

2016 Cross-Compliance Negligent Penalty Matrix

INTENT	EXTENT	SEVERITY	PERMANENCE	Reduction for first non-compliance
Negligent	Limited to a on-farm effect	Minor effect	Rectifiable	Warning Letter*
		Very Low effect	Permanent	1%
		Low effect	Rectifiable	1%
			Permanent	3%
		Medium effect	Rectifiable	3%
			Permanent	3%
	High effect	Rectifiable	5%	
		Permanent	5%	
	Not limited to a on-farm effect	Very Low effect	Rectifiable	1%
			Permanent	3%
		Low effect	Rectifiable	3%
			Permanent	3%
		Medium effect	Rectifiable	3%
			Permanent	3%
High effect	Rectifiable	5%		
	Permanent	5%		

* If the minor/on-farm/rectifiable non-compliance is not rectified by the deadline set a penalty based on the severity/extent/permanence of the non-compliance identified at re-inspection should be applied. For subsequent repetitions see below –

Explanation of how reductions for repeat negligent breaches are calculated

A repeat Cross-Compliance breach is where the same requirement is breached within a consecutive period of 3 calendar years, provided the farmer has been informed of the previous breach and where possible been given the opportunity to remedy it.

The first time a repeat is discovered the penalty for that breach is calculated as if it were a first time breach and then multiplied by 3.

The penalty for a second or subsequent repeat breach will be three times the penalty imposed for the previous breach.

The penalty for a repeat is added to the penalty for any other repeat or first time negligent breaches found during the second or subsequent inspection and the overall reduction is capped at 15%.

When the 15% cap is reached for an individual breach the farmer must be told that if a further breach of the same requirement is identified within 3 calendar years it will be regarded as an intentional act. The resulting penalty will be drawn from the Intentional Penalty Matrix.