



CREATIVE EUROPE

MEDIA Sub-programme

SUPPORT FOR DEVELOPMENT

SLATE FUNDING

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Annexes:

All the annexes are available on the EACEA/MEDIA website:

https://eacea.ec.europa.eu/creative-europe/funding/development-slate-funding-2015_en

GUIDELINES – EACEA 18/2014

Support for Development – Slate Funding

1. INTRODUCTION – BACKGROUND

These guidelines are based on Regulation No 1295/2013 of the European Parliament and of the Council of 11/12/2013 concerning the implementation of a programme of support for the European cultural and creative sector (CREATIVE EUROPE).¹

The European Commission is responsible for the implementation of the Creative Europe Programme and for the decision to grant individual European Union funds. The Education, Audiovisual and Culture Executive Agency hereafter "the Agency" manages the Culture and MEDIA Sub-programme on behalf and under the control of the European Commission.

General background information about the Creative Europe programme can be found on the following link: http://ec.europa.eu/programmes/creative-europe/index_en.htm

2. OBJECTIVES – THEMES – PRIORITIES

2.1. Objectives

Within the specific objective of reinforcing the European audiovisual sector's capacity to operate transnationally and internationally one of the priorities of the MEDIA Sub-programme is to:

- increase the capacity of audiovisual producers to develop projects with the potential to circulate throughout the Union and beyond and to facilitate European and international co-production, including with television broadcasters.

The MEDIA Sub-programme shall provide support for the following measures:

- the development of European audiovisual works in particular films and television works such as fiction, documentaries, children's and animated films, as well as interactive works such as videogames and multimedia with enhanced cross-border circulation potential;
- activities aiming at supporting European audiovisual production companies, in particular independent production companies, with a view to facilitating European and international co-productions of audiovisual works including television works.

Under this Support scheme, the applicant submits a proposal with a view to developing a Slate of 3 to 5 projects (Slate Funding) intended for cinema release, television broadcasting or commercial exploitation on digital platforms in the following categories: animation, creative documentary and fiction.

¹ Published in the Official Journal of the European Union on the 20/12/2013 (OJ L347/221).

2.2. Targeted projects

The MEDIA Sub-programme supports European independent audiovisual production companies with proven experience interested in developing a Slate of projects presenting:

- high creative/artistic value and cultural diversity,
- wide cross-border potential able to reach audiences at European and international levels,
- greater cooperation between operators from different countries participating in the MEDIA Sub-programme,
- enhanced audience reach based on strategies for marketing and distribution envisaged from the development phase,
- strengthening companies position in both the European and international markets as well as their financial capacity,
- expanding companies activities and their innovation capacity to explore new fields and markets.

3. TIMETABLE

	Stages	Date and time or indicative period
a)	Publication of the call	November 2014
b)	Deadline for submitting applications	05 February 2015 – 12:00 (noon, Brussels time)
c)	Evaluation period	February – May 2015
d)	Information to applicants	June 2015
e)	Signature of grant agreement or notification of grant decision	July 2015
f)	Starting date of the action	Date of Submission
g)	Maximum duration of the action	Until 30 months from the date of submission

Applicants may only make one submission for development support during the same budgetary year (Call for proposals 17/2014 for Single project or Call for Proposals 18/2014 for Slate Funding). They must choose between applying for either Single Project or Slate Funding.

Beneficiaries of a Slate Funding grant signed during the year of the publication of the call (2014) cannot apply.

4. BUDGET AVAILABLE

The total budget earmarked for the co-financing of projects is estimated at EUR 12 M.

This amount is subject to the availability of the funds after the adoption of the budget for 2015 by the budgetary authority.

The contribution per action under these Guidelines is between EUR 70.000 and EUR 200.000.

In case of a slate of only creative documentary projects the amount is limited to EUR 150.000.

Each project of a slate can receive between EUR 10.000 and EUR 60.000 provided the amount does not exceed 50% of the total eligible costs of the project.

The Agency reserves the right not to distribute all the funds available.

5. ADMISSIBILITY REQUIREMENTS

Applications shall comply with the following requirements:

- they must be sent no later than the deadline for submitting applications referred to in section 3 of the present guidelines;
- they must be submitted (see section 14 of the present guidelines), using the online application form;
- they must be drafted in one of the EU official languages, preferably in English or French.

The application form must be accompanied by all the other documents referred to in the application form.

Failure to comply with those requirements will lead to the rejection of the application.

In order to submit an application, applicants must provide their Participant Identification Code (PIC) in the application form. The PIC can be obtained by registering the organisation in the Unique Registration Facility (URF) hosted in the Education, Audiovisual, Culture, Citizenship and Volunteering Participant Portal. The Unique Registration Facility is a tool shared by other services of the European Commission. If an applicant already has a PIC that has been used for other programmes (for example the Research programmes), the same PIC is valid for the present call for proposals.

The Participant Portal allows applicants, to upload or update the information related to their legal status and attach the requested legal and financial documents (see section 14.2 for more information).

6. ELIGIBILITY CRITERIA

Applications which comply with the following criteria will be subject of an in-depth evaluation.

6.1. Eligible applicants

This Call for Proposals is open to European independent audiovisual production companies which have been legally constituted for at least 36 months and that can demonstrate a proven track record.

Legal entities having a legal or capital link with applicants, may take part in the action as affiliated entities, and may declare eligible costs as specified in section 11.2.

For that purpose, applicants shall identify such affiliated entities in the application form.

A **European company** is a company owned, whether directly or by majority participation (i.e. majority of shares), by nationals of Members States of the European Union or nationals of the other

European countries participating in the MEDIA Sub-programme and registered in one of these countries.

Applications from legal entities established in one of the following countries are eligible as long as all conditions referred to in Article 8 of the Regulation establishing the Creative Europe Programme are met:

- EU Member States;
- Acceding countries, candidate countries and potential candidates benefiting from a pre-accession strategy, in accordance with the general principles and general terms and conditions for the participation of those countries in Union programmes established in the respective Framework Agreements, Association Council Decisions or similar agreements;
- EFTA countries which are members of the EEA, in accordance with the provisions of the EEA Agreement;
- The Swiss Confederation, on the basis of a bilateral agreement to be concluded with that country;
- Countries covered by the European Neighbourhood Policy in accordance with the procedures established with those countries following the framework agreements providing for their participation in European Union programmes;

The Programme shall also be open for bilateral or multilateral cooperation actions targeted at selected countries or regions on the basis of additional appropriations paid by, and specific arrangements to be agreed upon with, those countries or regions.

The Programme shall permit cooperation and joint actions with countries not participating in the Programme and with international organisations which are active in the cultural and creative sectors such as UNESCO, the Council of Europe, the Organisation for Economic Cooperation and Development or the World Intellectual Property Organisation on the basis of joint contributions for the realisation of the Programme's objectives.

Proposals from applicants in non EU countries may be selected, provided that, on the date of the award decision, agreements have been signed setting out the arrangements for the participation of those countries in the programme established by the Regulation referred to above.

(Updated list of countries that fulfil the conditions referred to in Article 8 of the Regulation and that the Commission has started negotiations with can be found on the following link:

<http://ec.europa.eu/culture/creative-europe/documents/eligible-countries.pdf>).

An **independent company** is a company which does not have majority control by a television broadcaster, either in shareholding or commercial terms. Majority control is considered to occur when more than 25% of the share capital of a production company is held by a single broadcaster (50% when several broadcasters are involved).

An **audiovisual production company** is a company whose main object and activity is audiovisual production.

Proven track record is understood as following:

The applicant must prove that in the five years preceding the submission of the application it has produced a previous work under the terms described in section 6.2 that has been released or broadcast

in at least three countries other than that of the applicant during the two calendar years preceding the publication of the Call for Proposals (at the earliest 1/01/2012). In case of broadcast, 3 different broadcasters are necessary.

Companies established in France, Germany, Italy, Spain and United Kingdom must prove that they have produced two previous eligible works under the same conditions.

Concerning the production of a previous eligible work the applicant must prove in any case:

- that it was the sole production company; or
- that it was, in the case of a co-production with another production company, the major co-producer in the financing plan or the delegate producer; or
- that its Chief Executive or one of its shareholders has a personal onscreen credit on the work as producer or delegate producer.

The date taken into account in verifying that distribution has taken place during the reference period is the date on which the distribution took place (date of official release in cinema or broadcast date). Commercial distribution online and distribution from international sales agent are accepted only if duly documented by a revenues report related to the reference period.

The applicant must also own the majority of rights related to the projects.

No later than on the date of submission, the applicant must show that it holds the majority of the rights relating to each project for which support is being sought. It is required to provide a duly dated and signed contract² covering the rights to the artistic material included in the application.

This artistic material shall include at least: concept, subject, treatment, script or bible.

If the project is an adaptation of an existing work (novel, biography etc.), the applicant must also show that it holds the majority of the rights relating to the rights of adaptation to this work.³

The following applicants may not apply for a grant:

- Foundations, Institutes, Universities, associations and other legal bodies acting in the public interest;
- groups of companies;
- natural persons.

6.2 Eligible activities

The Creative Europe Programme will not support any projects including pornographic or racist material or advocating violence.

² The following types of contracts will be accepted:

- an option agreement concerning the transfer of rights between the author and the applicant company, of an adequate duration to cover the whole development schedule and clearly setting out the conditions for exercising the option; or
- a contract transferring the rights from the author to the applicant company.

The option agreement or transfer of rights contract can be replaced by:

- a unilateral declaration of the transfer of rights to the applicant company where the author is the producer, a shareholder or an employee of the company;
- a co-production or co-development agreement duly dated and signed by the parties and clearly showing that the applicant company holds the majority of the rights at the date of the application.

³ Option agreement or transfer of rights contract duly dated and signed

Only the development activities for the following projects are eligible:

- Feature films, animation and creative documentaries of a minimum length of 60 minutes intended primarily for *cinema release*;
- Drama films (one-off or series) of a total duration of minimum 90 minutes, animation (one-off or series) of a total duration of minimum 24 minutes and creative documentaries (one-off or series) of a total duration of minimum 50 minutes intended primarily for the purposes of *television*;
- Fiction projects of a total duration or user experience of minimum 90 minutes, animation of a total duration or user experience of minimum 24 minutes and creative documentaries of a total duration or user experience of minimum 50 minutes intended primarily for the purposes of *digital platform exploitation*.

The day of principal photography⁴ (or equivalent) of the submitted projects must not be scheduled to occur within 8 months from the date of application.

Applications requesting financial contributions of less than EUR 70.000 € are ineligible.

Beneficiaries of a Slate Funding grant signed during the year of the publication of the Call for Proposals cannot apply.

With the exception of the costs related to the acquisition of author rights (see point 11.1.b), activities may not start before the date of submission of the application and must end 30 months after this date.

If the project enters into production before the end of this period, the action ends on the date of entry into production of the project.

However, if after the signing of the decision/agreement and the start of the project it becomes impossible for the beneficiary, for fully justified reasons beyond its control, to complete the project within the scheduled period, an extension to the action and to the eligibility period may be granted. A maximum extension of 6 additional months will be granted, if requested before the deadline specified in the agreement. The maximum duration will then be 36 months after the submission of the application.

Only applications that fulfil the eligibility criteria will be considered for a grant. If an application is deemed ineligible, a letter indicating the reasons will be sent to the applicant.

The following projects are ineligible:

- live recordings, TV games, talk shows, reality shows or educational, teaching and 'how-to' programmes;
- documentaries promoting tourism, "making-of", reports, animal reportages, news programmes and "docu-soaps";
- projects including pornographic or racist material or advocating violence;
- works of a promotional nature;
- institutional productions to promote a specific organisation or its activities.

⁴ For creative documentary the first day of principal photography can be defined as the day on which the filming starts, with the contracted crew present on set/location, within the framework of an established period of employment, as stated and confirmed in written agreements. Activities aimed at the acquisition of footage and preliminary shooting are allowed.

7. EXCLUSION CRITERIA

7.1. Exclusion from participation

Applicants will be excluded from participating in the call for proposals procedure if they are in any of the following situations:

- (a) they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- (b) they or persons having powers of representation, decision making or control over them have been convicted of an offence concerning their professional conduct by a judgment of a competent authority of a Member States which has the force of res judicata;
- (c) they have been guilty of grave professional misconduct proven by any means which the responsible authorising officer can justify including by decisions of the EIB and international organisations;
- (d) they are not in compliance with their obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the responsible authorising officer or those of the country where the grant agreement is to be performed;
- (e) they or persons having powers of representation, decision making or control over them have been the subject of a judgment which has the force of res judicata for fraud, corruption, involvement in a criminal organisation, money laundering or any other illegal activity, where such illegal activity is detrimental to the Union' financial interests;
- (f) they are currently subject to an administrative penalty referred to in Article 109(1) of the Financial Regulation.

7.2. Exclusion from award

Applicants will not be granted financial assistance if, in the course of the grant award procedure, they:

- (a) are subject to a conflict of interests;
- (b) are guilty of misrepresentation in supplying the information required by the Agency as a condition of participation in the grant award procedure, or fail to supply this information.
- (c) find themselves in one of the situations of exclusion referred to in the above section 7.1.

Administrative and financial penalties may be imposed on applicants, or affiliated entities where applicable, who are guilty of misrepresentation or are found to have seriously failed to meet their contractual obligations under a previous grant award procedure.

7.3. Supporting documents

Applicants for a grant exceeding EUR 60.000 must sign a declaration on their honour certifying that they are not in one of the situations referred to in the above sections 7.1. and 7.2, filling in the relevant form attach to the application form accompanying the call for proposals and available at https://eacea.ec.europa.eu/creative-europe/funding/development-slate-funding-2015_en

8. SELECTION CRITERIA

Applicants must submit a declaration on their honour, completed and signed, attesting to their status as a legal person and to their financial and operational capacity to complete the proposed activities.

8.1. Financial capacity

Applicants must have stable and sufficient sources of funding to maintain their activity throughout the period during which the action is being carried out or the year for which the grant is awarded and to participate in its funding. The applicants' financial capacity will be assessed on the basis of the following supporting documents to be submitted with the application:

- a declaration on their honour
- the financial statements (including the balance sheet, the profit and loss accounts and the annexes) of the last two financial years for which the accounts have been closed
- financial capacity form provided for in the application form, filled in with the relevant statutory accounting figures, in order to calculate the ratios as detailed in the form.

On the basis of the documents submitted, if the Agency considers that financial capacity is not satisfactory, he may:

- request further information;
- propose a grant agreement without pre-financing;
- propose a grant agreement with a pre-financing covered by a bank guarantee (see section 11.4 below);
- propose a grant agreement without pre-financing but an interim payment based on expenses already occurred.
- reject the application.

8.2 Operational capacity

Applicants must have the professional competencies as well as appropriate qualifications necessary to complete the proposed action. In this respect, applicants have to submit a declaration on their honour and the following supporting documents:

- a summary of the activities of the applicant over the last two years (if not fully available, an organisation chart of the applicant showing the structure of the organisation and the functions of the main staff);
- curriculum vitae or description of the profile of the people primarily responsible for managing and implementing the operation within each partner institution;

9. AWARD CRITERIA

Eligible applications/projects will be assessed on the basis of the following criteria

	Criteria	Definitions	Max. Weighting
1	Relevance and European added-value	Capacity of the company to develop at European and international level a slate of 3 to 5 projects	20

2	Quality of the content and activities	Quality of the slate of projects, quality of the development strategy, quality of the financing strategy and its European dimension	20
3	Dissemination of projects results	Quality of the European and international distribution and marketing strategy	20
4	Quality of the projects team	Adequacy and diversity of the creative teams	10
5	Impact and sustainability	Feasibility potential of the slate of projects	10
6	Innovative character	Capacity of the company to be innovative in its activities ⁵	20

Additional Automatic points:

	Description	<i>Extra points</i>
	An applicant company established in a country with low production capacity ⁶	10

Detailed description of the award criteria and breakdown of points:

1. Capacity of the Company to develop at European and international level a slate of 3 to 5 projects <ul style="list-style-type: none"> • Track record of the company at European & international level <ul style="list-style-type: none"> ○ previous co-productions ○ presence on foreign markets ○ visibility at major film festivals • Skills of its members • Capability of its management to envisage the simultaneous development of a slate of projects 	20 points
2. Quality of the slate of projects, quality of the development strategy, quality of the financing strategy and its European dimension	20 points

⁵ This criterion considers how the proposed slate of projects shows the applicant's ability to adapt to a competitive and consistently changing audiovisual landscape and improve its market position

⁶ All MEDIA countries with the exception of France, Germany, Italy, Spain and the United Kingdom.

<p>2a) Quality of the slate of projects and Quality of the development strategy</p> <ul style="list-style-type: none"> • Quality and creative potential of each project <ul style="list-style-type: none"> ○ strength of idea/subject matter/project's focus ○ premise ○ dramatic potential ○ narrative choices ○ quality of the writing ○ character development ○ world of story ○ visual approach ○ art work • adequacy of the development plan to the needs of each project • sufficiency of detail • adequacy of development schedules planned 	<p>10 points</p>
<p>2b) Quality of the financing strategy and the European dimension of the financing strategy</p> <ul style="list-style-type: none"> • adequacy of the financing strategy compared to estimated production costs • awareness of the suitable potential partners and territories targeted • sufficiency and realism of the financing plan • experience or ability of the applicant to secure the necessary co-financing • country of origin of applicant company compared to financial partners • diversity of sources of funding foreseen • level of commitment and participation of non-national financing 	<p>10 points</p>
<p>3. Quality of the European and international distribution and marketing strategy</p>	<p>20 points</p>
<p>3a) Quality of the European and international distribution strategy</p> <ul style="list-style-type: none"> ○ Relevance of the distribution strategy regarding <ul style="list-style-type: none"> ○ the identified target audience, ○ distribution methods foreseen, ○ partners in place or envisaged ○ awareness of the markets, European/international vision ○ relevance of choice of territories (neighbouring countries and regions, Europe, other continents) ○ the marketing strategy 	<p>10 points</p>
<p>3b) Quality of the European and international marketing strategy</p> <ul style="list-style-type: none"> • relevance of the marketing strategy in terms of <ul style="list-style-type: none"> ○ the distribution strategy, ○ segments targeted, ○ unique selling points, ○ the marketing channels, ○ the benefits to the selected market, ○ the promotional activities planned ○ Adequacy of the communication and marketing plan & tools 	<p>10 points</p>
<p>4. Adequacy and diversity of the creative team</p> <ul style="list-style-type: none"> • potential of the creative teams • diversity of the teams of different projects • adequacy of the team to the projects 	<p>10 points</p>

<p>5. Feasibility potential of the slate of projects</p> <ul style="list-style-type: none"> • adequacy of the production costs • adequacy of the financing strategy compared to the estimated production costs • the size and the type of the presented slate compared to the previous experience of the company 	<p>10 points</p>
<p>6. Innovative character</p> <ul style="list-style-type: none"> • ability of the company to adapt to a competitive and changing audiovisual landscape and to improve its market position by being innovative in its activities: <ul style="list-style-type: none"> ○ genres, ○ formats, ○ platforms, ○ new talents, ○ new territories. 	<p>20 points</p>

10. LEGAL COMMITMENTS

In the event of a grant awarded by the Agency, a grant agreement or a grant decision, drawn up in euro and detailing the conditions and level of funding, will be sent to the beneficiary, as well as the procedure in view to formalise the obligations of the parties.

The form of the legal commitment will depend on the country of origin of the beneficiary:

➤ Agreement:

If the awarded applicant comes from a MEDIA country, out of the EU Members States.

The 2 copies of the original agreement must be signed first by the beneficiary and returned to the Agency immediately. The Agency will sign them last.

➤ Decision:

If the awarded applicant comes from a EU Member States. That means that the Decision will be signed only by the Agency acting under powers delegated by the Commission.

The decision must not be returned to the Agency. The general conditions applicable to the decision (General Conditions II.b) are available in the 'Documents register' of the Agency website:

http://eacea.ec.europa.eu/about/eacea_documents_register_en.php#call

As regards grant decisions, beneficiaries understand that:

Submission of a grant application implies acceptance of these General Conditions. These General Conditions bind the beneficiary to whom the grant is awarded and shall constitute an annex to the Grant Decision.

Please note that the award of a grant does not establish an entitlement for subsequent years.

11. FINANCIAL PROVISIONS

11.1. General Principles

a) Non-cumulative award

An action may only receive one grant from the EU budget.

In no circumstances shall the same costs be financed twice by the Union budget. To ensure this, applicants shall indicate in the application form the sources and amounts of Union funding received or applied for the same action or part of the action or for its functioning during the same financial year as well as any other funding received or applied for the same action.

b) Non-retroactivity

No grant may be awarded retrospectively for actions already completed.

A grant may be awarded for an action which has already begun only where the applicant can demonstrate the need to start the action before the grant agreement is signed or the grant decision is notified.

In such cases, costs eligible for financing may not have been incurred prior to the date of submission of the grant application. Only the costs related to the acquisition of author rights are eligible retroactively for a period of 12 months preceding the date of submission.

c) Co-financing

Co-financing means that the resources which are necessary to carry out the action may not be entirely provided by the EU grant.

Co-financing of the action may take the form of:

- the beneficiary's own resources,
- income generated by the action,
- financial contributions from third parties.

d) Balanced budget

The estimated budget of the action is to be attached to the application form. It must have revenue and expenditure in balance.

The budget must be drawn up in euros.

Applicants which foresee that costs will not be incurred in euros shall use the exchange rate published on the Infor-euro website available at:

http://ec.europa.eu/budget/contracts_grants/info_contracts/inforeuro/inforeuro_en.cfm, on the date of the publication of this call for proposals.

e) Implementation contracts/subcontracting

Where the implementation of the action requires the award of procurement contracts (implementation contracts), the beneficiary must award the contract to the bid offering best value for money or the lowest price (as appropriate), avoiding conflicts of interests and retain the documentation for the event of an audit.

Entities acting in their capacity of contracting authorities in the meaning of Directive 2004/18/EC⁷ or contracting entities in the meaning of Directive 2004/17/EC⁸ shall abide by the applicable national public procurement rules.

Sub-contracting, i.e. the externalisation of specific tasks or activities which form part of the action as described in the proposal and which cannot be performed by the beneficiary itself must satisfy the conditions applicable to any implementation contract (as specified above) and in addition to them the following conditions:

- it may only cover the implementation of a limited part of the action;
- it must be justified having regard to the nature of the action and what is necessary for its implementation;
- it must be clearly stated in the proposal or prior written authorisation from the Agency must be obtained.

f) Financial support to third parties

The applications may not envisage provision of financial support to third parties

11.2 Funding forms

The grants financed through reimbursement of eligible costs in combination with flat rate covering overheads are calculated on the basis of a detailed estimated budget, indicating clearly the costs that are eligible for EU funding.

➤ **Maximum amount requested**

The EU grant is limited to a maximum co-financing rate of 50% of total eligible costs;

Consequently, part of the total eligible expenses entered in the estimated budget must be financed from sources other than the Union grant.

The grant amount may neither exceed the eligible costs nor the amount requested. Amounts are indicated in euros.

Acceptance of an application by the Executive Agency does not constitute an undertaking to award a grant equal to the amount requested by the beneficiary.

➤ **Eligible costs**

Eligible costs are costs actually incurred by the beneficiary of a grant which meet the following criteria:

- they are incurred during the duration of the action as specified in the grant agreement, with the exception of costs relating to final reports and certificates.

N.B.: The period of eligibility of costs will start on the date of submission of the application and end 30 months after the submission. Only the costs related to the acquisition of author rights is eligible retroactively for a period of 12 months preceding the date of submission.

⁷ Directive 2004/18/EC on the coordination of procedures for the award of public work contracts, public supply contracts and public service contracts.

⁸ Directive 2004/17/EC coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors.

- they are indicated in the estimated overall budget of the action;
- they are incurred in connexion with the action which is the subject of the grant and are necessary for the implementation of the action;
- they are identifiable and verifiable, in particular being recorded in the accounting records of the beneficiary and determined according to the applicable accounting standards of the country where the beneficiary is established and according to the usual cost-accounting practices of the beneficiary;
- they comply with the requirements of applicable tax and social legislation;
- they are reasonable, justified, and comply with the requirements of sound financial management, in particular regarding economy and efficiency.

The beneficiary's internal accounting and auditing procedures must permit direct reconciliation of the costs and revenue declared in respect of the action with the corresponding accounting statements and supporting documents.

Eligible direct costs:

The eligible direct costs for the action are those costs which, **with due regard for the conditions of eligibility set out above**, are identifiable as specific costs directly linked to the performance of the action and which can therefore be booked to it directly, such as:

- the cost of personnel working under an employment contract with the applicant or equivalent appointing act and assigned to the action, comprising actual salaries plus social security contributions and other statutory costs included in their remuneration, provided that these costs are in line with the applicant's usual policy on remuneration. **NB: this cost must be actual cost incurred by the beneficiary and staff cost of other organisations is eligible only if it is paid directly or reimbursed by the beneficiary.** These costs may include additional remuneration, including payments on the basis of supplementary contracts regardless of their nature, provided that it is paid in a consistent manner whenever the same kind of work or expertise is required and independently from the source of funding used.
- subsistence allowances (for meetings, including kick-off meetings where applicable, European conferences, etc.) provided that these costs are in line with the beneficiary's usual practices;
- costs of travel (for meetings, including kick-off meetings where applicable, European conferences, etc.), provided that they are in line with the beneficiary's usual practices on travel;
- depreciation cost of equipment (new or second-hand), only the portion of the equipment's depreciation corresponding to the duration of the action and the rate of actual use for the purposes of the action may be taken into account by the Agency, **except where the nature and/or the context of its use justifies different treatment by the Agency;**
- costs of consumables and supplies, provided that they are identifiable and assigned to the action;
- costs entailed by other contracts awarded by the beneficiary or its partners for the purposes of carrying out the action, provided that the conditions laid down in grant agreement or grant decision are met;
- costs arising directly from requirements linked to the performance of the action (dissemination of information, specific evaluation of the action, translations, reproduction, etc.),
- costs relating to a pre-financing guarantee lodged by the beneficiary of the grant, where required;
- costs relating to external audits where required in support of the requests for payments;
- non deductible value added tax ("VAT") for all activities which are not activities of the public authorities in the Member States.

Eligible indirect costs (overheads)

- a flat-rate amount, equal to 7% of the eligible direct costs of the action, is eligible under indirect costs, representing the beneficiary's general administrative costs which can be regarded as chargeable to the action.

Indirect costs may not include costs entered under another budget heading.

Applicants's attention is drawn to the fact that in the case of organisations receiving an operating grant, indirect costs are no longer eligible under specific actions.

➤ **Ineligible costs**

The following costs shall not be considered eligible:

- return on capital;
- debt and debt service charges;
- provisions for losses or debts;
- interest owed;
- doubtful debts;
- exchange losses;
- costs of transfer from the Agency charged by the bank of the beneficiary;
- costs declared by the beneficiary and covered by another action receiving a European Union grant. In particular, indirect costs shall not be eligible under a grant for an action awarded to the beneficiary who already receives an operating grant financed from the Union budget during the period in question;
- contributions in kind
- excessive or reckless expenditure
- any costs incurred by the beneficiary but re-invoiced to third parties

➤ **Calculation of the final grant amount – Supporting documents**

The final amount of the grant to be awarded to the beneficiary is established after completion of the action, upon approval of the request for payment containing the following documents:

- a final report providing details of the implementation and results of the action;
- the final financial statement of costs actually incurred,
- the beneficiary is also required to submit, in support of the final payment, a “Report of Factual Findings on the Final Financial Report - Type I” produced by an approved auditor or in case of public bodies, by a competent and independent public officer.

The procedure and the format to be followed by an approved auditor or in case of public bodies, by a competent and independent public officer, are detailed in the following “Guidance Notes”:

http://eacea.ec.europa.eu/about-eacea/document-register_en#audit

The use of the report format set by the “Guidance Notes” is compulsory.

If the eligible costs actually incurred by the beneficiary are lower than anticipated, the Agency will apply the rate of co-financing stated in the grant agreement/decision to the expenditure actually incurred.

In the event of non-execution or clearly inadequate execution of an activity planned in the application attached to the funding decision/agreement, the final grant will be reduced accordingly.

Non-profit rule

EU grants may not have the purpose or effect of producing a profit within the framework of the action of the beneficiary. **Profit shall be defined as a surplus of receipts over the eligible costs incurred by the beneficiary, when the request is made for payment of the balance.** In this respect, where a profit is made, the Agency shall be entitled to recover a percentage of the profit corresponding to the Union contribution to the eligible costs actually incurred by the beneficiary to carry out the action.

11.3. Payment arrangements

A pre-financing payment corresponding to 50% of the grant amount will be transferred to the beneficiary within 30 days either of the date when the last of the two parties signs the agreement, or of the notification of the grant decision, provided all requested guarantees have been received.

If specified in the grant agreement an Interim payment shall be paid to the beneficiary. Interim payment is intended to cover the beneficiary's expenditure on the basis of a request for payment when the action has been partly carried out. For the purpose of determining the amount due as interim payment, the reimbursement rate to be applied to the eligible costs approved by the Commission shall be 50%.

The Agency will establish the amount of the final payment to be made to the beneficiary on the basis of the calculation of the final grant amount (see section 11.2 above). If the total of earlier payments is higher than the final grant amount, the beneficiary will be required to reimburse the amount paid in excess by the Commission through a recovery order.

11.4. Pre-financing guarantee

In the event that the applicant's financial capacity is not satisfactory, a pre-financing guarantee for up to the same amount as the pre-financing may be requested in order to limit the financial risks linked to the pre-financing payment.

The financial guarantee, in euro, shall be provided by an approved bank or financial institution established in one of the Member State of the European Union. When the beneficiary is established in a third country, the authorising officer responsible may agree that a bank or financial institution established in that third country may provide the guarantee if he considers that the bank or financial institution offers equivalent security and characteristics as those offered by a bank or financial institution established in a Member State. Amounts blocked in bank accounts shall not be accepted as financial guarantees.

The guarantee shall be released as the pre-financing is gradually cleared against interim payments or payments of balances to the beneficiary, in accordance with the conditions laid down in the grant agreement/decision.

12. PUBLICITY

12.1. By the beneficiaries

Beneficiaries must clearly acknowledge the European Union's contribution in all publications or in conjunction with activities for which the grant is used.

In this respect, beneficiaries are required to give prominence to the name and logo of the Creative Europe – MEDIA programme on all their publications, posters, programmes and other products realised under the co-financed project.

To do this they must use the text, the logo and the disclaimer available at http://ec.europa.eu/dgs/education_culture/promo/creative-europe/eps/eps.zip, which will be provided by the Agency.

If this requirement is not fully complied with, the beneficiary's grant may be reduced in accordance with the provisions of the grant agreement or grant decision.

12.2. By the Agency and/or the Commission

With the exception of scholarships paid to natural persons and other direct support paid to natural persons in most need, all information relating to grants awarded in the course of a financial year shall be published on the Internet site of the European Union institutions no later than the 30 June of the year following the financial year in which the grants were awarded.

The Agency and/or the Commission will publish the following information:

- name of the beneficiary,
- locality of the beneficiary
- the amount awarded,
- nature and purpose of the grant.

Upon a reasoned and duly substantiated request by the beneficiary, the publication shall be waived if such disclosure risks threatening the rights and freedoms of individuals concerned as protected by the Charter of Fundamental Rights of the European Union or harm the commercial interests of the beneficiaries.

12.3 Communication and dissemination

To maximise impact, projects should have a clear and strong strategy for communication and dissemination of their activities and results, and applicants must provide enough time and resources to communicate and interact appropriately with peers, audiences and local communities as appropriate.

Beneficiaries may be required to attend and to participate in events organised by the European Commission or the Agency to share their experience with other participants and/or policy makers.

13. DATA PROTECTION

All personal data (such as names, addresses, CVs, etc.) will be processed in accordance with Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the European Community institutions and bodies and on the free movement of such data.⁹

Unless marked as optional, the applicant's replies to the questions in the application form are necessary to evaluate and further process the grant application in accordance with the specifications of the call for proposals. Personal data will be processed solely for that purpose by the department or Unit responsible for the Union grant programme concerned (entity acting as data controller). Personal data may be transferred on a need to know basis to third parties involved in the evaluation of applications or in the grant management procedure, without prejudice of transfer to the bodies in charge of monitoring and inspection tasks in accordance with European Union law. In particular, for the

⁹ Official Journal L 8, 12.1.2001.

purposes of safeguarding the financial interests of the Union, personal data may be transferred to internal audit services, to the European Court of Auditors, to the Financial Irregularities Panel or to the European Anti-Fraud Office and between authorising officers of the Commission and the executive agencies.

The applicant has the right of access to, and to rectify, the data concerning him or her. For any question relating to these data, please contact the Controller. Applicants have the right of recourse to the European Data Protection Supervisor at any time. A detailed Privacy statement, including contact information, is available on EACEA's website:

http://eacea.ec.europa.eu/about/documents/calls_gen_conditions/eacea_grants_privacy_statement.pdf

Applicants and, if they are legal entities, persons who have powers of representation, decision-making or control over them, are informed that, should they be in one of the situations mentioned in:

- the Commission Decision of 16.12.2008 on the Early Warning System (EWS) for the use of authorising officers of the Commission and the executive agencies (OJ, L 344, 20.12.2008, p. 125), or
- the Commission Regulation of 17.12.2008 on the Central Exclusion Database – CED (OJ L 344, 20.12.2008, p. 12),

their personal details (name, given name if natural person, address, legal form and name and given name of the persons with powers of representation, decision-making or control, if legal person) may be registered in the EWS only or both in the EWS and CED, and communicated to the persons and entities listed in the above-mentioned Decision and Regulation, in relation to the award or the execution of a procurement contract or a grant agreement or decision.

14. PROCEDURE FOR THE SUBMISSION OF PROPOSALS

14.1 Publication

The call for proposals is being published on the Internet site of the EACEA Agency at the following address:

https://eacea.ec.europa.eu/creative-europe/funding/development-slate-funding-2015_en

14.2 Registration in the Participant Portal

Before submitting an electronic application, applicants and partners will have to register their organisation in the Education, Audiovisual, Culture, Citizenship and Volunteering Participant Portal and receive a Participant Identification Code (PIC). The PIC will be requested in the application form.

The Participant Portal is the tool through which all legal and financial information related to organisations will be managed. Information on how to register can be found in the portal under the following address:

<http://ec.europa.eu/education/participants/portal>

The tool also allows applicants to upload different documents related to their organisation. These documents have to be uploaded once and will not be requested again for subsequent applications by the same organisation.

Details on the supporting document that need to be uploaded in the portal can be found on the following link: http://ec.europa.eu/culture/creative-europe/calls/index_en.htm

14.3 Submission of the grant application

Proposals must be submitted in accordance with the admissibility requirements set out under section 5.

No modifications to the application are allowed once the deadline for submission has elapsed. However, if there is a need to clarify certain aspects or for the correction of clerical mistakes, the Agency may contact the applicant for this purpose during the evaluation process.

Applicants submitting projects for different actions should provide separate applications for each action.

All applicants will be informed in writing about the results of the selection process.

An online application system has been set up. Grant applications must be drawn up in one of the official EU languages, using the online form (eForm) specifically designed for this purpose. To facilitate the assessment of the application, an English or French translation of the documents relevant to the assessment of the project must be submitted.

The eForm can be obtained on the Internet at the following address: <https://eacea.ec.europa.eu/PPMT/>

Proposals must be submitted by the deadline mentioned in the call for proposals and in Section "3. Timetable" of the present Guidelines **before 12:00 CET/CEST (Midday, Brussels time)**, using the online application form.

Applicants should note that no applications submitted after 12:00 CET/CEST on the deadline will be accepted. They are very strongly encouraged not to wait until the final day to submit their application.

Please note that no other method of submission of an application will be accepted. Applications submitted in any other way will be automatically rejected. No exceptions will be made.

Make sure that you have officially submitted your electronic application form and that you have received an e-mail acknowledging receipt of your submission with a project reference number.

Applicants shall ensure that all the documents requested and mentioned in the eForm are provided electronically.

No changes to the dossier can be made after the deadline for the submission of applications. However, if there is a need to clarify certain aspects, the Agency may contact the applicant for this purpose.

Only applications that fulfil the eligibility criteria will be considered for a grant. If an application is deemed ineligible, a letter indicating the reasons will be sent to the applicant.

14.4 Evaluation procedure

The eligible proposals will be ranked according to the award criteria defined and weighted in section 9 of the present Guidelines. Within the limit of the available budget, applications obtaining the highest scores will be selected.

The assessment is made solely on the basis of the documents sent by the relevant deadline. Nevertheless, the Agency reserves the right to request additional information from the applicant.

14.5 Award decision

Only after completion of the procedure mentioned above, is the selection process finalised and the award decision adopted by the Agency.

Applicants will be informed of the results of the selection within two weeks of the date of adoption of the award decision.

Unsuccessful applicants will receive a letter stating the reasons why their application was not selected.

Once applicants are informed, the list of selected proposals will be published on the websites of the Commission/Agency: http://eacea.ec.europa.eu/creative-europe/selection-results_en

14.6 Rules applicable

Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union (OJ L 298, 26.10.2012, p.1).

Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union (OJ L 362, 31.12.2012, p.1).

Regulation (EU) No 1295/2013 of the European Parliament and of the Council of 11 December 2013 establishing the Creative Europe Programme (2014 to 2020) concerning the implementation of a support Programme for the European creative sector (Creative Europe) (OJ L 347/221, 20 December 2013).

14.7 Contacts

For any further information please contact your Creative Europe desk:
http://ec.europa.eu/culture/creative-europe/creative-europe-desks_en.htm

Contact within the Agency:
EACEA-MEDIA-DEVELOPMENT@ec.europa.eu

If you encounter a technical problem in relation to the e-Form, please ensure that you contact the HelpDesk well in advance of the deadline for submission: EACEA-HELPDESK@ec.europa.eu

Annexes:

- Annex 1- detailed description of the project. A free word or pdf document containing the artistic material related to the project. For more details, please refer to the eForm Operational User guide
- Annex 2 - Budget Form – Slate Funding
- Annex 3 - Declaration on applicant's honour (The declaration on the applicant's honour must be attached to the E-Form)
- Annex 4 – Track record of the applicant company
- Annex 5 - Expert Guide
- Annex 6 - Model agreement/decision
- Annex 7 – Financial Capacity Form