



# **CREATIVE EUROPE**

## **Culture Sub-programme**

### **SUPPORT FOR EUROPEAN COOPERATION PROJECTS**

#### **GUIDELINES**

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All the necessary documentation to apply, in particular the online application form (e-form) and the guide for applicants, can be found at:

[http://ec.europa.eu/culture/creative-europe/calls/call-eac-s16-2013-cooperation\\_en.htm](http://ec.europa.eu/culture/creative-europe/calls/call-eac-s16-2013-cooperation_en.htm)

## 1. INTRODUCTION

These guidelines are based on Regulation No 1295/2013 of the European Parliament and of the Council of 11 December 2013 establishing the Creative Europe Programme (2014 to 2020) <sup>1</sup>.

The European Commission is responsible for the implementation of the Creative Europe Programme (hereafter "the 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-programmes on behalf and under the control of the European Commission.

General background information about the Creative Europe Programme can be found at:

<http://ec.europa.eu/creative-europe/>

## 2. OBJECTIVES AND PRIORITIES

### 2.1 Objectives and priorities

The main objectives of the support for cultural cooperation projects are:

- to support the capacity of the European cultural and creative sectors to operate transnationally and internationally and to promote the transnational circulation of cultural and creative works and transnational mobility of cultural and creative players, in particular artists;
- to contribute to audience development by helping European artists/cultural professionals and their works reach new and enlarged audiences and improve access to cultural and creative works in the European Union (hereafter 'the EU') and beyond with a particular focus on children, young people, people with disabilities and underrepresented groups, by engaging in new and innovative ways with audiences both to retain and enlarge them, and to improve the experience and deepen the relationship with current and future audiences;
- to contribute to innovation and creativity in the field of culture, for instance through artistic innovation, the testing of new business models, the use of digital technologies and the promotion of innovative spill-overs on other sectors.

In order to achieve the above mentioned objectives, the cooperation projects will have to focus on one or more of the following priorities:

- Priorities in the field of reinforcing the cultural and creative sector's capacity to operate transnationally, are:
  - supporting actions providing cultural and creative players with skills, competences and know-how that contribute to strengthening the cultural and creative sectors, including encouraging adaptation to digital technologies, testing innovative approaches to audience development and testing of new business and management models;
  - supporting actions enabling cultural and creative players to cooperate internationally and to internationalise their careers and activities in the Union and beyond, when possible on the basis of long-term strategies;
  - providing support to strengthen European cultural and creative organisations and international networking in order to facilitate access to professional opportunities.
- Priorities in the field of promoting transnational circulation and mobility are:

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<sup>1</sup> Regulation No 1295/2013 of the European Parliament and of the Council establishing the Creative Europe Programme was published in the Official Journal of the European Union on 20/12/2013 (OJ L 347, p. 221).

- supporting international cultural activities, such as for instance touring events, exhibitions, exchanges and festivals;
- supporting the circulation of European literature with a view to ensuring the widest possible accessibility;
- supporting audience development as a means of stimulating interest in and improving access to European cultural and creative works and tangible and intangible cultural heritage. To find out more about audience development, please refer to annex 2 to these guidelines.

This scheme has a flexible, interdisciplinary approach. Projects can either focus on one or more priorities, at either one or more points of the value chain in either one or more cultural and creative sectors.

The scheme shall support, in particular, not-for-profit projects.

On top of the specific features of the scheme and in compliance with the principle of subsidiarity, the supported projects shall contribute to create European added value as defined in Article 5 of Regulation No 1295/2013 establishing the Creative Europe Programme.

## **2.2 Targeted projects**

This scheme offers two categories of support. Depending on the scale, needs, nature and objectives of the project (also referred to as "action"), the project leader and the partners (also referred to as "the applicants"), will have to choose to apply for either category 1 or category 2:

### **Category 1 – Smaller scale cooperation projects**

Projects involving a project leader and at least two other partners having their legal seat in at least three different countries taking part in the Culture Sub-programme, with a maximum EU funding of EUR 200 000.

### **Category 2 – Larger scale cooperation projects**

Projects involving a project leader and at least five other partners having their legal seat in at least six different countries taking part in the Culture Sub-programme, with a maximum EU funding of EUR 2 000 000.

Purely illustrative examples of the kinds of activities that can be supported within projects, if they contribute to the above objectives and priorities, include the following (please note this list is not exhaustive):

- Exchanges of cultural players with a view to capacity-building enabling cultural players to acquire the skills and know-how needed to adapt to their changing environment (digital shift, new business and management models, new approaches to audience development, helping small organisations develop business readiness in applying for bank loans). This can include training sessions, workshops, the preparation of materials, websites for this purpose, etc.;
- Exchanges of cultural players between countries, including extended stays and residencies, which will help artists/cultural professionals with the development of their careers. During these stays, the activities can include artistic creation, including co-creations and co-productions, which are then performed or exhibited and toured between different countries. As far as possible they should also include training and activities in audience development and interaction with local communities, including efforts to reach usually under-represented groups;
- Cultural organisations (e.g. concert halls, opera houses, theatres, festivals, orchestras, music groups, theatre groups, etc.) from different countries coming together to co-produce and/or

perform and tour in different venues/events in different countries, or at a single event on condition that the event has a very large and recognised international reach with the capacity to have a multiplier effect in other countries. The co-productions can include new or avant-garde works. Promotional and audience development activities must be included in order to attract larger audiences, help make complex works accessible to the audience, and extend access to under-represented groups. The activities should help artists/cultural professionals with their careers, help artists and works reach more audiences across Europe and beyond, help extend the lifespan of productions and the organisations to develop sustainable cooperation with new partners in other countries and new professional opportunities for them.

- Transnational exchanges of artefacts with a particular European dimension: these do not necessarily create new works, but may enable new and existing works to circulate, for example, through exhibitions that tour between the different partners or through a museum in one country loaning exhibits to museums in other countries, with special attention being paid to extending and enlarging the audiences for these works, and extending the lifespan of exhibitions.

### 3. TIMETABLE

**The indicative timetable for the call for proposals for 2014 is:**

**For category 1 - Smaller scale cooperation projects:**

Publication of the call for proposals	Deadline for submission	Evaluation period	Information to applicants	Grant agreements	Start date of the action
<b>December 2013</b>	<b>First Wednesday of March 2014</b>	<b>6 months</b>	<b>August 2014</b>	<b>September 2014</b>	<b>September until December 2014</b>

**For category 2 - Larger scale cooperation projects:**

Publication of the call for proposals	Deadline for submission	Evaluation period	Information to applicants	Grant agreements	Start date of the action
<b>December 2013</b>	<b>First Wednesday of March 2014</b>	<b>6 months</b>	<b>August 2014</b>	<b>October 2014</b>	<b>October - December 2014</b>

**The indicative timetable for the following years for the duration of the Programme is:**

**For Category 1 - Smaller scale cooperation projects:**

Publication of the call for proposals	Deadline for submission	Evaluation period	Information to applicants	Grant agreements	Start date of the action
<b>July of year n-1</b>	<b>First Wednesday of October of year n-1</b>	<b>6 months</b>	<b>March of year n</b>	<b>April of year n</b>	<b>May until December of year n</b>

**For category 2 - Larger scale cooperation projects:**

Publication of the call for proposals	Deadline for submission	Evaluation period	Information to applicants	Grant agreements	Start date of the action
<b>July of year n-1</b>	<b>First Wednesday of October of year n-1</b>	<b>6 months</b>	<b>March of year n</b>	<b>May of year n</b>	<b>June until December of year n</b>

If the deadline for submission falls on a public holiday in the applicant's country, no extension will be granted. Applicants must take this into account when planning their submission.

**4. AVAILABLE BUDGET**

The total available budget for the co-financing of projects under this scheme is estimated at 70 % of the total budget for Creative Europe – Culture Sub-programme (i.e. EUR 454,8 million) which amounts to around EUR 318 million over the period 2014-2020.

Each year throughout the duration of the programme, the European Commission and the Agency will publish an annual work programme indicating the budget devoted to cooperation projects for that particular year.

Financial contribution from the EU cannot exceed 60% of the total eligible costs for category 1 - smaller scale cooperation projects and 50% of the total eligible costs for category 2 - larger scale cooperation projects. The remaining amount shall be secured by the applicants.

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

**5. ELIGIBILITY CRITERIA**

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

**5.1 Formal criteria**

Only applications fulfilling the following conditions will be considered:

- submitted in one of the EU official languages, using the online application form (e-form), completed in full, with all the required signed annexes (original signatures or equivalent required);
- and accompanied by an application package sent by post or by express courier service by the deadline (the postmark serves as proof for post and the registered delivery receipt of the mail service serves as proof for express courier service). The application package must include an official letter (cover letter) signed by the legal representative of the project leader, as well as all other mandatory documents (see list in annex 3).

## 5.2 Eligible countries

Applications from legal entities established in one of the following country categories are eligible as long as all conditions referred to in Article 8 of Regulation No 1295/2013 establishing the Creative Europe Programme are met and the Commission has entered into negotiations with the country:

1. EU Member States and overseas countries and territories which are eligible to participate in the Programme pursuant to Article 58 of Council Decision 2001/822/EC<sup>2</sup>;
2. 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;
3. EFTA countries which are parties to the Agreement on the EEA, in accordance with the provisions of the EEA Agreement;
4. The Swiss Confederation, on the basis of a bilateral agreement to be concluded with that country;
5. 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 EU programmes.

The Agency may select proposals from applicants from 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.

An updated list of countries that fulfil the conditions referred to in Article 8 of Regulation No 1295/2013 and that the Commission has started negotiations with can be found at:

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

## 5.3 Eligible applicants

5.3.1 The applicants (the project leader and the partners) must be active in the cultural and creative sectors as defined in Article 2 of Regulation No 1295/2013 of European Parliament and of the Council establishing the Creative Europe Programme (2014-2020) and repealing Decisions Nos 1718/2006/EC, 1855/2006/EC and 1041/2009/EC and be legally established in one of the countries participating in the Culture Sub-programme (referred to in section 5.2 of these guidelines). Proof of this activity will be required (such as for instance statutes).

The project leader will submit the application to the Agency on behalf of all partners. Consequently, applications must include mandate letters from partner organisations confirming their participation (original signatures or equivalent required).

5.3.2 When submitting their application, both project leader and partners must be in a position to demonstrate their existence as a legal person for at least 2 years on the date of the deadline for submission referred to in section 3 of these guidelines.

Natural persons may not apply for a grant

5.3.3 In order to submit an application, applicants (the project leader and the partners) must provide their Participant Identification Code (PIC) in the application form. The PIC can be obtained by

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<sup>2</sup> Council Decision 2001/822/EC of 27 November 2001 on the association of the overseas countries and territories with the European Community ("Overseas Association Decision") (OJ L 314, 30.11.2001, p. 1).

registering the organisations in the Education, Audiovisual, Culture, Citizenship and Volunteering Participant Portal<sup>3</sup>.

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

See section 13.2 on Registration in the Participant Portal for more information.

#### **5.4 Eligible projects**

Depending on the scale, needs, nature, objectives and priorities of the project, the applicants will have to choose to apply under either category 1 - Smaller scale cooperation projects or category 2 - Larger scale cooperation projects.

Please note that the project leader can apply **only once a year under either category 1 or category 2.**

##### **Category 1 - Smaller scale cooperation projects**

This category includes projects that:

- shall involve a project leader and at least two other partners having their legal seat in at least three different countries taking part in the Creative Europe – Culture Sub-programme. Either the project leader or one of the partners must have its legal seat in one of the countries referred to in paragraphs 1, 3 and 4 of section 5.2.;
- are the subject of an application requesting a EU grant of no more than EUR 200 000 representing maximum 60% of the total eligible budget.

##### **Category 2 - Larger scale cooperation projects**

This category includes projects that:

- shall involve a project leader and at least five other partners having their legal seat in at least six different countries taking part in the Creative Europe – Culture Sub-programme. Either the project leader or one of the partners must have its legal seat in one of the countries referred to in paragraphs 1,3 and 4 of section 5.2.;
- are the subject of an application requesting a EU grant of no more than EUR 2 000 000 representing maximum 50% of the total eligible budget.

In case of selection, the project leader of a larger scale cooperation project will not be eligible to submit other applications under the cooperation projects scheme as long as the project is on-going. This means that a project leader of an on-going category 2 project is not eligible to be the project leader of another cooperation project, irrespective of the category, unless the eligibility period of the selected cooperation project is over when the eligibility period of the other project begins.

For both categories of cooperation projects, the project must be based on a **cooperation agreement** concluded between the project leader and the partners. The cooperation agreement must state all the legal and financial conditions of cooperation between the partners as well as their operational responsibilities in the implementation of the project.

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<sup>3</sup> 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 your 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..



## 5.5 Eligible activities

Eligible activities to be taken into consideration are the activities which intend to achieve the objectives and priorities set in section 2 of these guidelines.

The activities must relate to the cultural and creative sectors as defined in Article 2 of Regulation No 1295/2013 of the European Parliament and of the Council establishing the Creative Europe Programme (2014-2020) and repealing Decisions Nos 1718/2006/EC, 1855/2006/EC and 1041/2009/EC. Activities dedicated exclusively to the audiovisual sectors are not eligible under the Culture Sub-programme. However, audiovisual activities may be eligible as long as they are ancillary to activities dedicated to the non-audiovisual cultural and creative sectors.

## 5.6 Eligible period

Activities must start between June of year n and December of year n for larger scale cooperation projects and between May and December of year n for smaller scale cooperation projects. For the first call for proposals only, the start date of the activities must lie between October and December 2014 for larger scale cooperation projects and between September and December 2014 for smaller scale cooperation projects.

However, a EU grant may be awarded for a project, which has already begun only if the applicant can demonstrate the need to start the project before the agreement has been signed. In any case, the Agency will have to approve the justification of the need to start the project before the agreement has been signed and the project cannot start before the deadline for submission indicated in section 3 of these guidelines.

No grant may be awarded retroactively for projects already completed.

For both smaller and larger scale cooperation projects the maximum duration of a project is 48 months.

Applications for projects scheduled to run for a longer period than that specified in these guidelines will not be considered as eligible.

No extension to the eligibility period beyond the maximum duration will be granted.

However, if after the signing of the agreement and after the start of the project it becomes impossible for the beneficiary, for fully justified reasons beyond his control, to complete the project within the scheduled period, an exceptional extension to the eligibility period may be granted. A maximum extension of 12 additional months may be granted, if requested before the deadline specified in the agreement. The maximum duration will then be 60 months.

## 6. EXCLUSION CRITERIA

### 6.1 Exclusion from participation

Applicants (the project leader and the partners) will be excluded from participating in the call for proposals procedures 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 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 EU's financial interests;
- (f) they are subject to an administrative penalty referred to in Article 109(1) of the Regulation (EU, Euratom) No 966/2012 of the European Parliament and the Council of October 2012 on the financial rules applicable to the general budget of the Union<sup>4</sup> (hereinafter "the Financial Regulation").

## 6.2 Exclusion from award

Applicants will not be granted financial support 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 section 6.1 above.

In accordance with Article 109 of the Financial Regulation, 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 Supporting documents

Applicants for a grant exceeding EUR 60 000 must sign a declaration on their honour certifying that they are not in any of the situations referred to above and in Articles 106(1) and 107 of the Financial Regulation.

The signed declaration on honour must be attached to the application form.

## 7. SELECTION CRITERIA

Applicants must have stable and sufficient sources of funding (financial capacity) to maintain their activity throughout the period during which the project is being carried out and to participate in its funding. Applicant organisations must have the professional competencies and qualifications required to complete the proposed project (operational capacity).

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.

In addition to the declaration on honour, applicant organisations applying for a grant above EUR 60 000 must submit together with their applications, the following documents:

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<sup>4</sup> OJ L 298, 26.10.2012, p.1

### 7.1 Operational capacity

- copies of the applicant organisations' (project leader and partners) activity reports of the last two years. Applicants who have issued only one activity report on the date of submission due to their date of establishment shall be authorised to provide this report only.

The Agency will assess and verify the level of subcontracting activities used by applicants to implement the proposed project.

### 7.2 Financial capacity

- the financial capacity form for the project leader;
- the financial statements of the project leader (including the balance sheet, the profit and loss accounts and annexes) for the last two financial years for which the accounts have been closed. Applicants who have closed only one financial year on the date of submission shall be authorised to provide financial statements for this year only.

If, on the basis of the documents submitted, the Agency considers that financial capacity has not been proved or is not satisfactory, it may:

- require a guarantee (see section 9.2 of these guidelines) provided by an approved bank, a financial institution, a joint guarantee by a third party or the beneficiaries of the project;
- offer a grant agreement without pre-financing and make (an) interim payment(s) on the basis of eligible expenses already incurred when the project has been partly carried out.

The Agency reserves the rights to reject the application if neither of these two options can be implemented, irrespective of the reason.

The verification of financial capacity shall not apply to public bodies or to international organisations.

### 7.3 Audit report

For applications for a project requesting a EU grant over EUR 750 000, the grant applications must be accompanied by an external audit report produced by an approved external auditor.

This report shall certify the accounts for the last financial year available.

This obligation does not apply to public bodies and international organisations under public law. This obligation may not apply to education and training establishments if decided by the competent authorising officer on the basis of his analysis of management risks.

## 8. AWARD CRITERIA

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

Criteria	Definition	Maximum points
1. Relevance	Does the application contribute to the objectives and priorities of the scheme?	35
2. Quality of the content and activities	How is the project implemented?	25
3. Communication and dissemination	What is the project's approach to communicating its activities and to sharing knowledge and experiences with the sector and	20

	across borders?	
4. Quality of the partnership	What is the quality of the partnership in terms of effective implementation and sustainability?	20

### 1. Relevance (35)

**This criterion evaluates how the project will contribute to reinforcing the sector's professionalization and capacity to operate trans-nationally, to promoting transnational circulation of cultural and creative works and mobility of artists and to improving access to cultural and creative works.**

- How relevant is the project to one or more of the following priorities considered as instrumental to the achievement of the objectives of the Sub-programme:
  - Providing cultural players with skills, competences and know-how, including encouraging adaptation to digital technologies, testing innovative approaches to audience development and testing new business and management models;
  - Enabling cultural players to cooperate internationally and to internationalise their careers and activities in the EU and beyond;
  - Strengthening European cultural and creative organisations and international networking in order to facilitate access to professional opportunities;
  - Supporting international touring, events, exhibitions and festivals;
  - Supporting the circulation of European literature;
  - Supporting audience development as a means of stimulating interest in European cultural works.
- Are there other priorities identified in the framework of the project and how appropriate are they to achieve the specific objectives of the Sub-programme?
- To what extent is the project aiming at producing results which will go beyond the sole interest of the partners and direct participants and have potential long-term impacts?
- How complementary is the project to cultural actions implemented at national, regional or local level?

### 2. Quality of the content and activities (25)

**This criterion evaluates how the project will be implemented in practice (quality of the activities and the deliverables, the experience of the staff in charge of the project and working arrangements).**

- Are there concrete and well defined outputs (deliverables) and how appropriate are they towards the overall objectives of the project?
- Is a qualitative and quantitative assessment of the results foreseen and how clear and appropriate is it?
- How concrete and well defined are the activities to be implemented in the framework of the project? How clearly related are the objectives and activities of the project to the identified needs of the target groups?
- If applicable, is there a convincing and clearly defined audience development strategy?<sup>5</sup>
- How relevant is the experience of the team taking part in the project, for example in terms of organisational skills, experience and track record in the cultural and creative sectors, communication and language skills? To this purpose, the CVs of the persons responsible for the submitted project within the applicant organisation and each partner institution will be assessed.

<sup>5</sup> For more information on audience development, please refer to Annex 2 to these guidelines.

- How appropriate is the allocation of the budget and human resources to the activities undertaken in the framework of the project?
- How clear and realistic is the time-table for implementing the project activities?

### 3. Communication and dissemination (20)

**This criterion evaluates the project's approach to communicating its activities and results and to sharing knowledge and experiences with the sector and across borders. The aim is to maximise the impact of the project results by making them available as widely as possible at local, regional, national and European levels, so that they have a reach beyond those directly involved in the project and an impact beyond the project's lifetime.**

- How clear and appropriate is the strategy to communicate on the activities of the partners' network, including the objectives, target groups, tools<sup>6</sup>, channels<sup>7</sup>, media, impact and timeline?
- How will EU support be made visible throughout the duration of the project and beyond and contribute to a positive image of the EU?
- How and to whom will the experience and knowledge acquired through the project be disseminated at local, regional, national and/or European level, including beyond the duration of the project?

### 4. Quality of the partnership (20)

**This criterion evaluates the extent to which the general organisation and co-ordination of the project will ensure the effective implementation of the activities and will contribute to their sustainability.**

- How is the partnership defined and to what extent does it ensure a strong involvement of all partners and a clear division of tasks between them?
- How will the partnership be made to last beyond the duration of the project?
- To what extent does the partnership go beyond the organisations' direct geographical neighbours and draw partners from a diverse geographical range of participating countries?

## 9. FUNDING CONDITIONS

An EU grant is a direct financial contribution, by way of donation, from the budget in order to finance an action (also referred to as "project") intended to help achieve an EU policy objective. Grants are based on the principle of co-financing. The EU grant supplements the applicant organisations' own financial resources, income generated by the action or financial contributions from third parties.

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

Applicants applying for larger scale cooperation projects may be asked to amend their programme of activities and their forecasted budget accordingly (see section 13.4.2 of these guidelines –adjustment phase).

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

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<sup>6</sup> Examples of "tools" are publications, promotional material: leaflets, posters, gadgets, audio-visual material, newsletters, data bases, etc.

<sup>7</sup> Examples of "channels" include internet, social media (Facebook, Twitter, Youtube), events: conferences, seminars, workshops, etc.

## 9.1 Contractual provisions and payment procedures

### 9.1.1 Contractual provisions

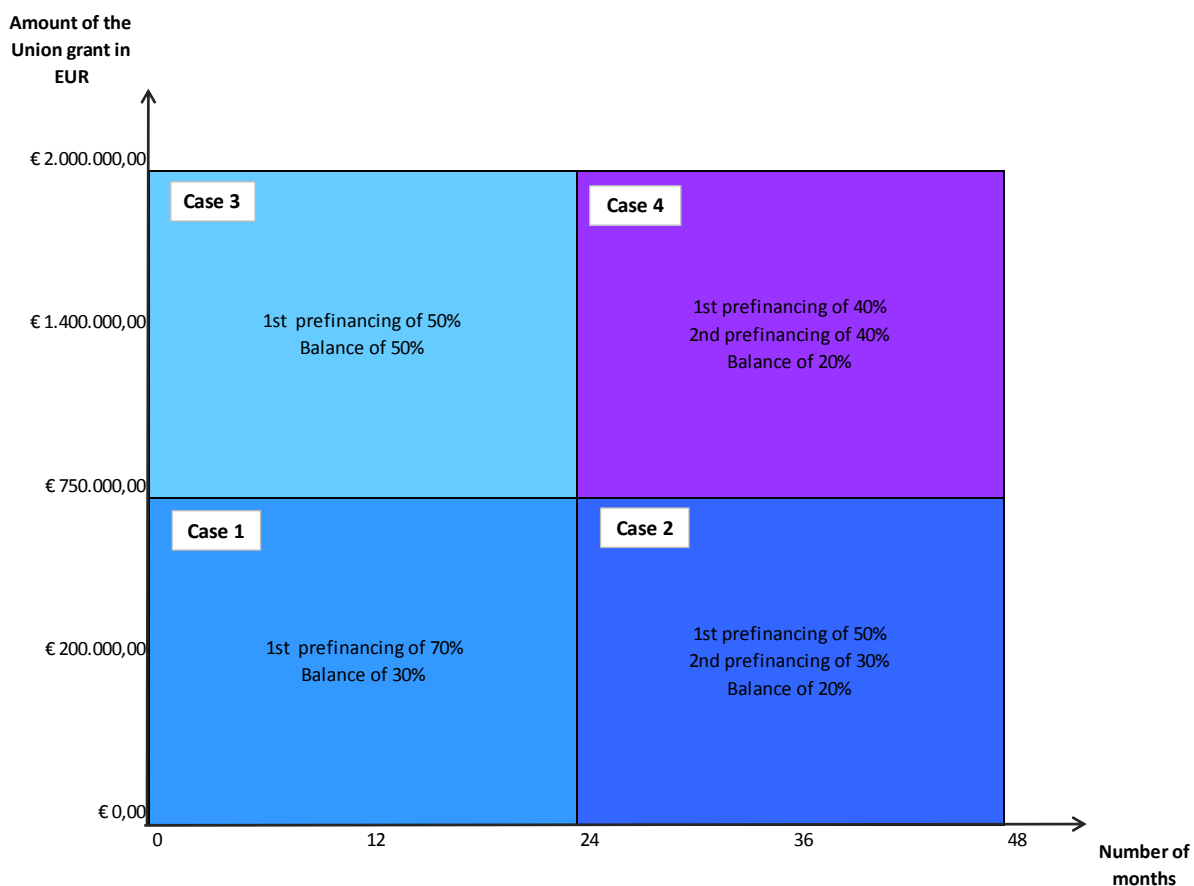
In the event a grant is awarded by the Agency, a grant agreement drawn-up in euro and detailing the conditions and level of funding will be sent to the project leader, as well as the procedure in view of formalising the obligations of the parties.

Two copies of the original agreement must be signed by the project leader on behalf of all project partners (the project leader and the partners are also referred to as "the beneficiaries") and must be returned to the Agency immediately. The Agency will sign them last.

### 9.1.2 Payment procedure

If the financial capacity requirements are not met the payment procedure will be established as indicated in section 7.2 of these guidelines (assessment of the financial capacity).

If the financial capacity requirements are met and depending on the amount of the grant and the duration of the project, the Agency may decide to transfer one or several pre-financing payments. The nature, the number and the amount of payments will be fully specified in the grant agreement.



#### Case 1:

For actions with a maximum duration of 24 months and when the EU grant is less than or equal to EUR 750 000, the Agency will transfer a pre-financing payment of 70% of the grant to the beneficiary. The pre-financing payment shall be transferred within 30 days of the date when the last of the two parties signs the agreement, provided all necessary guarantees are received.

**Case 2:**

For actions with a duration higher than 24 months and when the EU grant is less than or equal to EUR 750 000, the Agency will transfer:

- a first pre-financing payment of 50% of the EU grant to the beneficiary. The pre-financing payment shall be transferred within 30 days of the date when the last of the two parties signs the agreement, provided all necessary guarantees are received.
- a second pre-financing payment of 30% of the EU grant to the beneficiary. The second pre-financing payment shall be based on a request for payment accompanied by a progress report on the project's implementation sent to the Agency. The second pre-financing payment shall be transferred within 60 days of the date when the Agency approves the report. The second pre-financing payment may only be made if at least 70% of the previous pre-financing payment has been used up. Where the consumption of the previous pre-financing payment is less than 70%, the amount of the new pre-financing payment shall be reduced by the unused amounts of the previous pre-financing payment.

**Case 3:**

For actions with a maximum duration of 24 months and when the EU grant is more than EUR 750 000 and less than or equal to EUR 2 000 000, the Agency will transfer a pre-financing payment of 50% of the EU grant to the beneficiary. The pre-financing payment shall be transferred within 30 days of the date when the last of the two parties signs the agreement, provided all necessary guarantees are received.

**Case 4:**

For actions with a duration higher than 24 months and when the EU grant is more than EUR 750 000 and less than or equal to EUR 2 000 000, the Agency will transfer:

- a first pre-financing payment of 40% of the EU grant to the beneficiary. The pre-financing payment shall be transferred within 30 days of the date when the last of the two parties signs the agreement, provided all necessary guarantees are received.
- a second pre-financing payment of 40% of the EU grant to the beneficiary. The second pre-financing payment shall be based on a request for payment accompanied by a progress report on the project's implementation sent to the Agency. The second pre-financing payment shall be transferred within 60 days of the date when the Agency approves the report. The second pre-financing payment may only be made when at least 70% of the previous pre-financing payment has been used up. Where the consumption of the previous pre-financing payment is less than 70%, the amount of the new pre-financing payment shall be reduced by the unused amounts of the previous pre-financing payment.

Pre-financing is intended to provide the beneficiaries with a float.

For all projects, the Agency will establish the amount of the final payment to be made to the beneficiary on the basis of the final report (see section 9.4.2 of these guidelines).

**9.2 Guarantee**

In the event that the applicant's financial capacity is not satisfactory, the Agency may require any organisation which has been awarded a grant exceeding EUR 60 000 to provide a guarantee in order to limit the financial risks linked to the pre-financing payment.



The purpose of this guarantee is to make a bank, a financial institution or third party stand as irrevocable collateral security for, or first-call guarantor of, the grant beneficiary's obligations.

This financial guarantee, in euro, shall be provided by an approved bank or financial institution established in one of the EU Member States. When the beneficiary is established in a non EU Member State, the Agency may agree that a bank or financial institution established in that country may provide the guarantee if it 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.

The guarantee may be replaced by a joint and several guarantees 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.

This requirement does not apply to:

- public bodies and international organisations under public law established by inter-governmental agreements,
- specialised agencies created by such organisations,
- the International Committee of the Red Cross (ICRC),
- the International Federation of Red Cross and Red Crescent Societies.

### **9.3 Principle of non-cumulative award (Double funding)**

Each action may give rise to the award of only one grant for the same application from the budget of the EU.

To ensure this, applicants must give details in their application form of any other grant requests related to the same project which they have submitted or intend to submit to the EU stating in each case the budgetary year, the budget heading, the Union Programme and the amount requested.

If a proposed project is found – at any stage of the process prior to the signature by the Agency of the grant agreement – to receive funding for parts of the activities proposed from other Union programmes, the Agency will request modifications to the concerned activities, even by reopening an already closed refinement phase, or may reject awarding a grant to the application, notably if changes necessary to avoid duplicate funding would entail unequal treatment vis-à-vis unsuccessful applicants.

### **9.4 Funding method**

#### **9.4.1 Flat-rate grant**

Not applicable.

#### **9.4.2 Budget based financing**

The system of financing is a budget-based grant (eligible costs).

### **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 grant applied for from the Agency. The budget must indicate clearly the costs that are eligible for EU funding.

The EU grant is limited to a co-financing rate of 60% of eligible costs for smaller scale cooperation projects.



The EU grant is limited to a co-financing rate of 50% of eligible costs for larger scale cooperation projects.

The budget must be drawn up in euro. Applicants not based in the euro zone must use the exchange rate published in the Official Journal of the EU on the date of publication of the call for proposals in the Official Journal. For the first call, published on the website of the European Commission on 10 December 2013, applicants must use the exchange rate published in the Official Journal of the EU on that day.

Part of the total estimated eligible expenses must be financed from sources other than the EU 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 amount of the own resources indicated in the revenue part of the estimated budget is regarded as secured, and this amount, as a minimum, must be entered in the revenue section of the final report.

The allocated amount may not exceed the amount requested.

The EU grant may not have the purpose or effect of producing a profit for the beneficiaries. Profit is defined as a surplus of receipts over eligible costs incurred by the beneficiaries. Where a profit is made, the Agency is entitled to recover a percentage of the profit corresponding to the EU contribution to the eligible costs actually incurred by the beneficiaries. This provision does not apply to grants lower than or equal to EUR 60 000.

#### **Eligible costs**

To be eligible for this call, costs must correspond to eligible activities as defined in section 5.5 of these guidelines.

Eligible costs of the action are costs actually incurred by the beneficiaries, 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 the final reports and the report of factual findings of the final financial report;
- they are indicated in the estimated overall budget of the action;
- they are incurred in connection with the action which is the subject of the grant and are necessary for its implementation;
- they are identifiable and verifiable, in particular being recorded in the accounting records of the beneficiaries and determined according to the applicable accounting standards of the country where the beneficiaries are established and according to the usual cost-accounting practices of the beneficiaries;
- 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 beneficiaries' 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 implementation of the action and which can therefore be booked to it directly. In particular, the following categories of direct costs are eligible, provided that they satisfy the criteria set out in the previous paragraph:

- the cost of staff assigned to the project, comprising actual salaries plus social security contributions and other statutory costs included in their remuneration, provided that this cost

does not exceed the usual remuneration policy of the project leader or, where applicable, its partners.

NB: staff costs must be actual cost incurred by the beneficiaries. Staff costs of other organisations are eligible only if they are paid directly or reimbursed by the beneficiaries. Staff costs must be in line with the activities and proportionate to the budget.

The corresponding salary costs of personnel of national administrations are eligible to the extent that they relate to the cost of activities which the relevant public authority would not carry out if the project concerned was not undertaken;

- costs of travel and related subsistence allowances, provided that these costs are in line with the beneficiaries' usual practices and do not exceed the scales approved annually by the Commission;
- depreciation cost of equipment (new or second-hand), provided that it is written off in accordance with the tax and accounting rules applicable to the beneficiaries and generally accepted for items of the same kind. Only the portion of the equipment's depreciation corresponding to the duration of the project and the rate of actual use for the purposes of the project 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 project;
- costs entailed by other contracts awarded by the beneficiaries for the purposes of carrying out the project, provided that the conditions laid down in the grant agreement are met;
- costs arising directly from requirements linked to the performance of the project (dissemination of information, specific evaluation of the project, translations, reproduction, etc.);
- costs relating to a pre-financing guarantee lodged by the beneficiaries of the grant where required;
- costs relating to external audits where required in support of requests for payment;
- non-deductible value added tax (VAT) for all activities which are not activities of the public authorities in the Member States.

For actions involving costs relating to a third country (i.e. costs relating to natural persons who are citizens of a third country, organisations based in a third country and activities taking place in a third country), the relevant costs incurred by the project leader and/or the partners must not exceed 30% of the total eligible budget.

#### **Eligible indirect costs (overheads)**

A flat-rate amount, not exceeding 7% of the eligible direct costs of the project, is eligible under indirect costs, representing the beneficiaries' general administrative costs which can be regarded as chargeable to the project.

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

These costs encompass the following categories:

- premises and related expenses (e.g. rent, insurance, ...);
- office expenses and consumables (e.g. telephone, postal services, photocopies, ...).

In case the applicant organisation receives an operating grant under the budget of the EU, indirect costs are not 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 transfers from the Agency charged by the bank of a beneficiary;
- costs declared by a beneficiary in the framework of another action receiving a EU grant. In particular, indirect costs shall not be eligible under a grant for a project awarded to a beneficiary who already receives an operating grant financed from the EU budget during the period in question;
- excessive or reckless expenditure;
- contributions in kind;
- deductible VAT.

### **Calculation of the final grant amount and supporting documents**

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

- a final report on the implementation and results of the project (“final technical report”) and related documentation including a public summary/report as foreseen in section 11.2 of these guidelines;
- a final financial report of costs actually incurred (“final financial report”) which must include a consolidated statement as well as a breakdown of the amounts claimed by each beneficiary.

Additionally,

- if the EU grant is more than EUR 60 000 and lower 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 the approved auditor or in case of public bodies, by the 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](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.

- if the EU grant is of EUR 750 000 or more and when the cumulative amount of the 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 procedure and the format to be followed by an approved auditor or in case of public bodies, by the competent and independent public officer, are detailed in the following “guidance notes”: [http://eacea.ec.europa.eu/about/documents/guidance-notes-audit-type-ii\\_11.2012\\_en.pdf](http://eacea.ec.europa.eu/about/documents/guidance-notes-audit-type-ii_11.2012_en.pdf)

The use of the report format set by the “guidance notes” is compulsory.

- if the EU grant is below or equal to EUR 60 000

The beneficiary is required to submit, in support of the final payment, a copy of the following underlying documents:

- Staff costs: the three highest consolidated staff costs for the whole eligibility period.
- The three highest value subcontracts.
- 25% of the highest costs declared under travel and subsistence.

If it results from the calculation of the final amount of the grant that the eligible costs actually incurred by the beneficiaries 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 beneficiaries have not fully implemented the agreed action (as set out in the grant agreement).

In the event of non-execution or clearly inadequate execution of activities planned in the work programme attached to the grant agreement or in the event the information requested in the grant agreement is not submitted, the final grant will be reduced accordingly.

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

## **10. SUB-CONTRACTING AND AWARDING PROCUREMENT CONTRACT**

Where implementation of the action requires the procurement of goods, works or services (implementation contracts), the beneficiaries must obtain competitive tenders from potential contractors and award the contract to the bid offering best value for money, or, as appropriate to the tender offering the lowest price, taking care to avoid conflicts of interest and to retain the documentation in the event of an audit.

Sub-contracting is the externalisation to a third party of specific tasks or activities which form part of the action, as described in the application. Sub-contracting must satisfy the conditions applicable to any implementation contract (as specified above) and the following additional 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;
- the estimated costs must be clearly identifiable in the estimated budget.

Sub-contracting shall concern only supporting activities. The beneficiaries remain legally and financially responsible for the action. The beneficiaries remain liable for the conception and the development of the action, the attainment of its objectives, the implementation of the activities and the use of appropriate tools.

Please note that the Agency will assess and verify the level of sub-contracting activities used by applicants in particular while assessing the operational capacity of the applicant/beneficiaries to implement its action.

In the event of sub-contracting exceeding EUR 60 000, the beneficiaries must clearly document the tendering procedure, submit a copy of the relevant documents together with the final report at the end of the action and retain the documentation in the event of an audit.

Costs are based on a verifiable estimate or on the basis of an offer.

## **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 EU institutions no later than the 30<sup>th</sup> of June of the year following the financial year for which the grants were awarded. The information may also be published using any other appropriate medium, including the Official Journal of the EU.

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

- the beneficiary's name and locality,

- the amount awarded and rate of funding,
- 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 risks threatening the rights and freedoms of individuals concerned as protected by the Charter of Fundamental Rights of the EU or harm the commercial interests of the recipients.

Beneficiaries must clearly acknowledge the Union's contribution in all publications or in conjunction with activities for which the grant is used. Furthermore, beneficiaries are required to give prominence to the name and logo of the Creative Europe Programme on all their publications, posters, programmes and other products realised under the co-financed action.

Please note that if these requirements are not fully complied with, the beneficiary's grant may be reduced in accordance with the provisions of the grant agreement.

## **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 European 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.

Please note that if these requirements are not fully complied with, the beneficiaries' grant will be reduced in accordance with the provisions of the grant agreement.

## **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 Community institutions and bodies and on the free movement of such data.<sup>8</sup>

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

<sup>8</sup> Official Journal L 8, 12.1.2001.

applications or in the grant management procedure, without prejudice of transfer to the bodies in charge of monitoring and inspection tasks in accordance with EU 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 Data 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](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 SELECTION OF APPLICATIONS**

### **13.1 Publication**

For the year 2014, calls are published on the website of the European Commission.

As from 2015 and following the adoption of the annual Work Programme(s), calls for proposals will be published in the Official Journal of the EU and on the Internet site of the Agency.

### **13.2 Registration in the Participant Portal**

Before submitting an electronic application, applicants 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 documents that need to be uploaded in the Portal can be found in Annex 3.

### **13.3 Submission of grant applications**

Applications must be made through an online application system. Grant applications must be drawn up in one of the official EU languages, using the online form specifically designed for this purpose.

The online forms can be obtained at: <https://eacea.ec.europa.eu/PPMT/>

Applications must be submitted by the deadline mentioned in the call for proposals, and this **before 12:00 CET/CEST (Midday, Brussels time)**, using the online application form referred to above.

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.

Applicants should ensure that they have officially submitted their electronic application form and that they have received an e-mail acknowledging receipt of their submission.

The application package must be sent:

- by post (the postmark serves as proof), by express courier service (the registered delivery receipt of the mail service serves as proof),
- or
- delivered in person, by applicants themselves, not later than 16.00 on the set deadline. In the latter case, a receipt must be obtained as proof of submission, signed and dated by the official in the central mail department who took delivery. This department is open from 08.00 to 17.00 from Monday to Thursday and from 08.00 to 16.00 on Friday; it is closed on Saturdays, Sundays and Commission holidays<sup>9</sup>. For security reasons no applications are accepted at the premises of the Agency.

The application package to be sent to the Agency must include a CD-Rom or USB stick containing all requested documents and mandatory annexes (please see Annex 3). The ones that cannot be provided on CD-Rom or USB stick (for example copies of the activity reports, etc.) must be sent on paper.

Application packages are not returned at the end of the evaluation procedure.

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.

Address to which the application package must be sent (or delivered in person):

**Education, Audiovisual & Culture Executive Agency**

Creative Europe Programme (2014–2020)

Culture Sub-programme – Cooperation projects category 1 or category 2

Avenue du Bourget 1

(BOUR 04/02)

B – 1049 Brussels

Belgium

**13.4 Evaluation procedure**

13.4.1 First step of the evaluation procedure: evaluation of the eligibility, exclusion and selection criteria

Only applications that fulfil the eligibility, exclusion and selection criteria will be considered for a grant and will be assessed by experts against the award criteria. If an application is deemed ineligible, a letter indicating the reasons will be sent to the applicant.

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<sup>9</sup> 1 January (New Year's Day), 2 January (day after New Year's Day), Easter Monday, 1 May (Labour Day), 9 May (Europe Day), Ascension Day, Whit Monday, 21 July (Belgian National Holiday), 15 August (Assumption Day), 1 November (All Saints' Day), 24 December (p.m. – Christmas Eve), 25 December (Christmas Day), 31 December (New Year's Eve).



Applications which do not fulfil the eligibility, exclusion and selection criteria will be informed in writing.

Applications that fulfil the eligibility, exclusion and selection criteria will be ranked according to the scores obtained in the different award criteria (defined in section 8 of these guidelines). Within the limit of the available budget, applications obtaining the highest scores will be selected.

The assessment will be 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.

#### 13.4.2 Second step of the of the evaluation procedure: evaluation of award criteria

This part of the evaluation will be carried out by experts that will be appointed by the Agency further to a call for expression of interest. The conditions to be appointed as expert and the procedure of the call for expression of interest are published on the website of the Agency at:

[http://eacea.ec.europa.eu/about/call\\_experts/call\\_experts\\_2013\\_en.php](http://eacea.ec.europa.eu/about/call_experts/call_experts_2013_en.php).

##### *a) Individual evaluation*

At this stage the experts are acting individually; they do not discuss the application with each other, nor with any third party. The experts record their individual opinions in a report, giving scores and also comments against the award criteria as defined in section 8 of these guidelines.

Signature of the report also entails a declaration that the expert has no conflict of interest in evaluating that particular application.

##### *b) First consensus meetings*

Once all the experts to whom the same proposal has been assigned have completed their reports, the evaluation progresses to a consensus assessment, representing their common views.

The consensus discussion is moderated by a representative of the Agency and/or the Commission.

For smaller scale cooperation projects (category 1), the signing by the experts of the consensus report completes the consensus step. Signature of the report also entails a declaration that the experts have no conflict of interest in evaluating that particular application.

##### *c) Second consensus meeting*

For larger scale cooperation projects (category 2), an additional consensus meeting is organised to allow the experts to take an overall view of the applications with a view to optimising the balance across sectors, without however compromising on the quality of the applications.

The second consensus discussion is moderated by a representative of the Agency and/or the Commission.

For larger scale cooperation projects (category 2), the signing by the experts of the second consensus meeting report completes the consensus step. Signature of the report also entails a declaration that the experts have no conflict of interest in evaluating that particular application.

##### *d) Adjustment phase*

Larger scale cooperation projects (category 2) might be invited to start an adjustment phase.



The authorising officer responsible may invite an applicant to adjust its proposal in the light of the recommendations of the evaluation committee. The authorising officer responsible shall keep appropriate records of contacts with applicants during the procedure.

The overall purpose of the adjustment process is to agree on the technical details of the project, to collect financial and legal information needed for preparing a grant agreement as well as for the project management and reporting on the project execution.

The outcome of the adjustment phase shall not result in changing the substance of the application to the extent that it would alter the result of the evaluation and thus entail unequal treatment vis-à-vis unsuccessful applicants.

### **13.5 Award decision**

The reports of the experts and their opinions will be assessed by an Evaluation Committee. The Evaluation Committee, which is composed of staff from the Commission and the Agency, will make a proposal for the selection to the authorising officer. The authorising officer (from the Agency or from the Commission) remains solely in charge of awarding the grants.

The evaluation procedure will be finalised only after the completion of the above mentioned procedure and the adoption by the authorising officer of the grant award decision.

All applicants will be sent a letter formally informing them of the decision taken by the Agency or the Commission (award decision), as well as of the assessment of the independent experts for each award criterion.

A list of the selected applications will then be published on the Agency's and the Commission's websites/dissemination tool.

Once the award decision is adopted, all the technical, legal and financial issues are verified and agreed upon and a grant agreement is drafted and sent to the selected applicants for signature.

### **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, Euratom) 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).

### **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](http://ec.europa.eu/culture/creative-europe/creative-europe-desks_en.htm)

Contact within the Agency:

EACEA-CREATIVE-EUROPE-COOPERATIONPROJECTS@ec.europa.eu

<b>ANNEX 1 - GLOSSARY</b>
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**Definitions applicable to all measures (as per financial regulation):**

**Call for proposals:** This is one of the means of implementing EU programmes. A call for proposals is published annually and specifies a number of elements: the objectives pursued and the annual budget allocated to the type of support action concerned, the eligibility, exclusion, selection and award criteria, as well as the relevant supporting documents to be submitted, conditions for obtaining funding from the EU, conditions for the submission of proposals, possible start-up dates for co-financed actions and the timetable for the award procedure. Calls for proposals are published on the website of the institutions of the EU and in the Official Journal of the EU. The conditions published therein are legally binding. For Creative Europe, the present guidelines form the basis for these calls for proposals.

**Conflict of interest:** (Art. 57 of the Financial Regulation applicable to the general budget of the Union):

1. Financial actors and other persons involved in budget implementation and management, including acts preparatory thereto, audit or control shall not take any action which may bring their own interests into conflict with those of the Union. Where such a risk exists, the person in question shall refrain from such action and shall refer the matter to the authorising officer by delegation who shall confirm in writing whether a conflict of interests exists. The person in question shall also inform his or her hierarchical superior. Where a conflict of interests is found to exist, the person in question shall cease all activities in the matter. The authorising officer by delegation shall personally take any further appropriate action.
2. For the purposes of paragraph 1, a conflict of interests exists where the impartial and objective exercise of the functions of a financial actor or other person, as referred to in paragraph 1, is compromised for reasons involving family, emotional life, political or national affinity, economic interest or any other shared interest with a recipient.
3. The Commission shall be empowered to adopt delegated acts in accordance with Article 210 setting out what is likely to constitute a conflict of interests together with the procedure to be followed in such cases.

**Contribution in kind:** A contribution in kind is any non-cash contribution to the project by the project leader, the partners or a third party, which can be given a measurable cash value and which is not paid for by the project leader or any of the partners (i.e. costs which are not recorded in their accountancy). It may be a contribution in the form of durable capital goods and equipment, putting at the disposal of premises, raw materials, unpaid charity work by a private individual or corporate body, or staff seconded from and remunerated by another organisation (other than the project leader or partners). Contributions in kind shall not constitute eligible costs.

**Cultural and creative sectors** (Art. 2 of the Regulation establishing the Creative Europe Programme): Cultural and creative sectors means all sectors whose activities are based on cultural values and/or artistic and other creative expressions, whether these activities are market or non-market oriented and whatever the type of structure that carries them out and irrespective of how it is financed. These activities include the development, the creation, the production, the dissemination and the preservation of goods and services which embody cultural, artistic or other creative expressions, as well as related functions such as education or management. The cultural and creative sectors include inter alia architecture, archives, libraries and museums, artistic crafts, audiovisual (including film, television, video games and multimedia), tangible and intangible cultural heritage, design, festivals, music, literature, performing arts, publishing, radio and visual arts.

**Eligibility period:** The period during which eligible costs can be generated. It is stipulated in the grant agreement/decision.

**Public body:** Public body means a public sector body or a legal entity governed by private law with a public service mission providing adequate financial guarantees. By public sector body is meant the State, the regional or local government or any organisation governed by public law acting on behalf and under the control/responsibility of the State.

### **Definitions specific to the cooperation projects**

**Cooperation agreement:** The cooperation agreement is a legal document signed by the project leader and the partners which will be annexed to the grant agreement in case of selection. The cooperation agreement must be legally valid in one of the countries where the project leader or the partners are established (i.e. a country taking part in the Creative Europe Programme). The cooperation agreement must state all the legal and financial conditions of cooperation between the project leader and all the partners as well as their operational responsibilities (and their financial responsibilities when relevant) in the implementation of the project.

There is no template provided by the Agency, however the cooperation agreement could contain the following information:

- a clear description of the objectives of the project;
- a clear description of the activities which will be implemented in order to achieve these objectives;
- a clear description of the role and obligations of both the project leader and the partners in the design and implementation of the project, including the tasks assigned to each partner;
- a clear description of the budgetary and financial framework including the amounts of financial contributions, and pre-financing amounts;
- legal aspects such as duration of agreement, liability, breach of contract, termination of agreement, governing law and dispute resolution.

**Mandate letter:** Letter from a partner organisation confirming its participation in a cooperation project (original signature of the legal representative or equivalent required) and giving the legal authority to the project leader for acting on its behalf within the framework of this cooperation project. The partner's financial contribution to the project must be indicated in the mandate. The mandate will be annexed to the grant agreement in case of selection.

**Partners:** The partners are organisations which are active in the cultural and creative sectors as defined in Article 2 of the Regulation n° 1295/2013 of European Parliament and of the Council on establishing the Creative Europe Programme and are established in countries taking part in the Creative Europe Programme. The partners have a concrete and essential involvement in the design, implementation and financing of the project. Sole delivery of either services or goods with respect to the project, whether on a contractual basis or not, is not considered in-line with the definition of partner. The partners which are part of a cooperation project give the legal authority to the project leader to act on their behalf within the framework of the cooperation project.

**Project leader:** A project leader is an organisation which is active in the cultural and creative sectors as defined in Article 2 of the Regulation No 1295/2013 of European Parliament and of the Council on establishing the Creative Europe Programme and is established in a country taking part in the Creative Europe Programme, who performs a coordinating role during the implementation of the project. This role is translated into an overall responsibility for carrying out the activities in accordance with the grant agreement, as well as a concrete and essential involvement in the design, implementation and financing of the project. The project leader will submit the application to the Agency on behalf of all partners and acts as the legal co-signatory of the grant agreement.

<b>ANNEX 2 – AUDIENCE DEVELOPMENT</b>
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Audience development is an important new priority in Creative Europe which helps European artists/cultural professionals and their works reach as many people as possible across Europe and extend access to cultural works to under-represented groups. It also seeks to help cultural organisations adapt to the need to engage in new and innovative ways with audiences both to retain them, to build new audiences, diversify audiences including reaching current "non-audiences", and to improve the experience for both existing and future audiences and deepen the relationship with them.

In some cases, developing audience development skills and capacity may be one of the aims of the project itself. In other cases, for example projects involving co-creations, co-productions, performances touring seeking to help artists/cultural professionals with their careers, projects should have a clear strategy for audience development to accompany the project, so that they do not focus solely on the "supply" side and to ensure that the activities have the largest possible impact. Similarly, projects with artists in exchange programmes and residences should seek to interact with local communities and audiences, rather than confining their mobility experience to their immediate peers. The approach to audience development will play an important role in assessing the quality of the projects and their contribution to the objectives and priorities of the programme.

In developing a strategy for audience development, some of the questions which you might consider include the following (non-exhaustive):

**Why?**

- What are your motives for working on audience development?
  - Economic necessity
  - An obligation imposed by funders
  - The conviction of the organisation of the importance of this dimension of your work

**What?**

- What is the aim of your audience development work?
  - To widen your audience (i.e. attract more people with the same profile as the current audience)?
  - To diversify your audience (i.e. attract people with a different profile from the current audience)?
  - To deepen the relationship with your current audience (i.e. to create a better experience for your current audience, such as helping them understand complex work)?

**Who?**

- Do you know who your existing target groups are?
- Which new target groups do you wish to reach and why?
- Do you research your audience and non-audience, and if not, why?

**How?**

- Is audience development integrated fully into your work? Do you have an explicit strategy?
- How do you intend to develop audiences?
  - Upstream by involving them in programming, creation or crowd-funding;
  - In the process through participatory art;
  - Downstream through dialogue about the works afterwards (eg through physical meetings with the artists, etc, or through social media, etc)
  - Developing partnerships with other sectors/ other cultural organisations
  - Through volunteering
- How will you attract your current non-audiences?
- Do you have staff members who are assigned specifically to audience development tasks?
- Do you have training on audience development for your staff?

- Is audience development embedded in the management of your organisation?  
Will you evaluate the progress and success of your audience development activities?

<b>ANNEX 3 – MANDATORY DOCUMENTS – CHECK LIST</b>
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**Note:** Where documents need to be signed, the signature **has** to be the one of the legal representative of the organisation.

**Note:** For documents with an \* mandatory templates are to be found at [http://ec.europa.eu/culture/creative-europe/calls/call-eac-s16-2013-cooperation\\_en.htm](http://ec.europa.eu/culture/creative-europe/calls/call-eac-s16-2013-cooperation_en.htm)

<b>Attached to the e-form:</b>
<input type="checkbox"/> Budget form* (Excel)
<input type="checkbox"/> Signed declaration on honour on legal status and operational and financial capacity*
<input type="checkbox"/> Signed declaration on honour concerning exclusion criteria* (only if grant > EUR 60 000)
<input type="checkbox"/> Detailed description of the project
<b>In the application package:</b>
<input type="checkbox"/> An official cover letter signed by the legal representative of the project leader
<input type="checkbox"/> The mandate letters* signed by the legal representative of each partner and the legal representative of the project leader
<input type="checkbox"/> A cooperation agreement signed by the legal representative of each partner and the legal representative of the project leader
<input type="checkbox"/> The statutes of the project leader and each of the partners
<input type="checkbox"/> CV's of the persons responsible for the overall coordination and implementation of the action on behalf of the project leader and each of the partners
<input type="checkbox"/> The signed budget form*
<input type="checkbox"/> Copies of activity reports of the project leader and partners of the <u>last two years</u> (only if grant > EUR 60 000)
<input type="checkbox"/> Signed financial identification form* and the required annexes (for project leader)
<input type="checkbox"/> Financial capacity form* (only if grant > EUR 60 000) (for project leader)
<input type="checkbox"/> Financial statements (including balance sheet and profit and loss accounts) of the project leader for the last two financial years for which the accounts have been closed (only if grant > EUR 60 000)
<input type="checkbox"/> External audit report produced by an approved external auditor, certifying the accounts of the project leader of the last available financial year (only if grant > 750 000)
<b>Uploaded in the Participant Portal:</b>
<input type="checkbox"/> Signed legal entity form* and the required annexes