



Schedule of Terms and Conditions for the funding of Equine Technical Support & Equine Breeding Scheme 2021: Training/Education Programmes.

1. The objectives of aid are aimed at supporting Training and Education programmes within the thoroughbred and non-thoroughbred horse sectors. For the thoroughbred sector, aid is focussed on the training of jockeys and seminars/conferences delivered by non-studbook organisations. For the non-thoroughbred sector aid is focussed on training, seminars, conferences delivered by non-studbook and studbook organisations. Training of studbook operatives is covered under the General Scheme.
2. This Scheme shall be administered through the Department of Agriculture, Food and the Marine (DAFM) and entities appointed by DAFM for this purpose. All projects proposed must be capable of being fully completed within the scheme year.
3. The funding for the Scheme is limited and applications will be accepted subject to the maximum overall budget available per full calendar year.
4. An application can only be considered under one of the three programmes of the Equine Technical Support Scheme 2021.
5. The closing date for applications is **5pm on 22Nd February 2021**. Applications must be complete and be accompanied by all requisite documentation providing sufficient details and clarity must be enclosed. **Late applications and/or incomplete applications will not be accepted and will be returned.** Amended applications will be accepted up to the specified closing date.
6. The entities providing and operating the training, courses will be responsible for the quality and content of the training / courses. The Minister for Agriculture, Food and the Marine will have no responsibility in this regard.

7. Membership of the organisation shall not be a requirement for access to training courses or symposia. The courses and symposia will be available to all those participating in the equine industry, on a non-discriminatory basis.
8. All projects must demonstrate their compatibility to the Sport Horse strategy 'Reaching New Heights' to be considered eligible for grant aid. This must be clearly identified in the application form or applications will be deemed ineligible.
9. Projects providing knowledge transfer and information actions shall be conducted by suitable qualified people/organisations that have sufficient technical capacity to implement the proposed project. Evidence of this may be requested. Courses should not form part of normal curriculum currently provided elsewhere.
10. The operation of this scheme is subject to the provisions of Commission Regulation (EU) No 702/2014 and in particular Chapter III, Section 1 Article 21, 24, 27(1)(a), 27(1)(b) and Section 4 Article 31 and the enabling legislation of the **Central Fund (Permanent Provision) Act 1965. Unless otherwise stated, terms defined in the Regulation shall have the same meaning.** Aid will be granted to cover eligible costs and will at all times be subject to National and EU Rules and State Aid and Public Procurement Guidelines.
11. Aid for projects may be granted at intensities up to those permitted under Articles 21, 24, 27(1)(a), 27(1)(b), 24 and 31 of Commission Regulation (EC) no 702/2014. See Annex 1.
12. DAFM will pay reasonable, vouched additional costs incurred by bodies providing services under these schemes. Travel and subsistence will be payable at rates outlined by the Department of Public, Expenditure and Reform to the amount requested or at the rate claimed whichever is the lesser. Any notional costs associated with services provided, or work completed by Officers of DAFM will not be regarded as eligible. Claims for the project proposer's own time or the time of staff employed by the organisation full-time or on a temporary basis, or the time of company officers including Shadow Directors shall not be considered eligible. Where a project promoter, staff employed by the organisation full-time or on a temporary basis, or company officers are associated with a third party, their time shall not be considered an eligible expenditure.
13. Travel/Subsistence/Accommodation charges associated with third parties/service providers shall not be paid directly by project promoter.

14. See Annex 2 for examples of ineligible expenditure for the scheme. This list is not exhaustive.
15. The aid shall not involve direct payments of moneys to owners/breeders.
16. Aid shall not be paid for projects DAFM considers may create potential displacement. Displacement occurs where an activity funded using public funds impacts negatively on activity elsewhere; this may often lead to market distortion and the provision of an unfair advantage to the proposed project.
17. Applications are assessed for compliance with Terms and Conditions and State Aid requirements. They are evaluated using set criteria and in the context of budgetary constraints.
18. A Project submitted initially and is approved will establish a maximum grant payable to the organisation for that specific project in the year concerned. This project may be changed/amended within that maximum amount approved for that specific project subject to DAFM approval. **Applications in this regard and full supporting documentation will be accepted for consideration before 5.00pm on the 17th of September 2021. This date will be strictly observed.** Incomplete documentation will not be accepted.
19. Aid will only be paid in respect of specific proposals submitted to DAFM and approved by DAFM. In cases where projects have commenced there is no guarantee funding will be provided and therefore are carried out at the promoter's risk.
20. Full break down of the costs of a project must be provided in the format as provided in the application. Three Quotations/Tenders must be obtained for each item of expenditure for which grant aid is sought where the item exceeds €1000. Services or goods from a single supplier must not be subdivided in order to circumvent the quotations procedure. Where the cheapest quotation is not selected by the promoter an acceptable justification must be provided otherwise DAFM will deem the lowest quotation as the appropriate amount. In order to be accepted quotations must be provided on the company's headed paper with the following information at a minimum: company contact details, date of quotation, full description and relevant terms of good or service, vat number where relevant, name and capacity of signature and received within 6 months of application. DAFM shall have the right to contact the quotation provider to determine the validity of any quotation.

21. DAFM may cap professional fees to a maximum rate depending on budgetary constraints, for example, veterinary fees, inspectors, consultant fees. Conferences/seminars/training/education events will also be required to have a minimum attendance before funding will be considered. Applicants must refer to their expected minimum number of attendees in their application which will be considered in the evaluation process. A minimum number will be included in any conditions of grant approval. Attendance lists must be submitted at grant drawdown stage.
22. Where applicants are undertaking educational projects consideration will only be given where evidence is given of collaboration with similar organisations to avoid unnecessary duplication of funding.
23. VAT charges incurred will not form part of the eligible expenditure unless they are non-recoupable. The Minister may request evidence in this regard to be supplied by the applicants from the Revenue Commissioners.
24. Where payments in excess of €10,000 occur in any calendar year, a current Tax Clearance Certificates must be provided by applicants and all contractors and sub-contractors engaged by the applicants for the purposes of approved projects.
25. Completed claims for grant aid for these projects together with all supporting documentation required **must be submitted to DAFM within 6 weeks of the completion date of the project**. In any event claims must be submitted no later than the date notified on the approval letter. Claims received after this date will not be accepted for payment.
26. Claims for draw down of funds must be accompanied by:
- i. Expenditure Reports setting out the names of Suppliers, Date(s) of service or supply, Invoices, and Total Amount, signed and dated by the Project Manager, verifying that the accounts are in order, that the work in respect of the draw down of funds has been completed satisfactorily, that the costs in every case are valid and that the application complies with the Terms and Conditions for the funding of the projects.
 - ii. A project report setting out
 - a summary of the project,
 - the outcome/achievements of the project

- if and how they meet the 'expected outputs' as identified in the project application.
Evidence of activity at promotional and marketing events should be provided, for example, photographs, number of visitors/queries, feedback, etc,

iii. Evidence of recognition of DAFM aid for the project.

iv. Any other supporting documentation required by DAFM.

27. All projects funded, part or whole, under these Schemes must give prominence to the DAFM aid for their projects and display the DAFM logo where relevant.

28. Applicants must ensure due diligence is undertaken in the engaging contractors, sub contactors, consultants and suppliers to be used in the course of the project. Evidence may be requested to demonstrate to the satisfaction of DAFM that such procedures including Conflict of Interest procedures where undertaken by the applicant in this regard. Aid will not be paid to projects where it is found that these procedures were not adhered too.

29. Payment of funds will be subject to inspection checks or audit, from time to time, by officials of DAFM, Office and the Comptroller and Auditor General, the EU Commission and the EU Court of Auditors and in this connection the entities operating the schemes will be required to:

- i. *Provide facilities to allow on site access to and examination of all relevant records.*
- ii. *Provide copies of annual accounts and any necessary supplementary information*
- iii. *Maintain and make available to such officers on request, originals of records relating to claims and any further supporting documentation/files required to verify validity and accuracy of those records, including where requested tenders, paid invoices, receipts, bank statements, returned paid cheques, Auditors Certificates, any or all of which may be verified independently by DAFM.*
- iv. *Ensure that expenditure incurred which formed the basis of claims and the payment of funds is easily identifiable in the accounting system. Ensure that there is a clear audit trail from claims to source documents, to item/service supplied and that the purpose of all procurements can be clearly established.*

30. Failure to comply with inspection checks or audit will result in ineligibility for future Schemes.

31. The entities providing and operating the schemes agree and covenant with the Minister to be fully responsible for any loss, damage or injury howsoever caused to persons or property arising out of work undertaken on these projects and hereby agrees and covenants to fully indemnify the Minister and his officers in respect of any such loss, damage or injury howsoever arising during the projects.
32. No funding will be sought from any other Department or State Agency for these projects. If funding is provided for proposed projects by any other State Body, either before or after funding is sought from the Department under this scheme, approval will be withdrawn, and any funding provided will be fully repayable.
33. If any of the Terms and Conditions are not fully met, repayment of all or any part of the grant may be required, as deemed reasonable and appropriate by the Department. The repayment of the grant will be recoverable by the Minister for Agriculture, Food and the Marine as a contract debt.
34. Late interest charges may be applied where debts are not recovered within an agreed timeframe.
35. Where an applicant wishes to request a review of the decision relating to an unsuccessful application, an appeal with additional information with additional information as required stating why they feel the decision was not justified can be lodged with the HEO in Livestock Breeding, Production & Trade Division. The applicant, if unsuccessful in this review, will be given the option to have the case appealed further to an appeal panel within the Department. Appeals must be lodged within 2 weeks of the relevant decision and appeal decisions will be communicated to the applicant within 2 months of receipt of all relevant information and documentation. If the applicant is still not satisfied and appeal can be made to the Office of the Ombudsman, 6 Earlsfort Terrace, Dublin 2, D02 W773. Phone: +353 1 639 5600.
36. The Minister may provide assistance where he considers appropriate under '*Force majeure*' in the following circumstances:
- Death of the applicant;
 - A severe natural disaster gravely affecting the completion of the project;
 - The accidental destruction of whole or part of the project;
- The Department may consider any other exceptional circumstance, not covered in the above, as constituting *Force majeure*.
37. Data Protection Acts 1988 and 2003

See Annex 3.

38. Grants paid are subject to the terms of the Department of Public Expenditure and Reform circular "Management and Accountability for Grants from Exchequer Funds" (Circular 13/2014). In that regard, there is an obligation on the Department to set out with clarity the objective/purpose of the grant in the conditions/grant arrangements. The purpose of the funding will be clearly notified to the grantee - salaries, training, research, public relations/advertising, front-line services etc. and these terms and conditions will reflect, that it is a condition of funding that grantees comply with the Statement of Principles for Grantees as set out in Appendix 2 of the Circular.
39. To comply with the principles of the Circular, a Service Level Agreement (SLA) may be required to be entered into between the Department and the grantee setting out details of the resources which are being provided by the Department and the outputs to be achieved by the Grantee.
40. In accordance with the Circular, the Department is required to ensure that Grantees put arrangements in place for an appropriate type and frequency of financial and performance reporting, with access to relevant records kept by the grantee including expenditure profiles, cash profiles, regular management accounts, and annual audited financial statements, as appropriate. These reports should be accompanied by a certificate of assurance signed at management level, (in general by two responsible persons for example at management or board level), certifying that the public money granted was used in accordance with the terms and conditions of the grant. In small organisations, with a single manager, a single management signature is acceptable. The grantee will be required to sign off on the funding with the Department, having provided acceptable proof that the funds have been spent as appropriate.
41. In accordance with the Circular, the Department advises successful applicants that they will have an obligation to make books and accounts available to the Comptroller and Auditor General, where 50 per cent or more of their total income is sourced from Exchequer Funds, and that the Department has the right to inspect the grantee's records.
42. The obtaining of aid or the attempt to obtain aid under the Schemes by fraudulent means by the applicant or others acting alone or together may, in addition to any scheme penalty, render such persons liable to prosecution.
43. In accordance with Department of Public Expenditure guidelines, Grantees making claims for grant funding on the basis of vouched expenditure may be required to

state to the Department that the invoices used to support their claims relate to activities and services appropriate to the grant scheme objectives, the amounts invoiced have been paid, and the invoices have not and will not be used in support of another claim for reimbursement from any other funder(s) (except as provided for in agreed joint-funding arrangements).

44. Grantees will be required to submit current financial accounts before initial payments are processed.
45. The Minister reserves the right to alter from time to time the conditions attaching to and the procedures to be followed in the operation of this scheme.

Annex 1
Grant Intensities

Education and Training up to 100%

Annex 2

Examples of ineligible expenditure

It is not possible to give a definitive list of items that are, or may be, eligible for funding. Some items that cannot be supported under the programme are listed below:

Item Detail
Promotional material, such as pens, key rings, pins
Entertainment costs
Postage
Costs associated with running competitions e.g. rosettes, sashes
Consumables e.g. stationary, ink cartridges,
Costs not relevant to project proposal unless evidence is provided e.g. clothing /workwear
Additional flight baggage unless it can be justified
Travel & attendance for Team Selections
Unspecified costs will not be funded e.g. miscellaneous expenses, other
Event Insurance
Proposer/Promoter/Company officers own time
Travel/Subsistence/Accommodation for individuals not involved in the project
Legal Costs
Costs associated with International marketing (except costs associated with international studbook competitions)
Working Capital
Maintenance and Licences Costs of IT projects not eligible on ongoing basis

Annex 3

DATA PROTECTION NOTICE

Part A: Information applicable to all Department of Agriculture, Food and the Marine customers:

1. The Department of Agriculture, Food and the Marine is fully committed to keeping all personal data submitted by its customers, fully safe and secure during administrative processes. All necessary technical measures have been put in place to ensure the safety and security of the systems which hold this data. Department staff are also considered as customers of the Department from a Data Protection perspective and may exercise their data protection rights in the same way.
2. Transparency and openness in the use of personal data held is important to the Department and therefore we aim to fully inform all our customers about the purpose(s) for which their data will be used and why, where it may be shared elsewhere and why and how long their data may be held by the Department. Information on the rights of the customers will also be provided.
3. From **25 May 2018** the key legislative frameworks in Ireland are:
 - The General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679);
 - Data Protection Act 2018;
 - The “Law Enforcement Directive” (Directive (EU) 2016/680) which has been transposed into Irish law by way of the Data Protection Act 2018;
 - The Data Protection Acts 1988 and 2003;
 - The 2011 “e-privacy Regulation” (S.I. No 336 of 2011 – the European Communities (Electronic Communications Networks and Services) (Privacy and Electronic Communications) (Regulations 2011).
4. The Data Controller for the collection and processing of all personal data in the Department of Agriculture, Food and the Marine is the Department itself, as a legal entity.

5. **The Data Protection Officer can be contacted as follows:**

Data Protection Officer Data Protection Unit,
Corporate Affairs,
Department of Agriculture, Food and the Marine Grattan Business Park,
Dublin Road,
Portlaoise,
Co Laois.

Email: dataprotectionofficer@agriculture.gov.ie

6. Personal data processed by the Department will only be used for the specific purpose(s) as outlined when the data is collected, or in later communications, and will only be used in accordance with the Data Protection legislation in force.

7. Rights of the individual in relation to personal data held by the Department:
When you, as a customer, provide personal data to the Department you have certain rights available to you in relation to that data. These rights are outlined below and can be exercised by contacting the Data Protection Officer, as detailed above, indicating which right(s) you wish to exercise:

DAFM customers have the following rights:

- access to their data;
- rectification of their data;
- erasure of their data;
- right to lodge a complaint with the Supervisory Authority.

From **25 May 2018** onwards all Department customers also have the following additional rights:

- restriction of processing;
- data portability;
- objection to processing;
- withdraw consent if they previously gave it in relation to processing of their personal data;
- relating to automated decision making, including profiling.

Part B – Information specific to the personal data being collected under The General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679):

The following data is specific information in relation to the personal data processed with regard to applications for a derogation under Council Directive 90/428/EEC in the Republic of Ireland.

1. Specified purpose:

The primary purpose for collecting this information is to process applications for a derogation under Council Directive 90/428/EEC and S.I. 357 of 2011 in the Republic of Ireland.

2. Legal basis:

This processing is necessary for compliance with a legal obligation to which the Department is subject, for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Department and or for the performance of a contract to which the data subject is party.

3. Legislation:

No legal basis.

4. Recipients:

The data provided in this application will be shared within the Department of Agriculture, Food and the Marine.

5. Transferred outside the EU:

This information will not be transferred outside the EU.

6. Retention Period:

The data collected for this purpose will be held by the Department only as long as there is a business need to do so in line with the purpose(s) for which it was collected. After this time, it will be marked for destruction and will be destroyed in line with internal guidelines or guidelines for destruction received from the National Archives Office or associated permissions received from them.

7. Data provision being statutory or contractual obligation:

The data provided for this purpose is being requested under the requirements of the Equine Technical Support Scheme and if the customer chooses not to provide this information their application for this support cannot proceed.

8. Technical information on data collected:

Technical information on the cookies used on our Department's website is available at the following link: <https://www.agriculture.gov.ie/legalnotices/privacy/>