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An Roinn Talmhaíochta,
Bia agus Mara
Department of Agriculture,
Food and the Marine

Record 5 – Rental/Short-Term Grazing and Forage Agreement 2026 (Nitrates Regulations[1])

Important Information

- Record 5's submitted for the purposes of movement of animals will not be accepted and will be returned unprocessed by the Department**.**
- Where the agreement is based on the **movement of animals, a Record 4 must** be completed**.**
- Record 5 is **based on the rental of land taken for forage (i.e. silage/hay) and/or grazing** where land will be under **your control for the specified period**.
- Record 5 can only be considered as part of a whole farm nitrates stocking rate calculation.
- Land declared on a Record 5 will not be accounted for in a holding's overall grassland stocking rate calculation.
  - *The Nitrates Regulations defines that the grassland stocking rate will only be based on the eligible grassland area as submitted to the Department of Agriculture, Food and the Marine for Direct Payments for the year in question.*
- Land parcels declared on a Record 5 **must have a LPIS number**.
- Land **claimed under the 2026 ANC Scheme must be withdrawn from that scheme before 16th September 2026 is if it is to avoid a penalty** for being included on a Record 5 in relation to 2026.
- **Deadline for submission of Record 5 covering land rented in 2026 is 31st December 2026.**
- Completed Record 5 forms can be posted to: Nitrates Section, Water and Air Quality Division, Dept of Agriculture, Food and the Marine, Johnstown Castle Estate, Wexford, Y35 PN52 or e-mailed to: nitrates@agriculture.gov.ie (if emailing, DO NOT send a copy by post).
- The only acceptable proof of postage will be Express Post or Registered Post Receipt.

[1] Nitrates Regulations refer to the Good Agricultural Practice for the Protection of Waters Regulations, S.I. No. 588 of 2025 (as amended).

Please ensure all details are provided, an incomplete Record 5 will be returned for completion. Commencement date and end date should only be in the relevant calendar year. For example, where land is taken in 2026 and 2027, a separate Record 5 should be submitted for 2027.

Name of land user (TRANSFEREE).....

Address: .....

Herd No: .....

Name of land owner (TRANSFEROR).....

Address: .....

Herd No: .....

Period of the Short-Term grazing and/or Forage Agreement:

Commencement date:_____/___/_____*(dd/mm/yyyy)* **End Date:**_____/___/_____*(dd/mm/yyyy)*

Land subject to the Agreement:

LPIS Number(s).....
If only part of a LPIS Number is subject to this agreement, a map(s) must be submitted clearly identifying the part of the LPIS Number in question.

Note: A Folio Number will not be accepted.

Record 5 forms can only cover one block of time, which can be within the time period: 01/01/26 – 30/05/26 **or** 01/06/26 – 31/12/26.

Agreements are subject to the Land Availability rule contained in the **BISS Terms and Conditions**. The farmer who declares the land on BISS and who farms the land on 31 May is the one eligible for BISS payment, subject to their compliance with the BISS Terms and Conditions.

The Area of Natural Constraints (ANC) Scheme Terms and Conditions require an applicant to farm, manage and pursue a farming activity on all land applied on in 2026, **for the full calendar year.** If an applicant is aware, or becomes aware, that any of the land situated in an Area of Natural/Specific Constraints will not be available to them for the purposes of farming for the full calendar year in 2026, that person is required to notify the Department immediately. Applicants should submit an amendment to their area based scheme application on myagfood.ie, documenting the parcel numbers of each parcel concerned and the relevant reason.

Land claimed under the 2026 ANC Scheme must be withdrawn from that scheme before 16th September 2026 is if it is to avoid a penalty for being included on a Record 5 in relation to 2026.

Note: A copy of the Rental/Grazing agreement relating to the Record 5 must be made available to the Department if requested.

Signature of Transferee: _____ Date:_____
(dd/mm/yyyy)

Signature of Transferor: _____ Date: _____
(dd/mm/yyyy)

Data Protection Notice

General Data Protection information applicable to all Department of Agriculture, Food and the Marine customers is available here:

https://www.gov.ie/en/organisation-information/ef9f6-data-protection/

The Department of Agriculture, Food and the Marine complies with all requirements under Data Protection and Freedom of Information legislation. The Department of Agriculture, Food and the Marine's general data protection policy should be read in conjunction with this document and can be viewed at the link above.

Information specific to the personal data being collected by Nitrates Division

The following data is specific information in relation to the personal data processed for the purposes of ensuring compliance with the Nitrates Regulations. Compliance with the Nitrates Regulations is also in the Terms and Conditions for the Basic Income Support for Sustainability (BISS) Scheme.

Specified purpose

The personal data sought from you, or previously furnished by you, is required for the purpose of complying with the Nitrates Regulations, audit, evaluation purposes, conditionality controls, controls relating to the legislation underpinning relevant CSP schemes, conditionality and all Rural Development measures, Also, personal information may be released under S.I. 628 of 2023 EUROPEAN UNION (CAP STRATEGIC PLAN, information sharing) Regulation 2023 and under the terms of the relevant Data Protection legislation in force, the European Communities (Access to Information on the Environment) Regulations 2007 to 2018 and the Freedom of Information Act 2014. Failure to provide all the personal data required to facilitate the processing of the application; including data testing, under the scheme will result in DAFM being unable to further process the application. Failure to provide certain information which you are required to provide under the Terms and Conditions of the schemes may result in the necessity to repay monies already paid under the schemes, or in sanctions being applied under these schemes. You should consult the Terms & Conditions and Specification of the schemes in this regard.

Sanctions for failure to comply with the Nitrates Regulations (SI 588 of 2025, as amended) are provided for in the CAP EU Regulations, including Regulations (EU) 2021/2115 and 2021/2116 of the European Parliament and of the Council as well as relevant secondary legislation, and are applied under the Terms and Conditions of the Basic Income Support for Sustainability (BISS), CAP Strategic plan (CSP) and Rural Development Measures.

The Department may also use data provided for the purposes of facilitating the processing of an application for participation in other related schemes operated by the Department of Agriculture, Food and the Marine or for the purposes of updating information on the relevant databases held by the Department in connection with these schemes. Each scheme has its own legal basis as outlined under their own Terms and Conditions.

Legal basis

The current legislation for Data Protection in Ireland is the Data Protection Act 1988 as amended by the 2003 Data Protection Act, The Data Protection Act 2018, the Data Sharing & Governance Act 2019 and The General Data Protection Regulations (EU 2016/679).

Recipients & Data Sharing

Information provided to Water and Air Quality Division will be shared, with other Divisions within the Department, for the purposes of processing other related scheme applications in a timely and efficient

manner. This sharing shall be done in compliance with the CSP legislative framework and relevant data protection legislation.

Personal data may also be sought from and made available to other Government Departments/Agencies/Local Authorities/contracted parties/LIFE Projects, but only where there is a valid legal basis to do so. Anonymised data may also be shared between public bodies to support the achievement of government objectives.

Where appropriate, a Data Sharing Agreement will be put in place. The purpose of this sharing of data is to facilitate, among other things, the fulfilment of the obligations placed on Member States and objectives of the CSP. This includes, but is not limited to management, control and audit purposes, monitoring and evaluation purposes, Conditionality controls, controls relating to the legislation underpinning Conditionality, CSP and all Rural Development measures, as required by Regulation (EU) No. 2021/2116 of the European Parliament and the Council and for the performance of the CAP Strategic Plan as required by Article 128 of Regulation (EU) No. 2021/2115 of the European Parliament and of the Council. Data sharing for the purposes of the CAP Strategic Plan is allowed for under S.I. 628 of 2023 EUROPEAN UNION (CAP STRATEGIC PLAN, information sharing) Regulation 2023. Also, personal data may be released as required by relevant Data Protection legislation and the Freedom of Information Act 2014.

Personal data may be used for, among other things, statistical, research and analysis purposes in some circumstances, but will only be done so in compliance with the Data Protection legislation and the legislative measures under the CSP. Data used for such purposes will be anonymised, as appropriate, to protect to the security and confidentiality of the data. The use of the data in this way may facilitate the Department in informing policy decisions into the future, which would benefit the Irish farmer and the Agriculture Sector.

The Department is also currently obliged by law to provide information concerning applicants in response to requests received from the Office of the Revenue Commissioners, An Garda Síochana, and other bodies and this will take place in accordance with Data Protection legislation.

As part of this scheme, if approved into the scheme, you may be requested by the Department or relevant agents acting on its behalf, to supply data in relation to your participation to this Scheme, and facilitate on-farm inspections/assessments, where required for the purpose of assessment, verification, evaluation or research purposes as provided for under the CSP Regulations (e.g., EU Regulation 2021/2115 and EU Regulation 2021/2116 and S.I. 588 of 2025 (as amended)). Not to supply such information may invalidate/cancel your application or incur sanctions under those schemes.

Transferred outside the EU

Information provided in relation to the Nitrates Regulations is not currently transmitted outside of the EU.

Retention Period

The data submitted in support of the application by the data subject will be retained by the Department only as long as there is a business need to do so in line with the purposes for which it was collected.

Data provision being statutory or contractual obligation:

The data provided for this purpose is being requested on a statutory basis under the Nitrates Regulations (SI. 588 of 2025, as amended) and EU legislation.

Automated Decision Making:

Personal data provided to Nitrates Division will be processed automatically for the purpose of the efficient running of the scheme.

Automated decision making will also be used for the purposes of selecting participants for inspection in accordance with the regulations and for the performance of the CAP Strategic Plan as required by Regulation (EU) 2021/2115 of the European Parliament, EU Regulation 2021/2116, Commission Implementing Regulation (EU) No. 2022/1173 and SI. 588 of 2025 (as amended).

Information from Third Party:

Your personal data in relation to Nitrates records may be obtained from another party that submits information to Water and Air Quality Division, this includes (but is not exhaustive) for example in a declaration submitted by them of a transaction regarding the movement of livestock manure, the temporary movement of animals or the short term rental of land in line with this Department's requirement to ensure compliance with the Nitrates Regulations and associated legislation. In circumstances where this Department did not gather your personal data you are still entitled to exercise your rights in relation to this personal data and the details on how to exercise individuals rights are detailed

Technical information on data collected:

Technical information on the cookies used on the Gov.ie website is available at the following link:
https://www.gov.ie/en/privacy-policy/?section=cookies#cookies