

**FORCE MAJEURE  
2017 APPLICATION FORM****YOU ARE ADVISED TO KEEP A COPY OF THIS FORM**

Before completing this form, you are advised to read Section 11 on Force Majeure of the 2017 Guide to the Basic Payment Scheme. This can be found at

<https://www.daera-ni.gov.uk/publications/2017-guide-basic-payment-scheme>

Force Majeure is defined as unusual circumstances, outside your control, the consequences of which, in spite of all due care, could not be avoided except at the cost of excessive sacrifice on your part. **You must inform the Department of the circumstances within fifteen working days from the date on which you are in a position to do so.**

This form should be completed if:

- **You consider Force Majeure/Exceptional Circumstances prevented you from submitting your 2017 Single Application, Young Farmers' Payment Registration or Regional Reserve Application on time;**
- **The land you declare for the establishment and activation of your entitlements on your 2017 Single Application will not be at your disposal for the full 2017 year due to reasons of Force Majeure/Exceptional Circumstances;**
- **You consider Force Majeure/Exceptional Circumstances prevented you from complying with the conditions of any Scheme / Payment you applied for in 2017.**

In limited circumstances, we may accept that you are prevented from fulfilling your 2017 obligations due to a course of events amounting to Force Majeure/Exceptional Circumstances. Where we recognise this to be the case, the penalties normally associated with such failure may not be applied.

You will have to prove that, despite taking all reasonable measures to counteract their effects, the Force Majeure/Exceptional Circumstances prevented you from meeting your 2017 obligations. As a result, you must be able to provide information **(supported by documentary evidence)** of the steps you have taken to prevent or lessen the effect of these circumstances.

#### Land

Examples of eligible Force Majeure/Exceptional Circumstances events will be those that **temporarily** remove the land from agricultural use by your farm business.

These include:

1. Land vested for roadway where part of the land is used to house contractors machinery etc. The land will return to you for use after the contract is complete. However, we will not consider the land used for the actual road under these provisions unless this event was unknown to you at 15 May 2017;
2. Land vested by a utility for work where the land is returned to agricultural use after the work is complete, for example, pipe laying etc;
3. Eligible land which has been damaged as the result of an unforeseen event, for example gorse wildfire or floods;

4. If you have signed an agreement, or are similarly committed to permitting work to take place but the consequences of not doing so would be that a vesting order would be applied for, this will be considered Force Majeure/Exceptional Circumstances.

Land **permanently removed** from agricultural use during 2017 **will not** be considered as Force Majeure/Exceptional Circumstances unless the event was unknown to you at 15 May 2017.

**This form should be posted or delivered to:**

**Area-Based Schemes Payment Branch  
Department of Agriculture, Environment and Rural Affairs  
Orchard House  
40 Foyle Street  
Derry / Londonderry  
BT48 6AT**

**Telephone: 0300 200 7848**

The Department will acknowledge receipt of your application form within 10 working days of receipt. If you do not receive an acknowledgement within 15 working days of posting your form, you should contact the Area-Based Schemes Payment Branch in Orchard House immediately so that in the event of it not having been received you will have time to submit another form. The Department will not be responsible for forms that are delayed or lost in the postal system.

**SECTION 1: APPLICANT DETAILS (PLEASE PRINT)**

Surname	Forename(s)	Title Mr/Mrs/Miss etc.

<b>Address</b>			
<b>Town</b>		<b>Post code</b>	
<b>Telephone</b>			
<b>Business ID</b>			

**SECTION 2: LAND DETAILS (PLEASE PRINT)**

Please enter details of the fields affected by the Force Majeure/Exceptional Circumstance and the scheme(s) you wish to claim it for:

Farm Survey Number and Field Number	Total MEA	Total Affected MEA Area*	Insert ✓ for relevant scheme(s)						
			BPS	ANC	NICMS	EFS	OFS	FWS	FWPS

continue on a separate sheet if necessary)

\*If your land has been vested by a utility company the 'Total Affected MEA Area' should include the working area and any "write-off" areas agreed with the company.

I confirm that following the period of Force Majeure/Exceptional Circumstance all land affected will be returned to agricultural use.

Yes  No





## IMPORTANT

Any person who makes a false declaration or fails to notify DAERA of a material change to the information given in this form is liable to prosecution. A false, inaccurate or incomplete statement or failure to notify DAERA of any material change to the information given in this form may result in loss of entitlement and / or recovery of any payments made.

## DATA PROTECTION AND FREEDOM OF INFORMATION

The Department takes data protection and freedom of information issues seriously. It takes care to ensure that any personal information supplied to it is dealt with in a way which complies with the requirements of the Data Protection Act 1998. This means that any personal information you supply will be processed principally for the purpose for which it has been provided. However, the Department may also use it for other legitimate purposes in line with the Data Protection Act 1998 and Freedom of Information legislation. These include:

Administration of the Common Agricultural Policy and other aid schemes;

The production and safety of food;

Management of land and other environmental controls;

Animal health and welfare;

The prevention and detection of fraud or maladministration (e.g. The Comptroller & Auditor General and HM Revenue & Customs);

Compilation of statistics;

Disclosure to other organisations when required to do so; and

Disclosure under the Freedom of Information Act 2000 or the Environmental Information Regulations 2004 where such disclosure is in the public interest.