

# Other aspects

**Date published: 16 March, 2015**

## Penalties

Penalties, reductions, and exclusion will be applied to your payment if:

- your Single Application Form is submitted after the deadline (midnight on 15 May) and / or
- you have breached scheme rules, for example in relation to land declarations and / or
- your farming practice fails to meet the requirements relating to cross compliance

Details of the various penalties are contained in our guidance for completing your Single Application Form.

[Single Application Form](#)

Copies are available to download from the above link or from your local area office for a copy.

## Whole holding transfers

If you are transferring your farm in its entirety complete with entitlements to another farmer, after 15 May, and you wish that farmer to receive the basic payment for the year in question, you need to complete a "whole holding transfer" form, available from your local area office.

There are separate rules covering this type of transfer.

## Force majeure or exceptional circumstances

There may be situations where you may be able to avoid the penalty element of any reduction or recovery of payment.

This would only happen if your circumstances fall into the force majeure or exceptional circumstances scenario.

Examples of force majeure or exceptional circumstances are:

- the death of the farmer
- the long-term professional incapacity of the farmer
- a severe natural disaster gravely affecting the holdings agricultural land
- the accidental destruction of livestock buildings on the holding
- an epizootic affecting part of or all of the farmer's livestock (for example, Foot and Mouth Disease)

You should bear in mind that these are only examples and they are not, by themselves, sufficient to qualify as force majeure or exceptional circumstances.

Normal commercial risks cannot be considered as force majeure or exceptional circumstances.

**If you are not able to fulfil the requirements of the Basic Payment Scheme because of force majeure or exceptional circumstances, you must write to your area office with relevant evidence within 10 working days of your knowledge of the incident.**

## Direct Payments ceiling

The Scottish Government has been granted a maximum budget by the European Commission for the Basic Payment Scheme and other Direct Payments.

If, when all these payments have been calculated, we find we have exceeded the budget, we may have to scale back all payments. If we need to do this, we will provide further information with your payment advice letter.

## Financial discipline

If the overall European Commission budget for direct aid payments is in danger of being exceeded, there is a mechanism (Financial Discipline) which reduces payments being made across all European Union Member States.

This provision is designed to protect European Union taxpayers from budget increases. If we need to do this, we will provide further information with your payment advice letter.

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