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MINISTRY FOR AGRICULTURE,
FISHERIES AND ANIMAL RIGHTS
AGRICULTURE AND RURAL PAYMENTS AGENCY



GOVERNMENT OF MALTA
MINISTRY FOR THE ECONOMY,
EUROPEAN FUNDS AND LANDS
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BACKGROUND INFORMATION

INTRODUCTION

The purpose of these Guidelines is to define the implementation of the Environmental, Climate-related and other Management Commitments (AECCs); and shall include the instructions concerning the commitments and applicable provisions and penalties applicable under the different AECC 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.

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 (if applicable)..
- 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
- Respective legislation per scheme:

<u>Scheme</u>	<u>Legislation</u>
AECC1A/B/C	Directive 2009/147/EC
AECC1A/B/C	Council Directive 92/43/EEC
AECC1A/B/C	SL 549.42
AECC1A/B/C	LN 79 of 2006
AECC1A/B/C	SL 549.44
AECC1A/B/C	LN 311 of 2006
AECC1A/B/C	SL 430.07

AECC1A/B/C	LN284 of 2011
<u>Scheme</u>	<u>Legislation</u>
AECC2/3/4/5/7A/7B	Directive 2009/147/EC
AECC2/3/4/5/7A/7B	Council Directive 92/43/EEC
AECC2/3/4/5/7A/7B	Regulation (EC) No 1107/2009
AECC2/3/4/5/7A/7B	Directive 2009/128/EC
AECC2/3/4/5/7A/7B	Directive 2000/60/EC
AECC2/3/4/5/7A/7B	Natura 2000 directive
AECC2/3/4/5/7A/7B	LN 345 of 2015
AECC2/3/4/5/7A/7B	SL 549.66
AECC2/3/4/5/7A/7B	SL 549.25
AECC2/3/4/5/7A/7B	SL 549.42
AECC2/3/4/5/7A/7B	SL 549.44
AECC2/3/4/5/7A/7B	LN 79 of 2006
AECC2/3/4/5/7A/7B	LN 311 of 2006
AECC2/3/4/5/7A/7B	Food Safety Act 2002
AECC2/3/4/5/7A/7B	SL 430.07
AECC2/3/4/5/7A/7B	LN 284 of 2011
AECC2/3/4/5/7A/7B	SL 430.08
AECC2/3/4/5/7A/7B	LN 489 of 2011

<u>Scheme</u>	<u>Legislation</u>
AECC6	Council Directive 98/58/EC
AECC6	S.L. 439.12
AECC6	L.N. 441 of 2010

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 AECCs.
- **The Agriculture and Rural Payments Agency (ARPA) of MAFA:** shall be responsible for the management and implementation of the AECCs. 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.
- **Managing Authority (MA) within the Ministry for the Economy, European Funds and Lands:** shall be responsible for the EAFRD.

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

- **The Managing Authority (MA):** shall be responsible for the monitoring of these interventions.
- **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 contracting of the applicants, who will be the beneficiaries of this intervention and the co-ordination and authorisation of payments under the AECCs interventions.
- **The Control Unit (IACS & non-IACS Controls):** shall be responsible for implementing the control system for AECCs, 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 European Union rules relating to the Livestock sector and National Legal Notices.

The ARPA shall reserve the right to delegate part of its activities to other bodies on the basis of a Memorandum of Understanding/Co-operation Agreements.

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 AECCs. 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.

PART II – AID PERTAINING TO THE AECCs INTERVENTIONS

INTRODUCTION

This intervention aims to grant support to farmers and other beneficiaries who undertake, on a voluntary basis, land-based management commitments which are beneficial to achieving the aims set out in the CAP SP Regulation, which will focus on the entire territory of Malta.

This intervention will support the following interventions:

- AECC 1: Integration and maintenance of autochthonous Maltese species
 - AECC 1A- Maltese Black Chicken
 - AECC 1B- Maltese Ox
 - AECC 1C- Carob and Mulberry (both white and black) trees
- Land Based management commitments
 - AECC 2: Maintenance of trees
 - AECC 3: Control of weeds in orchards and vineyards
 - AECC 4: Introduction of bee boxes on holdings
 - AECC 5: Implementation of soil management and conservation plan on a parcel
- Animal Welfare Schemes
 - AECC 6: Animal Welfare Scheme
- Organic Farming Scheme
 - AECC 7: Conversion of Organic Farming and Maintenance of Organic Farming

DEFINITIONS

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

GENERAL PROVISIONS THAT APPLY TO ALL INTERVENTIONS

- Eligible farmers must be registered in the IACS Farmer Registry and the Nitrates Registry as maintained by the Directorate of Agriculture;
- 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
- All agriculture reference parcels claimed should be unambiguously located on site and through satellite images and registered with the Agriculture and Rural Payments Agency (ARPA) – the Paying Agency – at time of application;
- Farmers will be required to keep records relevant to their holding. These will be subject to checks and controls by relevant competent authorities including the Certification Body (IAID) and the Agriculture and Rural Payments Agency (ARPA);
- All individuals for support under the following interventions (AECC 1a, 1b, 1c, 2, 3, 4, 5, 6, 7a and 7b) are subject to controls by the ARPA Control Unit and the Certification Body (IAID). Upon applying for support they are automatically obliged to grant access to control officials without prior warning;
- In the cases of AECC 1a, 1b, 1c, 2, 3, 4, 5, 6, and 7b commitments shall be undertaken for a period of five (5) years. AECC 7a shall be undertaken for a period of two (2) years. These commitments (except 7a) may be annually extended after the termination of the initial period, at the discretion of the Managing Authority. The applicant is required to submit an annual application claim each year of the commitment, until the commitment is complete.
- If during this commitment period, a parcel on which a measure was being implemented is transferred to another person, two options are possible:
 - The person taking over the parcel undertakes to continue the commitment for the remainder of the period (an adequate assessment shall be made by the new farmer to ensure that the objective of the measure would still be achieved). In which case, he/she will be receiving the support tied to the measure for the remaining years, OR;
 - If the person taking over the parcel does not wish to continue the commitment, the beneficiary (person transferring the parcel) will have to reimburse the assistance granted on that parcel. The reimbursement would only be on the parcel which was transferred (and hence the transferred parcel where the obligation will no longer be maintained) and not on the whole commitment
- In case of transfer of holdings (or part of) following the first year of commitment, obligations pertaining to the AECC must be maintained. In case a parcel is transferred at any stage during the

five-year or two-year commitment the transferee must comply for the remaining period of time with the applicable AECC commitments as explained above. The Agriculture and Rural Payments Agency reserves the right to reject the transfer of the commitment(s). Funds will be recovered in case of breach from the transferee, who would have accepted the commitments upon the transfer. The transferee will be required to return funds for the parcel which was transferred from the date of commencement, i.e. including the funds of that parcel which were granted to the previous land manager/s.

- In cases where the farmer cannot maintain the commitment on one or more specific parcels for the entire duration of the 2-year or/and 5-year period, the farmer will have the option to drop the mentioned parcels from his commitment as long as the commitment of at least 1 tumolo (eligibility criteria) of agricultural land is still maintained. Besides refunding all payments received on that specific parcel throughout the commitment, no additional penalties will apply as long as the farmer declares the removal of such parcels at front office by submitting a Force Majeure Request prior to ceasing the obligations of the commitment and the MA or ARPA find no objections to such commitment being dropped.
- In case the beneficiary is deceased, the commitment can either be stopped with no recoveries required or the new farmer taking over can choose to continue the remainder of the commitment
- In case of transfer of commitments, the training/advice will only need to be carried out by the new beneficiary if the training/advice was not carried out by the original beneficiary. In such cases the beneficiary who is taking over the commitment will have three years to carry out the training/advice from the date of the request of the transfer or before the end of the commitment whichever comes first. If the new beneficiary has already participated in training covering the same AECC or received advice then he shall have no obligation to pursue new training or advice. In the case of advice, if the farmer would have already availed himself/herself of advice under this programming period then the farmer is not required to receive the advice once again.
- Beneficiaries will be required to attend a training module relevant to this intervention. Courses should be completed by the end of the 3rd year from acceptance on the scheme. Proof of attendance will be requested upon submission of the annual renewal of applicant's commitment. Training will be provided free of charge. The Paying Agency reserves the right to suspend payment until submission of course certificate (after which payments can be activated retrospectively);
- Beneficiaries are obliged to take advice for adequate fulfilment of all commitments and obligations. Advice should be completed by the end of the 3rd year from acceptance on the scheme. Whilst preferable, such advice shall not necessarily be received from a recognised Farm Advisory System. The Managing Authority shall notify as to the type of acceptable advice under this measure. Proof of service received will be requested. The Paying Agency reserves the right to suspend payment until submission of proof of service (after which payments can be activated retrospectively).

- The training/advice needs to be completed by the beneficiary of the AECC. In case of natural farmers, this would be the farmer who is carrying out the commitment. In case of legal farmers since the beneficiary is the company, the contact person (as listed on IACS profile) is obliged to attend the training/advice or nominate a suitable person to attend in his/her stead.
- The measurements 0.1124Hectares/ 1 tumolo and 1124m² are used interchangeably in these guidelines (1 tumolo is equivalent to 1124m²)
- The commitment is based on a parcel basis.
- The applicant is obliged to submit an annual payment claim each year of the commitment, until the end year commitment is complete;
- Farmers must ensure that the land meets annual minimum agricultural maintenance as defined in the CAP SP;
- If applicable farmers must observe the baseline Conditionality rules;
- In case of transfer of holdings/parcels (or part of) following the first year of commitment obligations pertaining to the sub-measure must be maintained. In case a holding is transferred at any stage during the two-year or five-year commitment the transferee must comply for the remaining period of time with the measure commitments. ARPA reserves the right to reject the transfer of the commitment(s). Funds will be recovered in case of breach from the transferee, who has accepted the commitments upon the transfer. The transferee will be required to return funds paid for the commitment from the original date of Measure contract (not land transfer). Upon transferring of holdings/parcels the transferee must sign a declaration accepting responsibility for the commitments for their entire duration including the period prior to holding/parcels being transferred;
- The 0.1124ha baseline constituting all the holding must be observed throughout the duration of the contract;
- Farmers applying for these interventions, shall not be limited from applying for other measures under the CAP SP. Applicants who have benefitted from previous measures offered in the Rural Development Plan (2014-2022) may also apply. However, if their parcels are still under a previous commitment, their request shall be refused.
- Beneficiaries cannot apply for a combination of AECCs, within the same parcel.
- AECC 4 can be combined with any other AECC. Support under AECC 4 is permissible for parcels that are also linked to any of the other AECCs; in cases where the beekeeper implementing AECC 4 and the farmer implementing another AECC are not the same person (therefore two separate beneficiaries). The established support rates shall remain the same for both respective AECCs beneficiaries.
- Parcel that are committed under an Eco-scheme, may still be applied for under one of the AECCs listed in these Guidelines as follows:

AECC 1a &b – It is not area related

AECC 1c – 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 Eco scheme 4 and 6

AECC 4 – May be combined with all Eco-schemes

AECC 5 – May be combined with Eco scheme 3, 4 and 6

AECC 6 – It is not area related

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

AECC interventions – Specific provisions

AECC 1 – INTEGRATION AND MAINTENANCE OF AUTOCHTHONOUS MALTESE SPECIES

This intervention will focus on conserving Malta's biodiversity and will be consistent with the priorities of Malta's National Biodiversity Action Plan. This intervention will have a positive impact on biodiversity, enhancing the countryside and promoting practices which work in harmony with our unique ecosystems. Support may include conservation indigenous species including Carob and Mulberry trees that will assist farmers to maintain these trees in a good condition. Further investment may be provided for the integration and maintenance of autochthonous Maltese species such as the Maltese Black Chicken and Maltese Ox.

AECC 1A – INTEGRATION AND MAINTENANCE OF THE MALTESE BLACK CHICKEN **AECC 1A – ELIGIBILITY CRITERIA**

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

AECC 1A – COMMITMENTS

- Beneficiaries will be required to ensure all Maltese Black Chicken are ringed (or micro-chipped) using appropriate (as instructed by the Competent Authority) tamper proof rings/micro-chips;
- Each individual poultry must have a signed certificate of accreditation clearly stating the identifying number on the poultry ring alternatively certificates containing groups of that are individually listed in the certificate may also be accepted;
- Applicants are required to fill in the livestock form (template) under Annex I of the guidelines. For verification purposes each individual head must have a signed certificate of accreditation clearly stating the identifying number on the poultry ring. Accreditation must be based on established breed characteristics as established by the Competent Authority;
- All poultry upon which the applicant is applying for aid must also have a vaccination program in place. For this purpose the farmer is required to fill in the vaccination form under Annex II and update it accordingly;
- In case of deaths of any of the chickens the beneficiary must submit a Force majeure request with ARPA within 30 working days from the event

AECC 1A – SUPPORT

Support rate: € 25.01/head/year.

AECC 1B – INTEGRATION AND MAINTENANCE OF THE MALTESE OX

AECC 1B – ELIGIBILITY CRITERIA

- Livestock breeders registering for support under this AECC must provide breed accreditation and certification (attesting to the purity of the Maltese Ox to be at least 96.87%) for each livestock unit, as per official documentation issued by such competent authority as may be established by law or by the responsible Ministry;
- Applicable to livestock breeders who are registered with the Food and Veterinary Regulation Division;
- Farmers will be required to maintain any records relevant to the sub measure and also those relevant to Conditionality obligations. These are to be presented to the ARPA inspectors at the time of inspection.

AECC 1B – COMMITMENTS

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

AECC 1B – SUPPORT

Support rate: € 1,936.27 per 1 livestock unit (equivalent to 1 Maltese Ox).

AECC 1C – CONSERVATION INDIGENOUS SPECIES INCLUDING CAROB AND MULBERRY TREES

Link between GAEC, SMR and national standards with the intervention:

This intervention will link with GAEC 8 in view of the support that may be targeted towards the conservation of indigenous tree species, including Carob (harrub) and (White/ Black) Mulberry (cawsla and tuta) trees, that will assist farmers to maintain these trees in a good condition. Measures supporting activities that will enable the valorisation of plant and animal varieties and local genotypes that are in danger of becoming extinct will contribute to SMR 3 and 4; as well as support for the integration and maintenance of autochthonous Maltese species, such as the Maltese Black Chicken and Maltese Ox, and other interventions promoting the conservation for rare, indigenous breeds of plants and trees. Such measures will contribute to conserving Malta's biodiversity and will be consistent with the priorities of Malta's National Biodiversity Action Plan.

AECC 1C – ELIGIBILITY CRITERIA

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

- Agricultural area committed needs to be maintained in line with annual minimum agricultural activity;

AECC 1c – COMMITMENTS

- The beneficiary is obliged to implement specific maintenance actions relevant to the tree species and ensure that the tree is maintained in good health;
- The beneficiary will be required to maintain any records relevant to the AECC and also those relevant to potentially applicable conditionality obligations. Records are to be made available for inspection.

AECC 1c – SUPPORT

Support rate: The rate of support for the conservation of the carob and mulberries shall be of €44.49 per tree per year up to a maximum of 18 trees per hectare (which amounts to a maximum of €800.82 per hectare).

AECC 2 – MEASURE FOR THE MAINTENANCE OF TREES (SUPPORT FOR THE MAINTENANCE OF NEWLY PLANTED RECOMMENDED TREE SPECIES)

AECC 2 – ELIGIBILITY CRITERIA

- In order to apply for aid a farmer must have a minimum of 1124m² of agricultural land. Any parcels that are found to be less than 0.04 hectares are ineligible;
- Farmers will be required to keep records relevant to their holdings and make them available upon request during any official inspection;
- Farmers must be registered in the IACS Farmer Registry;
- Farmers must declare the type and location of the trees planted
- Trees must be planted on eligible agricultural land, eligible trees are as listed in Annex III

AECC 2 – COMMITMENTS

- Introduction of newly planted trees must be carried out in accordance with ERA Guidelines;
- Farmers are obliged to keep a record pertaining to the trees present on the parcel as per Annex IV;
- Must carry out appropriate canopy management: This practice is applicable depending on the tree being maintained;
- Must carry out appropriate production pruning: This practice is applicable depending on the tree being maintained;
- Must carry out appropriate green pruning: This practice is applicable depending on the tree being maintained;
- Pest control and rationalization of fertilizer and pesticide treatments: Only in the event of a pest infestation or demonstrable lack of overall health of tree, the farmer is required to address any infestations/ deficiencies through responsible pesticide and fertilizer practices.
- In the event that a tree planted dies, at any point during the 5 years commitment, the farmer is obliged to replace it at his own expense.

AECC 2 – SUPPORT

Support rate: €44.49/tree/year up to a maximum of 18 trees per hectare (which amounts to a maximum of € 800.82 per hectare).

AECC 3 – ENVIRONMENTAL COMMITMENTS TO CONTROL WEEDS IN ORCHARDS AND VINEYARDS BY MECHANICAL, INSTEAD OF CHEMICAL METHODS

The objective of this measure is to incentivise farmers to control weeds growing in vineyards and orchards between 15th October and 28th February, using mechanical means. The measure will oblige farmers to use a grass cutter/mower to control weeds growing in vineyards and orchards during the winter season.

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

AECC 3 – ELIGIBILITY CRITERIA

- In order to apply for aid a farmer must have a minimum of 0.1124 hectares (1 tumolo) of permanent crops (fruit trees/ olive trees/vines). Any polygons in parcels that are found to have less than 0.04 hectares of orchards and vineyards are ineligible for payment;
- Adjacent polygons (touching each other) may be counted together

AECC 3 – COMMITMENTS

- Payment may only be granted on agricultural area which has been maintained in line with annual minimum agricultural activity.
- If applicable, farmers must observe the baseline Conditionality Requirements which include the statutory management requirements and the Good Agricultural and Environmental Conditions (GAEC);
- Farmers will be required to keep records relevant to their holding and make them available upon request during any official inspection.
- Between 15th October till the 28th of February weeds can only be controlled with a mower/grass cutter. Weeds removed during this period can be retained as mulch;
- The use of herbicides is prohibited throughout the year with the exception of specific herbicide targeting Bermuda grass between 15th June and 15th August.
- Nitrogen based fertilizer must be split into a minimum of 2 separate applications – a template of the Fertiliser Application record can be found under Annex V;
- In the event that farmers do not retain the weeds as a mulch (removed between the 15th October and the 28th of February) they are required to cultivate intercrops between vines and orchard trees, nitrogen fixing plants part of the vicia spp group (excluding vicia faba) in addition also the hedysarum spp;
- The beneficiaries are required to maintain records of use of herbicides and, if applicable records in relation to Conditionality obligations. These are to be presented to the ARPA inspectors at the time of inspection.

AECC 3 – SUPPORT

Support rate: €144.15/tumolo/year (equivalent to €1,282.45/hectare/year)

AECC 4 – INTRODUCTION OF BEE BOXES ON HOLDINGS

The objective of this measure is to incentivise farmers to set up bee boxes on their holding and to support established beekeepers, to encourage them to continue in the apiculture sector. This measure would be particularly beneficial in areas which have a high garrigue/ maquis to agricultural land ratio, due to the wild-flower varieties naturally occurring in such areas.

AECC 4 – ELIGIBILITY CRITERIA

- In order to apply for aid a farmer must have a minimum of 0.2 hectares of agricultural land registered under this land-based commitment. This is the minimum requirement land needed to be eligible for payment for 1 bee box. Any parcels that are found to be less than 0.04 hectares, are ineligible, however movement of bee boxes may be carried out on Agridec parcels, parcels with less than 0.04ha of eligible land and X:Y co-ordinates;
- Farmers must be registered in the IACS Farmer Registry;
- The Beekeeper must be registered with an Apicultural Society and the National Competent Authority which in this case is the Veterinary Regulatory Directorate;
- ARPA will verify with the competent Authority that beekeepers are registered;
- Bee boxes must be kept on agricultural land (including garrigue) throughout the year;
- All bee boxes under this measure are to also be linked/attached to agricultural parcel/s upon registration of land-based management commitment. This so it is ensured that the positive biodiversity impact is felt on both agricultural parcels and other agricultural land throughout the year;
- Beneficiaries are to inform the competent authorities on the exact location in which the bee boxes are placed to ensure adequate traceability and controls using form in Annex VI. Since garrigue is not registered in similar fashion to other agricultural parcels (and hence geo-spatial location may not be as accurate), a variance in location shall be permissible for OTSC;
- The beekeeper may enter in agreement with other farmers with the aim of introducing parcels under this commitment to increase the amount of supported bee boxes and/or to use these additional parcels for the movement of bee boxes obligation, each farmer is only supporting one beekeeper, the beekeeper and farmer must enter a written agreement indicating that the farmer permits the beekeeper to keep bee boxes on their holding and the farmer retain responsibility for land eligibility conditions and conditionality (if applicable) obligations for all land linked to this AECC and that the farmer will not be able to transfer the land attached to AECC 4 for the duration of the 5 year contract
- In case of transfer of holdings (or part of) following the first year of commitment obligations pertaining to the sub-measure must be maintained. In any case adequate assessment shall be made to ensure that the objective of the measure would still be achieved;
- In registering for support the applicant is required to have a minimum of 5 active bee boxes;

All bee-boxes must be uniquely tagged for identification and control purposes;

AECC 4 – COMMITMENTS

- Keep and maintain a minimum of 5 bee boxes in good health;
- The beekeeper will be required to identify the location on the holding (and garrigue as and when permissible) where the bee boxes will be set up in line with Annex VI;
- Required to be a member of an apicultural society and annually present the receipt upon submission of the payment claim and/or a declaration of membership to an agricultural society;
- Beekeepers are required to keep a record of all committed bee boxes on their holding and/or under their ownership but located on a different holding as per Annex VII. This document is to

be submitted once at the beginning of the commitment unless any changes take place where a new document needs to be submitted;

- The beekeeper will be required to notify ARPA of the movements to be carried out every year; using Annex VI Boxes have to be moved to different garrigue/maquis locations an estimated 3 times (two movements) in a year each movement must be at least 3km apart and maintained for at least 4 weeks.
- Upon registering bee boxes for support the beneficiary will be required to put physical identification in accordance with ARPA requirements on each box upon which the farmer is registering for aid;
- Upon inspection, all boxes upon which aid is being requested must be clearly identifiable with no evidence of tampering.
- In cases where VRD finds significant fault on any specific beekeeper under this measure, the Paying Agency will be immediately informed and recoveries up to 100% may be applied.

AECC 4 – SUPPORT

Support rate: €147.80/hive/year with 5 boxes/ha, that is €739/ha, since a maximum of 5 bee boxes per hectare may be supported.

AECC 5 – IMPLEMENTATION OF SOIL MANAGEMENT AND CONSERVATION PLAN ON A PARCEL

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

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

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

Through the promotion of composting (to increase organic matter) green wastes such as vegetation, wood and other organic wastes are diverted from landfills, and can play a role in reducing greenhouse gas emissions. This intervention sets different targets for irrigated/non-irrigated land. These targets are further explained hereunder.

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

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

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

If one of the parcels in the STR grouping is registered as irrigated, then the entire parcel shall be assessed as irrigated

The possibility to register numerous adjoining parcels as one parcel is not applicable where parcels are divided by parcels registered on other farmers or parcels registered on the same farmer but are not part of the same AECC commitment.

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

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

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

It is being clarified that in cases where an action under eco-schemes (Pillar I) complements and is considered to contribute towards the scope of this AECC, then the action performed under the obligations of eco-scheme will be considered over and above the minimum actions required under this AECC.

The consultant has the discretion to decide whether the STR samples for multiple fields should be grouped together, based on field management practices, field conditions, and topographical elements, including when parcels are divided by passageways, roads, or are no further away than 2 adjacent parcels

AECC 5 – ELIGIBILITY CRITERIA

- In order to apply for aid a farmer must have a minimum of 0.1124 hectares (1 tumoli) of arable land. Any parcels that are found to be less than 0.04 hectares, are ineligible;
- Farmers will be required to keep records relevant to their holding and make them available upon request during any official inspection.
- During the request period the farmer must present either a copy of the soil test results or a receipt showing proof that the soil sample has been submitted covering all parcels being included in the commitment;¹
- All submitted soil samples need to be collected by advisors who are already recognized on the date the sample was submitted to the lab (i.e. if an advisor was registered on the 18th of April then all soil samples submitted need to be dated from 18th April onwards. Soil samples dated prior to the 18th April will not be deemed eligible for AECC and can result in a rejection of the application /termination of the commitment leading to recovery of funds.) All soil samples are to be collected under the supervision of the competent person. Samples shall not be collected by the direct beneficiary applying under AECC, for whom the samples are being collected. The competent person remains responsible for the sample collection process. All samples need to be labelled with the new parcel numbers;
- Only arable land is eligible for support under this measure. Permanent cropland is ineligible for support under AECC;
- Irrigable Agricultural land with soil organic matter (SOM) below 2% is ineligible (GAEC obligation). When submitting a request for application for the first time, the farmer must present a SOM test with a result of 2% or upwards to be eligible. This 2% eligibility requirement is not applicable in the case of non-irrigated parcels;
- Farmer must also submit a crop plan with the SMP;
- Each individual Landscape feature on the boundary of a reference parcel is considered eligible if the area does not exceed 15% of the total eligible area inside a reference parcel

AECC 5 – COMMITMENTS

- Farmers must implement the measures and actions included in the Soil Management Plan.
 - The SMP should be in line with the guidelines issued by the Competent Authority which should include:
 - a list of soil threats identified on each parcel and the possible environmental consequence;
 - have a map showing risks of runoff and water erosion;
 - At least 2 actions to mitigate the soil threats (apart from composting);

¹ For 2023 commitments only, the STR and SMP can be accepted until the application claim of 2023. Farmers will then need to submit the soil test with the updated SMP annually for the remaining years of their commitments (as from 2024)

- Composting – Composting has to be carried out on at least 1 parcel from the whole holding committed;
- Submit copy of the crop plan.
- Soil testing for Organic Matter must be carried out annually for Soil Organic Matter (SOM) throughout the commitment years. The soil test results must be submitted to ARPA during the annual payment claim.
- In the case of irrigated land, the 2% SOM is an eligibility criterion which need to be maintained throughout the 5 years. If at any point the SOM test shows that a particular parcel falls below the 2% such parcel will be deemed ineligible and will result in 100% recoveries on that parcel (not the entire commitment it may be linked to).
- The annual soil samples for testing must be collected by the authorised advisor who prepares the SMP, who should follow soil sampling guidelines issued by the Competent Authority and needs to be collected according to the W spatial pattern.
- By the end of the commitment in the case of irrigated land, the soil organic matter must be at least 3%, in the case of non-irrigated land by the end of the commitment the soil organic matter must be of at least 1%;
- Farmers can shift from dry to irrigable during the commitment periods. This can be done by submitting a declaration form prior to the annual on the spot checks;
- The cost of the soil tests and the SMP is to be borne by the beneficiary since this is included in the payment rate of the measure i.e. as part of the rate per tumolo/hectare;
- On the spot checks will be carried out by ARPA which shall include where deemed necessary sampling and testing for Soil Organic Matter;
- Leave the committed parcels fallow starting from the beginning of April and going to the end of November, where farmers can choose the period they want of at least 3 consecutive months depending on crops (and also in line with the guidance received from advisors) every year. Fallow period is the practice of allowing land to lie idle during a growing season. The fallow period selected can be set for a different option annually, as well as differently for each committed parcel;
- The SMP should declare the three consecutive months that are to be left fallow. Unless stated otherwise in the SMP, the fallow period months for each parcel in the commitment will be considered to be between the 1st of July to the 1 st of October.
- During any of the fallow period committed to, farmers cannot apply pesticides and non-organic fertiliser to the parcels under commitment;
- Farmers will be required to maintain any records relevant to the AECC and, if applicable also those relevant to Conditionality obligations. These are to be presented to the ARPA inspectors at the time of inspection.
- The SMP and soil test result will need to be updated and re-submitted annually during the annual payment claim; for the first year only, the farmer can submit (during payment claim) a soil test result for each parcel collected by same farmer. Subsequently, the advisor will collect the soil samples that will be used to monitor SOM progress/readings. The chosen sampling strategy shall be based on the advisors' evaluation, depending on soil type and management of the land.

AECC 5 – SUPPORT

Support rate: €2,378.35/hectare/year.

AECC 6 – BROILER WELFARE SCHEME

The objective of this intervention is to incentivize broiler breeders in the Maltese Islands to improve broiler welfare during the growing period by reducing the stocking density of broilers per square meter during the growing period on their farm, which is set at a thirteen (13) birds per square meter. This density implies that in terms of kilograms per square meter each broiler farm needs to be in line with Legal Notice 441 of 2010 which established that any breeding space should not exceed the baseline of 33kg per square meter (kg/m²) in stocking density, while the turnaround for broiler growing before slaughter in Malta stands at 42 days. Malta's legislation reflects the *acquis communautaire*'s spirit of reducing stocking density to ensure better welfare, in accordance with the obligation in Art.3 of Directive 2007/43EC. By foregoing the possibility to make use of the derogation in art.3(3) which several producers in other parts of the Community use to reach stocking densities of 38kg/ m² and even 42kg/ m² for periods up to 49 days, Malta's existing threshold allows for further meaningful improvement in the conditions under which broilers are grown by incentivizing further voluntary changes in practices.

The aim of the measure is to reduce the number of days during which the animals are housed in densities above 30kg/m² and are most subject to stresses deriving from over-sharing the available space in the barn under fast-growth systems, and which manifest in undesirable outcomes including cellulitis, footpad dermatitis, hock burn, joint lesions and other symptoms of deteriorating welfare. A stocking density of 33kg/m² is equivalent to 2.538 kg per broiler. Broiler breeders who would like to benefit from support under this measure will be required to reduce the stocking density to 28.6kg/m², which translates to 2.2kg per bird. This can be achieved specifically by changing the existing practice under which producers slaughter by day 42 of each batch, bringing forward the slaughtering period to day 35.

By slaughtering a full week earlier, the days during which the animals have surpassed the growth-point during which deterioration in feathering indicates the intensification of density stresses are reduced, along with a net reduction in the potential for unnecessary suffering. The reduction in the turnaround also has a positive effect in terms of decarbonizing the production and making it more sustainable by reducing the net GHG emissions. By eliminating a significant share of the days when the feeding and waste cycle produces most nitrous oxide and methane for each batch grown, as well as the additional energy consumption, the change in practice makes a positive contribution to lowering the carbon footprint for the farms. It is estimated that the daily intake of feed of the broiler variety bred in Malta at the 28th day would be 149grams per bird; at the 35th day it would be 185 grams per bird; at the 42nd day it would be 213grams per bird, continuing to increase the older the birds are.

AECC 6 – ELIGIBILITY CRITERIA

Eligible beneficiaries for this intervention should be active broiler breeders registered with the Veterinary Regulation Directorate (VRD) who produce over 2,000 broilers per year in the previous two years OR newly licensed broiler breeders with a capacity to produce over 2,000 broilers per year;

Only batches of chicks that entered the farm as from 1st of January 2023 shall be eligible for this scheme.

Data concerning eligibility and eventual payment data shall be acquired from the competent authority.

To be and remain eligible for this scheme farmers must adhere to the relevant EU and National regulations and take any follow up actions as indicated by the competent authority (VRD).

AECC 6 – COMMITMENTS

- Broiler breeders are to keep and present updated records on production data such as amount of day-old chicks bought from hatchery, breeding data of each batch, medical treatment (if any), mortalities and slaughtering data;
- Broiler breeders must slaughter at least 1 batch each year
- The broiler breeder shall inform the slaughterhouse that they are following this measure to commence slaughter by the 35th day, whereby the farmers must at least slaughter 20% of the batch in question by the 36th day otherwise the whole batch would not be eligible for payment; in any case animals slaughtered after the 42nd day shall not be eligible for payment.
- Whereby day 1 shall be the first day that the chicks are on the farm, provided that in Malta delivery of chicks to the farm from the hatchery occurs in less than 24hrs from hatching; the date of slaughter is the day that the broilers are slaughtered, in cases where the slaughter commences on day N and finishes on day N+1 then the date of slaughter shall be day N; The ARPA shall be conducting administrative checks whereby each batch submitted as part of a payment claim shall be verified against data supplied by the VRD relating to capacity limits as set out L.N 441 of 2010, in order to ensure that these limits are not exceeded. Any batches identified as being in breach of this maximum capacity limits shall be deemed ineligible for payment by the ARPA.

AECC 6 – SUPPORT

Support rate: €0.35 per eligible broiler slaughtered

SPECIFIC OBJECTIVES

SO9 Improve the response of Union agriculture to societal demands on food and health, including high quality, safe, and nutritious food produced in a sustainable way, the reduction of food waste, as well as improving animal welfare and combatting antimicrobial resistances

AECC 7 – ORGANIC FARMING

This intervention provides for support for farmers to convert part or all of their production to organic farming practices for vegetables, horticulture and perennial crops. Support payments for conversion shall only apply for a maximum of two (2) years (irrespective of crop type following the certification “in conversion to organic” issued by the Control Authority or Control Body), for all land which is converted to organic production. The farmer shall move to the maintenance level/rate after the end of the conversion commitment (maximum 2 years subject to the parcel meeting CA/CB recognition criteria). The farmer shall immediately notify the ARPA upon his parcel obtaining certification as ‘Organic’. This means that a parcel cannot benefit from Conversion rate for more than 2 years, regardless of whether this moves onto Organic status or not.

If, for whatever reason even for reasons beyond the farmers’ control, the agricultural parcels supported for organic conversion do not reach Organic certification, the farmer will be subject to refunding the support received under conversion action.

Support may also be provided for farmers to maintain organic farming practices (supporting vegetables, horticulture and perennials) for a minimum of 5 years (where applicable), following the 2 years conversion period described under the previous action of conversion. This action shall also provide support for farmers, who are already certified as organic producers and who have not benefitted under conversion towards Organic farming, to maintain organic farming practices. Beneficiaries must commit themselves to maintain the certified organic land for a minimum period of 5 years.

AECC 7A – SUPPORT FOR IN-CONVERSION TO ORGANIC FARMING

AECC 7A – ELIGIBILITY CRITERIA

Farmers applying for aid under Conversion to Organic shall satisfy a number of baseline mandatory requirements as follows:

- Applicants must be active farmers and commit themselves to control management of land for the length of the conversion period and engaged in food production;
- Farmers will be required to keep records relevant to their holding and make them available upon request during any official inspection;
- Those receiving support for conversion are required to attend training relevant to conversion as detailed in the Guidance Notes;
- Those beneficiaries transitioning from conversion to maintenance will be receiving support for the conversion to organic (crops cultivated on arable land) and for the conversion to organic of land to cultivate permanent crops;
- Farmers benefitting from the organic quality scheme shall not be eligible for support under the Organic Conversion and Maintenance scheme for the same year, to avoid the possibility of double funding.
- The holding on which the application is submitted shall be in Malta;
- The land/parcels applied for shall be recognized as utilizable agricultural land;
- The land cover must be eligible under the particular sub-measure.
- Each applicant shall be registered in the Farm Register, which also indicates the parcels being managed.
- Applicants shall be in line with standard mandatory agricultural conditions and thus should be able to provide records of their actions;
- The applicant must have at least 0.1124ha of eligible agriculture land.
- Each parcel declared must have at least 0.01ha of eligible land cover specific to the sub-measure in question.

AECC 7A – COMMITMENTS

- Farmers will be required to demonstrate ‘in conversion’ certification in order to be eligible for support for conversion, which certification shall be confirmed annually by ARPA with the relevant Control Authority/ Body;
- Regarding the conversion to organic, commitment shall be undertaken within 2 years whereas maintenance shall be undertaken within 5 years (total of 7 years if farmer was in conversion).

AECC 7A – SUPPORT

Support rate: €4,377.60/ha for conversion for crops cultivated on arable land and €3,222.00 for conversion of land to cultivate permanent crops conversion. It is important to note that these rates are in accordance with Malta’s Organic Action Plan.

AECC 7B – SUPPORT FOR MAINTENANCE FOR ORGANIC FARMING

AECC 7B – ELIGIBILITY CRITERIA

Farmers applying for aid under Maintenance to Organic shall satisfy a number of baseline mandatory requirements as follows:

- Applicants must be active farmers and commit themselves to control management of land for the length of the conversion period;
- Farmers will be required to keep records relevant to their holding and make them available upon request during any official inspection;
- Those receiving support are required to attend training as detailed in the Guidance Notes;
- Those beneficiaries transitioning from conversion to maintenance will be receiving support for the maintenance land intended to cultivate crops (arable land) and permanent crops;
- Farmers benefitting from the organic quality scheme shall not be eligible for support under the Organic Conversion and Maintenance scheme for the same year, to avoid the possibility of double funding.
- The holding on which the application is submitted shall be in Malta;
- The land/parcels applied for shall be recognized as utilizable agricultural land;
- The land cover must be eligible under the particular sub-measure.
- Each applicant shall be registered in the Farm Register, which also indicates the parcels being managed.
- Applicants shall be in line with standard mandatory agricultural conditions and thus should be able to provide records of their actions;
- The applicant must have at least 0.1124ha of eligible agriculture land.
- Each parcel declared must have at least 0.01ha of eligible land cover specific to the sub-measure in question.
- Farmers will have to commit themselves to keep the land organic for five years and cultivate produce for human consumption for at least one year for every parcel under commitment.

AECC 7B – COMMITMENTS

- Farmers will be required to demonstrate ‘organic’ certification in order to be eligible for support for maintenance, which certification shall be confirmed annually by ARPA with the relevant Control Authority/ Body;

- Regarding the conversion to organic, commitment shall be undertaken within 2 years whereas maintenance shall be undertaken within 5 years (total of 7 years if farmer was in conversion).

AECC 7B – SUPPORT

Support rate: €3,614.40/ha for organic arable land which is under maintenance and €1,057.00/ha for land under maintenance that is used to cultivate permanent crops.. It is important to note that these rates are in accordance with Malta's Organic Action Plan.

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 – It is not area related

AECC 1c – 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 Eco scheme 4 and 6

AECC 4 – May be combined with all Eco-schemes

AECC 5 – May be combined with Eco scheme 2, 3, 4 and 6

AECC 6 – It is not area related

AECC 7a & 7b - May be combined with Eco-scheme 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	☒	

PART III – THE OPERATIONAL PROCEDURES

GENERAL PROCEDURES FOR THE APPLICATION OF AID

To receive support under the AECC 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.

The aid applications shall be submitted by the beneficiaries on an annual basis and should contain all information necessary to verify the eligibility conditions for support for all land-based interventions as well as conditions and requirements relevant to conditionality (this is particularly important for farmers with GAEC 7 and 8 obligations).

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.

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.

VERIFICATION OF SUPPORTING DOCUMENTATION BY OFFICES RESPONSIBLE FOR AUTHORISATION

Supporting documents required by the ARPA to process the application must be vetted. All documents have to be uploaded in the IACS system and original versions have to be stored in appropriate files.

Verification of any supporting documentation shall be vetted out by **Unit A1**, in addition **Unit C1** shall check the relevant supporting documentation as part of the Payment checks carried out on a sample basis.

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)
- 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 (attach evidence)
 - 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 (attach evidence)
- 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 (attach evidence)
- 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:

- 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

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

In no case aid or support shall be granted for several animals greater than that shown in the aid application.

If the number of animals declared in an aid application or payment claim exceeds that determined as a result of administrative checks or on-the-spot checks, the aid or support shall be calculated on the basis of the animals determined.

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 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 CIS set out under section 5.1 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 intervention 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

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.

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.

LATE SUBMISSION OF PAYMENT CLAIMS

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%.

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 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.

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 (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. 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.

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 penalty;
- (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; and
- (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

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 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

1. 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 for land-based commitments.

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.

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.

2. For AECC 1a and 1b discontinuing of a commitment on particular animals shall result in a breach of commitments (unless it is a case of Force Majeure recognised as such by ARPA), in addition to the relevant penalties the farmer shall be asked to refund all funds issued for those animals throughout the commitment. In cases where during an OTSC and/or administrative checks it is determined that there was any tampering with the identification and/or certification of the animals this shall be considered by ARPA as a serious breach, the whole commitment shall be closed, all funds received under that commitment shall have to be recovered by ARPA and the farmer shall be excluded from the scheme year of the finding and in the next claim year. Farmers shall be allowed to increase the number of heads throughout the commitment, subject to approval by ARPA;

For AECC 1c discontinuing of a commitment on trees (e.g. grubbing up) shall result in a breach of commitments (unless it is a case of Force Majeure recognised as such by ARPA), in addition to the relevant penalties the farmer shall be asked to refund all funds issued for those trees throughout the commitment (taking into account the thresholds indicated by the scheme), in addition if there are no remaining committed trees the commitment shall be closed. Farmers shall be allowed to increase the number of trees throughout the commitment, subject to approval by ARPA;

3. For AECC 2 discontinuing of a commitment on trees (e.g. grubbing up) shall result in a breach of commitments (unless it is a case of Force Majeure recognised as such by ARPA), in addition to the relevant penalties the farmer shall be asked to refund all funds issued for those trees throughout the commitment (taking into account the thresholds indicated by the scheme), in addition if there are no remaining committed trees the commitment shall be closed. Farmers shall be allowed to increase the number of trees throughout the commitment, subject to approval by ARPA;
4. For AECC 4 discontinuing of a commitment on bee boxes (includes removing and/or inactive bee boxes) shall result in a breach of commitments (unless it is a case of Force Majeure recognised as such by ARPA), in addition to the relevant penalties the farmer shall be asked to refund all funds issued for those bee boxes throughout the commitment (taking into account the thresholds indicated by the scheme), in addition if the remaining number of committed bee boxes is less than 5 than the whole commitment shall be closed and funds recovered retrospectively. Farmers shall be allowed to increase the number of bee boxes throughout the commitment, subject to approval by ARPA;

Additional rules:

- a. Boxes not found
 1. If as a result of an OTSC, specific bee boxes are not found on any of the parcels in commitment or parcels/locations declared in Annex VI of the guidelines, this shall be

regarded as a discontinuing of commitments on those bee boxes as provided in the first paragraph of point 4.

- b. Boxes found on site but not active
 - 1. If as a result of an OTSC, specific bee boxes are found not active on any of the parcels in commitment or parcels/locations declared in Annex VI of the guidelines, this shall be regarded as a discontinuing of commitments on those bee boxes as provided in the first paragraph of point 4.
- c. Boxes not found on site but are in a location other than that indicated in Annex VI of the Guidelines (another committed parcel)
 - 1. If the bee boxes are found and are active, and the bee box movement obligation is confirmed to be adhered to using biedjacam by the farmer then the beneficiary shall be deemed to be compliant.
 - 2. If boxes are found and are active, and bee box movement obligation is NOT confirmed to be adhered to through the use of biedjacam then this shall be regarded as a discontinuing of commitments on those bee boxes as provided in the first paragraph of point 4.

In cases where during an OTSC and/or administrative checks it is determined that there was any tampering with the identification of the bee boxes and/or false evidence was provided, this shall be considered by ARPA as a serious breach, the whole commitment shall be closed, all funds received under that commitment shall have to be recovered by ARPA and the farmer shall be excluded from the scheme year of the finding and in the next claim year.

For AECC 6

- In cases of significant discrepancies (more than 5%) highlighted by VRD in terms of the amount of heads slaughtered, this shall be considered by ARPA as a serious breach and no payment shall be issued for the whole Claim Year; Contract shall be terminated and the farmer shall be excluded from applying for the scheme in the year of the finding and the next claim year;
- In case of overcapacity that are notified to LBMU by VRD or CU, the following breached batch will be eliminated from payments. In cases of overcapacity found through administrative checks done by LBMU, these are to be confirmed by VRD and the breached batch will be eliminated from payments. In case of those findings found by LBMU and notification sent by VRD, the CU should be notified so they could mark the checklist accordingly where SMR 11 is marked for non-compliance as to be reflected accordingly in payments.

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, being paying directly 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.

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.

Annex I – Livestock Traceability (Template)

Name & Surname: _____

FIC: _____

Year: _____²

Species (mark where applicable):

____ Maltese Black Chicken

Tag/ Ring / Micro-Chip ID №	M ³	F ⁴

Applicant Signature

Date

Front Office Official Signature

Date

² This form must be filled in once and updated as required, all previous records must be retained.

³ Gender; tick where applicable

⁴ Gender; tick where applicable

Annex II – Vaccination Record: Maltese Black Chicken (Template)

Name & Surname: _____

FIC: _____

Year: _____⁵

Tag/ Ring / Micro-chip ID №	ND	MD	GD	ND (2 nd)	IB	IL	AP	ND (3 rd)	IB (2 nd)	AL	GD (2 nd)

ND: Newcastle Disease	ND (2 nd): Newcastle Disease second vaccination	IL: Infectious Laryngotracheitis	AL: Avian Laryngotracheitis
MD: Mareks Disease	ND (3 rd): Newcastle Disease third vaccination	AP: Avian Pox	GD (2 nd): Gumborosis Disease second vaccination
GD: Gumborosis Disease	IB (2 nd): Infectious Bronchitis second vaccination	IB: Infectious Bronchitis	

Applicant Signature

Date

Front Office Official Signature

Date

⁵ This form must be filled in annually for any additional units added to the previous year's population and all previous year(s) records must be retained.

Annex III – List of eligible tree species eligible under AECC 2

List of non-productive trees

<u>Scientific name</u>	<u>Maltese name</u>	<u>English name</u>
<i>Acer monspessulanum</i>	l-aġġru; l-aċer	Montpellier Maple
<i>Alnus glutinosa</i>	l-alnu	Black Alder; European Alder; Common Alder
<i>Anagyris foetida</i>	il-fula tal-klieb	Bean Trefoil Tree; Mediterranean
<i>Atriplex halimus</i>	il-bjanka	Salt Bush
<i>Betula pendula</i>	il-betula	Silver Birch; Warty Birch; European
<i>Calicotome villosa</i> s.l.	il-ġenista tax-xewk	Spiny Broom
<i>Carpinus orientalis</i>	il-karpin	Oriental Hornbeam
<i>Celtis australis</i>	il-buglar, iċ-ċeltis	Nettle Tree
<i>Cercis siliquastrum</i>	is-siġra ta' Ġuda; il-ħarrub ta' Ġuda	Judas Tree; Mediterranean Redbud
<i>Chamaerops humilis</i>	il-ġummar	Dwarf Fan Palm
<i>Cupressus sempervirens</i>	iċ-ċipress	Italian Cypress
<i>Darniella melitensis</i> (= <i>Salsola melitensis</i>)	ix-xebb; is-siġra tal-irmied	Maltese Salt Tree
<i>Ephedra fragilis</i>	l-efedra	Shrubby Horsetail; Joint Pine
<i>Erica multiflora</i>	l-erika; is-saġhtar l-aħmar; is-savina; leħjet ix-xih	Mediterranean Heath Garrigue and phrygana shrub
<i>Euonymus europaeus</i>	il-fużanja; l-evonimu	European Spindle; Common Spindle
<i>Euphorbia dendroides</i>	it-tenġhud tas-siġra	Tree Spurge
<i>Euphorbia melitensis</i>	it-tenġhud tax-xaġhri	Maltese Spurge
<i>Fagus sylvatic</i>	is-siġra tal-faġu	European Beech
<i>Fraxinus angustifolia</i>	il-fraxxnu; is-siġar tal-paċenzja	Narrow-Leaved Ash
<i>Juniperus macrocarpa</i>	Il-ġniepru x-xewwieki	Mediterranean Prickly Juniper
<i>Juniperus oxycedrus</i>	Il-ġniepru x-xewwieki	Prickly Juniper; Prickly Cedar; Cade Juniper
<i>Juniperus turbinata</i>	il-ġnibru; il-ġniepru; l-ġhargħar	Southern Phoenician Juniper
<i>Laurus nobilis</i>	ir-randa	Bay Laurel; Sweet Bay
<i>Lycium europaeum</i>	l-ġhawseg	European Tea-Tree; European Boxthorn
<i>Lycium intricatum</i>	l-ġhawseg selvaġġ	Mediterranean Tea-Tree; Mediterranean Boxthorn
<i>Lycium schweinfurthii</i>	l-ġhawseg selvaġġ	Southern Tea-Tree; Southern Boxthorn
<i>Myrtus communis</i> subsp. <i>communis</i>	ir-rihan	Myrtle
<i>Nerium oleander</i>	id-difla; siġret il-ġarab; siġret il-bass; issiġar tal-wirdien, l-oleandru	Oleander
<i>Olea oleaster</i>	iż-żebbuġ selvaġġ	Wild Olive
<i>Ostrya carpinifolia</i>	il-karpin falz; l-ostrija	Hop Hornbeam
<i>Paliurus spina-christi</i>	ix-xewk tal-kuruna; Ix-xewk ta' kristu	Christ's Thorn Tree; Jerusalem Thorn

<i>Periploca angustifolia</i> (= <i>Periploca laevigata</i> subsp. <i>angustifolia</i>)	siġret il-ħarir	African Wolfsbane
<i>Phillyrea angustifolia</i>	il-fillirja	Narrow-Leaved Mock Privet
<i>Phillyrea latifolia</i>	l-olivastru; il-fillirja l-kbira	Mock Privet; Jasmine Box
<i>Phillyrea media</i>	l-olivastru; il-fillirja ż-żgħira	Lesser Mock Privet
<i>Pinus halepensis</i>	iż-żnuber; is-siġra tal-prinjol; si-siġra tal-arżnu	Aleppo Pine; Jerusalem Pine
<i>Pinus pinaster</i>	iż-żnuber tal-baħar; iż-żnuber tax-xatt; il-prinjol tal-ġwienah	Maritime Pine; Cluster Pine
<i>Pistacia lentiscus</i>	id-deru; Id-delu	Lentisk; Mastic Tree
<i>Pistacia terebinthus</i>	il-botna; l-iskornabekk; is-siġar tatturpentina; it-trementina; is-siġar talfosdoq; it-terebintu	Terebinth; Turpentine Tree
<i>Pistacia x saportae</i>	id-deru l-baġħal	Hybird Mastic Tree
<i>Platanus orientalis</i>	id-dolf; id-dorf; id-dolb	Oriental Plane Tree
<i>Populus alba</i>	il-luqa; is-siġar tač-čopp	White Poplar
<i>Quercus calliprinos</i>	il-balluta x-xewwikija	Palestine Oak; Eastern Kermes Oak
<i>Quercus cerris</i>	ir-ruvlu; il-balluta l-ħorfija	Turkey Oak; Austrian Oak
<i>Quercus coccifera</i> s.l.	il-balluta x-xewwikija	Kermes Oak
<i>Quercus gussonei</i>	ir-ruvlu; il-balluta l-ħorfija	Gussone's Oak
<i>Quercus ilex</i>	il-balluta; is-siġar tal-ġandar	Holm Oak; Evergreen Oak
<i>Quercus petraea</i> s.l.	ir-ruvlu; il-balluta l-ħorfija	Sessile Oak; Cornish Oak; Durmast Oak
<i>Quercus pubescens</i> s.l.	il-balluta l-muswafa ; ir-ruvlu	Downy Oak; Pubescent Oak
<i>Quercus robur</i>	il-balluta ingliża; is-siġra tar-ruvlu	Pedunculate Oak; English Oak
<i>Quercus suber</i>	is-siġra tas-sufra; il-ballut tas-sufra	Cork Oak
<i>Retama raetam</i> s.l.	il-ġenista l-bajda; il-ġenista tar-ramel; ir-retama	Bridal Broom; White Weeping Broom
<i>Rhamnus alaternus</i>	l-alaternu	Mediterranean Buckthorn
<i>Rhamnus oleoides</i> (= <i>Rhamnus lycioides</i> subsp. <i>oleoides</i>)	iż-żiju	Lesser Buckthorn; Olive-Leaved Buckthorn
<i>Rhus coriari</i>	ix-xumakk tal-konz	Common Sumach
<i>Salix alba</i> s.l.	iż-żafżafa; iż-żafżafa l-kbira; iż-żafżafa l-bajda	White Willow
<i>Salix pedicellata</i>	iż-żafżafa ż-żgħira	Mediterranean Willow
<i>Sambucus ebulus</i>	in-nittiena; is-sebuqa s-selvaġġa; is-sambuka s-selvaġġa	Dwarf Elder
<i>Sambucus nigra</i>	is-sambuka; is-sebuqa l-kbira	Common Elder
<i>Searsia pentaphylla</i> (= <i>Rhus pentaphylla</i>)	It-tizra; il-kunzatura; ix-xumakk talkonz	Tizra Tree
<i>Sorbus aucuparia</i>	iż-żorba s-selvaġġa	Rowan; Mountain Ash
<i>Sorbus domestica</i>	iż-żorba	Service Tree
<i>Spartium junceum</i>	il-ġenista s-safra	Spanish Broom
<i>Tamarix africana</i>	il-bruka; it-tarfa	Tamarisks

<i>Tetraclinis articulata</i>	l-ghargħar	Arar tree; Sandarac Gum Tree; Mediterranean Alerce; Barbary ArborVitae
<i>Tilia platyphyllos</i>	It-tilja	Lime Tree
<i>Ulmus canescens</i> (= <i>Ulmus minor</i> subsp. <i>canescens</i>)	in-nemmiesa; is-siġar tan-nemus; l-ulmu; l-ulmu ta' Malta	Hoary Elm; Grey-Leaved Elm
<i>Viburnum tinus</i>	il-meruna; il-viburnu	Laurustinus
<i>Vitex agnus-castus</i>	l-ghadiba; il-virgi; il-bżar tal-patrijiet; l-ghadbiera; is-siġar tal-virgi	Chaste Tree; Virgin Bush

Annex IV – Trees concerned in the scheme

Name & Surname: _____

FIC: _____

Year: _____

<u>Type of Tree</u>	<u>Parcel No</u>	<u>Total number of trees present</u>

Applicant's Signature

Date

Front Office Official's Signature

Date

Annex V – Fertiliser Application Record (Template)⁶

Name & Surname: _____

FIC: _____

Purchase and Transport of Manure

Type of manure (eg: Sheep)	Date of Purchase	Date of when manure was tilled	Quantity (Kilos)	Name and surname, and address of where the manure was produced	Name and surname, and registration of the vehicle that transported the manure	Parcel Number

Monthly records: _____ of year _____ Page: _____

Purchase and Transport of Manure Note: The applicant's signature must be included at the end of the document.

Type of artificial fertilizer	Date of purchase	Date of when fertilizer was used	Quantity (Kilos/Litre s)	NPK Value			Parcel Number
				(N) Nitrogen	(P) Phosphorus:	(K) Potassium	
				(N) Nitrogen	(P) Phosphorus:	(K) Potassium	
				(N) Nitrogen	(P) Phosphorus::	(K) Potassium	
				(N) Nitrogen	(P) Phosphorus:	(K) Potassium	
				(N) Nitrogen	(P) Phosphorus::	(K) Potassium	
				(N) Nitrogen	(P) Phosphorus::	(K) Potassium	
				(N) Nitrogen	(P) Phosphorus::	(K) Potassium	

Applicant's Signature

Date

⁶ Most data can be obtained from the farmers FP

Control Unit Official's Signature

Date

Annex VI – Plan of movement of bee boxes⁷

Name & Surname: _____

FIC: _____

Plan for year _____

Original parcel No/ x/y coordinates	New Parcel/ x/y coordinates - Proposed movement	Movement - 1 st /2 nd half of month	Movement - month	Number of bee boxes to be moved	Tag Numbers of bee boxes to be moved

Last Movement from Previous Claim Year _____				
Last movement: coordinates	Parcel No/ x/y	Date moved	Number of bee boxes to be moved	Tag Numbers of boxes being moved

Applicant's Signature

Date

Front Office Official's Signature

Date

⁷ Prior to the moving of bee boxes beekeepers need to notify ARPA in case movements are not as notified with this form

Annex VII – Bee Box Records (Template)

Name & Surname: _____

FIC: _____

Year: _____⁸

Box Number	Box Location for support ⁹

Applicant's Signature

Date

Front Office Official's Signature

Date

⁹ Bee keeper is to clearly state which is the reference parcel (besides listing all parcel numbers linked to the AECC). This document is to be submitted once at the beginning of the commitment unless any changes take place where a new document needs to be submitted

Annex VIII: GAEC and SMR's

SMR / GAEC	Types of checks	Relevant Measure	DP
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		
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		
GAEC04 - Establishment of buffer strips along water courses	On-the-spot control		
GAEC05 - Tillage management, reducing the risk of soil degradation and erosion, including consideration of the slope gradient	On-the-spot control	AECC1, AECC2, AECC3, AECC4, AECC5, AECC7,	
GAEC06 - Minimum soil cover to avoid bare soil in periods that are most sensitive	Remote Sensing, On-the-spot control	AECC1, AECC2, AECC3, AECC4, AECC5, AECC7,	
GAEC07 - Crop rotation in arable land, except for crops growing under water	On-the-spot control	AECC7,	
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	AECC1, AECC2, AECC3, AECC4, AECC5,	
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		
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		
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	AECC1, AECC2, AECC3, AECC4, AECC5, AECC7,	

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	AECC1, AECC2, AECC3, AECC4, AECC5, AECC7,
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	
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	
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	AECC1, AECC2, AECC3, AECC4, AECC5, AECC7,
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	AECC1, AECC2, AECC3, AECC4, AECC5, AECC7,
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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