CREATIVE EUROPE

MEDIA Sub-programme

SUPPORT FOR ACCESS TO MARKETS

EACEA/15/2015

GUIDELINES

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Annexes:
All the annexes are available on the EACEA/MEDIA website:
https://eacea.ec.europa.eu/creative-europe/funding/access-markets-2016_en

GUIDELINES – EACEA 15/2015

Support for Access to Markets

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] and its corrigendum of the 27/06/2014[2].

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 supervision 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/.

2. OBJECTIVES – THEMES – PRIORITIES

2.1. Objectives

Within the specific objective of reinforcing the European audiovisual sector's capacity to operate transnationally, two priorities of the MEDIA Sub-programme shall be to:

- increase the capacity of audiovisual operators to develop European audiovisual works with a potential to circulate in Europe and beyond and to facilitate European and international co-productions including those with television broadcasters;
- encourage business to business exchanges by facilitating access to markets and innovative business tools enabling audiovisual operators to increase the visibility of their projects on European and international markets.

The MEDIA Sub-programme shall provide support to activities aiming at:

- facilitating European and international co-productions;

- facilitating access to professional audiovisual trade events and markets and the use of online business tools inside and outside Europe;

- facilitating circulation of European films worldwide and of international films in Europe on all platforms.

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

- to improve the European/international dimension and effectiveness of existing large industry markets

[1] Published in the Official Journal of the European Union on 20/12/2013 (OJ L347/221).
[2] Published in the Official Journal of the European Union on 27/06/2014 (OJ L 189/260).

and to increase the systemic impact of smaller initiatives;

- to encourage the deployment of innovative tools taking advantage of the opportunities created by developing digital technologies;

- to increase the visibility of professionals and audiovisual works from European countries with a low production capacity;

- to encourage the development of networks and increase the number of European co-productions and a greater diversification of talents and sources of funding;

- to improve 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

	Stages	Date and time or indicative period
a)	Publication of the call	November, 2015
b)	Deadline for submitting applications	**Thursday 28/01/16** 12:00 (noon, Brussels Time)
c)	Evaluation period	February-April 2016
d)	Information to applicants	May 2016
e)	Signature of grant agreement	June 2016
f)	Starting date of the activity	01/06/2016-31/05/2017
g)	Duration of the action / period of eligibility of costs	12 months

4. BUDGET AVAILABLE

The total budget earmarked for the co-financing of projects is estimated at EUR 7 M.

This amount is subject to the availability of the funds after the adoption of the budget for 2016 by the budgetary authority.

The financial contribution of the Union cannot exceed 60% of the total eligible costs of the European actions (actions taking place inside eligible countries defined under point 6.1). In case of International actions taking place outside countries participating in the MEDIA Sub-programme, 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. 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 using the online application form (see section 14 of the present guidelines);
- they must be drafted in one of the EU official languages, preferably in English or French.

The application form must be accompanied by a balanced budget and 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 and partners 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 or partner 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 and partners, 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 entities (private companies, non-profit organisations, associations, charities, foundations, municipalities/Town Councils, etc.) established in one of the countries participating in the MEDIA Sub-programme (see below) and owned directly or by majority participation, by nationals from such 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 European 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 defined 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 these 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.

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 and that the Commission has started negotiations with can be found on the following link:

http://eacea.ec.europa.eu/creative-europe/library/eligibility-organisations-non-eu-countries_en

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

6.2 Eligible activities

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

Only actions intended primarily to the professionals with a demonstrated impact for the promotion and circulation of European audiovisual works and professionals will be considered.

Applicants will have to clearly explain, detail and demonstrate the various mechanisms put in place to enable a greater geographic representation of the audiovisual 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 European Union.

European audiovisual work should be understood as an audiovisual work or project (being TV, cinematographic or video games), originating from an eligible country defined in section 6.1 of the present Guidelines or produced by a majority of producer(s) registered in and owned by nationals of an eligible country.

Under the Access to Markets Call for Proposals, the following programmes are not considered as eligible audiovisual 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 etc).

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**

Actions 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.

Financial support cannot be requested to cover attendance at the eligible activities above mentioned (co-production and financing initiatives, industry events and markets for finished works).

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 audiovisual industry, intended for professionals.

- Creation and development of innovative online tools on the European audiovisual and/or cinema industry using the latest digital technologies and targeted at 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 audiovisual 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 MEDIA countries, aimed at facilitating the distribution and circulation of European audiovisual and/or cinematographic works and the networking of European professionals.

- The setting up and launch of promotional initiatives and platforms, aiming at creating innovative ways to distribute/release European audiovisual 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 MEDIA sub-programme countries.

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

Activities must **start** between 01/06/2016 and 31/05/2017[3]. The action[4] 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.

The maximum duration of actions is 12 months.

However, if after the signing of the grant 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 grant agreement. The maximum duration in any case, will be of 18 months.

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[3] **Activity** is defined by a specific content for a specific group of participants, at a specific time, in a specific location (e.g. professional events such as markets, fairs, forums etc…).

[4] **Action** covers the preparation and implementation stages related to an activity, as well as its follow-up, evaluation and dissemination of results.

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.

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 State 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 European 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/access-markets-2016_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) Low value grants (≤ 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) Grants for an action > EUR 750 000, in addition to the above:

- an audit report produced by an approved external auditor certifying the accounts for the last financial year available.

In the event of an application grouping several applicants (consortium), the thresholds mentioned in c) 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 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, for those applying for a grant above EUR 60.000 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).

9. AWARD CRITERIA

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

	Criteria	Definitions	Max. points
1	Relevance and European added value	This criterion evaluates the relevance of the content of the action including the innovative aspects and the International and European dimension vis-à-vis the objectives of the call for proposals and the needs of the industry.	30
2	Quality of the content and activities	This criterion assesses the adequacy of the methodology to the objectives including the format, the target group, selection methods, synergy and collaboration with other projects, the tools including the use of digital technologies relevant to new business models, the feasibility and cost efficiency.	30
3	Dissemination of project results, and impact and sustainability	This criterion assesses the impact of the support on the financing, the international circulation and global audience of the projects and works and/or the structuring effect on the European audiovisual industry.	30
4	Organisation of the project team	This criterion assesses the distribution of the roles and responsibilities 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.

Detailed description of the award criteria and breakdown of points:

Relevance and European added value (30 points)

This criterion will take into account:

- Clarity and consistency of the action with regards to the objectives of the call (10)
- Adequacy to the needs of the industry including the innovative aspects (10 points)
- Added value and quality of the positioning of the action compared to similar activities and European/international dimension (10 points)

Quality of the content and activities (30 points)

This criterion will take into account:

- Adequacy of the methodology to the objectives taking into account the choice of format/content/ target group, the tools including the use of digital technologies relevant to new business models, the strategy of selection of projects/ invitation of decision makers and the strategy to facilitate the distribution and circulation, visibility of low production capacity professionals and/or works (10 points)
- Cost efficiency of the action taking into account the forecast budget and the co-financing strategy in relation with the number of participants, projects and days (10 points)

- Quality and feasibility taking into account consistency between budget, objectives and proposed content as well as relevance to existing synergies and new business models within the audiovisual industry (10 points).

Dissemination of project results, and impact and sustainability (30 points)

This criterion will take into account:

- Systemic impact for the targeted projects and participants, in terms of facilitation of co-production, financing, visibility, circulation, audience reach, based on track record as well as adequacy and level of assistance/follow up after the event (10 points)

- Effectiveness in terms of structuring effects on the European audiovisual industry and added value to enter the targeted markets / reinforce the co-production/the international circulation (10 points)

- Impact and structuring effect at European/international level including low production capacity countries or regional level (10 points)

Organisation of the project team (10 points)

This criterion will take into account:

- Relevance of the distribution of the roles and responsibilities of the team vis-à-vis the specific objectives of the action (i.e. event organisation/ international expertise/ audiovisual expertise). In case of multiple applicants: added value and clarity of role of each member of the proposed grouping.

10. LEGAL COMMITMENTS

In the event of a grant awarded by the Agency, a grant agreement 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. This agreement may be a mono-beneficiary (for single applicants) or a multi-beneficiary agreement (in the event of a consortium) to be concluded with the project coordinator.

The 2 copies of the original grant agreement must be signed first by the beneficiary (in the event of multiple applicants, by the project coordinator on behalf of the consortium) and returned to the Agency immediately. The Agency will sign them last.

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 European Union budget. To ensure this, applicants shall indicate in the application form the sources and amounts of European 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.

In such cases, costs eligible for financing may not have been incurred prior to 10 months before the start date of the activity.

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/EC[5] or contracting entities in the meaning of Directive 2004/17/EC[6] 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;

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

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

- 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 60% of total eligible costs for those actions taking place in participating countries. In case of activities taking place outside participating countries, the EU grant may go up to a maximum of 80% of total eligible costs.

Consequently, part of the total eligible expenses entered in the estimated budget must be financed from sources other than the European Union grant.
The amount of the own resources indicated in the revenue part of the estimated budget is regarded as secured, and the same amount as a minimum, must be entered in the revenue section of the final account.
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.

The period of eligibility of costs can start up to 10 months before the start date of the activity and can end at the latest 2 months after the end of the activity. The period of eligibility of costs should not exceed 12 months.[7]

- 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;

[7] See Section 6.2 for details of any possible extension.

- 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 revenues 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 policy of the beneficiary **or, where applicable, its partners. NB: this cost must be actual cost incurred by the beneficiary, the co-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. Personnel costs cannot exceed 40% of total eligible costs of the action. The actual number of working days in a year should be supported by time sheets and due evidence (annual salary statements, accounting records, internal rules of the organisation, if any).

- subsistence allowances and costs of travel (for meetings, including kick-off meetings where applicable, European conferences, etc.) provided that these costs are in line with the beneficiary's usual practices and that they do not exceed the scales approved annually by the Commission http://ec.europa.eu/europeaid/sites/devco/files/perdiem-rate-20150318.pdf;

- 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/project;

- costs entailed by other contracts awarded by the beneficiary or its partners for the purposes of carrying out the action/project, provided that the conditions laid down in grant agreement 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 European Union budget during the period in question;
- contributions in kind
- excessive or reckless expenditure
- expenditure for partners from countries not participating in the programme or not being co-beneficiaries of the agreement.

- **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.

In case 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 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.

In case 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-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 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 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 European Union contribution to the eligible costs actually incurred by the beneficiary to carry out the action[8].

11.3. Payment arrangements

Depending on the financial capacity of the applicants, a pre-financing or an interim payment will be paid according to the modalities described here below:

If specified in the grant agreement, 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 grant agreement, 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. The interim payment shall not exceed 50% of the grant amount.

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 Agency 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

[8] This provision does not apply for grants which are lower than or equal to 60.000€.

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.

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 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://eacea.ec.europa.eu/about/eacea_logos_en.php, 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.

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 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.

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 European 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 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:

- Commission Decision of 13 November 2014 on the Early Warning System to be used by authorising officers of the Commission and by the Executive Agencies (OJ L 329, 14.11.2014, p. 68–80), or

- 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 grant 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/access-markets-2016_en

[9] Official Journal L 8, 12.1.2001.

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:

https://eacea.ec.europa.eu/creative-europe/funding/access-markets-2016_en

14.3 Submission of the grant application

Proposals must be submitted in accordance with the admissibility requirements set out under section 5 and by the deadline set out in section 3.

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 different activities should provide a single application. A separate application should be provided in case of European and International 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 12.00CET/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.

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.

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 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) and its corrigendum of 27/06/2014 (OJ L 189/260).

14.7 Contacts

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

Annexes

- Annex I: Detailed description of the action (this document must be attached to the E-Form)
- Annex II – Detailed budget and sources of financing (The Budget Form on the standard template must be attached to the E-Form)
- Annex III – Declaration on applicant's honour (The signed declaration must be attached to the E-Form)
- Financial Capacity Form
- Expert Guide
- Sample Grant Agreement

All the annexes are available on the EACEA/MEDIA website:
https://eacea.ec.europa.eu/creative-europe/funding/access-markets-2016_en