/mother to son/daughter), these animals can still be deemed as eligible for funding if the transfer is a result of Force Majeure and has been recognised as such by the Force Majeure Board. The number of eligible heads shall be determined by an automated extraction from the NLD that shall be checked for correctness by the LBMU;
- Must have slaughtered at least three (3) eligible bulls; or cows of a beef breed or cross breed with a beef breed having between 8 and 20 months of age in the year of application;
- Comply with the minimum requirements on the identification and registration of bovine animals as set out in Regulation (EC) No 1760/2000;
- Must express their interest in this intervention on an annual basis in line with the deadlines established by ARPA.

CIS M2 – PAYMENT RATE CALCULATION

- Planned Rate set in CAP SP 2023 – 2027 – €207.90
- Minimum Rate set in CAP SP 2023 – €200
- Maximum Rate set in CAP SP 2023 – €220
- Minimum Rate set in CAP SP 2024 – €200
- Maximum Rate set in CAP SP 2024 – €670
- Minimum Rate set in CAP SP 2025 – €200
- Maximum Rate set in CAP SP 2025 – €670
- Minimum Rate set in CAP SP 2026 – €200
- Maximum Rate set in CAP SP 2026 – €670
- Minimum Rate set in CAP SP 2027 – €200
- Maximum Rate set in CAP SP 2027 – €670



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The intervention shall take the form of an annual payment per eligible head. A uniform flat rate amount per head will be paid.



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SHEEP SECTOR (CIS M3)

This scheme shall be based on an automatic claim system as provided for under Article 65 of EC 2021/2116 based on the National Livestock Database administered by the VRD.

CIS M3 – ELIGIBILITY CRITERIA

Eligible beneficiaries must comply with the following eligibility criteria:

- Must have at least 20 ewes of twelve (12) months or older;
- Must have the ewes registered in the National Livestock Database under their name for a minimum period of six (6) months, and till the end of December. When a farm is transferred from one farmer to another, and the animals remain on the same farm throughout the indicated retention period (e.g. transfer from father/mother to son/daughter), these animals can still be deemed as eligible for funding if the transfer is a result of Force Majeure and has been recognised as such by the Force Majeure Board. The number of eligible heads shall be determined by an automated extraction from the NLD that shall be checked for correctness by the LBMU;
- Comply with the minimum requirements on the identification and registration of ovine animals as set out in Regulation (EC) No. 21/2004.

CIS M3 – PAYMENT RATE CALCULATION

- Planned Rate set in CAP SP 2023 – 2027 – €25
- Minimum Rate set in CAP SP 2023 €20
- Maximum Rate set in CAP SP 2023 – €30
- Minimum Rate set in CAP SP 2024 – €20
- Maximum Rate set in CAP SP 2024 – €119
- Minimum Rate set in CAP SP 2025 – €20
- Maximum Rate set in CAP SP 2025 – €119
- Minimum Rate set in CAP SP 2026 – €20
- Maximum Rate set in CAP SP 2026 – €119
- Minimum Rate set in CAP SP 2027 – €20
- Maximum Rate set in CAP SP 2027 – €119

The intervention shall take the form of an annual payment per eligible head. A uniform flat rate amount per head will be paid.



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TOMATOES FOR PROCESSING (CIS M4)

The intervention shall take the form of an annual payment per eligible hectare.

CIS M4 – ELIGIBILITY CRITERIA

Eligible beneficiaries must comply with the following eligibility criteria:

- comply with the definition of an active farmer as defined in the Plan;
- At parcel level the minimum area is of 0.01 Ha;
- Must have a contract with a Producer Organisation or cooperative within the tomatoes for processing sector by 15 May, and fulfil at least 50% of the yield as set out in the said contract unless it can be proven by the applicant that due to a Force majeure or direction from a competent authority they could not reach this yield;
- Cultivate the tomatoes (for processing) in the agricultural parcels as declared;
- Applications are to be submitted within the deadlines as established by ARPA;
- Must be registered in the IACS Farmer Registry as maintained by ARPA and the Nitrates Registry as maintained by the Directorate of Agriculture at the time of application;
- All eligible hectares claimed should be unambiguously located on site through satellite images and registered with ARPA at time of application.

CIS M4 – PAYMENT RATE CALCULATION

- Planned Rate set in CAP SP 2023 – 2027 - €7,861.19
- Minimum Rate set in CAP SP 2023 – €7,000.00
- Maximum Rate set in CAP SP 2023 – €8,500.00
- Minimum Rate set in CAP SP 2024 – €7,000.00
- Maximum Rate set in CAP SP 2024 – €9,422.00
- Minimum Rate set in CAP SP 2025 – €7,000.00
- Maximum Rate set in CAP SP 2025 – €9,422.00
- Minimum Rate set in CAP SP 2026 – €7,000.00
- Maximum Rate set in CAP SP 2026 – €9,422.00
- Minimum Rate set in CAP SP 2027 – €7,000.00
- Maximum Rate set in CAP SP 2027 – €9,422.00

The intervention shall take the form of an annual payment per eligible Ha. A uniform flat rate amount per Ha will be paid.

The value of payments per hectare will be calculated every year taking the lowest number of eligible hectares and the area under cultivation of tomatoes for processing. The number of eligible hectares will be determined by dividing the contracted amount as specified in the farmer's contract with the organisation/co-op by the established yield of 82 tonnes per hectare. The value of payment per eligible hectare shall be uniform for all applicants.



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PART III - THE OPERATIONAL PROCEDURES

GENERAL PROCEDURES FOR THE APPLICATION OF AID

To receive support under the direct aid interventions the farmer must submit an application during the established period. Annually, a pre-filled application shall be made available to each farmer, this pre-filled application form is issued from the IACS system which stores all the information declared by the beneficiary and other information found by the ARPA during the process of checks and controls.

As defined in the CAP SP, the term active farmer shall be defined as follows for livestock farmers and Land:

- Livestock farmers: Farmers must have their farming activity registered with the Veterinary Regulation Directorate, and must have at least a minimum production of: 3 heads if operating in the beef sector, 20 heads if operating in the sheep sector, 1 head if operating in the dairy sector.
- Land farmers: Means a natural or legal person, or groups of natural or legal persons, engaged in at least a minimum level of agricultural activity as defined in the CAP SP

SUBMISSION OF PAYMENT CLAIMS AID APPLICATIONS AND LATE SUBMISSIONS

The dates of receipt of applications and the conditions under which an application is assessed shall be established by the ARPA and made public through the local government gazette.

Payment claims shall be submitted prior the date to be set by ARPA each year after which a 1% reduction per working day for late submissions shall apply up to a maximum of 10 working days. No applications submitted after this point shall be accepted.

Both the penalty and the deadline for submission shall not apply in cases of force majeure and exceptional circumstances.

ADMINISTRATIVE CHECKS ON APPLICATIONS

There are two types of administrative checks which are:

- Correctness of the application
- Administrative controls related to the eligibility of the application.

These checks are carried out by the IACS system and are aimed to verify:

- the eligibility criteria, commitments and other obligations for the aid scheme or support measure are fulfilled; (e.g. minimum areas at scheme/intervention and parcel level);



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- there is no double financing; (parcel is only applied under one beneficiary);
- the aid application or payment claim is complete and submitted within the relevant time-limit;
- where applicable, supporting documents have to be submitted and attached in IACS;
- there is compliance with long-term commitments, as appropriate.

AMENDMENTS/ WITHDRAWALS OF APPLICATIONS

Following the submission of application, **Unit A1** may carry out amendments to the application as follows:

- Obvious error amendment

ARPA may allow for such an amendment under the following conditions:

- Required correction has been notified in writing by the applicant;
- Correction is due to an obvious error and request for amendment is in good faith;
- Farmer was not notified of an On the Spot Check;
- Amendment is before the 15th of October;
- Provide a description (including the amendment) and reason for amendment.

These must be clearly visible and accessed in one of the menus of the amended applications.

- Withdrawals

Applicants may choose to completely withdraw the applications. ARPA may allow for such withdrawals under the following conditions:

- Withdrawal has been notified in writing by the applicant;
- Farmer was not notified of an OTSC;
- Withdrawal is before the 15th of October;
- Provide a description (including the amendment) and reason for withdrawal.

Applicants may choose to partially withdraw the application. ARPA may allow for such partial withdrawals under the following conditions:

- Partial withdrawal has been notified in writing by the applicant;
- Farmer was not notified of an OTSC;
- Partial withdrawal is before the 15th of October;
- Provide a description (including the amendment) and reason for the partial withdrawal.

- Amendments due to non-compliances detected by administrative checks

ARPA shall allow for such amendments under the following conditions:



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- Applicant was notified of the non-compliance by ARPA;
 - Provide a description (including the amendment) of the detected non-compliance (e.g. and incorrect declaration that may be detected from supporting documentation).
- Amendments due to non-compliances detected through area monitoring

ARPA shall allow for such amendments under the following conditions:

- Applicant was notified of the non-compliance by ARPA;
- Provide a description (including the amendment) of the detected non-compliance.

FURTHER ADMINISTRATIVE CHECKS

COUPLED INCOME SUPPORT

Farmers who apply for the Coupled Income Support will be subject to further checks.

Dairy scheme (CIS 1)

The data of the number of dairy cows will be obtained from the National Livestock Database. The data extracted will confirm that the farmers are in line with the minimum requirements of the scheme and used to establish the amount of eligible bovines.

Complementary to this, ARPA will obtain data from the dairy processor through the Agricultural Directorate to verify the milk production.

Beef Scheme (CIS 2)

The data of the number of slaughtered eligible bovines will be obtained from the National Livestock Database. The data extracted as at 31st December, will confirm whether the farmers are in line with the minimum requirement of the scheme.

Sheep Scheme (CIS 3)

The data of the number of ewes will be obtained from the National Livestock Database. The data extracted will confirm whether the farmers are in line with the minimum requirement of the scheme. One extraction shall be obtained from the National Livestock Database at the end of each calendar year, based on which the eligibility of the applicants is checked, and the amount of eligible heads is determined.

Tomato Scheme (CIS 4)

The administrative check will focus on the production delivered by the farmer to the producer group/co-operative.



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CONTROLS

Farmers may be extracted from the entire population of applications and shall be subject to On-the spot checks and administrative checks. An aid application or payment claim shall be rejected if the beneficiary or his representative prevents an on-the-spot check from being carried out, except in cases of force majeure or in exceptional circumstances.

Where it is established that the beneficiary provided false evidence for the purpose of receiving the support or failed to provide the necessary information due to negligence or refused an On-the-spot-check, the support shall be refused or withdrawn in full.

CALCULATION OF PAYMENTS

ESTABLISHMENT OF AREA FOR PAYMENT

For all area-linked payments, if the area determined exceeds the area declared, the area declared shall be used for payment. If the area declared, exceeds the area determined then the area determined shall be used for payment, but all related penalties must be applied.

CALCULATION OF LIVESTOCK FOR PAYMENTS

Malta shall continue adopting an automatic claim system. In no case aid or support shall be granted for several animals greater than the determined amount from the National livestock Database.

Where cases of non-compliances with regard to the system for the identification and registration for bovine, ovine and caprine animals are found, the following shall apply:

- (a) a bovine animal present on the holding which has lost one of the two means of identification shall be considered as determined provided that it is clearly and individually identified by the other elements of the system for the identification and registration of bovine animals referred to in points (b), (c) and (d) of the first paragraph of Article 3 of Regulation (EC) No 1760/2000;
- (b) an ovine or caprine animal present on the holding which has lost one of the two means of identification means shall be considered as determined provided that the animal can still be identified by a first means of identification in accordance with Article 4(2)(a) of Regulation (EC) No 21/2004 and provided that all other requirements of the system for the identification and registration of ovine and caprine animals are fulfilled;
- (c) where one single bovine, ovine or caprine animal present on the holding has lost two means of identification, it shall be considered as determined provided that the animal can still be individually identified by the register, animal passport, where relevant, database or other means laid down in Regulation (EC) No 1760/2000 or Regulation (EC) No 21/2004, respectively, and provided that



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- the animal keeper can provide evidence that he has already taken action to remedy the situation before the announcement of the on-the-spot check;
- (d) where the non-compliances found relate to incorrect entries in the register, the animal passports or the computerised database for animals, but are not of relevance for the verification of the respect of the eligibility conditions the animal concerned shall only be considered as not determined if such incorrect entries are found during at least two checks within a period of 6 months. In all other cases the animals concerned shall be considered as not determined after the first finding;
 - (e) where the non-compliances found relate to late notifications of animal events to the computerised database, the animal concerned shall be considered as determined if the notification has taken place before the start of the retention period or before the reference date established in accordance with rules in relation to VCS set out under section VII of the CAP strategic plan.

The entries in, and notifications to, the system for the identification and registration of bovine, ovine and caprine animals may be adjusted at any time in cases of obvious errors recognised by the competent authority.

CALCULATION OF AID PENALTIES

The payment shall be calculated separately for each direct aid scheme the farmer has applied for. All respective penalties must be applied according to the scheme except for penalties related to late penalties, non-declaration of all areas penalties, Conditionality (if applicable) and Social Conditionality.

If relevant penalties shall be calculated in the following order:

- (a) Over-declaration penalties
- (b) Penalties related to lack of adherence to specific commitments/ obligations (Checklist penalties)
- (c) Late submission of applications
- (d) Non-declaration of all areas penalty
- (e) Penalties related to conditionality (if applicable) for that CY
- (f) Penalties related to conditionality (if applicable) affecting previous claim years
- (g) Penalties related to social conditionality
- (h) Penalties related to social conditionality affecting previous claim years



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CALCULATION OF AREA RELATED OUTCOMES

If a beneficiary is found to have under declared, payment shall be affected on the area declared. However, if the farmer is found to have overdeclared the amount of agriculture area eligible for funding the following mechanism shall apply:

- If the outcome of the controls results in an over declaration between 0% and 10% or the area discrepancy is equal or less than 0.1ha the payment shall be calculated on the area found.
- When the area over declared is more than 10% and the area discrepancy is more than 0.1ha the payment area shall be the area found reduced by 1.5 the area not found to a maximum penalty of 100% of the area determined.

No penalties shall apply for over declarations concerning applicants of the Payments for Small Farmers intervention

CALCULATION OF LIVESTOCK DECLARATION OUTCOMES

The total amount of aid or support to which the beneficiary is entitled under an animal aid scheme or animal-related support measure or type of operation under such support measure for the claim year concerned shall be paid based on the number of animals determined in accordance with the above logic, provided that following administrative checks or on the spot checks:

- a. no more than three animals are found non-determined; and
- b. non-determined animals can be individually identified by any means laid down in Regulation (EC) No 1760/2000 or (EC) No 21/2004.

If more than three animals are non-determined, the total amount of aid or support to which the beneficiary is entitled under the aid scheme or support measure or type of operation under such support measure referred to in paragraph 1 for the claim year concerned shall be reduced by:

- c. the percentage to be established in accordance with paragraph 3, if it is not more than 20%;
- d. twice the percentage to be established in accordance with paragraph 3, if it is more than 20 % but not more than 40%.

If the percentage established in accordance with paragraph 3 is more than 40 %, no aid or support to which the beneficiary would have been entitled under the aid scheme or support measure or type of operation under such support measure for the claim year concerned.

In order to establish the percentages referred to in paragraph 2, the number of animals of an aid scheme or support measure or type of operation found to be non-determined shall be divided by the number of animals determined for that aid scheme or support measure or type of operation under such support measure for the claim year concerned.



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CALCULATION OF CHECKLIST PENALTIES

These penalties depend on the outcome of checks entered into the control system as regards adherence to obligations and commitments that are intervention specific and are not related to measurements of eligible areas.

The penalty is expressed in the form of a percentage reduction on the potential payment of that intervention. Checklists entered in the control system are based on a penalty matrix that shall produce the overall penalty to be applied. That penalty is then reflected in the payment calculation under the applications module.

TYPES OF CHECKLIST PENALTIES

NON-INTENTIONAL NON-COMPLIANCES

For the calculation of those reductions and exclusions, account shall be taken of the severity, extent, permanence or reoccurrence and intentionality of the non-compliance detected. The administrative penalties imposed shall be effective, proportionate, and dissuasive. Non-compliances detected for the first time shall be considered as non-intentional non-compliances and the reduction shall, as a general rule, be 3 % of the total amount of the payments. The reduction shall however be reduced to 1% or 5% depending on the extent, severity and permanence of the check.

NON-INTENTIONAL REOCCURRING NON-COMPLIANCES

Where the same non-compliance persists or reoccurs once within three consecutive calendar years, the percentage reduction shall, as a general rule, be 10 % of the total amount of the payments. Further reoccurrences of the same non-compliance without justified reason by the beneficiary shall be considered to be cases of intentional non-compliance.

INTENTIONAL NON-COMPLIANCES

Where the same non-compliance further persists without justified reason by the beneficiary it shall be considered to be a case of intentional non-compliance and the percentage reduction shall be at least 15 % of the total amount of the payments. In such cases, the farmer is notified about the intentional breaches found and is obliged to avail of FAS. Farmers with intentional non-compliances who fail to attend the FAS information session shall, during the following sample extraction receive higher ranking points.

Should the same non-compliance be identified for four times (3rd re-occurrence) in different consecutive years, a penalty of 50% reduction of the total yearly payment shall apply. Should then the same non-compliance be identified for five times (4th re-occurrence) in different consecutive years, a penalty of 100% reduction of the total yearly payment shall apply.

For Direct Payments this shall be applicable to Eco-schemes and Coupled Income Support.

LATE SUBMISSION OF PAYMENT CLAIMS



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Payment claims shall be submitted prior the date to be set by ARPA each year after which a 1% reduction per working day for late submissions shall apply up to a maximum of 10 working days. No applications submitted after this point shall be accepted.

Both the penalty and the deadline for submission shall not apply in cases of force majeure and exceptional circumstances.

NON-DECLARATION OF AREAS

If during an OTSC, administrative checks or cross checks ARPA determines that the farmer did not declare all the agricultural parcels related to the areas under his management and the difference between the overall holding area declared and the area of the holding, together with the area not declared is more than 3% of the area declared, then the farmer shall receive a penalty of 3%.



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PENALTIES RELATED TO CONDITIONALITY FOR THAT CY

Any beneficiary receiving funds under the CAP must comply with the Statutory Management Requirements (SMRs) and the Good Agricultural and Environmental Conditions (GAEC) which together make up the basic obligations under conditionality (if applicable) and are related to the environment, climate change, good agricultural condition of land, public health, animal health and plant health, and animal welfare. Non-compliance with any of the SMRs or GAECs will result in a penalty being applied. These penalties depend on the outcome of checks entered in the control system as regards adherence to the above mentioned obligations related to conditionality (if applicable).

The penalty is expressed in the form of a percentage reduction on the total potential payment during that CY. Checklists entered in the control system are based on a penalty matrix that shall produce the overall penalty to be applied. That penalty is then reflected in the payment calculation under the applications module and applied to the whole payment.

Types Of Non-Compliances

Non-Intentional Non-Compliance – Insignificant

The Control Unit is the Competent Authority to decide what infractions are to be deemed as insignificant, non-intentional non-compliances as per Article 85(3) of Regulation (EU) 2021/2116. Where insignificant non-compliances are detected following the completion of land and farmer inspections, the farmer shall be informed about the non-compliance detected and possible remedial actions to be taken. The same non-compliances will be marked in the ‘Rapport tal-Kontroll’ and the farmer shall also be advised to avail of Farm Advisory Services (FAS) as referred to in Article 15 of Regulation (EU) 2021/2115.

The FAS shall not be made mandatory for cases of insignificant non-compliances however, it shall be regarded as an additional mechanism offered by ARPA to help farmers understand their obligations towards ‘Conditionality’, thus increasing knowledge regarding the proper compliance to SMRs and GAECs.

The AgriConnect FAS contact details shall be provided by the CU officers present during the farmer inspection and shall be available in the ‘Rapport tal-Kontroll’ sent to the beneficiary.

Non-Intentional non-Compliances

The same approach shall be taken by CU inspectors when a non-intentional non-compliance (first time non-compliance) is found following the completion of conditionality checks (if applicable) .

Non-Intentional reoccurring Non-Compliances



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Where the same non-compliance persists or reoccurs once within three consecutive calendar years, the percentage reduction shall, as a general rule, be 10 % of the total amount of the payments (Article 85(6) of Regulation (EU) 2021/2116). Further reoccurrences of the same non-compliance without justified reason by the beneficiary shall be considered to be cases of intentional non-compliance.

Intentional Non-Compliances

As per article 9(3) of Regulation (EU) 2022/1172, where the same non-compliance further persists without justified reason by the beneficiary it shall be considered to be a case of intentional non-compliance and the percentage reduction shall be at least 15 % of the total amount of the payments. In such cases, the farmer is notified about the intentional breaches found and is obliged to avail of FAS. Farmers with intentional non-compliances who fail to attend the FAS information session shall, during the following sample extraction receive higher ranking points.

Should the same non-compliance be identified for four times (3rd re-occurrence) in different consecutive years, a penalty of 50% reduction of the total yearly payment shall apply. Should then the same non-compliance be identified for five times (4th re-occurrence) in different consecutive years, a penalty of 100% reduction of the total yearly payment shall apply.

PENALTIES RELATED TO CONDITIONALITY AFFECTING PREVIOUS CLAIM YEARS

These penalties depend on the outcome of checks entered in the control system as regards adherence to obligations related to conditionality (if applicable). These apply when it is determined that a particular non-compliance was identified in year N, but the actual non-compliance was persistent in previous years.

The penalty is expressed in the form of a percentage reduction on the potential payment of that intervention. Checklists entered in the control system are based on a penalty matrix that shall produce the overall penalty to be applied. That penalty is then reflected in the payment calculation under the applications module and applied to the whole payment.

PENALTIES RELATED TO SOCIAL CONDITIONALITY

These penalties depend on the outcome of checks entered in the control system as regards adherence to obligations related to social conditionality.

The penalty is expressed in the form of a percentage reduction on the potential payment of that intervention. Checklists entered in the control system are based on a penalty matrix that shall produce the overall penalty to be applied. That penalty is then reflected in the payment calculation under the applications module and applied to the whole payment.



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PENALTIES RELATED TO SOCIAL CONDITIONALITY AFFECTING PREVIOUS CLAIM YEARS

These penalties depend on the outcome of checks entered in the control system as regards adherence to obligations related to social conditionality. These apply when it is determined that a particular non-compliance was identified in year N, but the actual non-compliance was persistent in previous years.

The penalty is expressed in the form of a percentage reduction on the potential payment of that intervention. Checklists entered in the control system are based on a penalty matrix that shall produce the overall penalty to be applied. That penalty is then reflected in the payment calculation under the applications module and applied to the whole payment.

CASES WHERE NO PENALTIES ARE TO BE IMPOSED

No penalties shall be imposed:

- (a) where the non-compliance is due to force majeure or exceptional circumstances as referred to in Article 3 of 2021/2116 and if confirmed as such by ARPA; moreover in such cases the beneficiary shall retain the right to receive aid in full for applications effected by the force majeure or exceptional circumstance;
- (b) where it is determined by ARPA that the non-compliance is due to an error of the competent authority or another authority, and where the error could not reasonably have been detected by the person concerned by the administrative authority;
- (c) where the person concerned can demonstrate to the satisfaction of ARPA that he or she is not at fault for the non-compliance with the obligations referred to in paragraph 1 or if the ARPA is otherwise satisfied that the person concerned is not at fault;
- (d) the non-compliance is due to an order from a public authority.

REFUSED INSPECTIONS

Where it is established that the beneficiary has refused a request for inspection by ARPA, an aid application or payment claim shall be rejected if the beneficiary or his representative prevents an on-the-spot check from being carried out, except in cases of force majeure or in exceptional circumstances. Such refusal shall also trigger a breach on the whole commitment and funds received under that commitment shall have to be recovered by ARPA.

FALSE EVIDENCE/ DECLARATIONS

Where it is established that the beneficiary provided false evidence for the purpose of receiving the support, the support shall be refused or withdrawn in full. Furthermore, the beneficiary shall be excluded from the same measure or type of operation for the calendar year of finding and for the following claim year.

FORCE MAJEURE



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If a beneficiary has been unable to comply with the obligations as a result of Force Majeure or exceptional circumstances as provided for in article 3 of (EU) 2021/2116 s/he shall retain her/his right to eligible aid up till when the case of Force Majeure or the exceptional circumstance occurred.

Cases of Force Majeure and exceptional circumstances shall be notified in writing to the competent authority (ARPA), with relevant evidence to the satisfaction of the competent authority, within thirty (30) working days from the date on which the beneficiary or the person entitled through him, is in a position to do so. After consultation with the Force Majeure Board, ARPA will decide whether there is a case of force majeure or otherwise according to the parameters of the applicable EU Regulations. Should ARPA deem a case to be affected by a Force Majeure event, the beneficiary may be justified or excused, totally or partially, with respect to some default that there may be. But if the Force Majeure application is rejected, ARPA may seek to recover or withdraw all funds related to this scheme.

Official documentation needs to be submitted together with the Force Majeure application. In case of illness a medical certificate is required and in case of mandatory quarantine, the official notification issued by the Ministry for Health is required, in cases of plant diseases and/or death of trees in the case of vineyards a report must be presented by the Agriculture Directorate or the Plant Protection Directorate (depending on the case).

Further information on Force Majeure requests may be accessed from ARPA's website at: www.arpa.gov.mt

MANAGEMENT OF MULTIANNUAL COMMITMENTS

The beneficiaries who enter multi annual commitments under Eco-schemes, are obliged to follow the obligations indicated throughout the whole period of the commitment.

All commitments are registered in the commitment register module in IACS. The commitment register serves as a database to register the link between the farmer, the parcels and equivalent area committed, the eco-scheme chosen and the duration of the commitment. Once commitment is moved at contract stage the data stored in the commitment is used for the generation of the pre-filled payment claims. Each commitment registered in the commitment register has a unique identification code. Changes resulting from On-the-Spot controls or LPIS refresh are reflected in the commitment register.

Transfers/breaches of commitments must be registered in the commitment register.

Although such multiannual commitments in the commitment register may be composed of more than one parcel each parcel is considered as a commitment per se. This means that a farmer may transfer/drop one parcel and the overall contract is not considered as in breach on all the committed parcels if the minimum requirements are maintained.



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The parcel which is removed from the commitment either through a request by the beneficiary or due to ineligibility of that parcel is to be considered as “in breach” (unless the commitment is transferred to the transferee along with the parcel), at this point ARPA shall carry out an assessment and recover payments from the beneficiary in relation to that parcel. If the removal of the parcel affects the overall baseline eligibility conditions, then all funds received under that particular contract shall be retrieved. If the said removal is a result of a breach of commitment identified through OTSC or any administrative checks carried out by ARPA during the last year of commitment, all related penalties shall be applied, however ARPA may decide that no recovery of past payments is required in terms of proportionality.

A farmer may submit a request and increase the amount of eligible area under committed parcel at any time during the commitment. Likewise requests to reduce the amount of total eligible area of a committed parcel may be accepted if the minimum eligibility conditions are still adhered to.

Beneficiaries must submit a payment claim for each claim year, those who fail to submit the first payment claim will have their commitment closed and considered as breached. No refunds will be required as no payments will be issued under that commitment.

If the beneficiary fails to submit a payment claim in the second year or following years, the farmer will be considered to have breached his/her commitment and all funds issued throughout the commitment for the breached parcels must be recovered.

RECOVERY OF UNDUE PAYMENTS PLUS INTEREST

Any undue payment following the occurrence of irregularity or negligence, ARPA shall request recovery from the beneficiary. The corresponding amounts shall be recorded at the time of the recovery request in the debtors' ledger of the paying agency.

ARPA shall adopt all legislative, regulatory, and administrative provisions and take any other measures necessary to ensure effective protection of the financial interests of the Community in particular to:

- Prevent and pursue irregularities;
- Recover undue payments plus interest, and bring legal proceedings to that effect as necessary.

The recognition of debts as Irregularity shall take place within the stipulated time frames mentioned in the respective Commission Regulations. Following the recognition of debts, ARPA is obliged to recover the amounts due either through Set-Offs or Payment at bank. In order to be in line with National Law, being that the debt needs to be considered as certain, liquid and due, the debtor has to accept the debt. Then, ARPA shall be able to off-set any outstanding debt of the debtor against any future payment to be made to him. The debtor can choose to settle the debt by making a Payment at Bank, directly paying his debt at ARPA's Irregularity bank account. A receipt is issued for any amount recovered. If the debt is not recovered within the stipulated timeframe from the First Notification Letter, then ARPA would apply the interest rates as stipulated in the Commission Regulation and Laws of Malta.



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Provided that Implementing acts and delegated acts concerning the implementation of the penalty system for conditionality are still not finalised, the above mechanism is subject to change in accordance with the eventual provisions of such legal text.

REIMBURSEMENT OF APPROPRIATIONS (FINANCIAL DISCIPLINE PAYMENT)

As provided for in article 17 of Regulation 2021/2116, an adjustment rate for interventions in the form of direct payments referred to in Article 5(2), point (c), of Regulation 2021/2116 and for the Union financial contribution to direct payments under Chapter IV of Regulation (EU) No 228/2013 and Chapter IV of Regulation (EU) No 229/2013 for the specific measures referred to in Article 5(2), point (e), of this Regulation ('the adjustment rate') shall be determined by the Commission where the forecasts for the financing of the interventions and measures financed under the corresponding sub-ceiling for a given budgetary year indicate that the applicable annual ceilings will be exceeded.

The adjustment rate shall apply to payments to be granted to farmers for the interventions and specific measures referred to in the first subparagraph of this paragraph exceeding €2,000 for the corresponding calendar year.

Where such appropriations to be carried over in accordance with the first subparagraph remain available and the overall amount of non-committed appropriations available for reimbursement represents at least 0.2 % of the annual ceiling for EAGF expenditure, the Commission may adopt implementing acts setting out per Member State the amounts of non-committed appropriations to be reimbursed to final beneficiaries.

The amounts set by the Commission in accordance with paragraph 3, second subparagraph, shall be reimbursed to final beneficiaries. In case the Commission make available such appropriations to Malta these appropriations shall be re-distributed back to beneficiaries accordingly.



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ANNEX I - LIST OF PLANT SPECIES RELATED TO ECO-SCHEME ON POLLINATIONS

Sulla (*Hedysarum coronarium*) - Silla
Coriander (*Coriandrum sativum*) - Kosbor
Borage (*Borago officinalis*) - Fidloqqom
White clover (*Trifolium repens*) – Xnien Abjad
Rosemary (*Salvia rosmarinus*) - Klin
Chaste tree (*Vitex agnus-castus*) - Sigret il-Virgi, Għadiba, Bżar il-Patrijiet
Sage (*Salvia officinalis*) - Salvja tal-Ikel
Common Lavender/True Lavender (*Lavandula angustifolia*) – Lavanda/sombor
Peppermint (*Mentha x piperita*) - Naġħniegħ
Pennyroyal Mint/European Pennyroyal (*Mentha pulegium*) - Plejju
Fern-leaved Lavender (*Lavandula multifida*) - Lavanda
Thyme (*Thymus vulgaris*) – Saġhtar komuni
Marjoram (*Origanum majorana*) - Merqtux
Oregano (*Origanum vulgare*) - Riegnu
Great Sage (*Phlomis fruticosa*) - Salvja tal-Madonna
Maltese Rock-Centaury (*Cheirolophus crassifolius*) - Widnet il-Baħar
Maltese Everlasting (*Helichrysum panoritenum* subsp. *melitense*) - Sempreviva t'Għawdex
Mediterranean Heather (*Erica multiflora*) - Erika
Olive-leaved Germander (*Teucrium fruticans*) – Żebbuġija
Tree Spurge (*Euphorbia dendroides*) - Tengħud tas-Siġra
Hoary Rockrose/Cretan Rockrose (*Cistus creticus*) - Ċistu Roża
Grand Statice (*Limoniastrum monopetalum*)
Spanish Broom (*Spartium junceum*) - Ġenista Safra
Sicilian Silvery Ragwort (*Jacobaea maritima* subsp. *sicula*) - Kromb il-baħar Isfar
Common Myrtle (*Myrtus communis*) - Riħan
Caper (*Capparis orientalis*) - Kappar

ANNEX II: DECLARATION FOR SMALL FARMERS SCHEME



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I, the undersigned, declare that I am not interested in the Small Farmers Scheme. I understand that with this declaration I will lose all the benefits that this scheme offers and that I will be asked to apply for the Basic Income Support Scheme with all the obligations that this scheme has attached to it. Name and Surname _____

Signature _____

Date _____

NOTE:

General Data Protection Policy

The Agriculture and Rural Payments Agency carries out its functions in accordance with the applicable laws and in line with standing good practices.

In line with Article 13 of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (hereafter ‘GDPR’), the Agency is hereby providing you with the following information:

- The “Controller” is the Agriculture and Rural Payments Agency and it can be contacted at the Government Farm, Ghammieri, Marsa, Malta or on the email address arpa.mafa@gov.mt;
- The “Data Protection Officer” can be contacted at the Agriculture and Rural Payments Agency, Government Farm, Ghammieri, Marsa, Malta or on the email address dpo.arpa@gov.mt;
- The general purpose of processing your personal data is to implement the measures under the Common Agricultural Policy in accordance with Title III of the Treaty on the Functioning of the European Union and related EU and National Law, more specific policies are dependent on the measures concerned and may be found specified further down;
- The recipient of your personal data is the Agriculture and Rural Payments Agency within the Ministry for Agriculture, Fisheries, Food and Animal Rights. The category of recipients of your personal data is public authorities including also Union institutions, bodies, offices and agencies;
- Your personal data shall be retained for as long as legally required or reasonably necessary to satisfy the declared purposes and any legal obligations and, or claims that might possibly arise from your relationship with the Agency, or otherwise according to the Agency's Data Retention Policy provided with this declaration or accessible online at www.arpa.gov.mt;
- You have the right to request from the Controller access to and rectification or erasure of personal data or restriction of processing of personal data concerning yourself or to object to processing as well as the right to data portability, according to law;



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· You have the right to lodge a complaint with the Office of the Information and Data Protection Commissioner, or any other supervisory authority, if applicable in accordance with the Regulation.

The personal data you are providing to us is a contractual and, or legal requirement relating to your rights and obligations with respect to the Agency and its responsibilities.

By submitting this application/request you are declaring that you understand and accept that the Agency is to process personal data relating to you for the specific purpose of processing this application/request, in accordance with law. In order for your application/request to be processed, you shall provide your personal data for the declared purposes and anything reasonably and, or legally necessary to satisfy said purposes. Failure to provide such data might result in the impossibility of processing your application/request, without prejudice to other consequences according to law.

The processing of personal data shall be conducted according to the GDPR and the Data Protection Act.

For official use only

_____	_____	_____
Name and Surname of official	Signature	Date
_____	_____	_____
Name and surname of verifying officer	Signature	Date

ANNEX III: LIST OF PLANT SPECIES RELATED TO ECO SCHEME ON CERTIFIED PROPAGATING MATERIAL:



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BSS	
Common Name	Name used for CPM
tomato	BSS001
tomato	BSS002
tomato	BSS003
tomato	BSS004
tomato	BSS005
Laflafett	
Common Name	Name used for CPM
Tomato	LFT001
Tomato	LFT002
Tomato	LFT003
Cucumber	LFT004
Cucumber	LFT005
Pepper	LFT006
Pepper	LFT007
Pepper	LFT008
Pepper	LFT009
Melon	LFT010
Melon	LFT011
Squash	LFT012
Squash	LFT013
Squash	LFT014
Watermelon	LFT015
Watermelon	LFT016
Watermelon	LFT017
Cabbage	LFT018
Cabbage	LFT019
Tomato Rootstock	LFT020
Tomato Rootstock	LFT021
Tomato Rootstock	LFT022
Tomato Rootstock	LFT023
Broccoli	LFT024
Broccoli	LFT025
Strawberry	LFT026
Strawberry	LFT027
Strawberry	LFT028
Strawberry	LFT029
Strawberry	LFT030
Nick's	



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Common Name	Name used for CPM
Tomato	NCK001
Tomato	NCK002
Tomato	NCK003
Tomato	NCK004
Tomato	NCK005
Tomato	NCK006
Tomato	NCK007
Pepper	NCK008
Pepper	NCK009
Aubergine	NCK010
Aubergine	NCK011
Cabbage	NCK012
Cauliflower	NCK013
Broccoli	NCK014
Agriproducts	
Common Name	Name used for CPM
Tomato	AGR001
Tomato	AGR002
Tomato	AGR003
Tomato	AGR004
Tomato	AGR005
Tomato	AGR006
Pepper	AGR007
Pepper	AGR008
Pepper	AGR009
Aubergine	AGR010
Lettuce	AGR011
Lettuce	AGR012
Lettuce	AGR013
Cucumber	AGR014
Cucumber	AGR015
Cucumber	AGR016
Cauliflower	AGR017
Cauliflower	AGR018
Cabbage	AGR019
Cabbage	AGR020
Cabbage	AGR021
Squash	AGR022
Squash	AGR023
Squash	AGR024



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leeks	AGR025
Melon	AGR026
Melon	AGR027
Watermelon	AGR028
Watermelon	AGR029
Watermelon	AGR030
Broccoli	AGR031
Broccoli	AGR032
Kolhrabi	AGR033



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ANNEX IV: GAEC AND SMR'S

SMR / GAEC	Types of checks	Relevant DP Measure
GAEC01 - Maintenance of permanent grassland based on a ratio of permanent grassland in relation to agricultural area at national, regional, sub-regional, group-of-holdings or holding level in comparison to the reference year 2018. Maximum decrease of 5% compared to the reference year.	On-the-spot control	ES6,
GAEC02 - Protection of wetland and peatland	On-the-spot control	
GAEC03 - Ban on burning arable stubble, except for plant health reasons	On-the-spot control	ES3, ES1, ES2, ES4, ES5
GAEC04 - Establishment of buffer strips along water courses	On-the-spot control	ES1
GAEC05 - Tillage management, reducing the risk of soil degradation and erosion, including consideration of the slope gradient	On-the-spot control	ES3, ES1, ES2, ES4, ES5
GAEC06 - Minimum soil cover to avoid bare soil in periods that are most sensitive	Remote Sensing, On-the-spot control	ES3, ES1, ES6, ES2, ES4
GAEC07 - Crop rotation in arable land, except for crops growing under water	On-the-spot control	ES3, ES1, ES2,
GAEC08 - Minimum share of agricultural area devoted to non-productive areas or features. Minimum share of at least 4% of arable land at farm level devoted to non-productive areas and features, including land lying fallow. Where a farmer commits to devote at least 7% of his/her arable land to non-productive areas and features, including land lying fallow, under an enhanced eco-scheme in accordance with Article 28(5a), the share to be attributed to compliance with this GAEC shall be limited to 3%. Minimum share of at least 7% of arable land at farm level if this includes also catch crops or nitrogen fixing crops, cultivated without the use of plant protection products, of which 3% shall be land lying fallow or non-productive features. Member States should use the weighting factor of 0,3 for catch crops. Retention of landscape features. Ban on cutting hedges and trees during the bird breeding and rearing season. As an option, measures for avoiding invasive plant species	On-the-spot control	ES3, ES1, ES2, ES5
GAEC09 - Ban on converting or ploughing permanent grassland designated as environmentally-sensitive permanent grasslands in Natural 2000 sites	On-the-spot control	
SMR01 - Directive 2000/60/EC of 23 October 2000 of the European Parliament and of the Council establishing a framework for Community action in the field of water policy: Article 11(3), point (e), and point (h), as regards mandatory requirements to control diffuse sources of pollution by phosphates	On-the-spot control	ES3, ES1, ES2, ES4, ES5



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SMR02 - Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources: Articles 4 and 5	On-the-spot control	ES3, ES1, ES6, ES2, ES5
SMR03 - Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds: Article 3(1), Article 3(2), point (b), Article 4(1), (2) and (4)	On-the-spot control	ES3, ES1
SMR04 - Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild flora and fauna: Article 6(1) and (2)	On-the-spot control	ES3, ES1
SMR05 - Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, laying down procedures in matters of food safety: Articles 14 and 15, Article 17(1) and Articles 18, 19 and 20	On-the-spot control	ES3, ES2, ES1, ES6,
SMR06 - Council Directive 96/22/EC of 29 April 1996 concerning the prohibition on the use in stockfarming of certain substances having a hormonal or thyrostatic action and beta-agonists, and repealing Directives 81/602/EEC, 88/146/EEC and 88/299/EEC: Article 3, points (a), (b), (d) and (e), and Articles 4, 5 and 7	On-the-spot control	ES3, ES1
SMR07 - Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC: Article 55, first and second sentence	On-the-spot control	ES2, ES3, ES1, ES6, ES5
SMR08 - Directive 2009/128/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides: Article 5(2) and Article 8(1) to (5); Article 12 with regard to restrictions on the use of pesticides in protected areas defined on the basis of Directive 2000/60/EC and Natura 2000 legislation; Article 13(1) and (3) on handling and storage of pesticides and disposal of remnants	On-the-spot control	ES2, ES3, ES1, ES6, ES5
SMR09 - Council Directive 2008/119/EC of 18 December 2008 laying down minimum standards for the protection of calves: Articles 3 and 4	On-the-spot control	
SMR10 - Council Directive 2008/120/EC of 18 December 2008 laying down minimum standards for the protection of pigs: Articles 3 and 4	On-the-spot control	
SMR11 - Council Directive 98/58/EC of 20 July 1998 concerning the protection of animals kept for farming purposes: Article 4	On-the-spot control	



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