



CREATIVE EUROPE

MEDIA Sub-programme

SUPPORT FOR ACCESS TO MARKETS

GUIDELINES

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Annexes:

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

http://ec.europa.eu/culture/media/fundings/creative-europe/call_4_en.htm

1. INTRODUCTION

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/creative-europe>.

2. OBJECTIVES - PRIORITIES

2.1 Objectives and Priorities

Within the field of reinforcing the European audiovisual sector's capacity to operate transnationally, some of the priorities shall be the following:

- increasing the capacity of audiovisual operators to develop European audiovisual works with a potential to circulate in the Union and beyond and to facilitate European and international co-production, including with television broadcasters;
- encouraging business to business exchanges by facilitating access to markets and business tools for audiovisual operators to increase the visibility of their projects on Union and international markets.

The MEDIA Sub-programme shall provide support for

- facilitating access to professional audiovisual trade events and markets and the use of online business tools inside and outside the Union;
- facilitating circulation of European films worldwide and of international films in the Union on all distribution platforms, via international cooperation projects in the audiovisual sector.

Under this Support scheme, the applicant submits a proposal in view of establishing a two-year partnership with the MEDIA Sub-programme, through a contractual instrument called *Framework Partnership Agreement* ("FPA").

The FPA will allow the selected institutions a long term forward planning and financial stability to implement repetitive actions for two years. It sets the condition for a simplified selection and contracting procedure (see section 9.1).

2.2 Targeted Projects:

The MEDIA Sub-programme encourages Access to Markets actions taking place in and outside countries participating in the MEDIA Sub-programme.

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

The operational objectives of the MEDIA Access to Markets Support scheme are to facilitate Business to Business exchanges, having as expected results and impact:

- the improvement of the European/international dimension and effectiveness of existing large industry markets and to increase the systemic impact of smaller initiatives;
- an increase in the visibility of professionals and audiovisual works from European countries with a low production capacity;
- an increase in the number of European co-productions and a greater diversification of talents and sources of funding;
- the improvement of the competitiveness and circulation of European audiovisual works on international markets.

Please note that this scheme is not intended to cater for the individual action(s) of a single company in support of their own products.

3. TIMETABLE

The indicative timetable is the following:

	Stages	Date or indicative period
a)	Publication of the call	<i>December, 2013</i>
b)	Deadline for submitting applications	<i>6. June, 2014 – 12:00 (noon, Brussels Time)</i>
c)	Evaluation period	<i>June-August, 2014</i>
d)	Information to applicants	<i>September, 2014</i>
e)	Signature of grant agreement	<i>October-November, 2014</i>
f)	Starting date of the activities	<i><u>For (single) activity:</u> Between 01/01/2015 and 31/05/2015 <u>For annual actions:</u> Between 01/01/2015 and up to 31/12/2015</i>
g)	Max. duration of the action / Period of eligibility	<i>12 months</i>

4. AVAILABLE BUDGET

The total budget available for the co-financing of actions under this scheme is estimated at EUR 4.47 M for 2014.

The amount of the financial contribution to be awarded will be determined within the limits of the available budgetary resources and with regards to the cost and nature of each proposed action.

The financial contribution of the Union cannot exceed 60% of the total eligible costs of the action. In case of actions taking place outside eligible countries defined under point 5.2, the financial contribution may go up to a maximum of 80% of the total eligible costs of the action if duly justified.

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

5. ELIGIBILITY CRITERIA

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

5.1 Formal criteria

In order to submit an application, applicants and partners must provide their Participant Identification Code (PIC) in the application form. The PIC can be obtained by registering the organisation in the Education, Audiovisual, Culture, Citizenship and Volunteering Participant Portal.²

The Participant Portal allows applicants and partners, to upload or update the information related to their legal status and attach the requested legal and financial documents.

See the section on Registration in the Participant Portal for more information.

Only proposals submitted in one of the Union official language, using the official application form, completed in full, signed (original signatures or equivalent required) and received by the specified deadline, will be considered.

The application form must be accompanied by all the documents referred to in the application form. Applicants must submit a budget that is balanced in terms of expenditure and revenue and that complies with the ceiling for European Union cofinancing, set at 60% (or 80% if the action is taking place outside eligible countries see 5.2).

5.2 Eligible 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 No 1295/2013 establishing the Creative Europe Programme are met and the Commission has entered into negotiations with the country:

- 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;

² The organisation has to register 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 the organisation-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 Swiss Confederation, on the basis of a bilateral agreement to be concluded with that country;
- Countries of the European neighbourhood area in accordance with the procedures defined with those countries following the framework agreements providing for their participation in European Union programmes.

The Agency may select proposals from applicants in non EU countries, 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 xy/2013 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>)

5.3 Eligible applicants

The Access to Markets scheme is opened to European entities (private companies, non-profit organisations, associations, charities, foundations, municipalities/Town Councils, etc.), established in one of the countries participating to the MEDIA Sub-programme and owned directly or by majority participation, by nationals from such countries.

Natural persons may **not** apply for a grant.

5.4 Eligible activities

Only applications submitted by eligible entities active in the audiovisual sector in countries participating in the MEDIA Sub-programme will be accepted.

Applicants will have to clearly explain, detail and demonstrate the various mechanisms put in place to enable a greater geographic representation of the A/V works and professionals participating in the activity/ies and describe their results and impact circulation of European films worldwide and of international films in the Union.

Only those applications corresponding to at least one of the 3 Actions described below will be considered as eligible:

Action 1. Access to physical markets for European professionals

Activities aiming at improving the conditions governing access for European professionals, projects and works to professional audiovisual markets **within and outside** the countries participating in the MEDIA Sub-programme, such as co-production and financing initiatives and events and/or trade event and markets for finished works.

These mechanisms can be of financial nature (for example discount rates, invitation of professionals etc...) or of operational nature (assistance offered to professionals, various dedicated networking activities etc...).

Action 2. Online tools intended for the professionals

- Creation and development of a database and/or a network of databases of European programmes and/or professionals of the A/V industry, intended for professionals.
- Creation and development of tools on the European A/V and/or cinema industry targeted at the professionals.

The content of such actions shall be preferably made available in several European languages and at least in the English language.

For clarity reasons, please note that VOD and digital cinema distribution platforms, digitisation of A/V works **are excluded**.

Action 3. Common European promotional activities

- The implementation of common promotional activities within and outside the countries participating in the MEDIA Sub-programme, organized by pan European networks or organisations representing at least 15 countries participating in the MEDIA Sub-programme, aimed at facilitating the distribution and circulation of European A/V and/or cinematographic works and the networking of European professionals.
- The setting up and launching of promotional initiatives and platforms, aimed at creating innovative ways of distributing/releasing of European A/V and cinematographic works and encouraging the networking and exchange of information and good practices between professionals. These activities shall be organised and coordinated by a grouping composed of at least 3 different entities from 3 different countries participating in the MEDIA Sub-programme.

NB : These actions are also open to participants from countries which are not participating in the MEDIA Sub-programme.

Activity: is defined by a specific content for a specific group of participants at a specific time in a specific location. Generally and in the framework of the Promotion/Access to Markets Calls for Proposals, referring to professional events such as markets, fairs, forums etc...

In case of submission for support of a (single) activity, the activity must start between 01/01/2015 and 31/05/2015. The action can begin up to 10 months before the start date of the activity and can end at the latest 2 months after the end date of the activity. In any case, the maximum duration of actions is 12 months.

Annual actions: a group of activities implemented and managed by the applicant and taking place during the calendar year for which support is applied for. Applicants having several activities throughout the year can nevertheless choose to submit one separate application per activity (or group of activities), provided that the relevant total budget exceeds EUR 500,000.

Annual action also includes any activity covering a period of over 6 consecutive months within a given calendar year. Such annual actions will be only receivable under the appropriate deadline. This includes for example webportal, web database and any other internet based applications/tools.

In case of submission for support of annual actions, activities must take place between 01/01/2015 and 31/12/2015. The action can begin up to 10 months before the start date of the activities and can end at the latest 2 months after the end date of the activities. In any case, the maximum duration of actions is 12 months.

However, if after the signing of the agreement and the start of the action it becomes impossible for the beneficiary, for fully justified reasons beyond his control, to complete the action within the scheduled period, an extension 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 in any case, will be of 18 months.

6. EXCLUSION CRITERIA

6.1. 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 or 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 or 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 an 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.

6.2 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 6.1.

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

6.3 Support 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 6.1. and 6.2, filling in the relevant form attach to the application form accompanying the call for proposals and available at http://ec.europa.eu/culture/media/fundings/creative-europe/call_4_en.htm.

7. SELECTION CRITERIA

Applicant 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. They must have the professional competencies and qualifications required to complete the proposed action or work programme.

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

7.1. Operational Capacity

In order to permit an assessment of their operational capacity, organisations applying for a grant above EUR 60,000 must submit, together with their applications:

- a summary of the activities of the applicant over the last two years (if not fully available, an organization chart of the applicant showing the structure of the organization and the functions of the main staff).

7.2. 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) Low value grants (\leq EUR 60 000):
 - a declaration on their honour.
- b) Grants $>$ EUR 60 000:
 - 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.
- c) Framework Partnership Agreements (FPAs), in addition to the above:
 - an audit report produced by an approved external auditor certifying the accounts for the two last years available.

In the event of an application grouping several applicants, the above thresholds shall apply to each applicant.

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

- request further information;
- propose a grant agreement without pre-financing;
- propose a grant agreement without pre-financing but an interim payment based on expenses already occurred.
- propose a grant agreement with a pre-financing covered by a bank guarantee (see section 9.2 below);
- reject the application.

8. AWARD CRITERIA

Eligible applications will be assessed on the basis of the following criteria:

	Criteria	Definitions	Max. points
1	Relevance	Relevance of the content of the action (including the International/European dimension) vis a vis the objectives of the Call for proposals and the needs of the industry;	20
2	Quality of the content and activities	Adequacy of the methodology to the objectives (including : format, target group, selection methods; synergy/collaboration with other projects; feasibility; cost efficiency);	40
3	Dissemination of project results, Impact and sustainability	Impact on the financing , the international circulation and global audience of projects/works and/or structuring effects on the European audiovisual industry	30
4	Quality of the project team	Relevance of the international, technical and management expertise of the team vis à vis the objectives of the action	10

For proposed actions which contain two or more activities, the Agency reserves the right to refuse activities on the basis of the award criteria.

9. FUNDING CONDITIONS

An EU grant is an incentive to carry out activities that would not be possible without the support of the Union. It is based on the principle of co-financing. The EU grant supplements the applicant organisation's own financial involvement and/or any national, regional or private support it may have obtained.

Acceptance of an application by the Agency does not constitute an undertaking to award a grant equal to the amount requested by the beneficiary. Furthermore, under no circumstances may the amount awarded exceed the amount requested.

The award of a grant does not establish an entitlement for subsequent years.

9.1 Contractual provisions and payment procedures

Framework Partnership Agreement (FPA)

In the event of definitive approval by the Agency of the submitted action, a Framework Partnership agreement for 2 years will be sent to the Beneficiary.

The Framework Partnership Agreement formalises a partnership relationship between the Agency and the beneficiaries for **2 years**, to enable them to achieve their long-term objectives. It is aimed at organisations whose actions are stable in particular in terms of objectives, format, target group and methodology.

The Global Action Plan will be annexed to this agreement. Subsequently a specific agreement detailing the conditions and level of funding for the first year will also be sent to the Beneficiary. The work programme for 1st year will form the basis for awarding an annual action grant for this precise year.

The Agency will offer a mono-beneficiary or multi-beneficiary agreement to be concluded with the project leader.

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

- *Information on the funding for the action taking place in the following year*

In the course of 2015, the applicant selected under the framework partnership agreement will fill in a **simplified grant application** for their activities taking place in 2016.

This simplified grant application, which includes an annual work programme and the corresponding detailed budget for the annual action foreseen, should be in line with the Global Action Plan and will serve as a basis for the award of a grant.

The annual estimated budget foreseen and the EU contribution are not expected to be increased by more than 10% from one year to another, and only in duly justified cases.

The implementation of the specific grant agreement for each year is subject to the adoption of the annual European Union budget by the budget authority.

A pre-financing payment of 70% will be transferred to the beneficiary within 30 days of the date when the last of the two parties signs the Specific agreement, provided all possible guarantees are received. Pre-financing is intended to provide the beneficiary with a float.

The account or sub-account indicated by the beneficiary must make it possible to identify the funds transferred by the Agency.

The Agency will establish the amount of the final payment to be made to the beneficiary on the basis of the final reports.

9.2 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 may be replaced by a joint and several guarantee by a third party or by a joint guarantee of the beneficiaries of an action who are parties to the same grant agreement

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.

9.3 Double financing

Applicants may receive only one grant for action for the same application from the budget of the European Union.

To ensure this, they must give details in their application form of any other grant requests which they have submitted or intend to submit to the European Institutions stating in each case, the budgetary year, the budget heading, the European Union programme and the amount requested

9.4 Funding method

9.4.1 Lump-sum grant: Not applicable

9.4.2 Budget-based financing

✓ General provisions

Budget-based grants are calculated on the basis of a detailed estimated budget. The budget attached to the application form must be complete and in balance, i.e. total estimated expenditure must equal total revenue, including the Union grant application. The budget must indicate clearly the costs that are eligible for EU funding. The EU grant is limited to a maximum co-financing rate of 60% of total eligible costs (or 80% if the action is taking place outside eligible countries).

The budget must be drawn up in euros. Applicants not based in the euro zone must use the exchange rate published in the Official Journal of the European Union on the date of the publication of this call for proposals. This exchange rate is available from the Creative Europe Desks and from the web site of the European Commission at <http://ec.europa.eu/budget/inforeuro>).

Part of the total estimated eligible expenses must be financed from sources other than the Union grant. Applicants must indicate the sources and amounts of any other funding received or applied for in the same financial year for the implementation of the action concerned.

The allocated amount may not exceed the amount requested.

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.³

✓ Eligible costs

Eligible costs of the action/work programme are costs actually incurred by the beneficiary, which meet the following criteria:

- they are incurred during the duration of the action/ work programme as specified in the grant agreement, with the exception of costs relating to final reports and certificates on the action/work programme's financial statements and underlying accounts;

The period of eligibility of costs can begin up to 10 months before the start date of the activity/ies and can end at the latest 2 months after the end date of the activity/ies.

Costs incurred before this period will not be considered. In any case, the period of eligibility of costs cannot exceed 12 months.

- they are connected with the subject of the agreement and they are indicated in the estimated overall budget of the action/work programme;

³ This provision does not apply for grants which are lower than or equal to €60 000.

- they are necessary for the implementation of the action/ work programme which is the subject of the grant;
- 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. In particular, the following direct costs are eligible, provided that they satisfy the criteria set out in the previous paragraph.

For proposed actions including several activities, the applicants must submit

- A budget per activity
- A global budget for the whole action

Budget Headings are the following:

1. Project Management and Administrative Costs
Administrative and Personnel costs must not exceed 40% of the total eligible costs of the action. These Administrative and Personnel costs are calculated by adding the subheading 1.1. "Salaries of Personnel and fees of Project Management" to the Overheads (maximum 7% of total headings 1.-3.)
2. Sub-contracting costs
3. Operating Costs

Please note that the right is reserved to reduce any cost, either in the award or subsequent payment procedures, which is not consistent with average market prices for the item or service foreseen.

Eligible indirect costs

- a flat-rate amount, not exceeding 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.

Applicant'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 or work programme receiving a European Union grant, and
- excessive or reckless expenditure.

Contributions in kind shall not constitute eligible costs.

- ✓ Calculation of final award

The Agency will establish the final amount of the grant on the basis of the following documents:

- a final report providing details of the implementation and results of the action/work programme ;
- the final financial statement of costs actually incurred.

In cases of grants for an action of less than EUR 750 000, the beneficiary is 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 office.

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/documents/guidance-notes-audit-type-i_11.2012_en.pdf

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

In cases of grants for an action of EUR 750 000 or more, when the cumulative amounts of request for payment is at least EUR 325 000, the beneficiary is required to submit, in support of the final payment, a “Report of Factual Findings on the Final Financial Report - Type II” produced by an approved auditor or in case of public bodies, by a competent and independent public officer. The certificate shall certify, in accordance with a methodology approved by the Agency, that the costs declared by the beneficiary in the financial statements on which the request for payment is based are real, accurately recorded and eligible in accordance with the grant agreement.

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/documents/guidance-notes-audit-type-i_11.2012_en.pdf

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

The calculation of the final grant amount by the Agency is based on a detailed final financial statement of the beneficiary, accompanied by supporting documentation for the incurred expenditure. 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 to the expenditure actually incurred. The Agency also reserves the right to reduce the amount of the grant if the organisation has not fully implemented the agreed action/work programme.

The Union grant may not have the purpose or effect of producing a profit for the beneficiary. Profit is defined as a surplus of receipts over costs. The amount of the grant will be reduced by the amount of any surplus.

Where applicable, the beneficiary will be required to reimburse any excess amounts paid by the Agency in the form of pre-financing.

10. SUB-CONTRACTING AND AWARD OF PROCUREMENT CONTRACT

Where the implementation of the action or the work programme 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.

Sub-contracting, i.e. the externalisation of specific tasks or activities which form part of the action/work programme 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.

11. PUBLICITY, COMMUNICATION AND DISSEMINATION

11.1 Publicity

All grants awarded in the course of a financial year must be published on the Internet site of the European Union institutions during the first half of the year following the closure of the budget year in respect of which they were awarded. The information may also be published using any other appropriate medium, including the Official Journal of the European Union.

The beneficiary authorises the Agency to publish the following information in any form and medium, including via the Internet:

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

Upon a reasoned and duly substantiated request by the beneficiary, the Agency may agree to forgo such publicity, if disclosure of the information indicated above would threaten the safety of the beneficiaries or harm their business interests.

Beneficiaries must clearly acknowledge the European Union's contribution in all publications or in conjunction with activities for which the grant is used. The name and logo of the programme must appear on all publications, posters, programmes and other products created in relation to the co-financed action.

The logo of the Creative Europe Programme can be downloaded from the following address: http://ec.europa.eu/dgs/education_culture/promo/creative-europe/eps/eps.zip

11.2 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 will be required as stipulated in the grant agreement to produce a public summary/report in English providing information about their work and the results of their project. The public summary/report must be included in the final report submitted to the Agency. The report may be used by the Commission to provide information on the results of projects.

The Commission together with the Agency may identify good practices and prepare relevant dissemination materials to be shared within and across all participating countries and beyond.

Data and results from projects will be made freely available to be used by stakeholders, policy makers and others in a wide range of ways.

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.

12. 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 Union institutions and bodies and on the free movement of such data.⁴

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. 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 the Agency'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.

13. PROCEDURE FOR THE SELECTION OF PROPOSALS

13.1 Publication

Following the adoption the Annual Work Programmes, the Calls for proposals will be published in the Official Journal of the European Union and will be accessible on the MEDIA Sub-programme website at the following address:

http://ec.europa.eu/culture/media/fundings/creative-europe/call_4_en.htm.

13.2 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:

⁴ Official Journal L 8, 12.1.2001.

<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/media/fundings/creative-europe/call_4_en.htm.

13.3 Submission of the grant application

For this action 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 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.

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 eForm 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 eForms 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.

In their proposal for a FPA, applicants must submit a Global Action Plan setting out the objectives, priorities and expected results for the period of the FPA as well as the strategy and the actions to be implemented to ensure that the objectives and results are achieved.

The applicants must also submit for the 1st year of the Framework Partnership a work programme and the corresponding budget.

Applicants shall ensure that all the documents requested and mentioned in the application forms attached to the Call for Proposals are provided.

13.4 Evaluation procedure

The eligible proposals will be ranked according to the award criteria defined and weighted in section 8 of the present Guidelines. Within the limit of the available budget, actions 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.

13.5 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 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

13.6 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) 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, 20.12.2013).

13.7 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-MARKETS@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

GLOSSARY

Action: the "action" covers the preparation and implementation stages as well as the follow-up, evaluation and dissemination of results of the activity(ies) for which the beneficiary receives financial support for a given year.

Activity: is defined by a specific content for a specific group of participants at a specific time in a specific location. Generally and in the framework of the Promotion/Access to Markets Calls for Proposals, referring to professional events such as markets, fairs, forums etc...

Annual actions: a group of activities implemented and managed by the applicant and taking place during the calendar year for which support is applied for. Applicants having several activities throughout the year can nevertheless choose to submit one separate application per activity (or group of activities), provided that the relevant total budget exceeds EUR 500,000.

Annual action also includes any activity covering a period of over 6 consecutive months within a given calendar year. Such annual actions will be only receivable under the appropriate deadline. This includes for example webportal, web database and any other internet based applications/tools.

Annual Action Plan: it sets out the objectives, priorities and expected results of the action, as well as the strategy and the actions to be implemented to ensure that the objectives and results are achieved.

Work Programme: the work programme presents in detail the activity/ies to be implemented in the framework of an "action".

European countries with a low audiovisual production capacity: the following countries will be considered as countries with a low audiovisual production capacity: Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, Greece, Hungary, Ireland, Iceland, Latvia, Lithuania, Luxembourg, Malta, Norway, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Sweden, Switzerland subject to the condition of fulfilment of the conditions set out in section 5.2 Eligible countries.

European audiovisual (A/V) work: European A/V work should be understood as an A/V work or project (being TV or Cinematographic), originating from an eligible country defined in section 5.2 of the present Guidelines or produced by a majority of producer(s) registered in and owned by nationals of an eligible country. Under the Promotion/Access to Markets Calls for Proposals, the following programmes are not considered as eligible A/V and/or cinematographic works: live-broadcasting, music videos, non narrative artistic works (including but not limited to art videos, experimental videos etc), commercial and promotional works (including but not limited to advertisements), formats (reality TV, games etc).