

Where do you start?

James McDonnell
Teagasc

Transferring the Family Farm

November 2020

Online Seminar

17th November 2020



Getting Started

- Where you can get help?
- Highlighting some key questions.



Succession, Inheritance & Farm Transfer

“Succession”

The gradual transfer of MANAGEMENT from one generation to the next



“Inheritance”

The legal transfer of OWNERSHIP from one generation to the next

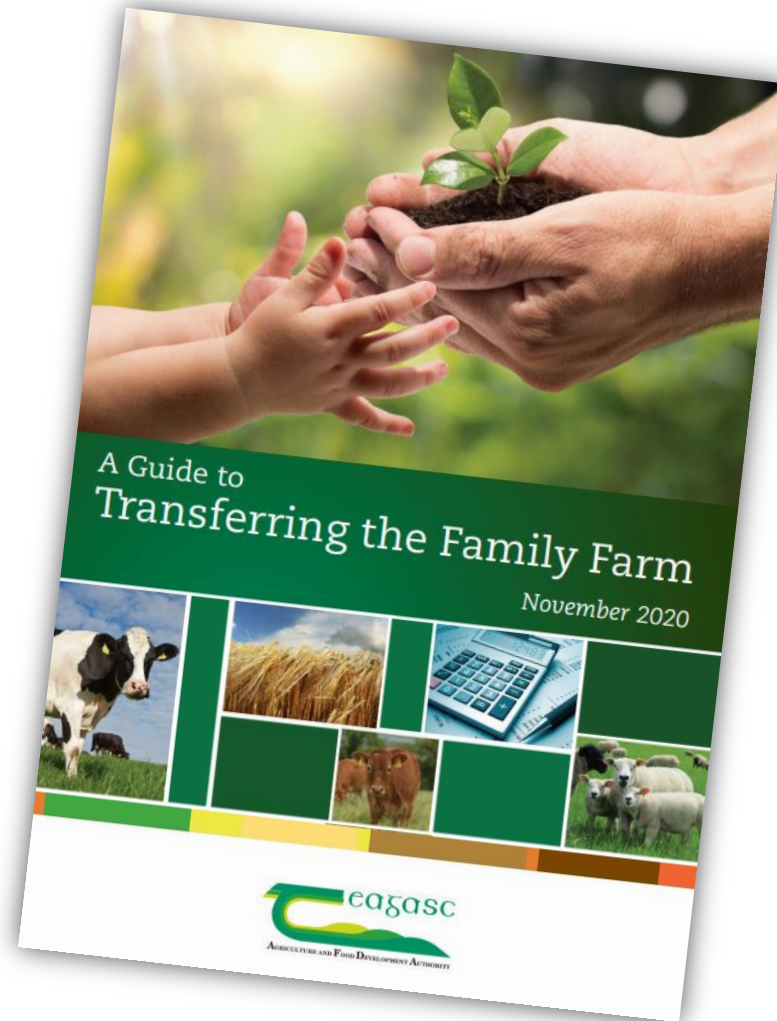


“Farm Transfer” is succession and inheritance combined

Information Booklet

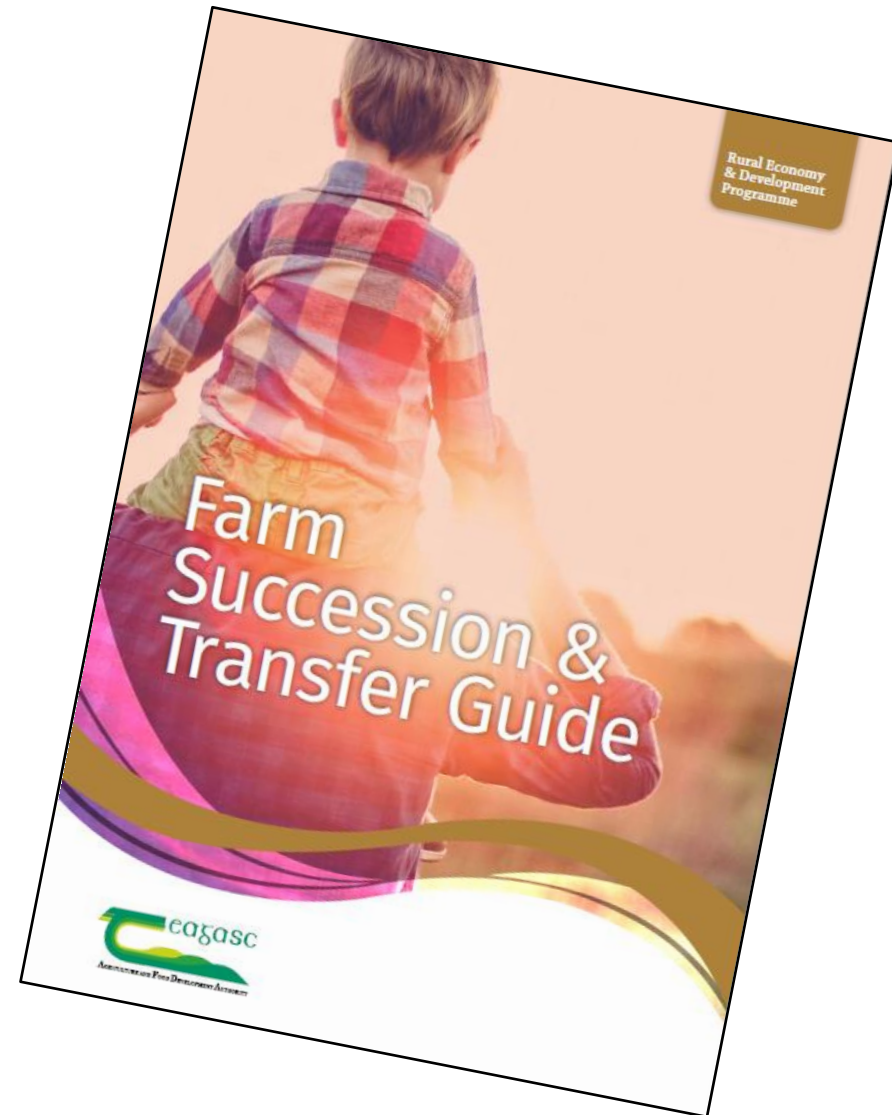
Information on:

- Capital Tax
- Legal
- Mediation
- Collaborative farming
- Education
- The Farm Business
- The Farm Family



Farm Succession & Transfer Guide

This work-book can be used to as a tool to help you write a succession plan





Who Can Help?

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- Local Advisor
 - CAP entitlements, EU farm schemes & Herd numbers
 - Collaborative farming arrangements,
 - A starting point for general queries
- Education officers
- Forestry Advisors



Who Can Help?

Accountants - Capital Taxes (CAT, CGT and SD)

Solicitors - Will, conferring benefits, legal security, etc

Citizens Information - Fair Deal, Pension, entitlements

Dept. Social Protection - PRSI payments, work history etc.

Mediation - www.themii.ie (The Mediators institute of Ireland)

Auctioneer - Valuations of property

Where do I Start?

Make a Will

You decide how your assets are distributed, if something untimely happens to you, prior to getting your succession plan completed.

If no will – Intestacy laws decide as per “The 1965 Succession Act”



Family questions:

1. Have you a Will?
2. Have you had a discussion with your family?
3. Do all of the family members know the position?
4. Do you have you a personal affairs checklist?
5. Have you made provision for long term care should you need it
(The Fair Deal Scheme or maybe savings policy for home care etc.)



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Future income questions

6. Are you making PRSI payments to ensure you are entitled to the State contributory pension?
7. Do you have a pension plan?
8. Have you discussed tax implications of the succession ?
9. Are there any risks to the succession plan?



Farm Business Questions

10. Will the farm business still be viable when the succession plan is being implemented?

11. Can you list the risks that could affect your business?

12. Have you discussed the plan with your legal representative?

13. Have you discussed the cost of completing the transfer?



Tax Questions

14. Will the Plan result in a Tax liability?

1. *Capital Acquisitions Tax?*
2. *Capital Gains Tax?*
3. *Stamp Duty?*



If so, are there options to mitigate leakage to tax?



Other Questions

15. Are you aware of all the dates / age limits
16. Do the successors meet the educational and or time requirements
17. Maybe there is no successor, so have you considered
Leasing, share farming, partnerships, forestry?

“Better three hours too soon than a minute too late.”

– William Shakespeare.



Farm Succession Plan



08 Farm Succession Plan Teagasc

This is a succession plan for:

FARMER(S) NAME: _____

SUCCESSOR(S) NAME: _____

Facilitated by:

AGRICULTURAL ADVISOR: _____

COMPANY: _____

Completed on the:

DATE: _____

This plan is only a guide to facilitate the farmer and successor through the succession process. It does not have to be strictly followed and should be reviewed and updated with the facilitator on an annual basis.

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