

**YOU ARE ADVISED TO KEEP A
COPY OF THIS FORM TE1**

FORM TE1 - APPLICATION FOR THE TRANSFER OF BPS ENTITLEMENTS BY ACTUAL INHERITANCE

Basic Payment Scheme (BPS) 2018

THE CLOSING DATE FOR RECEIPT OF APPLICATIONS IS

WEDNESDAY, 2 MAY 2018,

IF YOU WANT YOUR TRANSFER PROCESSED FOR THE 2018 BPS SCHEME YEAR

PLEASE NOTE:

The person receiving the entitlements (the transferee) must meet the definition of a farmer (See *Section 4 of the Guide to the Transfer of BPS Entitlements*) except in cases of actual or anticipated inheritance.

In order to complete Form TE1 the Executor of the Estate, on behalf of the deceased (transferor) needs the deceased's Entitlement Transfer ID and the Entitlement Transfer ID of the transferee (the person receiving the entitlements).

If you have any difficulties contact Area-based Schemes Payment Branch on 0300 200 7848 for further advice.

Entitlements cannot be transferred without this information.

Mergers and Scissions

- If the transfer involves a business merger use Form BC3 - **not Form TE1**.
- If the transfer involves a business scission use Form BC4 - **not Form TE1**.

Before completing any forms regarding transfer of entitlements, business changes or setting up a new farm business, you are strongly advised to read the:

- Guide to Transfer of BPS Entitlements
- Guide to Business Changes
- Guide for DAERA identification numbers for business customers, herd and flock keepers

The completed Form TE1 should be returned to:

**Department of Agriculture, Environment & Rural Affairs (DAERA)
Area-based Schemes Payments Branch
Basic Payment Scheme
Orchard House
40 Foyle Street
Derry/Londonderry
BT48 6AT**

If you need any help with any of the questions, you should contact Area-based Schemes Payment Branch on:

0300 200 7848

TRANSFER OF BPS ENTITLEMENTS BY ACTUAL INHERITANCE

If you need help with any of the questions on the form please contact Area-based Schemes Payment Branch on: 0300 200 7848.

It is usually only possible to transfer entitlements by actual inheritance when probate has been completed. However, when probate has not been completed and a beneficiary(ies) believes that they **will not meet the active farmer** requirements (e.g. the land is being rented to another farm business) then the Department will permit the Executor of the Estate to permanently transfer or lease entitlements to another farm business.

If this is the case an Indemnity Form must be signed by all Personal Representatives of the Estate, in the presence of a solicitor, **indemnifying the Department against any future adverse consequences.**

A Declaration Form from a solicitor is also required in relation to the deceased's Estate.

If these forms are needed contact Area-based Schemes Branch on 0300 200 7848. The entitlements can then be transferred, prior to the completion of probate, to the transferee named at Section 2 of the Form TE1.

TRANSFER OF ENTITLEMENTS BY ACTUAL INHERITANCE (Following the death of the holder of the entitlements.)

The inheriting farm business should be approved as a category 1 business by 15 May 2018, for the transfer of entitlements to take place.

The Executor of the Will on behalf of the deceased business must complete this form. If all required information is unknown the Executor of the Will should contact Area-based Schemes Payment Branch on 0300 200 7848 for advice/assistance.

Entitlements can only be transferred by actual inheritance after probate is cleared. If probate has not been cleared, and the land is being farmed by a beneficiary on behalf of the Estate, the 2018 SAF should be submitted on behalf of the Estate to activate BPS entitlements.

If a beneficiary(ies) will not/do not meet the active farmer requirements and wish to transfer the inherited entitlements **before the completion of probate**, the Department will permit the Executor of the Estate to permanently transfer or lease entitlements to another farm business (which must have a category 1 business ID from DAERA) prior to the clearance of probate, provided the Executor, in the presence of a solicitor, signs an Indemnity Form.

In this instance the Executor should **complete Parts 1, 2, 3 and 4** of this Form TE1 and return it **along with a completed Declaration Form and Indemnity Form.**

In the case of split inheritance a separate Form TE1 application will need to be completed in respect of entitlements transferred to each beneficiary.

**SECTION 1 – DETAILS OF THE FARM BUSINESS OF THE TRANSFEROR
(DECEASED)**

To be completed by the person acting on behalf of the Estate (Executor).

BUSINESS ID:	
ENTITLEMENT TRANSFER ID:	
BUSINESS TRADING NAME:	
TITLE:	
FIRST NAME:	
SURNAME:	
BUSINESS ADDRESS:	
POSTCODE:	
PHONE NUMBER:	
MOBILE NUMBER:	
E-MAIL:	

**SECTION 2 – DETAILS OF THE INHERITING FARM BUSINESS
(TRANSFeree DETAILS)**

This Section can be completed by the Executor. Complete details of the farm business receiving the entitlements.

BUSINESS ID: <i>*If applicable</i>	
ENTITLEMENT TRANSFER ID: <i>**If applicable</i>	
BUSINESS TRADING NAME:	
TITLE:	
FIRST NAME:	
SURNAME:	
BUSINESS ADDRESS:	
POSTCODE:	
PHONE NUMBER:	
MOBILE NUMBER:	
E-MAIL:	

*** Does the inheritance transfer involve setting up a new farm business?** Yes No

If 'Yes' the transferee (person receiving the entitlements) must submit Form FB1 **immediately**.

If you have applied on Form FB1 for approval as a new farm business, please confirm the date the form was submitted: _____

****** If you have applied on Form FB1 for approval as a new farm business, you will not have been given an Entitlement Transfer ID. Contact Area-based Schemes Payments Branch, Orchard House on 0300 200 7848.

Does the inheritance mean the closure of the original farm business?

Yes No

If the original farm business has an operational herd/flock, the beneficiaries must contact their DAERA Veterinary Office based at their local Direct Office first regarding the transfer of herd/flock keeper details.

SECTION 3 – WHAT ENTITLEMENTS DO YOU WISH TO TRANSFER?

Please list the entitlements you want to transfer to the inheriting farm business named in Section 2.

A	B	C	D
ENTITLEMENT ID BLOCK NUMBERS	NUMBER OF ENTITLEMENTS TO BE TRANSFERRED	UNIT VALUE OF ENTITLEMENTS TO BE TRANSFERRED BY ACTUAL INHERITANCE	TOTAL VALUE OF ENTITLEMENTS TO BE TRANSFERRED BY ACTUAL INHERITANCE

Continue on a separate page if necessary

SECTION 4 – DATE THE INHERITANCE IS TO TAKE EFFECT FROM (DATE OF TRANSFER)

NOTE:

If no effective date is given we will default to 15 May 2018.

Effective date of transfer of entitlements:

SECTION 5 – SUPPORTING DOCUMENTS

To be submitted in support of a Form TE1 application in the case of transfer of entitlements through actual inheritance. Please submit original documents. We will return them to you immediately.

Please indicate which of the following documents you have attached to support the transfer application.

Grant of Probate (with a copy of the Will):

Indemnity Form

Declaration Form

Other (*please specify*)

Evidence of transfer such as the documents listed above MUST be submitted with your application. If you have already provided documentary evidence you do not have to resubmit the evidence. In such cases you should indicate which documents were sent and provide a copy of any related correspondence from DAERA.

SECTION 6 – DECLARATIONS AND UNDERTAKING

In this section both the **transferor** (i.e. the Executor of the Estate) and the transferee is asked to confirm by signing the section below that they understand and will comply with their obligations in relation to the transfer of entitlements by inheritance.

1. Transferor Declaration (signed by the Executor(s) of the Estate)

I declare that as Executor(s) of the Estate of the deceased:

- I wish to transfer entitlements by way of actual inheritance as detailed at Section 3 above.
- I declare that the information given by me in this application is true and complete to the best of my knowledge and belief. I have enclosed all relevant documents relating to this application.
- The transferee (beneficiary) at Section 2 wishes to receive entitlements by way of actual inheritance as detailed in Section 3 above and is aware that if, at a later date, it is found that the original holder of the entitlements was incorrectly allocated the entitlements, or that the entitlements received have been recalculated to take account of changes, they will be recovered or their value amended.
- I am aware of the conditions pertaining to the BPS and have complied with them.
- I have read and understood all of the relevant guidance notes.

- I am aware that once the transfer is approved, the farm business belonging to the deceased will be closed when probate is finalised.

I undertake:

- To provide any additional information relating to this application that DAERA may reasonably require.
- To advise DAERA of any material change to the information given on this form.

Transferor signature:	
Print Name:	
Status of person signing: <i>(e.g. Legal Personal Representative / Executor of Estate / Solicitor)</i>	
Date:	

2. **Transferee Declaration**

I declare that as transferee (person receiving the entitlements) that:

- I wish to receive entitlements by way of actual inheritance as detailed in the Table in Section 3 above.
- I declare that the information given by me in this application is true and complete to the best of my knowledge and belief and all the relevant documents have been enclosed with this application.
- I am aware that if, at a later date, it is found that the original holder of the entitlements was incorrectly allocated the entitlements, or that the entitlements received have been recalculated to take account of changes, they will be recovered or their value amended.
- I am aware of the conditions pertaining to the BPS and have complied with them.
- I have read and understood all of the relevant guidance notes.
- I am aware that once the transfer is approved, the farm business belonging to the deceased will be closed when probate is finalised.

I undertake:

- To provide any additional information relating to this application that DAERA may reasonably require.
- To advise DAERA of any material change to the information given on this form.

- To comply with EU Regulations and any other applicable legislation governing the BPS and the Single Application process.

Transferee signature:	
Print Name:	
Status of person signing: <i>(e.g. sole trader, member of business, agent)</i>	
Date:	

PERSONAL DATA PRIVACY NOTICE

The Department takes data protection, freedom of information and environmental 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 and will comply with the General Data Protection Regulation and the new Data Protection Act 2018 which will come into effect from 25 May 2018.

This means that any personal information you supply will be processed principally for the purpose for which it has been provided. However, the Department is under a duty to protect the public funds it administers, and to this end may use the information you have provided for this purpose. It may also share this information with other bodies responsible for the audit or administration of public funds, in order to prevent and detect fraud.

In addition, the Department may also use it for other legitimate purposes in line with the Data Protection Act 1998, Freedom of Information Act 2000 and Environmental Information Regulations 2004.

These include:

- Administration of the Common Agricultural Policy and other aid schemes;
- Administration of the Common Fisheries Policy;
- The production and safety of food;
- Management of land and other environmental controls;
- Animal health and welfare;
- Occupational health and welfare;
- The prevention and detection of fraud or maladministration (e.g. The Comptroller & Auditor General and HM Revenue & Customs.)
- Compilation of maps and statistics;
- Disclosure to other organisations when required by law 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.

Legislation introduced by the European Commission in 2014 requires Member States to publish details of the amounts paid to CAP beneficiaries. Data will be published for all beneficiaries on a searchable website, and will include the name and locality of the beneficiary and details of the amounts and schemes for which subsidy has been paid. However, for those receiving less than the equivalent of €1,250 in subsidies, the name of the beneficiary will be withheld.

Data will be made available from 31st May each year and will cover all payments made in the previous EU financial year (October to October). The data will be updated annually and remain available for two years from the date it is published.

CHECKLIST

1. Does the transfer involve a Business Change? Yes No

Form BC1 should be used to notify us of **straightforward changes** to your farm business that do not require a transfer of entitlements.

You do not need a Form BC1 if you are completing a Form BC3 or Form BC4.

- If the transfer involves a business merger use Form BC3 - **not Form TE1**.
- If the transfer involves a business scission use Form BC4 - **not Form TE1**.

2. Does the transfer involve setting up a new farm business? Yes No

If 'Yes' you must submit Form FB1 **immediately**.

Where a transfer of entitlements results in the setting up of a new farm business, and you want that transfer to take effect for the 2018 BPS scheme year, you must submit Form FB1 by the closing date for Single Applications, which is **15 May 2018**.

If you have applied on Form FB1 for approval as a new farm business, please confirm the date the form was submitted: _____

3. Do you want the farm business that is transferring the entitlements to be closed? Yes No

If you are closing your farm business, and you have an operational herd/flock, you must contact your local DAERA Direct Office first regarding the transfer of herd/flock keeper details.