

2002
EDITION

Arable Area Payments Scheme

Explanatory Guide: Part I

This part sets out the rules of the Scheme other than for set-aside. Part II contains the set-aside rules. Both parts of this booklet should be retained as it is no longer produced annually. Amendments are issued as necessary.

If you are an arable farmer, it is important that you read this booklet. It tells you how to claim EC area payments on cereals, oilseeds, protein crops, linseed, flax and hemp for fibre and set-aside land.

DEFRA
Department for
**Environment,
Food & Rural Affairs**

The logo for the Rural Payments Agency (RPA) features a stylized grey wave above the lowercase letters 'rpa'. Below the letters, the full name 'rural payments agency' is written in a smaller, lowercase sans-serif font.
rpa
rural payments agency

The scheme literature has been produced with care and in good faith, but it does not represent a definitive interpretation of the law. In cases of doubt, it is the European Community (EC) and UK legislation that provide the definitive statement.

If you have any questions or do not understand anything in this Guide, you should contact your RPA Processing Site for assistance giving them the full facts about your case.

If you receive oral advice, and that advice is important to your decisions, or there is any doubt in your mind, you should write to your RPA Processing Site and ask for the advice to be confirmed in writing. For detailed guidance on your business decisions you should seek professional advice.

Late News

Please note that recent amendments to EC legislation have resulted in the following changes to the AAPS rules:

PART I

Paragraph 25 – The arrangements for the sampling of hemp have been simplified so that only a proportion of the crop need be left unharvested for sampling and testing for Tetrahydrocannabinol (THC) content. We will be writing to all those who submit area aid applications for hemp with further details.

Appendix 5, paragraph 4 – The requirement for farm saved ‘00’ oilseed rape, to be sampled and tested to establish glucosinolate content has been rescinded. Accordingly paragraph 4(b), (c), (e), (f), (g) and (h) should be deleted. We will shortly be writing to authorised seed samplers about this change.

Appendix 6, paragraph 4 – The following varieties of hemp have been added to the list of varieties eligible for area aid: Beniko, Delta-Ilosa, Delta 405 and Juso 14. The varieties: Bialobrzeskie, Fasamo, Fedora 19 and Santhica 27 are now eligible for area aid in 2002 only. Please note that the variety ‘Kompolti’ is no longer eligible for area aid.

IMPORTANT NOTICE

If you intend to grow cereals, oilseeds, linseed, fibre flax, hemp or protein crops you may be able to claim payments under the Arable Area Payments Scheme (AAPS). This Guide explains what you have to do to qualify for payment.

This Guide replaces the 2000 Edition of the Explanatory Guide and the 2001 Update. It is in two Parts. Part I provides details of the general scheme rules and the rules relating to area payments. This has been simplified so that much of the information is now included in Appendices which you need only consult if you have an interest in the subject. Part II contains all of the information about set-aside.

If you are claiming area payments in another yield region as well as in England, you should pay particular attention to Appendix 1. This Guide describes the rules in England only. If you are farming in one of the other countries of the UK, please contact the relevant Agriculture Department (see Appendix 9 for contact points).

Please note that the next full Explanatory Guide is planned to be for claims made in 2004. For 2003 we intend to issue only an update detailing changes to the rules in this Guide. You must therefore retain both parts of this Guide for future reference. Details of any further changes will also be posted on our website (<http://www.defra.gov.uk/farm/schemes>).

CHANGES FOR 2002 – PART I

DEFRA and RPA

- The Department for Environment, Food and Rural Affairs (DEFRA) replaced the Ministry of Agriculture, Fisheries and Food (MAFF) after the General Election on 7 June 2001. On 15 October 2001 the Intervention Board Executive Agency (IBEA) merged with the former Regional Service Centres (RSCs) of MAFF to form the Rural Payments Agency (RPA). The RPA is an Agency of DEFRA and will be responsible for processing all payments to farmers. Every farmer will deal with a specific RPA Processing Site and a list of addresses is given at Appendix 9. **Please ensure that you know which RPA Processing Site will be dealing with your AAPS claim.**

Bad Weather and Foot and Mouth Disease

- During 2001 a number of temporary changes were made to AAPS as a result of bad weather during the previous Autumn and Winter and the Foot and Mouth Disease (FMD) crisis. Please note that these changes no longer apply except in cases where farmers are still affected by FMD movement restrictions.

Payment Rates

- *Agenda 2000* introduced changes in the AAPS payment rates throughout the EC. The final stage of these changes will be made in 2002, although changes in the following years cannot be ruled out. Further details are given in paragraphs 37-38.

CHANGES FOR 2002 – PART II

Set-aside Rules

- Any land eligible for AAPS may now be entered into set-aside irrespective of its use in the preceding year (paragraph 1).
- When establishing a green cover by natural regeneration you may deep cultivate to remove compacted areas (paragraph 55).
- Legumes may now exceed 5% of a green cover seed mixture (paragraph 57).
- The rules relating to drainage and the prevention of trespass on set-aside land have been amended (paragraphs 86-87).
- In certain cases organic farmers may now grow fodder legume crops on set-aside land (paragraphs 104-106).

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CHECKLIST: KEY DATES

Year 1

After harvest Allow natural regeneration or sow a green cover on all land to be set aside in accordance with the rules in Part II.

1 October If crops are still in the ground on the fields you intend to set aside, you need not establish a green cover.

Year 2

December/January If you have made permanent changes to your land or intend to claim on land which has never been included on an IACS area aid application, apply now to your local RPA Processing Site for a new field number and/or to have the land registered as eligible.

15 January Start date for set-aside. You must not harvest any crops still remaining in the ground or graze the land.

31 January Last date for signing and lodging with the RPA, HQ your non-food contracts for winter crops sown between 1 July and 31 December.

9 February Final date for submission of IACS 9 forms in respect of non-food crops on set-aside. All deliveries of non-food crops from growers to collectors must have been made and the information passed to the RPA, HQ.

April to mid-July Avoid operations on set-aside land in this period as you could harm nesting birds and other wildlife. If action is essential, take steps to minimise the disturbance to wildlife.

On or after 15 April If you need to do so, you may apply non-selective, non-residual herbicides to your set-aside cover. However, if you do so you must not cut your set-aside until after 1 July.

15 May Deadline for lodging your IACS area aid application. Penalties will be applied to late applications. If you wish to enter new land into multiannual set-aside (including set-aside you intend planting with short rotation coppice) you must also complete form IACS 31.

Final date for signing and lodging with RPA, HQ your non-food contracts for spring crops sown between 1 January and 30 June.

You must have sown any crops on which you want to claim arable area payments by this date except for forage maize grown below 250 metres above sea level, sunflower seed and sweetcorn (see below).

31 May	You must have sown any forage maize grown below 250 metres above sea level and sunflower seed on which you want to claim arable area payments by this date.
15 June	You must have sown any sweetcorn or hemp on which you wish to claim aid by this date.
On or after 1 July	You may cultivate your set-aside land to control weeds.
Early July	The representative yield figures for non-food crops will be published.
On or after 15 July	You may prepare your set-aside land for, and sow cereals, oilseeds, linseed and protein crops and a limited range of horticultural crops, for harvest/use after the following 15 January, provided that you do not intend to keep that land in set-aside in the following year. You may also sow a temporary grass ley (or a traditional forage crop). You must not harvest the crops, or start grazing the land or cutting hay or silage before the following 15 January.
15 July – 15 August	Unless an exemption applies (see paragraphs 90-92 of Part II of this Guide) you must cut any green cover remaining on your set-aside land or destroy it by 31 August.
31 August	End of set-aside period. However, there are still controls on using any remaining green cover.
1 September – 14 January	You may graze your own animals on, or harvest hay or silage for your own use from set-aside land. You may allow other farmers' animals onto your set-aside land provided you receive no return in cash or kind.
End October	Announcement of any overshoot of the base area(s) or penalties on oilseed payments.
16 November – 31 January	Arable Area Payments Scheme (AAPS) payments made.
Year 3	
15 January	End of controls on set-aside land, e.g. you may sell any hay or silage harvested after this date, if the land is not remaining in set-aside.
31 March	Final date for payments to producers growing non-food crops on set-aside land.

A. SUMMARY OF THE SCHEME

1. Part I of this Guide describes the main rules of the Scheme.
2. The Arable Area Payments Scheme (AAPS) offers payments per hectare to growers of cereals, oilseed rape, sunflower seed, soya beans, peas for harvesting dry, field beans for harvesting dry, sweet lupins, linseed, fibre flax and hemp. Generally the payment rates are the same, but protein crops receive a higher rate, and a special supplement is available if durum wheat is grown to meet extra conditions.
3. In order to qualify for full payment, all producers claiming on more than 15.62 hectares (ha) of land must set aside a certain percentage of their claimed eligible land; (the 15.62 ha relates to England only – farmers with land in more than one yield region should see Appendix 1). This percentage is called the obligatory rate of set-aside which is 10% for 2002. In addition, all producers may claim for voluntary set-aside.
4. Part II of this Guide describes the different types of set-aside and the rules common to all set-aside. It explains which land can be set aside and the rules covering use of set-aside land including the growing of non-food crops. Failure to observe these requirements may result in the land not being counted as set-aside and may incur the loss of a large part of your crop and set-aside payments.
5. Section B of this part sets out the general rules for claiming on cropped land. It explains which land is eligible, which crops are eligible, what sowing dates and husbandry standards are required, and the minimum plot and application sizes. Section C explains how to apply for Arable Area Payments.
6. You cannot claim under two different area aid schemes for the same land in the same crop year. However, there are some aid schemes that you can claim in addition to AAPS provided that you meet the conditions of both schemes. For further details see Section D. If you have any doubts or queries about how this affects your claim you should speak to your RPA Processing Site.
7. Applications for payments under AAPS must be made every year under the Integrated Administration and Control System (IACS). This applies even if all your land is entered into guaranteed set-aside. All farmers being sent this AAPS Guide should also receive copies of the IACS booklet and relevant forms but it is your responsibility to obtain the forms and submit your application by the deadline. It is also your responsibility to check the accuracy of your claim. You should check your Field Data Printout carefully and write to your RPA Processing Site if anything is inaccurate. This should be done before your application is made particularly where it concerns the eligibility of your fields.

B. AREA PAYMENTS: GENERAL RULES

Eligible land

8. The EC rules for AAPS say that for normal purposes ‘applications for payments may not be made in respect of land that on 31 December 1991 was under permanent pasture, permanent crops or trees or was used for non-agricultural purposes’.
9. Broadly speaking this means that you can claim arable area payments only on land that was already in arable use at 31 December 1991, or at least that had been cultivated for something other than grass in one or more of the five years from 1 January 1987. However, there are a number of exceptions to the normal rules, and special rules for flax and hemp grown on ineligible land were introduced in 2001. These rules are explained in detail in Appendix 2.
10. The rules for 2002 are the same as for 2001, so there is no need for you to do anything more if the land you intend to claim on in 2002 has already been correctly registered by your RPA Processing Site as being eligible. However, you do need to check carefully if:
- you want to register land for the first time as being eligible;
 - you want land currently registered as ineligible to be re-registered as eligible;
 - you are thinking of making use for the first time of the special rules for flax and hemp;
 - you are planning to take on new land.
11. If you are taking on arable land, the previous occupier should be able to tell you whether it is registered as eligible. If it is, you do not have to register it again. However, you should satisfy yourself that the land really is eligible according to the EC rules before including it in your claim. **It could cost you a lot of money if later checks show that you have claimed payments on ineligible land, even by mistake. If you are unable to find out about the eligibility of land from the previous occupier, you should obtain his agreement to a check being made with the RPA Processing Site.**

12. In some circumstances the RPA can transfer eligibility from land which does meet the rules to land which does not. Further details are given in Appendix 3.

Compulsory purchase of land

13. If your land is likely to be the subject of compulsory purchase under legal powers, please refer to Appendix 4.

Exchanges of eligible for ineligible land

14. You may apply for other exchanges of eligible and ineligible land where you have relevant and objective reasons to do so. However, there are certain restrictions on land which may be exchanged in this way and in all cases the RPA must be satisfied that there is no valid reason against the exchange, especially environmental risks. Further guidance is given in the booklet AR28 (Explanatory Guide to Exchanges of Eligible and Ineligible Land) which is available from RPA Processing Sites.

Small producers

15. Small producers are those who claim on an area of land no greater than that required to produce 92 tonnes of cereals at the historical reference yields used for making AAPS payments. Small producers receive the same rates of payment as other claimants but they are not required to set aside any land.
16. The maximum area which can be claimed by a small producer with land only in England is 15.62 ha. If you are claiming on land that is in more than one yield region you should refer to Appendix 1.
17. You may include in your claim land which you have set aside on a voluntary basis. This voluntary set-aside must comply with the set-aside rules in Part II of this Guide. If we find that your voluntary set-aside does not comply we may have to apply penalties to that part of your claim. However, as long as your total claim does not exceed 15.62 ha there will not be any consequential effects on your claim for crops.

18. If you submit a claim with too much land to qualify as a small producer, with no land set aside, insufficient set-aside land to meet the obligatory requirement or none at all, the RPA Processing Site will scale back your claim. The claim will be scaled back either:

- by reducing the cropped areas claimed to what can be supported by the set-aside in the claim; or
- by reducing all areas to the maximum area that can be claimed by a small producer, whichever gives the greater amount of aid. In scaling back claims, the area of each crop claimed will be reduced in proportion to the areas originally claimed.

Eligible crops

19. The following crops sown for harvest are eligible for area payments provided you observe the rules of the Scheme:

Cereals

- any cereals including wheat and durum wheat, barley, oats, rye, triticale, sorghum, buckwheat, millet and canary seed
- sweetcorn
- maize

Oilseeds

- rapeseed
- sunflower seed
- soya beans

Proteins

- peas for harvesting dry
- field beans for harvesting dry
- sweet lupins

Flax

- linseed
- flax, grown for fibre

Hemp

- hemp, grown for fibre

20.

In general these crops are eligible for payment whether they are grown for grain, seed or fodder. There are special requirements for rapeseed (see appendix 5), flax and hemp for fibre (see appendix 6), sunflower seed (see appendix 8). Mixes of crops and the under sowing of crops are allowed in certain circumstances (see paragraphs 26-27). You cannot claim payments under AAPS on any land you are counting towards your forage area under the Suckler Cow, Beef Special Premium, Extensification Payments or Hill Farm Allowance schemes.

21.

A supplement may be paid on durum wheat grown in England. If you wish to apply for this supplement please see Appendix 7.

Sowing dates

22.

All crops must be sown by 15 May with the exception of the following:

- maize grown below 250 metres above sea level and sunflower seed must be sown by 31 May; and
- sweetcorn and hemp must be sown by 15 June.

23.

If, at the time you submit your area aid application, any crop has yet to be sown, you must indicate this on your application. If, owing to circumstances beyond your control, you are prevented from sowing by the relevant sowing date crops on which you have claimed area payments, you must notify your RPA Processing Site in writing immediately. Otherwise, you may be liable for penalties.

Sowing and maintenance of crops

24.

Under EC rules, all crops must be fully sown in line with local standards. This means the land must be prepared and seed sown in a manner and at a seed rate that could be expected to produce a normal marketable crop. The crops (except proteins and hemp where special arrangements apply) must be maintained in accordance with normal agricultural practice until at least the beginning of flowering and until at least the relevant date for the crop as set out below, unless harvesting at full agricultural maturity takes place earlier. This means that the crop must be maintained until flowering even if this is after the maintenance date.

25.

The relevant date for each crop is:

- Cereals no date laid down, therefore date of first flowering applies
- Oilseeds 30 June, or flowering if later
- Protein crops 30 June, or flowering if later. Crops may not be harvested until they reach the stage of lactic ripeness. In the UK it is acceptable for proteins to be harvested at a maximum moisture content of 30% in order to meet this requirement
- Linseed 30 June, or flowering if later
- Flax 30 June, or flowering if later
- Durum Wheat 30 June
- Hemp Crops must be maintained until at least ten days after the end of flowering unless the crop has been sampled or the producer has been notified that the crop is not to be sampled. Producers must therefore await notification before the crop may be harvested.

26.

You may sow a mixture of eligible crops as follows: cereals and proteins; cereals and oilseeds; and proteins and oilseeds if the two crops in the mix are sown at the same time and will be harvested together. Where there are different payment rates, the lowest will apply and the maintenance date applicable to that crop will apply to the mix. Where there is no difference in the payment rates the latest maintenance date will apply.

27.

If you want to undersow an eligible crop such as linseed with grass, you must bear in mind that the eligible crop must be fully sown and maintained in accordance with normal agronomic practice and in such a way that can be expected to produce a normal marketable crop. Grass is not eligible for aid, so if it dominates the mix to such an extent that the eligible crop could not be harvested in a fully mature state and marketed alone up to 30 June, then payment will not be made. After 30 June, as long as the eligible crop has flowered, there are no restrictions.

28.

Crops that fail before the relevant latest date for maintenance or flowering which ever is the later, are not normally eligible for payment. You should notify your RPA Processing Site to request the withdrawal of the areas concerned from the claim as soon as you know that the crops have failed and that the area cannot be resown before the relevant latest sowing date. If you do not notify a failed crop before notification of a field inspection, penalties may be applied.

29. You should keep seed invoices, contractor's bills and any other evidence that you have sown and maintained your crops in accordance with normal practice.

Minimum plot and application sizes

30. The minimum area on which you can apply for payments under AAPS is 0.3 ha. We will not make payments of less than 50 euros.
31. An application may consist of more than one individual plot. The minimum crop plot size is 0.1 ha – or 0.01 ha in the case of seed production or research. There is a different minimum plot size for set-aside – see paragraphs 31-33 in Part II of this Guide.

Production (yield) regions

32. Payment rates (paragraphs 37-38) are fixed on a regional basis using historic average yields which have been adjusted to take account of structural differences between regions. For the purposes of AAPS, England is designated as a single region. For details of the arrangements in other parts of the UK you should contact the relevant Agriculture Department (Appendix 9).

Base areas (production ceilings)

33. There is no limit or quota on the area of land on which you can claim area payments, provided that the land is eligible, is growing eligible crops, and complies with the other rules of the Scheme. There are, however, national limits which can affect the payments you receive:
- Regional base areas which place a limit on the total area on which payments can be made in any one region. England has one regional base area for maize and another for all other eligible crops. You should contact the relevant Agriculture Department (Appendix 9) or your RPA Processing Site for arrangements in other parts of the UK.
 - A maximum guaranteed area (MGA) for payment of durum wheat supplement.

Regional base areas

34. The total area on which claims are paid in any one regional base area cannot exceed the average area sown to eligible crops and set-aside in 1989-91. If total claims exceed this historic level of production, all claims will be reduced proportionately and you will be paid on fewer hectares than you have claimed for. Please note that if you incur penalties, for example by over-claiming, these will be applied before the base area reductions.

Maize base area

35. A separate base area exists for maize. If there is an overshoot of the base area, reductions will only apply if both the maize base area and the total of the base areas for maize and other crops have been exceeded. In other words, any overshoot in the maize base area will be offset, wholly or partly, against any undershoot in the base area for other crops. If the 'other crops' base area is also exceeded, the reduction for the maize base area will apply in full.

Announcement of base area reductions

36. Any reductions affecting area payments will be announced as soon as possible. This will normally be at the beginning of November, although an estimate may be available on the DEFRA website at the end of September.

Payment rates

37. The payment rates are set by the EC in euros (€) per tonne and converted to a rate per hectare by applying the historic average cereal yields in the region. They are converted into sterling on 1 July using an average of the exchange rate prevailing in June each year. It is possible that payment rates may change in the future.

38. The rates for England are set out below for 2001 (ie the claims due to be paid November 2001 – January 2002) in both euros and sterling. For 2002 the rates are listed in euros only as the exchange rate will not be known until 1 July 2002. Payment rates elsewhere in the United Kingdom can be obtained from the relevant Agriculture Department (see Appendix 9). You should note that:

AREA PAYMENTS: GENERAL RULES

- a) if the base area(s) are exceeded, the area on which you are paid may be less than the area for which you claim (paragraphs 33-36);
- b) payments on mixtures of permitted eligible crops will be made at the lowest rate, provided that they have been sown in accordance with locally recognised standards in such a way that can be expected to produce a normal marketable crop.

2001 PAYMENT RATE PER HECTARE (ENGLAND)

Crop	euro (€)	£
Cereals (including sweetcorn and maize)	371.07	225.64
Oilseeds (rapeseed, sunflower seed and soya)	434.65	264.30
Proteins (i.e. peas, beans and lupins)	427.03	259.67
Linseed, flax, and hemp	445.46	270.88
Set-aside/voluntary set-aside	371.07	225.64
Supplement for durum wheat	138.90	84.46

2002 (AND AFTER) PAYMENT RATE PER HECTARE (ENGLAND)

Crop	2002 (and later years) euro (€)
Cereals (including sweetcorn and maize), oilseeds (rapeseed, sunflower seed and soya), linseed, flax and hemp	371.07
Proteins (i.e. peas, beans and lupins)	427.03
Set-aside	371.07
Supplement for durum wheat	138.90

Agri-monetary Compensation

39.

With the introduction of the euro (€) in 1999, provision was made for compensation to be given where arable area payments, converted at the exchange rate for the current year, were lower than in the previous year. This provision expired in 2001. No compensation will be available if the exchange rate in 2002 is less favourable than that for 2001.

Payment dates

40. Payments for eligible crops and set-aside will normally be made between 16 November and 31 January following the harvest. For land growing non-food crops the final payment date is 31 March.

Modulation

41. Modulation is the recycling of a small proportion of direct payments made to farmers under IACS direct aid schemes into rural development measures. It was introduced at a flat rate of 2.5% for the 2001 Scheme year, rising gradually to 4.5% in 2005 and 2006. The rate for 2002 is 3%. In other words, 3% of your area payments in respect of your claim for 2002, after the deduction of any base area reduction or other penalty, will be recycled to help fund the England Rural Development Programme's (ERDP) agri-environmental schemes. Every pound recycled in this way will be matched by a further pound from the Government and the total (about £600 million in respect of all relevant CAP schemes over seven years) returned through the ERDP to the rural economy. Further information on the benefits of the ERDP is available from your nearest Rural Development Service office, your RPA Processing Site or the DEFRA website at www.defra.gov.uk/erdp.

Details of how much you have contributed to rural development through the application of modulation may be calculated from details shown on the normal payment letter advising you of your area payment which you will receive from your RPA Processing Site.

C. APPLICATIONS UNDER THE ARABLE AREA PAYMENTS SCHEME (AAPS)

Application procedures

42. Applications for area payments under AAPS must be made under the Integrated Administration and Control System (IACS). The deadline for submission of claims is 15 May. It is your responsibility to obtain the IACS booklet and application forms (the Field Data Printout and the Base Form) and to return your application on time.
43. For the purpose of the EC rules, all of the land you farm in the UK is regarded as a single holding for IACS purposes. Farms in different parts of the UK which are managed as one business must be covered by a single area aid application. One application must include all farms managed by the same farmer; a farmer for this purpose may consist of an individual, a company, or a group of several individuals or companies. Where separate applications are submitted for separate businesses, the ratio of the area of eligible arable crops to set-aside must be balanced within each separate business. Further details can be found in the IACS booklet.
44. When recording your crops or set-aside, the area indicated by an Ordnance Survey (OS) or professionally produced map will generally be acceptable, provided that the field is fully planted or utilised according to normal agricultural practice and there has been no change in its boundary.
45. As a general rule, a field for which the total OS area is claimed under AAPS will be regarded as fully utilised as long as the width of any uncropped area around the field margin does not exceed 2 metres – where the width is measured from the centre of the recognised OS boundary (for instance, the fence, or the midpoint of a hedge or ditch) to the edge of the cropped area.
46. However, whole OS field area claims may still be made if the field margins, including hedges, ditches, walls and uncropped strips, exceed 2 metres in width, provided that such features:
- are characteristic of the landscape; or
 - form part of good agricultural cropping and utilisation practice.

47. If the width of the uncropped margin around a claimed field does not meet the above criteria, the actual cropped area or set-aside area of the field (i.e. the OS measured area minus the total uncropped area around the field margin), must be used instead.
48. We do take into account the known accuracy levels of the measuring equipment used during the Field Inspections. This means that minor discrepancies found between your claimed hectareage and the hectareage found at field inspection may not result in deductions to your claim. You must of course make and continue to make appropriate adjustments in respect of ineligible features (e.g. footpaths, ponds, pylons) and uncropped areas as when found at inspection these will be deducted and penalised as appropriate.
49. It is important to ensure the information you provide is accurate and complete. Apart from the withdrawal of claimed areas, area aid applications cannot be amended after 15 May except in very limited circumstances. Details are set out in the IACS Booklet. You are strongly advised to keep a copy of your area aid application and all supporting documentation (including any maps and sketch maps).
50. You may be visited to verify the on-farm position and if so the inspector will require access to all relevant documents. Failure to permit an inspection could result in the loss of all your aid and you may also be prosecuted. Checks may include the use of satellite imagery or aerial photography. For this purpose we may need to pass some of the information you provide to an external contractor. Any information we provide will be treated in strictest confidence by the contractor.

Mapping and field data requirements

51. You must apply to your local RPA Processing Site for new field numbers when:
- a) the boundary of a field changes on a permanent basis through amalgamation or division of fields; or
 - b) the boundary of a field changes on a permanent basis for another reason; or
 - c) you are intending to include land on an area aid application for the very first time and it has not been included on an area aid application by a previous occupier.

52. In this context, permanent changes could involve creation or removal of a permanent feature such as a hedge, fence or ditch or any other change which you expect to last for a considerable period (five years may be taken as a guideline). The IACS 23 booklet contains information on field numbering and mapping. Area measurement are covered in detail in IACS Booklets (IACS 1 and 1F). Ensure that you obtain any new maps and/or field data in good time. You will need to submit a sketch map showing any temporary divisions of fields e.g. because you are growing two crops in one field or have set aside only part of a field. Field measurements should also be provided.

Penalties

53. If you overstate an area in your claim, claim on areas you are not entitled to, include land not eligible for AAPS, or do not comply with the EC rules of AAPS (e.g. by having agricultural production on set-aside land, or infringing non-food rules) penalties will apply. These penalties are set out in the IACS booklets (IACS 1 and 1F).
54. Applicants submitting false information or any other criminal offence may be subject to criminal prosecution.

D. RELATIONSHIP WITH OTHER SCHEMES

Former additional voluntary set-aside land (previously Five Year Set-aside Scheme)

55.

The special arrangements allowing former Five-Year Set-aside Scheme land to continue in set-aside at up to 100% of the claimed land will continue. Set-aside land claimed under this Scheme must be entered on an IACS area aid application by 15 May each year in the normal way even if you are not claiming any other land under AAPS or any other IACS Schemes. Failure to submit an IACS application in one year will mean you will not be paid for that year. Once land is withdrawn, it cannot be re-entered into additional voluntary set-aside. The exemption allowing additional voluntary set-aside only applies to those who held the five year set-aside land in additional voluntary set-aside. There may be an exception if the original occupier has died and the new occupier has inherited the land. In such cases, the farmer inheriting the land should consult his RPA Processing Site.

Suckler Cow, Beef Special Premium, Extensification Payments and Hill Farm Allowance Schemes

56.

You cannot claim crop or set-aside payments on land which you are counting towards your forage area for these Schemes.

Environmentally Sensitive Areas

57.

You can claim area payments on arable land which forms part of the area covered by an Environmentally Sensitive Area (ESA) agreement, if

- it is AAPS eligible land;
- you are using it to grow eligible arable crops; and
- you are able to meet all the other conditions of both the ESA agreement and of AAPS.

You can also set aside such land provided it meets the additional set-aside eligibility conditions, although you will not receive AAPS payments for the land.

58. You cannot count towards your set-aside area any land under an ESA agreement which has reverted from arable to grassland.

Countryside Stewardship Scheme

59. Land receiving Countryside Stewardship Scheme payments is not eligible for AAPS payments, with the exception of arable options: OS1, OS2, CH1 and CH2, where appropriate AAPS payments may be available. Contact your RPA Processing Site if you are unsure about the eligibility of your land. Land in the arable reversion options (including uncropped arable and grass margins) and some arable options (OS3, WM1 and WM2), will not count towards your set-aside requirements. However, you can have Countryside Stewardship field margins in the fields for which you are claiming crop payments under AAPS but you will have to deduct the area of these margins from any AAPS claim. If you decide to leave a further narrow bare fallow strip between the field margin and the cropped area to prevent weed or insect pest encroachment from the margin into the crop, this narrow strip may be included in your AAPS application. The width of the fallow strip should be checked with your local RPA Processing Site in advance.

Arable Stewardship Pilot Scheme

60. The Arable Stewardship Pilot Scheme is now closed to new applicants. It is currently running in two pilot areas in East Anglia and the West Midlands. The five main land management options cover: overwintered stubbles; undersown spring cereals; crop margins and conservation headlands; field margins; and wildlife seed mixtures. Payments for some options are made in addition to those made for set-aside under AAPS provided that the rules of both schemes are met. For further information contact the RDS project officer at Cambridge or Crewe.

Nitrate Sensitive Areas

- 61.** The Nitrate Sensitive Areas Scheme is now closed to new entrants and the following information refers to land in existing NSA agreements. You can claim area payments under AAPS on land entered into the NSA Basic Scheme if you are using it to grow eligible arable crops and you are able to meet all the other conditions of both your NSA undertaking and this Scheme. You can also enter such land into set-aside, provided it meets the eligibility conditions and is rotational set-aside. Your NSA payments will be affected if you enter the same land into set-aside more than once during the five years of your NSA undertaking. You should consult your NSA project officer if in doubt.
- 62.** Land that is eligible for AAPS and which is taken out of production under the NSA Premium Arable Scheme Set-aside option may count towards your set-aside requirement as unpaid set-aside, under the agri-environmental link. However, land taken out of production under the other NSA arable reversion options cannot be set aside under the AAPS. Again, you should consult your NSA project officer if in doubt. AAPS eligible land leaving any option of the NSA (or other EC agri-environmental scheme) and going into AAPS, may, be entered into set-aside in the first year of entry or re-entry into AAPS.

Farm Woodland Premium Scheme (FWPS), Woodland Grant Scheme (WGS) and Energy Crops Scheme (ECS)

- 63.** If an application to enter land into the FWPS and/or the WGS was made on or after 1 July 1995, and if the land entered into the woodland scheme was eligible for AAPS, this land may be counted towards your AAPS set-aside requirement. Such land must meet the normal rules and conditions of the woodland scheme(s). You will receive the normal rates of establishment grants under the WGS and annual payments under the FWPS, but you will not receive the AAPS set-aside payment. If land in a FWPS undertaking is counted towards your set-aside requirement, your FWPS payment will be capped at the level of the set-aside payment.
- 64.** Short Rotation Coppice (SRC) and the energy crop miscanthus are supported by establishment grants under the ECS. Payment of establishment grants for SRC and miscanthus will not affect the eligibility for the set-aside payment. For further information contact DEFRA's Agri-industrial Materials Section (see Appendix 9).

Organic Farming Scheme

65. Provided that the terms and conditions of both the Organic Farming Scheme (OFS) and AAPS can be fulfilled, land entered into the OFS can also benefit from aid under AAPS. Land may also be entered into the OFS if it is in set-aside provided it is being, or is to be, included in the organic rotation and managed in an organic manner.
66. Such land must be farmed and cropped at least once during the five year period that the land is within the OFS. However it may remain in set-aside for the entire period provided that:
- the entire holding is being farmed in accordance with organic standards; and
 - only fodder legume crops are grown on the set-aside land.

Seed Production Aid

67. Seed production aid and payments under AAPS can continue to be claimed for the same crop of flax (i.e. linseed or fibre flax) or of spelt wheat as long as all of the conditions of both Schemes are met. However growers intending to claim Seed Production Aid on certified seed marketed in accordance with the regulations for further sowing are advised to contact RPA, HQ before entering into any contracts.

E. LAND TRANSFERS

- 68.** If you are expecting to be party to a land transfer you will need to consider questions such as who is eligible to receive any AAPS payments for that land. Further details are given in Appendix 3.
- 69.** New occupants should ensure they know which land is eligible for AAPS. They may also need to obtain copies of relevant IACS documentation (including maps, field numbers and areas) from the previous occupier.
- 70.** There may also be implications in any land transfer for producers who intend to claim or who are already claiming under the Suckler Cow, Beef Special Premium, Extensification Payments or the Hill Farm Allowance scheme. Further information is available from your RPA Processing Site.

F. RECORDS

71.

You must keep for five years all invoices, seed labels, sales and delivery notes relating to seed sown; delivery notes relating to non-food crops grown on set-aside land; and documentation needed to prove that any oilseed rape and durum wheat (on which supplemental payments are claimed) sown conforms to the requirements set out in Appendices 5 and 7 respectively.

72.

You should keep any other appropriate cropping and set-aside records and any evidence (e.g. sales notes or contractor's invoices) that you have sown and maintained any crops on which you are claiming area payments in accordance with local standards and by the required sowing dates. You are also strongly advised to keep copies of your IACS area aid applications, maps and all supporting documentation.

73.

If you have exchanged ineligible for eligible land you must retain all documents related to the application (including, if you are a tenant, your landlord's written permission to exchange) for five years from the date of the exchange.

G. TAX

74.

The eligible crop and set-aside payments you receive under AAPS are liable to income tax and details of payments may be reported to the Inland Revenue so that they can check that they have been correctly returned. The year to which the payments should be attributed as income for tax purposes is primarily a matter of correct accounting practice. Your financial adviser or your Local Tax Office can advise you on this aspect.

APPENDIX 1. FARMERS WITH LAND IN MORE THAN ONE YIELD REGION

1. The UK is divided into several yield regions. The whole of England is one yield region. Northern Ireland, Scotland and Wales are each divided into two yield regions (a Less Favoured Area and a non-Less Favoured Area). If you have land in more than one yield region you could be affected in two ways. Firstly, if you wish to apply for payments under AAPS without having to set land aside you may need to calculate the maximum area on which you can claim. Secondly, if you are claiming on more than this area so that set-aside is required, you can, in certain circumstances, count land set aside in one region against crops in another region as long as a suitable adjustment is made in respect of yields.
2. The set-aside rate for 2002 is 10%. The following calculations therefore assume set-aside rates of 10% for obligatory set-aside. Rates for future years may be different and, if so, the example calculations that follow must be amended accordingly.

Small producers claiming on an area with no set-aside obligation

3. There are maximum areas which small producers can claim under AAPS without having to set land aside. These are:

	Hectares
England	15.62
Wales LFA	18.22
Wales non-LFA	17.79
Scotland LFA	17.66
Scotland non-LFA	16.23
Northern Ireland LFA	18.29
Northern Ireland non-LFA	17.62

4. If you are farming in more than one region and your total area of eligible arable crops (in all regions) is above the limit for any one of the regions you are farming in, you will need to calculate the notional production on the area you propose to claim (using the average regional yields). This is to determine whether you would breach the production limit for the provision for small producers. Paragraphs 5 – 15 below explain how to do this.

5. You can claim on an area up to the area of land needed to produce 92 tonnes of cereals, using the relevant average regional yields. The average regional yields are:

	Tonnes/hectare
England	5.89
Wales LFA	5.05
Wales non-LFA	5.17
Scotland LFA	5.21
Scotland non-LFA	5.67
Northern Ireland LFA	5.03
Northern Ireland non-LFA	5.22

6. To check your claim is within the maximum area to qualify as a small producer, multiply the area claimed in each region by the relevant regional yield. The total should be less than or equal to 92. For example:

If your claim is for 10 hectares of cereals in England and 6 hectares of cereals in the Scottish LFA, you must multiply the area claimed for by the regional yields:

England	$10 \times 5.89 = 58.90$
Scottish LFA	$6 \times 5.21 = 31.26$
TOTAL	90.16 tonnes

This is below the 92 tonne threshold, so your claim would qualify as a small producer's claim.

7. Reducing your claim: if your claim would come to more than the equivalent of 92 tonnes you must reduce the area on which you will claim or you will be obliged to set aside 10% of your claim to receive payment on the area claimed. For example:

If you have 9 hectares of cereals in the Scottish LFA and 10 hectares of cereals in England, your total production using the regional yields would be the area in each region multiplied by its regional yield:

$$(10 \times 5.89) + (9 \times 5.21) = 105.79 \text{ tonnes.}$$

This is 13.79 tonnes (i.e. $105.79 - 92$) above the limit for the exemption from the need to have set-aside. Therefore to be eligible for the exemption, you must omit from your claim an area equivalent to 13.79 tonnes of production.

If you choose to omit land in the Scottish LFA from your claim, this would amount to 13.79 divided by the regional yield:

i.e. $13.79 \div 5.21 = 2.65$ hectares.

Alternatively, in England this would amount to 13.79 divided by the English regional yield:

i.e. $13.79 \div 5.89 = 2.34$ hectares.

Thus you could make your claim as a small producer on either:

- 10 hectares in England plus 6.35 hectares ($9 - 2.65$) in the Scottish LFA; or
- 9 hectares in the Scottish LFA plus 7.66 hectares ($10 - 2.34$) in England.

Other combinations of land in England and the Scottish LFA that met the 92 tonne ceiling would also be possible but, however your claim is constructed, your total payment will be the same.

8.

If you are uncertain how much land you can claim on, before submitting your claim please seek professional advice or consult your RPA Processing Site. If you do not have sufficient set-aside to support your claim, RPA Processing Sites will scale back your claim to an area supported by the claimed set-aside or to the maximum area that can be claimed by a small producer, whichever is the greater.

Calculation of the set-aside obligation

9.

If you are claiming payments under AAPS on land in two or more yield regions and are not a small producer, you should normally meet your set-aside commitment in each yield region. However, as an exception if you have land in adjoining yield regions with different regional yields, you may meet your set-aside obligation entirely or partly in either yield region. The set-aside area must be adjusted to take account of the differences in yield between the regions. To support a cropped area in England with set-aside in another yield region, the set-aside area concerned must be multiplied by the factors in the table below.

Wales LFA	1.17
Wales non-LFA	1.14
Scotland LFA	1.13
Scotland non-LFA	1.04

- 10.** When calculating your set-aside obligation in another yield region, you must treat the set-aside as shown in the example at paragraph 13 below. In this example, the area of land set aside in Scotland to account for the cropped land situated in England, is treated as cropped land for the purpose of calculating the Scottish set-aside requirement.
- 11.** If you wish to remove your set-aside obligation from Scotland or Wales to England, the minimum requirement will be the obligatory set-aside rate. The higher yields in England cannot be used to reduce the set-aside requirement.
- 12.** For example, if you farm and claim for 100 hectares in both England and the Scottish LFA, your claim would normally be for 100 hectares (90 cropped land and 10 set-aside) in England, and 100 hectares (90 cropped land and 10 set-aside) in Scotland LFA.
- 13.** Should you decide to site all your set-aside in Scotland LFA, you would claim as follows:
- (a) Your claim in England would be for 100 hectares of cropped land.
 - (b) Your claim in Scotland would be for 78.7 hectares of cropped land and 21.3 hectares of set-aside (21.3 consists of 10 hectares ‘Scottish set-aside’ plus the weighted set-aside from England i.e. $10 \times 1.13 = 11.3$).
- 14.** You will be paid at the rate appropriate to the region in which your set-aside land is actually situated.
- 15.** If you have any doubts on the application of any of these rules, please seek professional advice or consult your RPA Processing Site.

APPENDIX 2. ELIGIBILITY OF LAND

Introduction

1. Under EC rules, land has to meet certain eligibility criteria in order to qualify for payments under the Arable Area Payments Scheme. The eligibility criteria are explained below, together with guidance on how to 'register' land with your RPA Processing Site.
2. Your RPA Processing Site keeps a record of the land that it has accepted as being either eligible or ineligible, so that the question of eligibility does not have to be considered every time a farmer makes a claim. However, registration does not create eligibility and is not proof of it. If later checks show that land registered as eligible does not in fact meet the EC's criteria, the registration will be revoked and any crop or set-aside payments made on it in the current and previous years may be recovered.

Normal land eligibility rules

3. The normal EC rules for AAPS say that applications for payments may not be made in respect of land that on 31 December 1991 was under permanent pasture, permanent crops or trees or was used for non-agricultural purposes.

Permanent pasture includes all moorland, rough grazing, pasture and any areas which had been in grass for five years or more at 31 December 1991. Land that was in temporary grass at 31 December 1991 is eligible for area payments if it is subsequently sown to eligible crops. To qualify as 'temporary grass' the land must have been cropped sometime between 1 January 1987 and 31 December 1991 and later sown with grass. Reseeding an existing grass area does not make it qualify, nor does grazing the area, or cutting it for hay or silage.

Permanent crops or trees means any crops which, on 31 December 1991, have occupied the land for a period of five years or more and yielded crops over several years. This would normally include nurseries, trees and bushes for the production of fruit and berries (but see below for 'multi-annual crops'), vines, hops, and crops grown under glass or in polytunnels. It does not include strawberries. Trees also includes all commercial and amenity woodland and rotational coppice.

Non-agricultural purposes includes all land used for purposes other than for agriculture as defined in Section 336(1) of the Town and Country Planning Act 1990, unless it was a condition of the planning consent that the land be returned to agricultural use and the land was previously in agricultural use other than permanent grass, permanent crops or trees.

4. Although land is not eligible if it was growing ‘permanent crops’, the following are classed as ‘multi-annual crops’, and land is eligible if it was growing them on 31 December 1991: artichokes, asparagus, rhubarb, raspberries, blackberries, mulberries, loganberries, blackcurrants, whitecurrants, redcurrants, gooseberries, cranberries, bilberries and other fruits of the genus *vaccinium*.

5. Land is also eligible if:

- (a) It was in the Five Year Set-Aside Scheme in 1991/92, including land in the woodland and non-agricultural use options, provided that it meets the other conditions of the Arable Area Payments Scheme, including the conditions about the use that can be made of set-aside land.
- (b) It was in the temporary One Year Set-Aside Scheme in 1991/92.
- (c) Payments were legitimately claimed on it in 1992 under the transitional oilseeds scheme.

6. As an exception to these rules, land which falls within the definition of ‘permanent pasture’ or ‘permanent crops’ may be eligible if you can show it was being used in these ways as a part of a normal arable rotation. Please consult your RPA Processing Site if you consider your land falls into this category.

Special rules for flax and hemp

7. You may claim aid in the normal way for fibre flax and hemp grown on eligible land which meets the normal land eligibility rules described above.

8. You may also include in your claim a claim for aid for fibre flax and hemp (but not for any other crops) grown on ineligible land in respect of which those crops were grown on that land and received payment under the fibre flax and hemp subsidy schemes in 1998, 1999 or 2000. If you make such a claim you must also meet any corresponding obligatory set-aside requirement from other ineligible land in respect of which aid for fibre flax and hemp aid was claimed under the fibre flax and hemp subsidy schemes in 1998, 1999 and 2000. Voluntary set-aside is not allowed on this land.

Registering land as eligible for AAPS payments

9. If you wish to register land, other than that covered by paragraph 8 above, you must apply to your RPA Processing Site by completing an IACS 24 form. If you are applying to register land which has not previously been included on an Area Aid Application, you must apply for field numbers for the land using form IACS 22 (Application for Field Numbers) at the same time.
10. For each field to be registered as eligible under the normal rules you will need to know the use at 31 December 1991 and to enter it on the IACS 24 form. In general you will not need to supply any further evidence for your declaration. However, you will need to produce supporting evidence if you wish to claim eligibility:
 - (a) under the exception at paragraph 4 above;
 - (b) for land which has previously been registered as ineligible.
11. Suitable evidence for the purpose of 10 (a) or (b) could come from documents such as contemporaneous cropping records or detailed seed invoices, provided that they refer specifically to the field(s) for which you are claiming eligibility. Aerial photography could be useful to you and there is an extensive archive of aerial photography available covering much of the country. Contact your RPA Processing Site for a list of suppliers in your area.
12. Your RPA Processing Site will confirm that it has received your application for registration by using the tear off slip on the IACS 24 form. You are strongly recommended to keep a copy of the IACS 24 form since it cannot be returned to you. The RPA will deal with your application as soon as it can, but it is likely to take up to 28 days to give you a decision in normal circumstances. It could take longer if difficulties are found. You should make your application by 1 January to be sure of having a decision on registration in time for the next IACS application deadline.

13.

You may claim AAPS payments on land which you believe to be eligible but which has not been registered as such by the RPA Processing Site. However, you will be taking a risk if you do so, particularly if you use the land as set-aside. The reason why it is particularly risky to claim land as set-aside when you are not sure about its eligibility is that, if the land is proved ineligible, payments on all of your cropped area as well as your set-aside will be affected. **If the RPA cannot agree that all of the land included in your claim meets the eligibility criteria, the EC rules may require it not only to deduct the ineligible area from your claim, but to apply penalties and pro rata reductions of the cropped area if there is not enough set-aside to support those areas. These could cost you a lot of money.** If after registration you find that you have made a mistake, you must tell the RPA Processing Site immediately, so that the details can be corrected before the stage at which penalties have to be applied.

APPENDIX 3. LAND TRANSFERS

Introduction

1. This appendix is about claiming area and set-aside payments on land following a change of occupier other than by Compulsory Purchase Order. The arrangements for land which has been compulsorily purchased are contained in Appendix 4.
2. This appendix applies to claims made in England. If you take on land that is in another yield region and wish to claim on that land as part of your English claim then the information here will apply. However, if you are thinking of making a claim in Scotland, Wales, or Northern Ireland, you should obtain further information from the Agriculture Department concerned. Details of their addresses and telephone numbers are in Appendix 9.

Transfers between 16 May and 31 August

3. Where a change of occupier takes place after 15 May (the closing date for lodgement of area aid applications) and up to 31 August of the same year, the current year's claim is normally made by the old occupier and the following year's claim by the new one. However when a *single* new occupier takes over the entirety of the old occupier's holding, the new occupier may ask to receive the payment. Please contact your RPA Processing Site for further details.

Transfers between 1 September and 15 May

4. The EC rules expect that normally the person who sows the seed will apply for the area payment, but this is not a strict requirement. Where the change of occupier takes place after 31 August, but on or before the following 15 May, the parties to the transfer may agree between themselves who will claim the area and set-aside payments.

General considerations

5. No one can claim payments on land which they have not themselves occupied. For example, if a holding is sold as two lots after 31 August, the outgoing occupier could claim on any part of the holding in the next area aid application, but the two incoming occupiers could only claim on the parts which they actually occupied. Neither of the incoming occupiers could claim on the part they did not occupy, even by agreement.

6. IACS area aid applications must include all of the land which the claimant is farming at the time of making the application. If you are the incomer, and you have agreed that the outgoing occupier should claim the area payments on some or all of your new land, then you should record that land on your application as ‘other land’. You must not claim area payments on it yourself.

7. If set-aside is required under the AAPS rules, each separate claim following a land transfer must have the correct proportion of set-aside to arable crops. One claim cannot be offset against another in order to get the proportions right. As noted above, outgoing occupiers can claim in the next area aid application on some of the fields they used to occupy, and incoming occupiers can claim on others. This may be helpful in achieving the correct proportion of set-aside to arable land on each claim. Note however that it is the person who claims the area payment who is responsible for ensuring that all of the AAPS rules are observed. For example, if you claim on land you no longer occupy, it is still your responsibility to ensure that any crops and set-aside are maintained in accordance with the rules, and that RPA inspectors have access to the land. If the new occupier does not co-operate it is your claim that may be penalised.

Special cases

GUARANTEED OR MULTIANNUAL SET-ASIDE

8. If some or all of the land to be transferred is in guaranteed or multi-annual set-aside, the new occupier may take on the guarantee agreement, subject to any limit there may be on the total area of set-aside permitted on the new occupier’s holding. If the new occupier does not take over the agreement, the penalties for early withdrawal will be applied to the occupier who entered into the agreement.

FARM-MADE RAPESEED

9. The new occupier can only claim aid on farm-made rapeseed if the seed had already been sown when the change in occupancy of the land took place. Where there has been a change of ownership, name, or holding number, claimants using farm-made seed may be required to provide such information as the RPA Processing Centre may need to satisfy itself that the conditions have been met.

NON-FOOD CROPS ON SET-ASIDE

10. Where set-aside land which is being used to grow annual crops for non-food use is transferred during the set-aside period, the incoming occupier can claim the set-aside payment provided they take over the contract with the collector or first processor immediately after the change of occupancy. The procedures for amending contracts are explained in Part II of the Guide. Alternatively the incoming occupier can undertake to harvest and deliver the crop as the agent of the outgoing occupier. The outgoing occupier can then claim the set-aside payment.
11. If the parties to the contract cannot agree to either of these arrangements, the non-food crop must be destroyed and the land returned to fallow, or it will not qualify as set-aside. The RPA Processing Site must be given at least 10 working days advance notice of this and may want to supervise the destruction operation.

TENANCIES WITHDRAWN AFTER TWO MONTHS

12. Where a tenancy agreement contains a clause allowing the land owner to take the land back in hand within two months of the start of the agreement, the above rules still apply, in particular paragraphs 3 and 4. It should also be noted that the land will not be available as set-aside for either the tenant or the land owner unless it is correctly claimed as set-aside and it is treated in accordance with the AAPS rules throughout the set-aside period.

Disputed applications

13. You are strongly advised to put in writing any agreement as to who will claim area and set-aside payments and on what terms. Documentary evidence of sowing may also be important.
14. Only one area or set-aside payment can be made on any one plot of land. If the RPA Processing Site receive two claims for the same parcel of land it will ask each applicant to show:
- (a) whether they occupied the land for the part of the period to which the application relates;
 - (b) that they have a valid agreement that they should claim the payment.

15. If one applicant can produce such an agreement or if it is clear that only one of the applicants occupied the land during the relevant period, we will pay that applicant.
16. If the issue cannot be resolved on this basis, then area payments will be made to the applicant who sowed the seed, provided that where set-side is required there is also a sufficient area of set-aside land which is not in dispute.
17. We cannot make any set-aside payment while there are two or more conflicting claims on the set-aside land. Nor can we make any payments on the related arable area until the position of the set-aside land has been resolved. If the applicants subsequently agree that all but one claimant will withdraw, the remaining claimant will receive the area and set-aside payments.

APPENDIX 4. PUBLIC INTERVENTION INCLUDING COMPULSORY PURCHASE

1. Land which was previously ineligible may be made eligible to replace previously eligible land which, as a result of public intervention (including compulsory purchase) has ceased to be eligible. This does not include land which you choose to sell for industrial or residential developments. If you want to take advantage of this provision, you should apply to your RPA Processing Site using form IACS 17. This application can be made at any time but is not guaranteed to be considered in time for the IACS deadline unless the RPA receives it at least three months before submission of your area aid application.
2. The authorities dealing with compulsory purchase and similar matters always give some advance notice that the land is to be taken but the length of this notice can vary and sometimes the project may be postponed or cancelled. You need not alter your cropping plans on receipt of a Notice to Treat.
3. After compulsory purchase you will have to apply to your RPA Processing Site for field numbers for the fields to be made eligible if the boundaries have changed or if the land is to be included on an area aid application for the first time. You will need to provide a map which you have amended to show these fields clearly, identifying the areas subject to compulsory purchase and those you wish to become eligible. If you are a tenant farmer, you must notify your landlord of any land made eligible following compulsory purchase.
4. Where possible the RPA will make payments on eligible land subject to or affected by compulsory purchase, up to the point at which the land is effectively taken out of agricultural production. You are advised to discuss with the purchasing authority the timing of entry to the land and the payments you intend to claim. If any construction work or other activities which would damage the crop will not start until after the crop has met the maintenance conditions for AAPS you can claim payments under AAPS on the whole cropped area in the normal way including any area to be affected by the work. This applies whether or not you formally occupy the land, provided that the land has been maintained in accordance with the AAPS rules, unless a Notice to Enter has been served or you expect entry before the maintenance dates for the crops and/or end of the set-aside period as appropriate.

5. In the case of set-aside land, you can claim AAPS payments provided the land remains set aside in accordance with the rules for the whole set-aside period. If construction or other non-agricultural activities start before 1 September the land will not be regarded as having been set aside even if all the other AAPS rules were met. Set-aside cannot be used in any way that brings a financial return so, if you (or anyone else) receive any form of direct or indirect payment or compensation for the use of land required during the construction period, you cannot count the land as set-aside.
6. Compensation specifically for any additional cultivation or management costs or any physical damage to the green cover, gates, hedges, etc would normally be acceptable, but you are strongly advised to consult your RPA Processing Site before accepting it. If the land is in guaranteed or multiannual set-aside and is compulsorily purchased it may be withdrawn from the set-aside agreement without penalty. If you have been unable to claim payments under AAPS because of public intervention you should pursue this with the purchasing authority.
7. In some circumstances land is only required for the duration of the construction period (e.g. to provide access). Unless the land can be fully cropped in accordance with normal agricultural practice the land is not eligible for payments under AAPS. If only part of an eligible field is involved that part must be deducted from the claim as an uncroppable area. If a Notice to Enter is served after the AAPS claim has been submitted, you must inform the RPA Processing Site to which your application was sent within 10 working days of the serving of that notice or of any other activity which might make the land ineligible for payments under AAPS.

APPENDIX 5. SPECIAL RULES FOR RAPESEED

1. There are special requirements for rapeseed and penalties will apply where these are not followed. These penalties may result in farmers losing payment, not only for the area of oilseeds on the claim, but may also affect the rest of their AAPS claim. The specific area of oilseeds will be deducted from the claim, possibly leading to the imposition of IACS penalties. These requirements apply even if the seed is to be used as a non-food crop (including as a non-food crop on set-aside). However, farmers growing high erucic acid rapeseed (HEAR) varieties must note that contracts must be concluded before sowing the crop. The only exception to this is for HEAR grown as a non-food crop on set-aside land, where the non-food contractual requirements apply – see Part II of this Guide. Certain varieties of rapeseed grown exclusively for fodder are excluded from this Scheme.

2. Payments will only be made to those planting rapeseed which is:

- certified seed of a ‘00’ variety listed in the *Common Catalogue* (see list) or,
- farm-saved seed; or
- high erucic acid rapeseed (HEAR); or
- seed planted with the intention of producing a crop of seed for sowing, or for research, or for testing purposes; or
- seed of the varieties *Jet Neuf* or *Bienvenu* grown under contract.

Certified seed

3. In order to be eligible for aid, the rapeseed must be certified seed of a variety listed in the Common Catalogue. In this context certified seed means breeder's seed, pre-basic, basic or certified seed. However, it does not include seed entered under statutory arrangements for the early multiplication of varieties prior to their entry on a UK National List or the EC Common Catalogue, for which an application for the issue of a breeder's confirmation certificate has been made or for which a breeder's confirmation certificate has been issued. Aid is payable on those varieties in the Common Catalogue including varietal associations which have each constituent listed separately in the Common Catalogue. You are advised to check the position with your RPA Processing Site if in doubt. Invoices, seed labels, and any other supporting documents for the seed used should be retained for inspection. The maximum glucosinolate levels for the purpose of defining ‘00’ rapeseed should be expressed at a moisture content of 9%.

Farm saved seed

4.

In order to be eligible for aid farm-saved seed must conform to all of the following quality requirements:

- (a) The farm-saved seed must be produced from certified seed of one of the varieties listed in the Common Catalogue. **Seed saved from varietal associations will not be accepted as eligible for payment.**
- (b) The seed must, on analysis, have a glucosinolate content of 18 micromoles per gramme or less at a moisture content of 9%. The results of analysis, which must be carried out before sowing, must be submitted with your IACS area aid application.
- (c) If the farm-saved seed is sown in the autumn, it must have been taken from a crop harvested in that same year. If the farm-saved seed is sown in the spring it must have been harvested in the previous calendar year. Original seed invoices, labels etc must be retained for inspection.

Exceptionally, seed from the harvest of the previous calendar year may be sown in autumn when climatic conditions dictate that:

- autumn sowing has to take place before the harvest of the crop in the same calendar year; or
- the time between harvest and sowing is so limited that the results of analysis cannot be obtained or the seed cannot be cleaned or dressed prior to sowing.

The grower is responsible for demonstrating to the seed sampler that the above circumstances apply.

- (d) The seed must be sown only on the holding on which it was produced and must remain in the same ownership prior to the time of sowing. (However see Appendix 3 for land transfers).
- (e) The seed must have been produced, stored and handled according to good agricultural practice. In particular:
 - the seed should have been taken from an area isolated from other varieties of rapeseed and free from weeds to ensure that the seed is not contaminated. You should note that the seeds of some weeds (notably charlock) may contain high levels of glucosinolates. If your seed is contaminated with weed seeds it may fail the test for glucosinolate content;

- to ensure that the seed is suitable for sowing, it must be cleaned and dressed to remove extraneous matter. This should entail the separation and extraction through physical means of small and broken seeds such that only a clean, bold sample remains. You should seek expert advice on whether to treat the seed with agrochemicals. Seed of different varieties or any other seed must be dealt with separately;
 - if the seed intended for sowing has to leave the farm for cleaning and dressing, it is the producer's responsibility to ensure that it remains separate from other seed lots, to avoid the risk of it being mixed with seed from other holdings. Proof of cleaning and dressing should be retained for inspection
- (f) The seed must be sampled by an 'appointed agent' specifically authorised by DEFRA to do this work.
- (g) Producers may not take samples of their own seed for the purposes of this Scheme. A list of appointed agents can be obtained from your RPA Processing Site.
- (h) Producers are strongly advised to retain their half of the sample for 2 years from the date on which it was taken in case it is required for inspection. The sample must be packaged securely to avoid pest infestation or damage by rodents.

High Erucic Acid Rapeseed (HEAR)

5.

High Erucic Acid Rapeseed (HEAR) is rapeseed with a minimum erucic acid content in the oil of 40%. Any HEAR variety is eligible for aid but to qualify it must be grown under a contract and in accordance with the following rules.

- (a) The contract must be drawn up before sowing with an approved first buyer stating that the crop will be used for a specified non-food industrial use, or for use as a seed for sowing to produce such a crop. A copy of the contract must be submitted with the area aid application. If you are growing HEAR for non-food use on set-aside land, please see Part II of the Guide.
- (b) There is no list of approved or certified HEAR varieties, unlike '00' rapeseed varieties. As long as a HEAR variety has an erucic acid content of at least 40% it is eligible for aid under AAPS.

Seed planted to produce seed for sowing, research or testing

6. In order to be eligible for aid, such seed must be planted:
- (a) with the intention of producing a crop of breeder's seed, pre-basic, basic or certified (including the early movement of varieties not yet added to a UK National List or the EC Common Catalogue, for which a breeder's confirmation certificate has been issued) seed for sowing; or
 - (b) for research; or
 - (c) for testing purposes to determine whether the variety may be added to the UK National List.

7. Sufficient documentary evidence showing the intended use must be drawn up before sowing and submitted to your RPA Processing Site no later than the application for aid. Such documentary evidence may include copies of seed multiplication contracts between seed producers and growers or copies of official labels produced for such contracts, or copies of contracts with growers to produce crops for research or testing purposes. The certification and marketing of the seeds of oilseed rape are covered by separate regulations and further advice may be obtained from the Plant Variety Rights and Seeds Division (PVS) of DEFRA (see Appendix 9).

Jet Neuf or Bienvenu

8. These varieties can qualify for aid provided that they are grown under contract to provide seed for oil production for a specific food use. This contract must be signed, before sowing, with a specially approved buyer.

Minimum separation distances for '00' Rapeseed and HEAR

9. You must have a minimum separation distance of 50 metres between '00' and HEAR crops sown in the same season, whether your own or a neighbour's. If there is no minimum separation distance both crops (ie the crop sown first as well as that sown last) will be considered not to be sown in accordance with local standards. Neither will therefore be eligible for payments under AAPS. This rule applies to non-food crops grown on set-aside as well as crops on which area aid is claimed. It also applies to farm saved seed.

10. There is no requirement for a minimum separation distance between spring sown and winter sown crops (i.e. between spring '00' and winter HEAR or winter '00' and spring HEAR crops).
11. In the following list varieties with alternative names are indicated thus '= Explorer'. Where appropriate the components of varietal associations (VA) are shown in brackets after the variety with any male sterile varieties shown as 'MS'.
12. If you wish to sow a variety or varietal association that is not on the following list, you should ask your RPA Processing Site whether the variety or varietal association is eligible before sowing.

45W32(=Explorer)	Andol	Belmondo PHP
Acrobat	Angkor	<i>VA 75% Belmondo (MS);</i>
Acropolis	Ankara	<i>25% Oxident</i>
Activ	Ankla	Beryl
Adder	Annette	Bingo
Agenor	Arawak	Bolero
Akamar	Aries	Boni
Aladin	Arista	Bonita
Alaska	Arkada	Boomerang
Alba	Artus	Boris
Alberta	Ascona	Borneo
Alexandra	Atlas	Boston
Alexis	Attila	Briol
Alice	Aurore	Bristol
Aligator	Avant	Britta
Altona	Aviso	Bruno
Amador	Aztec	Bullet
Amber	Balti	Cabaret
Ambra	Banjo	Cactus
Amica	BE 2096	Cadillac
Amor	Bellini	Cadoma

AAPS GUIDE PART I – GENERAL SCHEME RULES

Caletta	Chiquero	CSH 26
Calgari	Cobalt	CSHP 001
<i>VA 80% Calgari CMS (MS);</i>	Cobra	Cspol 1
<i>10% CSPOL 1; 10% CSPOL 2</i>	Cohort	Cspol 2
Calibra	Colibri	Cymbal
Calisto	Columbus	Dakini
Calix	Colvert	Dalco PHP-SH96017
Calumet	Comet	<i>VA 80% Dalco (MS);</i>
Canary	Commanche	<i>10% Orkan; 10% Amor</i>
Canasta	Comodor	Decathlon
Canberra	Conquer	Deister
Cando	Consort	Delton
Canyon	Contact	Dexter
Capitol	Context	Digger
Capricorn	Corona	Disco
Caramba	Coronet	Dolomit
Carolus	Cosmic	Dorado
Caruso	Courage	Dorothy
Casanova	CPBT SHR 9	Doublol
Casino	Creci 99	Drakkar
Catinka	<i>VA 80% Creci (MS); 10% Verdi;</i>	Dubla
Catonic	<i>10% Atlanta</i>	Ebony
Caviar	Cristo VA 65	Eclair
CCW 09	<i>VA 65% Cristo (MS);</i>	Eclipse
<i>VA 80% CSH 09 (MS);</i>	<i>20% Silex; 15% Tivoli</i>	Ecudor
<i>10% Bristol; 10% MLCH 034</i>	CSH 01	Eddy
CCW 10 (=Life)	CSH 07	Eden
<i>VA 70% CCW 10 (MS);</i>	CSH 08	Elan
<i>15% Bristol; 15% Capitol</i>	CSH 17	Elite
Ceres	CSH 18	Elixir
Cheops	CSH 21	Elpaso
Cheyenne	CSH 23	Elvis

Email	Faro	Hopper
Embleme	Felicita	Horizont
Emeraude	Flamingo	Hybridol
Enrico	Fleche	Hyola 38
Eol	Folk	Hyola 330
Equator	Fontan	Hyola 401
Erelle	Fornax	Hysyn 110
Ermes 99	Forte	Idol
<i>VA 80% Ermes (MS);</i>	Fortress	Ilona
<i>20% Cheyenne</i>	Fresco	Inca
Escort	Garrison	Iris
Eskimo	Gazelle	Isabella
Espace	Geronimo	ISH 93-2
Espadon	Global	ISH 94-3p
Ester	Golda	ISH 97-1p
Esterel	Grenat	ISH 97-2p
Estrade	Griffin	Jaguar
Etalon	Gringo	Java
Eurol	H3	Jesper
Everest VA 75	H5	Jessica
<i>VA 75% Everest (MS);</i>	H6	Joker
<i>25% Tivoli</i>	Hansen	Jumbo
Evita	Harmoni	Jura
Exmark	Haydn	<i>VA 80% Jura (MS);</i>
Explorer (=45W32)	Helgar	<i>20% Olindigo</i>
Express	Helios	Kabel (=Carmen)
Exprime	Hera	Kanela
Extra	Herald	Kapitan
Fabiola	Herzog	Karat
Fakir	Heros	Kardinal
Falcon	Hilda	Karibe
Fanfare	Honk	Karla

Karola	Licontra	Maliras
Kastan	Licord	Manitou
Kintol	Licosmos	Manix
Kometa	Licrown	Manta
Konda	Liforinth	Marinka
Korea	Liform	Mars
Kreta	Lightning	Maskot
Krimea	Limajor	Master
Kristina	Limaster	Max
Kronos	Limpet	Maxol
Kumbre	Lincoln	Mendel
Kunto	Linfort	Milena
Kutiba	Lipton	Milord
Kvintett	Liquido	Miro
Laika	<i>VA 70% Liquido (MS);</i>	Mohican
Lambada	<i>20% Licosmos; 10% Pactol</i>	Mondea
Lara	Lirajet	Moneta
Laser	Liratun	Mozart
Lenzo	Liropa	Navajo
Liaison	Lisabeth	Nepal
Liandra	Lisonne	NEX 150
Libelle	Listol	NEX 160
Libero	Lombard	Nickel
Liberty	Lorbas	Nikos
Libranca	Loreto	Nimbus
Libravo	Louise	Oberon
Licandy	Lucia	Obulus
Licapo	Lutin	Okapi
Liceo	Madrigal	Olanis
Licolly	Magnet	Olbel
Licondor	Magnum	Ole
Licongo	Maja	Oleis

Olindigo	Prestige	SH 96017
Oltech	Prestol	Shannon
Olsen	Prince	Silex
Olsprint	Pronto	Silvia
Olymp	Pyramid	Sioux
Olympia	Quantum	Skalar
Optima	Rafaela	Skampi
Orakel	Ramiro	Smart
Orelia	Rapid	Spark
Orient	Rebel	Sparta
Orion	Recital	SPE 410
Orkan	Rialto	SPE 420
Orlando	Rimbaud	SPE 520
Orly	<i>VA 70% Rimbaud CMS (MS);</i>	Split
Orphee	<i>30% RPC684</i>	Spok
Otto Ouragan	Roby	Sponsor
Oxident	Rock	Spirit
Pactol	Roland	Sprinter
Pako	Roller	Sputnik
Pallas	Rosko	Squaw
Panther	Royal	Star
Pascador	RPC 550	Starlight
Pastell	RPC 684	Status
Paula	RPEG 720-17	Stego
PF 7410-94	Rubis	Summit
Phoenix	Rudolf	Superior
Pilgrim	Ryder	Susanna
Plenty	Sandra	SW Celcius
Pluchino	Santana	SW Partisan
Pluto	Saturn	SW Stratos
Pollen	Savary	Symbol
Praska	Senator	Synergy (= Sinergie)

<i>VA 80% ISH 93-2 (MS);</i>	Vivol
<i>20% Falcon</i>	Volcano VA 75
Taifun	<i>VA 75% Volcano (MS);</i>
Talent	<i>12.5% Marinka; 12.5% Dakini</i>
Tanto	Walker
Tapir	WH2-112
Tarok	Wotan
Tenor	Xcala
Tiger	Xpresto
Tivoli	Zebra
Tomahawk	Zenith
Topscore	Zeus
Tornado	Zorro
Tosca	
Toucan	
Tracia	
Tradition	
Triangle	
Trigena	
Tritop	
Turner	
Twister	
Tyrol	
Unica	
Union	
<i>VA 50% CPBT R14 (MS);</i>	
<i>50% Pronto</i>	
Valle de Oro	
VDH 9041-97	
VDH 9043-97	
Verdi	
Vivaldi	

APPENDIX 6. SPECIAL RULES FOR FLAX AND HEMP FOR FIBRE

Eligibility of land for payments on flax and hemp

1. To determine whether or not aid is payable in respect of fibre flax and hemp please refer to paragraphs 7-8 of Appendix 2.

Set-aside requirements

2. The requirement to set aside at least 10% of the area of your claim applies equally to flax and hemp unless you are a small producer (see paragraphs 15-18). Where land is being set aside solely to support an area of flax and hemp grown on ineligible land which was subject to a claim under the flax and hemp subsidy scheme in 1998, 1999 or 2000 then the corresponding set-aside must be located on that land. You must not, however, set aside any more of this land than the obligatory amount (10% of the total area claimed).

In such cases you must not:

- claim area payments on any other crops grown on that land;
- set aside the land as obligatory set-aside to support any crops grown on land which is eligible for all payments under the AAPS;
- put any of this land into voluntary set-aside.

You cannot use land which meets the normal eligibility requirements to fulfil the set-aside requirements in respect of ineligible land on which aid is being claimed for flax and hemp.

Contracts and seed labels

3. Area aid on flax and hemp will not be paid unless a copy of the contract concluded with an authorised primary processor or a commitment to process is supplied to your RPA Processing Site with your application.

For hemp, certified seed must be used. The original official seed labels, confirming the variety, must be supplied. These will be received by the RPA and returned to you.

For flax, original official seed labels or a copy of the seed invoice must be supplied.

When sowing takes place after 15 May, these documents must be submitted no later than 30 June.

Eligible varieties

4. The following varieties of flax for fibre are eligible for area aid: Adelie, Agatha, Angelin, Argos, Ariane, Aurore, Belinka, Caesar Augustus, Diane, Diva, Electra, Elise, Escalina, Evelin, Exel, Hermes, Ilona, Laura, Liflax, Liviola, Marina, Marylin, Nike, Opaline, Rosalin, Venus, Veralin, Viking, Viola.

The following varieties of hemp for fibre are eligible for area aid: Carmagnola, Cs, Dioica 88, Epsilon 68, Fedora 17, Fedrina 74, Felina 32, Felina 34, Ferimon, Fibranova, Fibrimon 24, Fibrimon 56, Futura, Futura 75, Santhica 23, Uso 31.

It is likely that the Commission will make proposals for additional varieties that may be grown in the 2002/03 marketing year. Further information will be issued as soon as it becomes available.

Special arrangements for hemp

5. You will need to obtain a licence from the Home Office if you intend to grow hemp. It is a criminal offence to cultivate hemp in the United Kingdom, for any purpose, without such a licence. Unless you have made separate arrangements with the Home Office, an application for a licence should be made to:

Home Office Licensing Section
Room 239
50 Queen Anne's Gate
London SW1H 9AT
Telephone: 020 7273 3731

6. Applications for a Home Office licence should be made as early as possible once serious consideration is being given to growing hemp. In considering each application, the bona fides of the applicant and the purpose of growing the hemp, together with the proposed locations of the growing sites, will be taken into account by the Home Office Drugs Branch. Licences are not automatically issued by the Home Office. In particular, in selecting growing sites, you should identify land where there is poor public access and visibility of the crop i.e. away from residential areas and major roads. Where minor roads about the growing site, vehicular access to the site should not be possible. The Home Office may also require crops to be screened and other security measures to be taken in some cases. Evidence that you have a contract to supply the hemp produced to an Home Office approved processor may also be required.

APPENDIX 7. SUPPLEMENT FOR DURUM WHEAT

1. A supplementary payment of 138.9 €/ha is payable on durum wheat in addition to the cereals payment. However, there is a restriction on the total area of durum wheat which can be claimed in any one year. Where the area of durum wheat claimed in England, after deduction of any base area reduction, is in excess of 5,000 hectares, each claim will be reduced proportionally. This means, for example, that if 10,000 ha of durum wheat are claimed after the deduction of any base area reduction, applicants would receive the supplement on 50% of the area claimed; they would, however, receive the cereals payment for the whole area (again, less any base area reduction).

2. The additional rules for payment of the durum wheat supplement are:-

- the durum wheat supplement can only be claimed if the parcel concerned is also claimed for under the AAPS;
- only seed certified in accordance with Council Directive 66/402/EEC on the marketing of cereal seed may be used (that is seed certified under the UK Seed Certification Schemes or equivalent seed imported from other Member States);
- a minimum quantity of 150 kg/ha has to be sown;
- the area aid application (form IACS 2 and accompanying Field Data Printouts) must identify the fields where the durum wheat is being grown and for which the supplement is claimed; and
- the application must be accompanied by proof that certified seed has been used.

3. The proof that certified seed has been used should be either:

- (a) a copy of the contract under which the durum wheat was sown which includes an undertaking that the seed was certified in accordance with Council Directive 66/402/EEC, and that the minimum sowing rate was observed on the specified plots. The contract should also include a schedule of the fields on which the durum wheat is being grown using IACS reference numbers; or
- (b) copies of seed invoices and official seed labels for the seed sown.

4. Where copies of seed invoices and of official seed labels are being used as proof that the durum wheat seed is certified, a copy of a label from each seed lot sown should be submitted with the AAPS claim. It should be noted that where the durum wheat crop is officially registered for seed production, there is a requirement to retain two labels from each seed lot sown for authentication by the crop inspector.

APPENDIX 8. SPECIAL RULE FOR SUNFLOWER SEED

The following sunflower seed varieties, grown mainly for confectionery use, do not qualify for aid under the AAPS.

Agripro 3450	Royal Hybrid 4381
Agrosur	RRC 995
Dahlgren 954	RRC 2211
Dahlgren D – 131 (Toma)	RRC 2232
Dahlgren D – 151	RRC 4211
Dahlgren D – 171	SIGCO 826
Dahlgren D – 181	SIGCO 828
Dahlgren D – 1950	SIGCO 829
Dahlgren D – 1998	SIGCO 830
Diset	SIGCO 954
Hagen Seed SG 9011	SIGCO 964
Hagen Seed SG 9054	SIGCO 974
Hagen Seed SG 9211	SIGCO 995
Interstate (IS) 8004	Toma
Kelisur	Triumph 505C
Royal Hybrid 381	Triumph 515C
Royal Hybrid 2141	Triumph 660C
Royal Hybrid 3801	Triumph 520C
Royal Hybrid 3831	Usda Hybrid 924

APPENDIX 9. RURAL PAYMENTS AGENCY PROCESSING SITES AND OTHER GOVERNMENT CONTACT POINTS

Rural Payments Agency sites

RURAL PAYMENTS AGENCY HQ (Formerly IBEA)

PO BOX 69
Reading RG1 3YD
Telephone: 0118 9687729
Fax: 0118 9687734

Cumbria, Lancashire, Northumberland, Tyne and Wear

Telephone: 01228 640219
01228 640343
01228 640330

CAMBRIDGE RPA *(for Bedfordshire, Cambridgeshire, Essex, Hertfordshire, Norfolk and Suffolk)*

Block B, Government Buildings
Brooklands Avenue
Cambridge CB2 2DR

Telephone: 01223 462727

Exts:

Bedfordshire	5831
Cambridgeshire	6408/5869
Essex	6733
Hertfordshire	5831
Norfolk	5981/6725
Suffolk	6406/6748

Fax: 01223 455652

E-mail enquiries:

iacs@cambridge.rpa.gsi.gov.uk

East and West Sussex, Greater London, Isle of Wight, Surrey

Telephone: 01228 640425
01228 640346

Fax: 01228 640308

E-mail enquiries:

iacs@carlisle.rpa.gsi.gov.uk

CREWE RPA *(for Cheshire, Greater Manchester, Merseyside, Shropshire and Staffordshire)*

Electra Way
Crewe Business Park
Crewe, Cheshire
CW1 6GJ

Telephone: 01270 754000

Exts:

Cheshire	4091
Greater Manchester	4102
Merseyside	4099
Shropshire	4104
Staffordshire	4217

Fax: 01270 754111

E-mail enquiries:

iacs@crewe.rpa.gsi.gov.uk

CARLISLE RPA *(for Cumbria, East and West Sussex, Isle of Wight, Greater London, Lancashire, Northumberland, Tyne and Wear, Surrey)*

Eden Bridge House
Lowther Street
Carlisle
Cumbria CA3 8DX

EXETER RPA (for Avon, Cornwall, Devon, Dorset, Gloucestershire, Isles of Scilly, Somerset and Wiltshire)

Clyst House
Winslade Park
Clyst St Mary
Exeter, Devon EX5 1DY

Tel Switchboard: 01392 447400
Direct dialling: 01392 26 + extension
Exts:

Avon/Somerset	6557	
	6553	
	6372	
Cornwall and Isles of Scilly	6178	
	6203	
	6155	
Devon	6155	
	6171	
	6178	
Dorset	6478	
Gloucestershire	6022	
Wiltshire	6315	

Fax: 01392 266007
E-mail enquiries: iacs@exeter.gsi.gov.uk

NEWCASTLE UPON TYNE RPA

(for Herefordshire and Worcestershire)

Lancaster House
Hampshire Court
Newcastle Upon Tyne NE4 7YH

Telephone: 0191 273 9696

Exts:

parishes	1-126	5846
parishes	127-253	5378
parishes	254-378	5377
parishes	379-505	5363
parishes	506-567	5121

Fax: 0191 226 1839

E-mail enquiries:
iacs@newcastle.rpa.gsi.gov.uk

NORTHALLERTON RPA (for Durham, Hampshire, Kent, Warwickshire, West Midlands, Yorkshire – North (including Cleveland), South, East (including Humberside & North Lincolnshire) and West Yorkshire)

Alverton Court
Crosby Road
Northallerton
North Yorkshire
DL6 1AD

Telephone: 01609 773751

Exts:

Durham		2748
Hampshire		2740
Humberside		
parishes	001 – 326	2740
	327 – end	4404
Kent		
parishes	001 – 335	2785
	336 – end	2747
Warwickshire		2611
West Midlands		2612
Yorkshire – North		
County 04		2745
County 48		
parishes	001 – 118	2745
	119 – 167	4402
	168 – 435	2607
	436 – 663	2622
	664 – end	2789
Yorkshire – South		2748
Yorkshire – East		
County 50		2737
County 51		
Parishes	0 – 200	2624
	201 – 246	2608
	247 – 312	2737
	313 – 591	4405
	592 – end	2514

Yorkshire – West 2511
 Fax: 01609 780179
 E-mail enquiries:
 enquiries@northallerton.rpa.gsi.gov.uk

NOTTINGHAM RPA (*for Derbyshire, Leicestershire, Lincolnshire, Northamptonshire and Nottinghamshire*)
 Block 7, Government Buildings
 Chalfont Drive
 Nottingham NG8 3SN

Telephone: 0115 9291191
 Exts:

Derbyshire 806
Leicestershire 351
Lincolnshire

Parishes	1-180	831
	181 – 338	808
	339 – 612	281
	613 – 864	331

Northamptonshire 253
Nottinghamshire 814

Fax: 0115 9294886
 E-mail enquiries:
 iacs@nottingham.rpa.gsi.gov.uk

READING RPA (*for Berkshire, Buckinghamshire, Oxfordshire*)
 Block A, Government Buildings
 Coley Park
 Reading, Berkshire RG1 6DT

Berkshire
 Telephone: 0118 9392210
 Fax: 0118 9392120
 E-mail enquiries:
 michael.kirby@rpa.gsi.gov.uk

Buckinghamshire
 Telephone: 0118 9392352
 Fax: 0118 9392120
 E-mail enquiries:
 cara.sturdy@rpa.gsi.gov.uk

Oxfordshire
 Telephone: 0118 9392178
 Fax: 0118 9392120
 E-mail enquiries:
 michael.kirby@rpa.gsi.gov.uk

Other Government contact points

ARABLE CROPS DIVISION

DEFRA
 10 Whitehall Place (East Block)
 London SW1A 2HH

Telephone: 020 7270 8748
 Fax: 020 7270 8204

(Please note that Arable Crops Division is responsible for policy matters and cannot answer enquiries about individual cases or provide business advice)

**PLANT VARIETY RIGHTS OFFICE
AND SEEDS DIVISION**

DEFRA
White House Lane
Huntingdon Road
Cambridge CB3 0LF
Telephone:
Plant Variety Rights and
National List matters: 01223 342356
Seed Certification matters: 01223 342387
Fax: 01223 342386

AGRI-INDUSTRIAL MATERIALS

DEFRA
Area A
5th Floor
Ergon House
17 Smith Square
London SW1P 3JR

Telephone: 020 7238 6145
Fax: 020 7238 6467
E-mail: iecrops@gtnet.gov.uk
URL: www.defra.gov.uk/farm/acu/acu.htm

Wales

NATIONAL ASSEMBLY FOR WALES

Common Agricultural Policy
Management Division
Ffynnon Las
Ilex Close
Llanishen
Cardiff
CF14 5EZ

Telephone: 029 2075 2222
Fax: 029 2068 1382
E-mail: agriculture@wales.gsi.gov.uk

Scotland

**SCOTTISH EXECUTIVE
ENVIRONMENT AND RURAL
AFFAIRS DEPARTMENT**

Pentland House
47 Robbs Loan
Edinburgh EH14 1TY

Telephone: 0131 244 6391
Fax: 0131 244 4427

Northern Ireland

**DEPARTMENT OF AGRICULTURE
AND RURAL DEVELOPMENT**

Dundonald House
Upper Newtownards Road
Belfast BT4 3SB

Telephone: 028 9052 4493
Fax: 028 9052 4266

APPENDIX 10. ORGANISATIONS ABLE TO OFFER ENVIRONMENTAL ADVICE

ABACUS ORGANIC ASSOCIATES

Stephen Briggs
 Rowan House
 9 Pinfold Close
 South Luffenham
 Rutland LE15 8NE
 Telephone: 01780 721019
 01747 838991
 (Mike Tame, Dorset)
 0151 3362506
 (Gareth Jones, Cheshire)
 Website: www.abacusorganic.co.uk

The Associates can provide farmers with a wide range of advice from a single source. Associates can provide practical management advice and a full range of business and technical consultancy support services including conversion planning and financial analysis.

ADAS

Woodthorne
 Wergs Road
 Wolverhampton WV6 8TQ
 Contact: ADAS Customer Services
 Telephone: 0845 7660085
 Fax: 01902 693227
 Email:
ADAS.customer.services@adas.co.uk
 or
 Website: www.adas.co.uk

ADAS provides management, business and technical consultancy and research. Offers on-farm advice covering all agricultural and conservation issues.

THE ASSOCIATION OF LOCAL GOVERNMENT

ARCHAEOLOGICAL OFFICERS

ALGAO
 c/o Heritage Conservation Branch
 Planning Division
 Essex County Council
 County Hall
 Chelmsford CM1 1QH
 Telephone: 01245 437676
 Fax: 01245 258353
 E-mail: caroline.ingle@essexcc.gov.uk
 Contact: Caroline Ingle (Admin Asst)

The Association has members working for local authorities and national parks throughout England and Wales, and their range of interest embraces all aspects of the historic environment including archaeology, built environment and historic landscapes. They can advise on the management, conservation and interpretation of the archaeological heritage on your land. The name and address of your local archaeologist can be obtained by contacting the Admin. Assistant (see above), from your local authority, National Park, or the RPA.

THE BRITISH ASSOCIATION FOR SHOOTING AND CONSERVATION

Conservation and Land Management
 Department
 Marford Mill
 Rossett, Wrexham LL12 0HL
 Telephone: 01244 573000
 Fax: 01244 573001/01244 573013

Britain's largest country sports organisation. Offers specific advice to farmers and landowners on integration of game and wildlife management within set-aside rules and on designated areas such as SSSIs. Advice also available on diversification, access, game keeping and firearms.

ENGLISH NATURE

Northminster House
Northminster Road
Peterborough
Cambridgeshire PE1 1AU
Telephone: 01733 455000 (or local offices – see telephone directory)
Enquiry Service: 01733 455101
Website: www.english-nature.org.uk

The statutory adviser to Government on nature conservation in England. Its work includes selection, establishment and management of National Nature Reserves; identification and notification of Sites of Special Scientific Interest; general provision of advice and information about nature conservation in arable areas; and support and conduct of relevant research.

ENVIRONMENT AGENCY

Bristol Head Office
Rio House
Waterside Drive
Aztec West
Almondsbury
Bristol BS32 4UD
Telephone: 01454 624411 or
01454 624322 (Minicom)
Fax: 01454 624014
E-mail:
enquiries@environment-agency.gov.uk

For Environmental Incidents or Emergencies Telephone: 0800 80 70 60
Dedicated Information Service
0845 9 88 11 88
Floodline 0845 602 6340 (Minicom)
Internet Address:
England
www.environment-agency.gov.uk
Wales
www.environment-agency.wales.gov.uk

TO CONTACT YOUR LOCAL AGENCY OFFICE, PLEASE CALL THE GENERAL ENQUIRY LINE.

This will connect you directly to your local office.

Please ask for the customer contact team.
08459 333 111

MAIN OFFICE HOURS ARE 9AM TO 5PM EVERY WEEKDAY

At other times there is an emergency only service.

The main responsibilities of the Environment Agency are monitoring and controlling pollution, management of water resources, providing effective inland flood and sea defences, maintaining and improving fisheries, furthering conservation and promoting recreation. This applies to inland and coastal waters throughout England and Wales. Contact the Environment Agency on any aspect concerning water.

FARMING AND WILDLIFE ADVISORY GROUP

National Agricultural Centre
Stoneleigh
Kenilworth
Warwickshire CV8 2RX
Telephone: 024 7669 6699
Fax: 024 7669 6760
E-mail: info@fwag.org.uk
Website: www.fwag.org.uk

FWAG provides on-farm conservation advice through its network of county based farm conservation advisers. The primary objective is to encourage the integration of economically viable farming with environmentally responsible methods of production.

THE FORESTRY COMMISSION

England National Office
Great Eastern House
Tenison Road
Cambridge CB1 2DU
Telephone: 01223 314546
Fax: 01223 460699
E-mail: fc.nat.off.eng@forestry.gov.uk
Website: www.forestry.gov.uk

The Forestry Commission is the Government Department responsible for forest and woodland policy in Britain. The Commission promotes sustainable forestry through the Woodland Grant Scheme, and through the implementation of regulations affecting forestry, woodlands and trees. In England actions are guided by the Government's England Forestry Strategy launched in December 1998. For more information contact your local Conservancy Office – see Yellow Pages.

FOREST RESEARCH

Alice Holt Lodge
Wrecclesham
Farnham
Surrey GU10 4LH
Telephone: 01420 22255
Advisory Tel: 01420 23000
Fax: 01420 23653
Contact: Dr John Parker
E-mail: forest.research@forestry.gov.uk

Forest Research provides technical information on tree seed testing, plant production, cost-effective tree establishment techniques, use of herbicides, choice of fast-growing poplar varieties, land reclamation to forestry, yield forecasting according to species and site, woodland ecology, and protection against damage by mammals, insect pests and diseases. Forest Research staff are available for contracts and consultancies.

THE GAME CONSERVANCY TRUST

Fordingbridge
Hampshire SP6 1EF
Telephone: 01425 652381
Mobile: 0771 0344340
Fax: 01425 651026
E-mail: research@gct.org.uk
Contact: Peter Thompson

A registered charity which researches the conservation ecology of game species, and the sympathetic management of their habitats. Game Conservancy Ltd operates an advisory service on practical management techniques for farmers and landowners. They will advise on how to make the best of set-aside for game, on the use of selective herbicides to manage weeds, and on the conservation of rare arable flowers and beneficial insects.

GROUNDWORK UK

85-87 Cornwall Street
Birmingham B3 3BY
Telephone: 0121 236 8565
Fax: 0121 236 7356
e-mail: info@groundwork.org.uk
Website: www.groundwork.org.uk

Groundwork UK is a federation of over 40 local Trusts, working in urban and rural communities across the UK promoting economic and social regeneration through projects to improve the local environment. Programmes range from small community schemes to major regeneration strategies with over 3,000 projects under way at any one time. Activities include restoring derelict or under-used land for the benefit of local communities, practical conservation work and education projects to reduce vandalism, fly-tipping, trespass, crop damage and disturbance to livestock and promote awareness of farming methods and food production.

OLIVER SEEDS

The Old Wood
Skellingthorpe
Lincoln LN6 5UA
Telephone: 01522 730836
Freephone: 0800 056 1122
Fax: 01522 507319
E-mail: mail@OliverSeeds.com

Oliver Seeds is a specialist in seeds, concentrating on grass seed mixtures, forage crops and wild bird cover across the whole of mainland Britain. A full advisory service is available free of charge, which can include site visits where necessary.

THE ORGANIC ADVISORY SERVICE

Elm Farm Research Centre
Hamstead Marshall
Nr Newbury
Berkshire
RG20 0HR
Telephone: 01488 657600
Website: www.efrc.com

A leading source of organic expertise in the UK, the Organic Advisory Service (OAS) is based at Elm Farm Research Centre, which operates its own organic Demonstration Farm Network. The OAS provides technical and management consultancy on organic farming and free farm visits under DEFRA's Organic Conversion Information Service.

ROYAL SOCIETY FOR THE PROTECTION OF BIRDS

The Lodge, Sandy
Bedfordshire SG19 2DL
Telephone: 01767 680551 (or local offices – see telephone directory)
Fax: 01767 692365
Website: www.rspb.org.uk

A charity that takes action for wild birds and their habitats where long-term monitoring shows their future is threatened. Agriculture has become a major area of work since populations of common farmland species showed severe declines. Extensive field research into the ecology of farmland species forms the basis of policy work which aims to change agriculture support payments towards better integration of farming and wildlife. RSPB also works closely with the farming

industry, particularly advisers to farmers, by running training and producing publications. Habitat management advice is given for endangered species eg. curlew, bunting, and habitats such as wet grassland.

THE WILDLIFE TRUSTS

John Cousins
The Kiln
Waterside
Mather Road
Newark
Nottinghamshire NG24 1WT
Telephone: 01636 677711
Fax: 01636 670001
E-mail: John.C@suffolkwildlife.cix.co.uk

Wildlife Trusts specialise in advice on non-intensively farmed land such as unimproved grassland and wetland. They are keen to discuss farming to produce the best environmental benefits, particularly, buffering, enlarging and linking wildlife sites. Addresses/phone numbers of local Wildlife Trusts can be obtained by contacting the National Office (see above).

APPENDIX 11. OTHER SOURCES OF ADVICE

ASSOCIATION OF INDEPENDENT CROP CONSULTANTS

Sarah Cowlrick
Agriculture House
Station Road
Liss
Hampshire GU33 7AR

BRITISH INSTITUTE OF AGRICULTURAL CONSULTANTS

Mr C A Hyde
The Estate Office
Torry Hill
Milstead
Sittingbourne, Kent ME9 0SP
Telephone: 01795 830100
Fax: 01795 830243
E-mail: info@biac.co.uk
Website: www.biac.co.uk

CENTRAL ASSOCIATION OF AGRICULTURAL VALUERS

Mr J Moody
Secretary and Adviser
Market Chambers
35 Market Place
Coleford
Gloucestershire GL16 8AA
Telephone: 01594 832979
Fax: 01594 810701
E-mail: CAAVAgVal@aol.com

COUNTRY LAND AND BUSINESS ASSOCIATION

Miss Beverley Barber
Land Use Adviser
16 Belgrave Square
London SW1X 8PQ
Telephone: 020 7235 0511

NATIONAL FARMERS UNION

Agriculture House
164 Shaftesbury Avenue
London WC2H 8HL
Telephone: 020 7331 7200 or nearest
Regional Office (see telephone directory)
Website: www.nfu.org.uk

ORDNANCE SURVEY

Romsey Road
Maybush
Southampton
Hampshire
SO16 4GU
Telephone: 08456 050505
Fax: 023 8079 2615
Textphone: 023 8079 2906
(hearing impaired users only please)
E-mail: enquiries@ordnancesurvey.gov.uk
Website: www.ordnancesurvey.co.uk

THE ROYAL INSTITUTION OF CHARTERED SURVEYORS

RICS Customer Service
Surveyor Court
Westwood Way
Coventry CV4 8JE
Telephone: 0870 333 1600
Fax: 020 7334 3811

TENANT FARMERS ASSOCIATION

Mr G Dunn
Chief Executive
7 Brewery Court
Theale
Reading RG7 5AJ
Telephone: 0118 930 6130
Fax: 0118 930 3424

APPENDIX 12. EUROPEAN COMMUNITY(EC) AND UK LEGISLATION

Please note that the following list is current at the time of going to press and a number of changes to both the EC and the UK legislation are anticipated during 2002.

EC Legislation (AAPS)

Council Regulation (EC) No. 1251/1999 (OJ No. L 160, 26.6.99) (as last amended by Council Regulation 1038/2001) establishing a support system for the growers of certain arable crops.

Commission Regulation (EC) No. 2316/1999 (OJ No. L 280, 30.10.99) (as last amended by Commission Regulation 1157/2001) laying down detailed rules for the application of Council Regulation (EC) No. 1251/1999 establishing a support system for the producers of certain arable crops.

Commission Regulation (EC) No. 2461/1999 (OJ No. L 299, 20.11.99) (as last amended by Commission Regulation (EC) No 587/2001) laying down detailed rules for the application of Council Regulation (EC) No. 1251/1999 as regards the use of land set-aside for the production of raw materials.

EC Legislation (IACS)

Council Regulation (EEC) No. 3508/92 (OJ No. L 355, 5.12.92) (as last amended by Council Regulation (EC) No. 495/2001) establishing an integrated administration and control system for certain Community aid schemes.

Commission Regulation (EEC) No. 3887/92 (OJ No. L 391, 31.12.92) (as last amended by Commission Regulation (EC) No. 882/2001) laying down detailed rules for applying the integrated administration and control system for certain Community aid.

UK Legislation

The Integrated Administration and Control System Regulations 1993 (S.I. 1993 No. 1317) (as last amended by S.I. No. 225/2001).

The Arable Area Payments Regulation 1996 (S.I. No. 3142) (as last amended by S.I. No. 1999/8).

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DEFRA

Department for
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Food & Rural Affairs**

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