

## 2024 Transfer of Entitlements Terms and Conditions

### (excerpt from Basic Income Support for Sustainability (BISS) Terms & Conditions 2024)

1. BISS Entitlements may only be transferred to an active farmer in the same Member State, except in the case of inheritance and /or anticipated inheritance (gift).
2. The transferor and transferee must apply to transfer entitlements by completing an online Transfer of Entitlements application.
3. Entitlements may be transferred with or without land.
4. Leased or rented entitlements will revert to the transferor at the end of the relevant scheme year. The reversion of entitlements on expiry of a Lease or Rental Agreement is not considered a form of transfer. Where the expiry date of a rental agreement or lease end date as recorded on the transfer of entitlements application form is on or prior to the 15 May 2024, entitlements shall revert to the owner of the entitlements from the end of the 2023 scheme year.
5. Entitlements may not be transferred more than once in a scheme year, unless by way of inheritance or anticipated inheritance.
6. The effective date of transfer of entitlements in all cases is the closing date of 15 May 2024. However, if the entire holding or ownership of a herd number is transferred between the date of application for the BISS scheme and the 31 May 2024, the transferee must agree to take on the responsibilities of the transferor regarding compliance with the Terms and Conditions of the 2024 BISS Scheme by completing a Declaration of Undertaking Form (BISS/DofU). This form is available on the Department's website at <https://www.gov.ie/en/service/3f1f2-transferring-farm-entitlements/>. The Declaration of Undertaking Form must be completed by both the Transferor and Transferee and must be submitted online with the Transfer of Entitlements application. The transferee must fulfill the conditions for granting the aid and honour the undertakings given by the transferor and, if otherwise in order, payment of 2024 BISS Payment will issue to the transferee. If the entire holding or ownership of the herd number changes after the 31 May 2024, the 2024 BISS Payment will issue to the Transferor.
7. To withdraw a 2024 Transfer of Entitlement Application a completed Transfer of Entitlements Application Withdrawal Request form must be uploaded by the transferor and transferee prior to processing of the application. This form is available on the Department's website at <https://www.gov.ie/en/service/3f1f2-transferring-farm-entitlements/>
8. EU regulations provide that any payment entitlements unduly allocated to a farmer may be recovered and allocated to the National Reserve. Where such payment entitlements have been transferred to another farmer the transferee must relinquish the unduly allocated entitlements to the National Reserve.
9. All entitlements are subject to a two year usage rule. Any entitlement that remains unused for two consecutive years will revert to the National Reserve. The rotation of entitlements is not available under the BISS Scheme.

10. Transfer of Entitlements applications may be submitted by groups such as joint herd number, a registered or unregistered partnership, or a company. Documents and information submitted in support of applications made by such groups are submitted with the consent of, and are available to, all members of the group and any FAS approved advisor that has been authorised to act on behalf of the group.
11. Letters for successful applied applications, lease reversions and change of ownership are available online only. It is the herdowner's responsibility to ensure they check their correspondence.
12. All documentation being submitted should be uploaded using Agfood.ie. Any documentation received via post will be destroyed once uploaded. Any original documentation i.e. Wills, probate will be returned.
13. All applications to transfer entitlements must be received on or before midnight 15 May 2024. Any application received after this date must be accompanied with force majeure evidence.
14. While the closing date for the receipt of Transfer of Entitlements applications is 15 May 2024, if a change made to a BISS online application leads to a farmer having insufficient land to use all of their entitlements, they will have the opportunity to submit a Transfer of Entitlements application up until midnight on 31 May 2024. This is only available to farmers who can show that they have made a change to their BISS application by 31 May 2024 and that change has directly led to the need to transfer entitlements. Applications to transfer entitlements must be made through the Department's online facility **[www.agfood.ie](http://www.agfood.ie)**