



A programme of the European Union



MEDIA 2007 (2007-2013)

Call for Proposals EACEA/01/2009

Pilot Projects

Guidelines

Council Decision N° 1718/2006/EC
of the European Parliament and the Council

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1. INTRODUCTION

1.1. Legal basis

This Call for Proposals is based on Decision 1718/2006/EC of the European Parliament and the Council of 15 November 2006 concerning the implementation of a programme of support for the European audiovisual sector (MEDIA 2007)¹.

The European Commission is responsible for the implementation of the MEDIA Programme and for the decision to grant individual European Community funds. The Education, Audiovisual and Culture Executive Agency manages the MEDIA Programme on behalf and under the control of the European Commission. The section responsible for the implementation of this call for proposals is the MEDIA programme unit, part of the Education, Audiovisual and Culture Executive Agency (hereafter "the Agency").

The total budget for the MEDIA Programme 2007-2013 is EUR 754.95 million.

This Call for Proposals is aimed at European organisations whose activities contribute to the realisation of the objectives of the MEDIA Programme as described in the Council Decision 1718/2006/EC. These guidelines explain how to submit a proposal in view of obtaining a community financial contribution.

1.2. Definitions

For the purposes of this Call for Proposals the following definitions shall apply:

- **Action:** the activities receiving financial support and covering the preparation, implementation and evaluation stages.
- **Action Duration:** the duration of the action can vary from 1 year to a maximum of 3 years.
- **Agreement:** the contract which will be offered to successful applicants. For the purposes of this Call for Proposals the Action period covered by the Agreement will be for one year only.
- **Beneficiary:** Applicant who has signed a contract with the Agency.
- **Budget Heading(s):** the heading(s) of expenditure provided in the Estimated Budget. The headings of expenditure are "Personnel costs", "Operating costs", "Subcontracting costs" and "Reporting Costs".
- **Budget Sub-Heading(s):** the heading(s) provided under each Budget Heading which define(s) the expense category.
- **Co-beneficiary(ies):** other partners mentioned in the application, which provide a contribution to the action and directly incur expenses which will be charged to the action. In case of selection of the action, the co-ordinator and each co-beneficiary will sign a mandate entrusting the co-ordinator to act in their name and account. Thus the eligible expenses incurred by the co-beneficiaries may be taken into account for the calculation of the financial contribution. Please note that service providers or sub-contractors who charge fees for their services to the beneficiary do not need to be considered as co-beneficiaries for the purposes of the contract.
- **Contributions in kind:** the money equivalent of certain services or materials which could be contributed to the action by the partners (see section 9.6 on Ineligible Costs).
- **Co-ordinator:** organisation entrusted by its partners to take full legal responsibility for the proper implementation of the action vis a vis the Agency.

¹ Official Journal L327/12 of 24 November 2006

- **Eligible Costs:** the costs directly linked to the execution of the Action receiving support, as detailed below in section 9.5 and incurred during the period defined in the Agreement.
- **Estimated Budget:** the detailed budget for the Action.
- **Final Report:** the report, which provides details of the Eligible Costs incurred in the execution of the Action and which shall form the basis for the calculation of the Total Actual Costs of the Action. It must be submitted within 3 months after the end date of the action.
- **Grant:** the financial support awarded to the Beneficiary on the basis of the Total Actual Costs.
- **Interim Report(s):** the interim reports have to be submitted according to the criteria defined in the Agreement. They provide details of the progress of the Action and of the Eligible Costs incurred at the time of their submission.
- **Note to the Estimated Budget:** the note attached to the Estimated Budget justifying the costs incurred under the various Budget Headings and establishing the direct link with the execution of the Action.
- **Pre-financing payment(s):** the pre-financing payment(s) received by the Beneficiary.
- **The Programme:** means the MEDIA 2007 Programme (2007-2013)

2. OBJECTIVES

2.1. Objectives of the Programme

The global objectives of the programme are to:

- a. preserve and enhance European cultural and linguistic diversity and its cinematographic and audiovisual heritage, guarantee its accessibility to the public and promote intercultural dialogue;
- b. increase the circulation and viewership of European audiovisual works inside and outside the European Union, including through greater cooperation between players;
- c. strengthen the competitiveness of the European audiovisual sector in the framework of an open and competitive European market favourable to employment, including by promoting links between audiovisual professionals.

2.2. Objectives of the Pilot Projects Support Scheme

The programme may support pilot projects to ensure that it adapts to market developments, with a particular emphasis on the introduction and utilisation of information and communication technologies.

2.3. Priorities of this Call for Proposals

The types of actions considered under this Call for Proposals are:

- Distribution: new ways of creating, distributing and promoting European audiovisual content via non linear services
- Open Media Production Environment
- Distribution - Promotion & Marketing. The use of web techniques to develop local Cinema Communities.
- Previously funded Pilot Projects: Actions which have received funding under a previous MEDIA Pilot Projects Call for Proposals

3. CALENDAR

Applications must be sent to the Agency by **15/07/2009** (the postmark will be taken as proof of timely sending).

Please read carefully section 13 of this Call for Proposals concerning the procedures for submitting applications.

3.1.1. Duration of the Action

The action duration is that stipulated in the Agreement. This duration could be 12, 24 or 36 months.

All actions that are to continue for a further year must re-apply on a yearly basis to be selected.

Their further selection will depend on the previous contract results at the moment of evaluation.

3.1.2. Duration of the Contract

The duration of the contract will cover the period of the action to be supported from the 1st of January 2010 until the 31st of December 2010 and the statutory period for verification of same.

Eligible costs have to be incurred during the period specified in the Agreement and at the earliest the date the Agreement is signed by the Agency. Costs incurred after the period indicated in the agreement shall not be eligible.

Applicants will be informed within two weeks following the Commission's decision. For selected actions, an agreement will be signed between the beneficiary and the Agency.

Should an application be unsuccessful, the Agency will inform the applicant as soon as possible and in writing of the reasons for its decision with regard to the criteria established in this call for proposals.

The procedure for considering applications will be as follows:

- receipt, registration and acknowledgement by the Agency – July;
- evaluation and proposal selection – August - September;
- consideration by the MEDIA Committee / European Parliament – October/November;
- decision and notification of the results and closure of the award procedure – November;
- contracting – November/December.

This contract will be a multi-beneficiary agreement, which means that the applicant will be acting as the Co-ordinator and the other partners as Co-beneficiaries.

The application must include a statement of intent from each partner designating the applicant organisation as the Co-ordinator in the case of a contract with the Agency. In the event of a contract with the Agency, each Co-beneficiary will have to sign a mandate with the Co-ordinator.

As a general rule, Community financial support for Pilot Projects may be awarded over a maximum period of three years, subject to a yearly evaluation of the progress achieved. For actions spanning a period of more than one year, the budgets corresponding to each subsequent year have to be submitted separately.

4. AVAILABLE BUDGET

The total budget earmarked for the co-financing of actions is estimated at EUR 2 000 000. Financial contribution from the Agency cannot exceed 50% of the total eligible costs.

The amount of the financial contribution to be awarded will be determined within the limits of available budgetary resources and in consideration of the costs and nature of each action, assessed on the basis of the application and the selection and award criteria, and shall take the form of a Grant. There is no maximum amount.

Under no circumstances does the award of a contribution in previous years infer the right to a grant from the present call for proposals.

The Commission reserves the right not to distribute all of the budget available.

5. ELIGIBILITY CRITERIA

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

5.1. Eligible Organisations

This Call for Proposals is open to existing companies and organisations registered in one of the eligible countries (see section 5.2 below) whose activities contribute to the realisation of the objectives listed under section 2.2. above. These organisations must be owned directly or by majority participation, by nationals from eligible countries, and continues to be owned, whether directly or by majority participation, by nationals from these countries.

“Natural” persons (i.e. individuals) are **not** eligible.

5.1.1. Legal Entity

In order to demonstrate its existence as a legal person, the applicant must provide the following documents:

- Annex I: "**Financial Identification Form**" duly completed and signed by both the applicant's legal representative and a representative of the bank. Applicants should check that all details included in this form are a) completed and b) correct and consistent with information certified in the relevant legal documents. The bank identification form for each country is available on the following website:
http://ec.europa.eu/budget/execution/ftiers_en.htm
- Annex II: "**Legal Entity Form**" duly completed and signed by the applicant's legal representative. The form relating to the legal structure of the applicant company for each country in which it is established is available on the following website:
http://ec.europa.eu/budget/execution/legal_entities_en.htm
- A copy of the **organisation's registration certificate** from the relevant authority, (e.g. Companies register, Official Journal, etc.) **and statutes** (including proofs of the company registration number, the full legal title of the organisation, the registered address, the date and place of registration, all recent amendments either to the registration documents or to the elected shareholders, directors, board members or other legal representatives, and a list of company directors / share holders / board members including proofs of their nationality).

- A copy of the **VAT registration** including the VAT number (if the Company registration number is the same as the VAT number according to national law, only the organisation's registration certificate need be supplied).
- For public bodies, copy of the law or decree establishing the institution should be provided as 'copy of the organisation's registration certificate,' with proofs of the data specified in the previous paragraph.

Moreover, where the person authorised to sign any agreement with the Agency is not the Statutory Legal Representative specified in the documents mentioned in the previous paragraphs, a letter or proxy (signed by the Statutory Legal Representative) giving him the authority to sign agreements with the Agency on the organisation's behalf, is required.

The Agency reserves the right to request these documents from other members of the action.

5.2. Eligible Countries

Applications from legal entities registered in one of the following countries are eligible:

- the Member States of the European Union
- the EEA members (Iceland, Liechtenstein and Norway)
- Switzerland
- Croatia

5.3. Eligible Activities

Proposed actions will have to fulfil the requirements outlined below. Applicant's attention is drawn to the fact that activities or technologies which are new to the MEDIA Programme and not to their company or market are the subject of this Call for Proposals.

5.3.1. Areas in which Pilot Projects will be considered

- **Distribution: new ways of creating and distributing European audiovisual content via non linear services**

Background

New emerging digital technologies will make personalised and interactive access to audio-visual works increasingly possible. The resulting services and the extent to which they evolve will depend not only on technology alone but also on the availability and promotion of appropriate content.

Purpose

The purpose of the action is to encourage at a European level, innovative ways of creating and distributing European audiovisual works (fiction, creative documentaries, animation, and archival material) via non linear services.

Actions selected under this action line should demonstrate the implementation of a multilingual service. Tools for content selection, filtering, pricing must be integrated in the distribution system and should be user-friendly. Adequate project resources should be allocated in promoting such a service.

Actions should assure the best possible accessibility to European content by the appropriate use of open standards furthering interoperability.

The attention of beneficiaries is drawn to Call for Proposals EACEA/02/2009 for Video on Demand and Digital Cinema Distribution. Standard proposals in this area of operation will no longer be considered as "Pilot" and will not therefore be considered for funding under this Call for Proposals.

- **Open Media Production Environment**

Background

The emergence of integrated workflows based on open standards for the production and exchange of content and metadata can have a far reaching effect for all areas of the audiovisual industry. New powerful tools in the production area can be designed on new open semantic standards.

The competitiveness of the European Industry depends on its ability to meet the multiplicity of needs by exploiting new methods of creating, indexing, cataloguing and delivering content. The specification of an open media production environment with the associated metadata and controls from the beginning of the production process will improve the efficiency of both the production and distribution of content.

The action should specify the global architecture required, synergies and complementarities, as well as the extent of interoperability, inside an open design facilitating co-production at the European level.

Purpose

The purpose of such an action is to encourage the production of content within an integrated semantic environment by production companies. Access to such content to all involved should be facilitated by the use of graphical interfaces and navigation tools. This will assist the collaborative process.

Actions to be selected under this action line should demonstrate their ability to handle semantic integration and promote the use of open exchange standards and common practices at the European level. Recommendations for the sustainability of audiovisual content, for program creation and distribution, new digital delivery contexts and the exchange of information on rights should be included in the design.

Suitable actions should have a clear and achievable focus, for example a specific Production type or challenge.

They should involve a broad based consortium of stake holders including Technological partners, Producers and the main users of the productions concerned (for example Distribution, Broadcasting companies etc).

The application should clearly specify how the eventual result would be made available on the widest possible basis.

- **Distribution - Promotion & Marketing: the use of web techniques to develop local Cinema Communities**

Background

Recent developments in the audiovisual industry have left many local European Cinemas, especially in smaller communities, in an increasingly threatened position. Traditional marketing and communication techniques are insufficient to attract a large audience for the exhibition and promotion of European Content.

Recent developments in internet based applications and communities (social media) offer new avenues for building dedicated web communities around local cinemas.

Purpose

An application or suite of applications and/or services utilising newer Web based techniques to identify and encourage the potential local audience for cinema to join an on line community. The focus of the community should be to promote a mutual interest in European Content, inter-connect audiences and inform independent distributors and exhibitors of their interests.

Actions should have the effect of encouraging the development of diversified programming at the local level, increasing attendance rates for the participating cinemas and foster the exploitation of new digital exhibition technologies (e.g. Cinema On Demand).

Actions should offer a range of communications tools for the web and handheld devices. Attention should be given to ensuring the user interface is simple, intuitive and engaging.

Potential applicants are encouraged to seek other forms of income for any action including advertising and sponsorship designed either to deliver an open source solution or to significantly lower any entry cost barrier for disadvantaged local cinemas.

- **Previously funded Pilot Projects: Actions which have received funding under a previous MEDIA Pilot Projects Call for Proposals**

All previously funded Pilot Projects should submit an application under this action line. In their application, together with the necessary administrative information, should be included all interim and/or final reports that the actions have produced. The budget applied for should match that in the original application. Any change in the budget should be explained in the light of experience gained during last year's operation. The actions will undergo an in-depth evaluation in which members of the action will be asked to explain all aspects of their work. Failure to be evaluated successfully will mean that the action will not proceed to a further year.

5.3.2. Organisation of Pilot Projects

All applicants are required to take into account the following recommendations:

1. Pilot Projects will be constituted, where necessary, of groupings co-ordinated by a co-ordinator who will sign any agreement or contract with the Agency. The nationality of partners in such consortia cannot alone be used as proof of the European dimension of the action.
2. A concertation mechanism will be established following the selection of Pilot Projects with a view to allow the exchange of know-how and of best practices.

5.4. Eligible Target Groups

Companies and organisations from the audiovisual and related industries, in particular: content providers (producers, directors, managers, sales agents, distributors), exhibitors, broadcasters, marketing experts, rights holders, equipment manufacturers, data transport companies, technology integrators, leasing companies, representative organisations from all sectors concerned (production, distribution, exhibition) and funding bodies.

5.5. Minimum European Dimension

- Proposed actions will have to offer a minimum European dimension, which will be assessed on the basis of the following criteria: The origin of the content and the target audience. This should be quantified as at least **four countries** participating in the MEDIA 2007 Programme (see section 5.2 above) and at least **three** different **official languages** of the European Union².
- In the conception and/or implementation of the activities the contractor will co-operate with partners from other participating countries; these partners have to be identified and their role has to be described in the application. They will be qualified as co-beneficiaries for the implementation of the Agreement.
- Actions must co-operate with other selected actions where appropriate with a view to allow the exchange of know-how and of best practices.

5.6. Eligible Applications

To be eligible, the applications should:

- be sent to the Agency by the relevant deadline (postmark will be taken as proof of timely sending.)
- respect these guidelines and be correctly and fully completed,
- be submitted using the official application forms (Part A & B + Annexes I to V)
- include a signed, detailed, balanced and correctly calculated budget complying with all the conditions set out under this call for proposals.
- include all the official forms, duly completed and signed
- include all documents requested in the Checklist

The assessment is made on the basis of the documents sent by the relevant deadline. Incomplete applications may be rejected for ineligibility reasons.

The Agency reserves the right to request additional information from the applicant.

5.6.1. Language

All sections should be completed, preferably in English, in order to be of assistance to the evaluators. In any case the applicants are requested to attach a translation of the abstract and an extended summary of the proposal in English.

5.6.2. Structure

The application forms include the following two parts:

- Part A** collects administrative information about the proposal and its proposers (e.g. title of the proposed action, proposer's names and addresses, brief description of the work, total funding requested by type of expenditure, etc.).
- Part B** asks for a detailed description of the nature of the proposed action. Part B should also identify and describe the partners and their responsibilities within the proposed action.

² For the purpose of Call for Proposals EACEA/01/2009, this means the 23 official languages of the European Union, as well as Norwegian, Icelandic and Croatian.

6. EXCLUSION CRITERIA

Applicants must state that they are not in any of the situations described in Articles 93 and 94 of the Financial Regulation applicable to the general budget of the European Communities (see Section 13.4) and set out below.

Applicants will be excluded from participating in the call for proposals 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 have been convicted of an offence concerning their professional conduct by a judgment which has the force of *res judicata*;
- c) they have been guilty of grave professional misconduct proven by any means which the contracting authority can justify;
- d) they have not fulfilled 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 contracting authority or those of the country where the contract is to be performed;
- e) they have been the subject of a judgment which has the force of *res judicata* for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Communities' financial interests;
- f) following another procurement procedure or grant award procedure financed by the Community budget, they have been declared to be in serious breach of contract for failure to comply with their contractual obligations.

Applicants will not be granted financial assistance if, on the date 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 contracting authority 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 art 93(1) of the Financial Regulation, for this grant award procedure;

In accordance with Articles from 93 to 96 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 contract award procedure.

To comply with these provisions, applicants must sign a declaration on their honour certifying that they are not in any of the situations referred to in Articles 93 and 94 of the Financial Regulation.

7. SELECTION CRITERIA

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. They must have the professional competencies and qualifications required to complete the proposed action.

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

7.1. Operational Capacity

In order to permit an assessment of their operational capacity, organisations must submit, together with their applications:

- a detailed presentation and the track record of the applying organisation (if the organisation has been set up for the purpose of the submitted action, the track record(s) of the organisation(s) and/or person(s), which founded the applying organisation, are requested),
- the CV of the legal representative of the applying organisation;
- the CVs of the person(s) in charge of the action and of the key staff involved in its implementation
- the description of the technological resources
- evidence that the applying organisation has the capacity to provide the intended content and how they propose to do so

7.2. Financial Capacity

In order to permit an assessment of their financial capacity, organisations must submit, together with their applications:

- the audited annual accounts of the 2 most recent completed fiscal years for profit companies and of the last year for non profit companies (i.e. balance sheet, profit and loss accounts and the annexes) must be included within the application form. These accounts should be certified by an approved auditor external to the company;
- the Financial Capacity form (Annex III) carefully and fully completed must be signed by the legal representative of the company. The information (in figures) should be given in national currency and must be based on the certified accounts. The applicant guarantees that these figures are correct and verifiable. This information is required to evaluate the financial strength and co-financing capacity of the applicant.
- the Bank Identification form (Annex I) completed by the applicant and certified by the Bank (original signatures are required);

Please note that the data to fill in are different depending on whether the applicant is a profit or a non profit company.

The Agency applies these criteria taking into account the legislative framework of the different countries participating in the Programme.

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

- Reject the application
- Ask for further information
- Require a guarantee (see section 9.3)
- Offer a grant agreement without pre-financing and with an interim payment (see section 9.1)

7.3. Audit

In the event that the contribution requested is higher than EUR 500 000, applications must be accompanied by an external audit report produced by an approved external auditor. This report shall certify the accounts for the last year available.

8. AWARD CRITERIA

Award Criteria will be evaluated by means of an Evaluation Committee advised by external independent experts.

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

Award criteria pertaining to the content of the activity	40%
<ul style="list-style-type: none"> ○ Relevance of the activity with respect to the Programme's objectives: the programme may support pilot projects to ensure that it adapts to market developments, with a particular emphasis on the introduction and utilisation of information and communication technologies. 	20%
<ul style="list-style-type: none"> ○ European Dimension of the activity: <ul style="list-style-type: none"> ▪ The origin of the content <u>and</u> the target audience. ▪ The extent of partners, from other participating countries, involved in the conception and/or implementation of the action. These partners have to be identified and their role has to be described in the application. 	20%
Award criteria pertaining to the feasibility and coherence of the work plan	60%
<ul style="list-style-type: none"> ○ Clarity of objectives and target groups 	15%
<ul style="list-style-type: none"> ○ Clarity and consistency of the general design of the action and likelihood of attaining the desired goals within the action's period 	15%
<ul style="list-style-type: none"> ○ Cost effectiveness of the action 	10%
<ul style="list-style-type: none"> ○ Experience of the participating organisations and quality of the management plan of the action 	10%
<ul style="list-style-type: none"> ○ Quality and effectiveness of the plan for dissemination of the results 	10%

9. FINANCIAL CONDITIONS

Community grants are incentives to carry out actions which would not be feasible without the Media Programme's financial support and are based on the principle of co-financing. They complement the applicant's own financial contribution and/or national, regional or private assistance that has been obtained elsewhere.

Acceptance of an application by the Agency does not constitute an undertaking to award a financial contribution equal to the amount requested by the beneficiary. The awarding of a grant does not establish an entitlement for subsequent years.

Grant applications must include a detailed estimated budget in which all prices are given in euro.

Applicants from States which are members of the Euro Zone must present their budget and reports exclusively in Euro. **All other applicants must present their budget in both Euro and their national currency. Currency conversions in the Budget Form should be calculated using the official exchange rate applicable at the beginning of the previous month of the relevant deadline for submission of the proposals under the present Call for Proposals.** These exchange rates can be obtained from the national MEDIA Desks and Antennae and from the European Commission website:

<http://ec.europa.eu/budget/inforeuro/>

The exact rate used should be specified within the space provided on the Budget Form.

Applicants should note that currency conversions must be made on an item by item basis and the sub-totals and totals of each budget sub-category calculated from the converted euro amounts for each item (and not simply converted from the equivalent subtotal in a national currency), so that both national currency and euro budgets are coherent and totally correct.

Applicants are strongly advised to re-check all automatic calculations with a simple calculator.

The budget for the action attached to the application must have revenue and expenditure in balance and show clearly the costs which are eligible for financing from the Community budget.

The amount of the own resources indicated in the revenue part of the estimated budget is regarded as secured, and must be entered in the revenue section of the final account.

The allocated amount may not exceed the amount requested.

The beneficiary shall supply evidence of the co-financing provided, either by way of own resources, or in the form of financial transfers from third parties.

The applicants shall provide an explicit undertaking from each co-financing organisation to provide the amount of funding stated in the grant application for the operation.

The applicant must indicate the sources and amounts of any other funding received or applied for in the same financial year for the same action.

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

9.1. Payment Procedure

In the event of a definitive approval by the Agency, an agreement drawn up in Euro detailing the conditions of the grant and the level of financing will be entered into between the Agency and the beneficiary. This agreement (the original) must be signed and returned to the Agency immediately. The Agency will sign it last.

The account or sub-account indicated by the beneficiary must make it possible to identify the funds transferred by the Agency. If the funds paid into this account give rise to interest or equivalent profits in accordance with the legislation of the country where the account is held, such profit or interest will be recovered by the Agency where it results from the prefinancing payment if this payment exceeds EUR 50 000.

First payment

Only those successful applicants who have fulfilled the Financial Capacity criteria set out in 7.2 above are eligible to receive an advance payment without the submission of a Bank Guarantee. They may opt for a higher advance payment (Option 1 below) by choosing to provide a Bank Guarantee.

Option 1

A pre-financing payment of 80% of the total financial support after the signature by the two parties of the contract between the Agency and the beneficiary and within 45 days of reception and **acceptance of a bank guarantee**. Pre-financing is considered as a down payment providing cash flow to the beneficiary;

Option 2

A pre-financing payment of 50% of the total financial support after the signature by the two parties of the contract between the Agency and the beneficiary provided that the applicant **has fulfilled the Financial Capacity criteria** set out in 7.2 above.

Option 3

An interim payment corresponding to a maximum 50% of the value of the contract will take place **after reception and acceptance of a mid-term detailed cost statement**, signed by the contractor and verified by an approved external auditor **and a mid-term activity report** covering the first half of the period of the action. The payment cannot exceed 50% of the expenses accepted by the Agency in the Mid-term Activity and Financial Report.

Final payment

The Agency will establish the amount of the final payment to be made to the beneficiary on the basis of the final reports. If the eligible costs actually incurred by the organisation during the action are lower than anticipated, the Agency will apply its rate of funding to the actual costs, and the beneficiary will, where applicable, be required to repay any excess amounts already transferred by the Agency under the first payment.

9.2. Certificate on the financial statements and underlying accounts

A certificate on the financial statements and underlying accounts, produced by an approved auditor or in case of public bodies, by a competent and independent public officer, may be demanded by the authorising officer responsible in support of any payment on the basis of his assessment of risks. In the case of a grant for an action, the certificate shall be attached to the request for payment.

The certificate shall certify, in accordance with a methodology approved by the authorising officer responsible, 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.

Except in the case of lump sums and flat rate financing, the certificate on the financial statements and underlying accounts shall be compulsory for interim payments per financial year and for payments of balances in cases of grants for an action of EUR 750 000 or more, when the cumulative amounts of request for payment is at least EUR 325 000.

9.3. Guarantee

The Agency shall request a bank guarantee in a format specified by the Agency for an amount equal to the pre-financing payment, which corresponds to 80% of the value of the contract. The costs for the bank guarantee are eligible expenses and can be included in the Estimated Budget.

The purpose of this guarantee is to make a bank or a financial institution 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 Member State of the European Union. When the beneficiary is established in a third country, the contracting authority 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.

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

9.4. Double Funding

Subsidised actions may not benefit from any other Community funding for the same activity.

Applicants must indicate in the application for support what other applications for financial support they have submitted or will be submitting to the European Institutions during the same year, indicating for each support the Community Programme concerned and the amount of the support.

9.5. Eligible Costs

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

- they are incurred during the duration of the action/project as specified in the grant agreement, with the exception of costs relating to final reports and certificates on the action financial statements and underlying accounts;
- they are connected with the subject of the agreement and they are indicated in the estimated overall budget of the action;
- they are necessary for the implementation of the action which is the subject of the grant;
- they are identifiable and verifiable, in particular being recorded in the accounting records of the beneficiary and determined according to the applicable accounting standards of the country where the beneficiary is established and according to the usual cost-accounting practices of the beneficiary;
- they comply with the requirements of applicable tax and social legislation;
- they are reasonable, justified, and comply with the requirements of sound financial management, in particular regarding economy and efficiency.

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

The expenditure part of the Estimated Budget must be sufficiently detailed to allow 'eligible costs' to be distinguished from any 'ineligible costs'.

The period of eligibility of costs will start at the earliest on the 1st of January 2010 and end on the 31st of December 2010.

Costs incurred prior to the beginning of the period of eligibility of costs will not be accepted.

Eligible expenses may only be charged to the action over the duration of the period of preparation, implementation and follow-up of the action, i.e. during the defined period of eligibility of costs.

The Estimated Budget shall be in two parts:

- a summary budget for the full period covered in the work plan
- a detailed budget for the proposed action for the year for which support is sought.

The Agency reserves the right to request changes in the work plan and detailed budget following the results of the selection process.

The personnel costs, travel and subsistence costs, as well as any amount higher than EUR 10 000 must be broken down into detail giving unit prices and number of units where appropriate and sufficiently detailed to allow identification, monitoring and control of the proposed activity.

9.5.1. Direct Eligible Costs

The eligible direct costs for the action are those costs which, with due regard for the conditions of eligibility set out above, are identifiable as specific costs directly linked to the performance of the action and which can therefore be booked to it directly. In particular, the following direct costs are eligible, provided that they satisfy the criteria set out in the previous paragraph:

9.5.1.1. Personnel Costs

Personnel Costs must be calculated on the basis of the actual daily salary/fee of the employee/service provider, multiplied by the number of days worked on the action. This figure must include all the usual contributions paid by the employer, such as social security contributions.

The Personnel costs shall be substantiated by detailed timesheets of the work done.

The daily salary shall be based on the average salary charged at national level for qualified personnel executing comparable tasks.

The maximum number of days per year per person is 220.

Senior employees and directors shall be identified by name in the Estimated Budget. Their salaries may not be distributed over several Budget Headings.

9.5.1.2. Operating Costs

- **Travel and subsistence costs**

May be claimed only for journeys directly linked to the action and relating to specific and clearly identifiable activities; it is requested to justify in the 'Note to the Budget' the relevance of expenses to the action activities and the calculation method. Beneficiaries are required to use the cheapest means of travel and will have to make every effort to take advantage of reduced fares.

For air travel, only the cost of economy class is accepted; any costs in excess of this rate will have to be detailed and justified in the 'Note to the Budget'; they will only be accepted in duly justified, exceptional cases. For train travel first class tickets are permitted.

For car travel, the eligible amount will be limited to the amount corresponding to the price of a 1st class train ticket.

For accommodation and subsistence costs, the maximum amounts per person per day and per country are available on the following website:

http://ec.europa.eu/europeaid/perdiem/index_en.htm

The amounts specified on this website include all costs associated with the stay in the country concerned. If there is no overnight stay, the amounts are reduced by 50%.

Within these limits, the reimbursement of accommodation and subsistence expenses may be made on an actual or fixed cost basis. However, if the internal regulations of the institution of the person making the journey impose a lower limit than the amounts detailed in the above table, the former must be used as a basis of calculation.

Please note as a general rule that, if different activities are included in this sub-heading, the corresponding costs have to be detailed by activity.

- **Durable equipment**

Purchase cost of equipment (new or second-hand), is eligible provided that it is written off in accordance with the tax and accounting rules applicable to the beneficiary and generally accepted for items of the same kind. 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.

The period of depreciation allowed may not exceed the period of eligibility stipulated in the Agreement.

Subject to the work plan, equipment shall be reimbursed according to a depreciation period (for computer equipment that costs less than EUR 25.000 the depreciation period is 36 months, for all other equipment the depreciation period is 60 months) and its use on the action; equipment leased shall be reimbursed without exceeding the eligible cost if it were to be purchased.

Costs for maintenance of durable equipment are eligible costs, as well, under this sub-heading.

- **Advertising and Promotion**

Costs specified under this section must exclusively relate to advertising and promotion of the action through the appropriate medium. Advertising costs may comprise all expenditure linked to design, layout and publication (including billboards and sign posting) as well as the buying of advertising space.

Advertising costs should be differentiated according to the type of medium used e.g. professional press, posters etc. They should further specify separately the costs of concept, design and layout and the actual cost of the advertising space required.

Web pages costs should be detailed and, if necessary, the division between this item and other entries into the forward budget for Internet and web costs should be duly justified in the 'Note to the budget'.

- **Costs of Bank Guarantee**

The costs for the bank guarantee are eligible expenses and can be included in the Estimated Budget.

9.5.1.3. Sub-Contracting Costs

This Budget Sub-Heading should detail any amount paid to an external party which is not a Co-beneficiary and is carrying out a specific one-off task in connection with the action. The following costs may be included in this heading: sub-titling, dubbing, printing, certain accounting services.

Sub-contracting costs are only admissible if the staff of the member organisations of the partnership does not have the skills required. Subcontracting may not account for more than 30% of the total cost of the action. Subcontracting costs must be substantiated by receipted invoices.

The sub-contracting costs required, the justification for sub-contracting and the procedure to be followed in identifying the relevant sub-contractor, should be clearly set out in the note accompanying the Estimated Budget. Sub-contracting costs should be limited to those specified in the original application. Any significant change will require the express prior agreement of the Agency.

Should the beneficiary undertake any procurement as part of the activities co-financed by the MEDIA 2007 Programme, the beneficiary shall award the contract to the tender offering best value for money, in compliance with the principles of transparency and equal treatment for potential contractors, care being taken to avoid any conflict of interests.

Sub-titling costs should specify the unit costs such as the number of languages (any additional explanation required should be added to the note that accompanies the forward budget).

Dubbing costs should specify the number of languages and the daily rate. Separate events should be detailed separately (any additional explanation required should be added to the note that accompanies the forward budget).

9.5.2. Reporting Costs

The costs for the certification of the Final Report by the approved external auditor shall be eligible.

Under this budget heading the following sub-headings can be included:

- Auditing costs for the certification of the Final Financial Report by the approved external auditor

9.5.3. Indirect Eligible Costs (Overheads)

A flat-rate amount, limited to a maximum of 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.

Overhead costs encompass the following categories:

- a) **Premises and related expenses** (e.g. rent, insurance, administration and management costs...)
- b) **Office expenses and consumables** (e.g. telephone, postal services, photocopies, goods or equipment which do not have a life expectancy greater than the duration of the period of action...)

Indirect costs are not eligible when the beneficiary also receives an operating grant from the European Commission/Agency.

9.6. Ineligible Costs

The following costs shall not be considered eligible:

- Return on capital,
- Debt and debt service charges,
- Provisions for losses or potential future liabilities,
- Interest owed,
- Doubtful debts,
- Exchange losses,
- VAT unless the beneficiary can show that he is unable to recover it,
- Costs declared by the beneficiary and supported in the framework of another action or under another Community grant,
- Excessive or reckless expenditure,
- Contributions in kind,
- Expenditure for partners from countries not participating in the programme,
- Expenditures unrelated to the execution of the Action,
- Feasibility studies or research and development costs for future applications to the MEDIA Programme,
- Any costs incurred by the beneficiary but re-invoiced to third parties.

In the event that the applicant is unable to reclaim amounts of VAT related to the expenditure of the action, then these charges may be included in the budget form provided that they are detailed and duly justified. The Applicant must specify whether the amounts stated throughout the budget (revenue and expenditure) are calculated with or without VAT.

9.7. Sources of Income

The attention of Applicants is drawn to the fact that contributions in kind are not eligible either as expenses or as income under the present guidelines. All financial contributions must be substantiated by clear statements, specifying the amounts that will be provided in cash. Evidence of this, including invoices and bank records will be required before the final payment of the contribution.

The income side of the Estimated Budget should show:

- The direct monetary contribution from the applicant's own resources;
- The financial contribution from private sources
- The financial contribution from other public bodies (local, regional, national or supranational)
- Any income generated by the action
- The contribution requested from the MEDIA 2007 Programme

All sources and amounts of revenue must be clearly specified and proven by copies of partnership agreements to be provided along with this application form.

Should some of these documents not be available by the deadline for applications, a guarantee letter signed by the applicant should be provided, covering all own investment and outstanding revenues with its own funds.

10. SUB-CONTRACTING AND THE AWARD OF PROCUREMENT CONTRACTS

In addition to the restrictions set out in section 9.5.1.3., where implementation of the action requires sub-contracting or the awarding of a procurement contract, the beneficiary and, where applicable, its partners must obtain competitive tenders from potential contractors and award the contract to the bid offering best value for money, observing the principles of transparency and equal treatment of potential contractors and taking care to avoid conflicts of interests.

11. PUBLICITY

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

With the agreement of the beneficiary (taking account of whether information is of such a nature as to jeopardise its security or prejudice its financial interests), the Agency will publish the following information:

- the name and address of the beneficiary;
- the subject of the grant;
- the amount and the rate of financing.

In the event that the beneficiary does not agree to this, they should attach a detailed justification, which will be considered in the process of deciding on the award of the grant.

Beneficiaries must clearly acknowledge the European 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 European Commission and of the MEDIA 2007 Programme on all their publications, posters, programmes and other products realised under the co-financed action.

If this requirement is not fully complied with, the beneficiary's grant may be reduced.

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 2000³ 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.

Your replies to the questions in the application form are necessary in order to assess your grant application and they will be processed solely for that purpose by the department responsible for the Community grant programme concerned. On request, you may be sent personal data and correct or complete them. For any question relating to these data, please contact the Commission department to which the application must be returned. Beneficiaries may lodge a complaint against the processing of their personal data with the European Data Protection Supervisor at any time.

13. HOW TO APPLY

13.1. Publication

The Call for Proposals is published in the Official Journal of the European Union and is accessible on the Directorate General of Information Society and Media's website at the following address:

<http://ec.europa.eu/media>

13.2. Application Forms

Applications must be submitted using the official Application Forms (including the Budget Form). Please note that only typed applications will be considered

Applicants are required to present one signed, dated original (unbound) and two bound copies of the application forms including the required annexes. All pages of the budget form have to be initialled and the declarations must be signed by an authorised signatory of the applying organisation(s).

Proposals should preferably be submitted in English. In order to accelerate and facilitate the evaluation process, all documents relevant to the assessment of the application submitted should be, when applicable, translated into English.

The forms can be obtained on the Internet at the following address

<http://ec.europa.eu/media>

In addition to these, an electronic copy of the application shall be included **on CD-Rom / DVD-Rom**.

13.3. Presentation of the Application

Only applications presented using the official Application Forms, having been completed correctly and in full, including a complete, correct and balanced budget in compliance with the limits set in the present Call for Proposals, in particular in section 9.5. (for example the 30% limit regarding Sub-contracting costs), having been signed and dated by the applicant's legally authorised representative and sent in 1 original and 2 copies will be accepted.

All pages of the budget form must be **initialled** by the signatory of the applicant organisation.

³ Official Journal L 8, 12.1.2001

Applications must be clearly marked with the following words: "**MEDIA Programme – Pilot Projects – EACEA/01/2009**" and sent by registered mail or courier service (at the applicant's own expense) by **15/07/2009** at the latest, as shown on the postmark, to the following address:

Education, Audiovisual and Culture Executive Agency
MEDIA Programme – Pilot Projects – EACEA/01/2009
Mr Constantin Daskalakis (**BOUR 03/30**)
Avenue du Bourget 1
B - 1049 Brussels
Belgium

Applications delivered by hand or by private courier (which must be at the applicant's own expense) should be delivered to the following address:

Avenue du Bourget 1, B-1140 Brussels (Evere), Belgium

Applications delivered by hand must arrive before 3.00 pm on the relevant deadline.

Applications sent by fax or email will not be accepted. Applications submitted after the relevant applications deadline will be rejected.

No modification can be made to the application after it has been submitted. However, if there is a need to clarify certain aspects, the Agency may contact the applicant for this purpose.

Applicants must provide all the documents requested and mentioned in the checklist attached to the application forms of the present Call for Proposals.

Only applications which fulfil all of the eligibility criteria will be considered eligible and assessed. If an application is deemed ineligible, a letter indicating the reasons will be sent to the applicant. All unsuccessful applicants will be informed in writing.

Applicants will be informed as soon as possible whether or not the Commission has decided to grant them a financial contribution. This decision will be final.

Selected applications will be subject to a financial analysis, in connection with which the Agency may ask the persons responsible for the proposed actions to provide additional information and, if appropriate, guarantees.

No file or document submitted will be returned to applicants at the end of the evaluation and award procedure.

13.4. Applicable Rules

- Decision n° 1718/2006/EC of the European Parliament and the Council of 15th November 2006 concerning the implementation of a programme of support for the European audiovisual sector (MEDIA 2007)
- Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities. (OJ L 248, 16.9.2002, p. 1, as last amended by Regulation (EC) No 1525/2007 of 17 December 2007 (OJ L 343, 27.12.2007, p. 9).

And the implementing rules adopted giving force to this Regulation:-

- Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities. (OJ L 357, 31.12.2002, p. 1, as last amended by Regulation (EC, Euratom) No 478/2007 of 23 April 2007 (OJ L 111, 28.4.2007, p. 13).

13.5. Contacts

For any further questions, please contact:

Education, Audiovisual and Culture Executive Agency

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National Contacts:

MEDIA Desks and Antennae:

http://ec.europa.eu/information_society/media/overview/who/desks/index_en.htm