



# **Registration of FARM ADVISORY SERVICE**

## **Guidelines for the submission of Applications**

### **1. INTRODUCTION**

Farm Advisory Services entities are instrumental to help farmers to adapt, improve and facilitate management and to improve the overall performance of their holdings by enhancing the human potential operating in the agricultural sector. The purpose of these guidelines is to give an indication of what the FAS should constitute with regards to both technical resources and human framework. These guidelines are relevant to FAS that serve to assist both farmers and livestock breeders in providing professional advice on Statutory Management Requirements (SMR), Good Agricultural and Environmental Conditions (GAEC) and safety standards relevant to occupational health and safety and other associated European Community legislation for the improvement of the overall performance of the holding.

### **2. LEGAL BASIS**

LN 113 of 2010 gives the legal basis for the setting up of Farm Advisory Service.

### **3. AIM OF THE FARM ADVISORY SERVICE**

Advisory services shall aim to help farmers and livestock breeders to meet the requirements of EU and National regulation mainly with regards to Cross Compliance requirements and Health and Safety standards.



#### 4. OBJECTIVES OF FARM ADVISORY SERVICES

The primary objective of the Farm Advisory Service is to provide advisory services to farmers and livestock breeders for the improvement of the overall performance of their holding. In order for a Farm Advisory Service Entity to be recognised by the Farm Advisory Service Registration Board (FASRB), must demonstrate its capability to provide advice on the minimum advisory services that pertain to the following areas of competences:

- The Statutory Management Requirements and the Good Agricultural and Environmental Conditions provided for in Annexes II and III of Council Regulation EC 73/2009.
- Occupational safety standards based on Community legislation.
- Observance by farmers and livestock breeders, of
  - General good farming practices
  - Code of Good Agricultural Practices
  - Awareness and compliance with all the Directives falling under Cross Compliance
  - Keep abreast to developments and obligations on current and future CAP payments and Rural Development (Pillar II) measures.
- Preparation of supporting documentation required in terms of EAFRD measures, including site plans, waste management plans, nutrient management plans, conservation plans, business plans, plant protection plans, etc.
- Able to aid in the compilation of application forms and, or whole farm management plans of rural development measures as well as assist farmer in proper record keeping.
- The FAS must be prepared to undertake to organise training courses both to the staff within the FAS and to its clients in all technical areas explained in point 4.

#### 5. CRITERIA FOR REGISTRATION

##### 5.1 Human Resources

1. The FAS entity shall have to demonstrate that its experts have;
  - A core competency of 2 years experience in the requirements outlines in point 4.
  - qualified technical experts or consultants with an appropriate level of technical and economic-based training,
  - proven knowledge of CAP policies, Cross Compliance, Good Farming Practices, Co GAP, Occupational Health and Safety, Rural Development Measures and applications and
  - Knowledge on agricultural production.
2. A single expert or consultant with the same requirements mentioned above can also be considered.
3. The technical support team pertaining to any expert, and, or consultant must also be registered.
4. Experts and/or consultants can also be supported by a team of technical and administrative team. However any reports issued by the entity are to be signed by the experts and/or consultants who would be held accountable.
5. The Farm Advisory Service Entity must ensure that the technical support team are in possession of a diploma and have sufficient work experience in the field his/her area of expertise.
6. The experts and technical support team cannot be part of more than one FAS entity.



### 5.1.1 Structure of FAS - Segregation of competences

The basic make up of FAS should include 2 levels of professional fields:

- Level (1) One official from level 2 or any other qualified person may be chosen to represent the FAS as the coordinator.
- Level (2) Professional personnel who are responsible to advise/suggest remedial action so as to bring farmers holding complaint.
- Level (3) Field inspector: must be knowledgeable of Cross Compliance requirements and able to identify what is compliant and what is not.

### 5.1.2 The basic structure of the Farm Advisory service must constitute the following:

#### Level 1

##### Co-Coordinator

*(In possession of a Degree and at least two (2) years experience in EU Agricultural related area).*

#### Level 2

##### Professional personnel

*(Officers in level 2 must be in possession of a Degree related to the following areas of expertise).*

Area	Area	Area	Area	Area
Environment	Public Health and Plant Health	Animal welfare	GAEC	Health and safety <sup>1</sup>

<sup>1</sup> Officers in Level 2 responsible for the Health and Safety Area must be registered as a competent person with the Occupational Health and Safety Directorate.

#### Level 3

##### Field workers

*(The number of field workers required depends on the extent of the activities of the entity, however the field worker must be in possession of at least a recognised Diploma in level 5 which would reflect the fields of study covered (e.g. livestock only or land and livestock related) or demonstrate to have at least 2 years work experience in the related field).*

Note: In levels 2 and 3 of the organisational structure officials must attend the mandatory Cross Compliance course within one year from engagement with the entity.

### 5.2 Facilities & Resources required for operation of FAS:

- ICT hardware and software.
- On-site (field and farm) instruments for analysis, monitoring, etc.
- Office ware.
- Reference materials including library, archive, and catalogue materials.
- Budget plan related to continuous professional development of short courses not leading to the achievement of a formal qualification.
- Training plan pertaining to members of the FAS entity.
- Training plan pertaining to the FAS clients



## 6. PROCEDURE FOR REGISTRATION

- To provide a service the Farm Advisory Service entity must first submit an application for registration to the competent authority (which is the Agricultural and Rural Payments Agency).
- Curriculum Vitae together with a transcript of the credits of the core experts are to be submitted with the application for every expert as evidence of their qualification.
- Applications must be complete and submitted together with the relevant documents at the Front Office, Agricultural and Rural Payments Agency, Pitkali Markets, Ta'Qali, or Front Office IACS Gozo.
- Incomplete applications or applications with missing documentation will be referred back to the representative at the time of application, together with checklists indicating the missing fields/documents.
- The entity must also submit a declaration indicating that there is no conflict of interest with their clients. The entity is bound to ensure that the advisory officials who provide advice to the entities clients do not have the same evaluating status as its clients.
- Once submitted to the Front Office the Application will be passed on to the Registrar (Agricultural and Rural Payments Agency) for further verification. Clarifications of any information submitted may be requested from the Registrar and is to be submitted to the Registrar within 15 days form when the FAS is notified. Failure to do so will result in the rejection of the application.
- The Agricultural and Rural Payments Agency will draft a report on the application submitted by the entity and provides its recommendation to the Farm Advisory Service Registration Board, which is the Competent Body to approve the Recognition of the FAS.
- Farm Advisory entities are to take full responsibility of all the information provided and services rendered to their clients by their personnel, and must provide a signed declaration to this effect when submitting the relevant registration documentation.
- The entity must pay an administrative fee of €20 when presenting the Application form.
- **The entity must provide 2 copies of the application.**
- The application is assessed by the Farm Advisory Service Registration Board (FASRB) who will decide whether the entity has sufficient resources and expertise to provide advice to farmers and the agro-industry.
- The Farm Advisory Service Registration Board (FASRB) shall notify the Agricultural and Rural Payments Agency about the decisions of approval or rejection of applications. The Board is also to provide reasons for its decision. The decisions of the Board to refuse the renewal shall be notified in writing by the registrar to the applicant within 30 days from the decision.
- Should the Board accept the registration of the entity, the entity should pay a registration fee of €150 on notification by the Registrar prior to the issue of the certificate.
- The Agricultural and Rural Payments Agency includes the approved entities in the register and issue a certificate which is valid for a one year. This certificate is renewed when the status report is provided by 1<sup>st</sup> of June and 1<sup>st</sup> of December together with the Euro 30 (for December Report).
- Applicants who do not agree with the outcome of the registration process will have the right to appeal from such decision.
- The Board holds the right to cancel any certificate granted under the provisions stated in LN 113 of 2010.



## • 7. SCHEDULE OF FEES FOR REGISTRATION FOR FARM ADVISORY SERVICES

The following shall apply for registration of Farm Advisory Entities:

Description of fee	Fee in €
Euro Administrative	20
Registration Fee	150
Yearly Renewal Fee	30

## 8. OBLIGATIONS OF FAS ENTITIES

- Registered farm advisory entities are obliged to follow advice and recommendations given by the Ministry for Sustainable Development, Environment and Climate Change (MSDEC), moreover FAS entities must ensure that correlated work is not re-diverted to, or requested from the MSDEC.
- Farm advisory entities shall undertake to comply with or accept any changes to the commitments, undertaken in accordance with these regulations that may be necessary as a result of European Union or national legislation.
- They shall provide the services listed in Annex 1 and shall take full responsibility of all information provided and services rendered to their clients by their personnel
- Farm advisory services shall ensure that its experts shall attend a specialized training course approved by the Ministry responsible for agriculture on cross compliance covering the obligations of the Statutory Management Requirements and Good Agricultural and Environmental Conditions.
- The FAS entity must not disclose personal or individual information that would have been obtained through their advisory activity other than the farmer managing the holding concerned, except in cases of irregularities or infringements found during their activity that is covered by a legal obligation to inform a public authority.
- FAS entities are obliged to keep records about their activity and information about the services rendered to their clients. Information about the clients shall be maintained in the format indicated in FAS Status Report Annex II
- Entities shall undertake to allow access to members or persons authorised by the Board or the Agricultural and Rural Payments Agency for the purpose of carrying out an inspection in order to verify the accuracy of any information provided or any declaration made to ensure compliance with these regulations.
  - The Farm Advisory Services shall submit half yearly status reports on the Farm Advisory service to be assessed by the Board. The half yearly report shall be submitted to the Agricultural and Rural Payments Agency not later than the 1<sup>st</sup> June and the 1<sup>st</sup> December of each year. This status report must be completed as specified in Annex III of these guidelines. Two copies must be submitted to the Agricultural and Rural Payments Agency.
- Any changes in the structure or composition of the FAS entity must be notified to the Registrar through submission of table 1.3a 'Details of Human Resources prior to the proposed change in structure.
- Any FAS entity, that for the purpose of obtaining the certificate for registration in the Register, provide any wrong information or otherwise acts in a deceitful or fraudulent manner, shall be guilty of an offence and shall, on conviction be liable to a fine not exceeding two thousand and three hundred and twenty nine Euros (€2,329).



## **9. COMPLIANCE AND VERIFICATION OF SERVICE**

The FASRB may at any time ask the Agricultural and Rural Payments Agency to conduct checks on the registered FAS entity, to verify that the information submitted in the half yearly status report by the FAS entity is correct and actions followed up.

The Agricultural and Rural Payments Agency shall report the findings of the checks to the FASRB together with a recommendation for the re-evaluation of the registration if necessary. Should the Agricultural and Rural Payments Agency discover that the FAS had delivered wrong information or advice to its client, the FASRB may suspend the recognition until corrective action is taken by the FAS entity. The FAS entity is obliged to take immediate corrective action and reimburse any costs paid by the client. If the action is repeated the FASRB may withdraw the recognition and notify the registrar to de-register the entity.

Should the Agricultural and Rural Payments Agency find out during its checks, that the FAS entity provided wrong information or otherwise acted in a deceitful or fraudulent manner, the entity shall be guilty of an offence and shall, on conviction be liable to a fine not exceeding two thousand and three hundred and twenty nine Euros (€2,329).



### Annex I Category of Services

Category	Description
<b>A</b>	<b>Cross Compliance – LAND Related; SMR 1-5, 9 and GAEC</b>
<b>A1</b>	SMR 01 – Birds Directive
<b>A2</b>	SMR 02 – Protection of Groundwater Directive
<b>A3</b>	SMR 03 – Sewage sludge Nitrates Directive
<b>A4</b>	SMR 04 – Nitrates Directive
<b>A5</b>	SMR 05 – Habitats Directive
<b>A6</b>	SMR 09 – Plant Protection Products
<b>A7</b>	GAEC
<b>B</b>	<b>Cross Compliance – LIVESTOCK Related; SMR 6 – 8 and 10 - 18</b>
<b>B1</b>	SMR 06 – 08; Identification and Registration of swine, bovines and caprines/ovines
<b>B2</b>	SMR 10 – 15; Hormones / Diseases
<b>B3</b>	SMR 16 – 18; Welfare of calves, swine and animals in general
<b>C</b>	<b>Good Farming Practices</b>
<b>D</b>	<b>Common Agricultural Policy Payments &amp; Rural Development Measures</b>
<b>E</b>	<b>Occupational Health and Safety</b>



## Annex II Template for the Farmer Status Report

FAS letter head  
Registration No

### Farmer Status Report

**Farmer Name and surname:** \_\_\_\_\_  
**Type of Farm Activity:** \_\_\_\_\_  
**Focus Area:** \_\_\_\_\_  
**Type/s of Advisory Service:** \_\_\_\_\_

**Prepared by:**

(a) Date of advise	(b) Expert	(c) Advisory service type	(d) Date of control	(e) Action corrected (Y or N)	(f) Charge (€)

Activities Accomplished (last 6 months)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Activities Planned (next 6 months)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

New issues to be dealt with

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Old issues still pending

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
*Signature of co-ordinator*

\_\_\_\_\_  
*Date*

- \_\_\_\_\_  
 (a) Date in which advice was given action was made  
 (b) Expert involved/consulted  
 (c) Advisory service 'type'  
 (d) Date of control made by FAS to check whether corrective action was made  
 (e) Results of corrective action implied by (e)  
 (f) Amount charged by FAS in €



### Annex III

## Template of Farmer Status Report to be submitted by Farm Advisory Service Providers

FAS letter head  
Registration No

#### Half Yearly Status Report

Period covering the report:

#### Section A: Client Details

(a) Farmer name and surname	(b) ID Number	(c) Advisory type/s	(d) Expert providing advice	(e) Action taken	(f) Situation concluded	(g) Total charges (€)

#### Section B: Improvement strategies, plans and/or purchases on behalf of the Farm Advisory Service

Activities Accomplished (last 6 months)

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Activities Planned (next 6 months)

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Improvement of sources

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New issues to be dealt with

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Old issues still pending

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**Section C: Training for the staff within the FAS**

Training activities carried out (last 6 months)

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Training activities planned (next 6 months)

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**Section D: Training for the staff within the FAS**

Training activities carried out (last 6 months)

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Training activities planned (next 6 months)

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**Section E: Advice 'types' and services rendered**

Summary of advice provided (last 6 months)

Kindly include:

- Experts involved with respect to the particular area of Cross Compliance or Occupational Health and Safety
- Most prominent advisory types requested
- Controls made, and effectiveness of advice provided

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\_\_\_\_\_  
*Signature of co-ordinator*

\_\_\_\_\_  
*Date*

- \_\_\_\_\_  
(a) Farmer name and surname  
(b) ID number  
(c) Advisory type/s; type of advice (category) that was requested (Refer to table 1 of Guidelines for Application Recognition)  
(d) Expert providing advice; name and surname of expert providing advice  
(e) Action taken; affirmative or negative with reason if 'No'  
(f) Situation concluded; 'Yes' or 'No' with reason if 'No'  
(g) Total charges €; Referring to last 6 months for the farmer in question