



# **AUDIOVISUAL FESTIVALS**

## **PERMANENT GUIDELINES 2011-2013**

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

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All the annexes are available on the MEDIA website: <http://ec.europa.eu/media>

## 1. INTRODUCTION

### 1.1 *Legal Basis*

These guidelines are based on Decision No 1718/2006/EC of the European Parliament and of the Council of 15 November 2006 concerning the implementation of a programme of support for the European audiovisual sector (MEDIA 2007).<sup>1</sup> The total budget for the MEDIA Programme 2007-2013 amounts to EUR 754,95 million.

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

The Call for Proposals to which these guidelines are referring will be published as required by the Annual Work Programme of the MEDIA Programme.

These guidelines are applicable to MEDIA-Festivals Call for Proposals to be published until 2012 included.

These guidelines do not apply to the framework partnership agreements.

These guidelines and the calls for proposals which are referring to them are aimed at European organisations whose activities contribute to the achievement of the objectives of the MEDIA Programme as described in the Council Decision 1718/2006/EC.

These guidelines explain how to submit a proposal with a view to obtaining a European Union financial contribution.

### 1.2 *Definitions*

**Eligible films:** narrative audiovisual films, fictional or non fictional, presented to the public during the festival and detailed in the official catalogue. Together, they constitute the **eligible programming**. Commercial and promotional works, live broadcast events, music videos, videogames, amateur films, mobile phone films, and non-narrative artistic works are not considered as eligible films and are not taken into account in the analysis of the programming.

**European films:** films from countries participating in the MEDIA Programme.

**European non-national films:** films from countries participating in the MEDIA Programme, except national films.

**Countries with low audiovisual production capacity:** All MEDIA countries with the exception of France, Germany, Italy, Spain and the United Kingdom.

**Talents:** film directors, directors of photography, producers, screenwriters, editors, composers of original soundtrack and actors.

**Action:** the "action" covers the preparation, the implementation and the dissemination of results of the event for which the beneficiary receives financial support. It starts at the date of submission at the earliest, and ends 2 months after the festival's end date.

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

A **decision** if the awarded applicant comes from a EU Member States. The decision will be signed only by the Agency acting under powers delegated by the Commission. The beneficiary will confirm by letter

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<sup>1</sup> published in the Official Journal of the European Communities on the 24th of November 2006 (OJ L327, pp 12-29).

reception of the decision, his intention to implement the action and request payment of the advance.

A **grant agreement** if the awarded applicant comes from a MEDIA country, out of the EU Members States.

The applicant and the Agency will sign the agreement; the Agency will sign it last.

## 2. OBJECTIVES - PRIORITIES

### 2.1 *Specific Objectives of the Programme*

In the field of promotion, the objectives of the programme shall be to:

- a) improve the circulation of European audiovisual works by ensuring that the European audiovisual sector has access to European and international professional markets;
- b) improve the European and international public's access to European audiovisual works;
- c) encourage common actions between national film and audiovisual programme promotion organisations;
- d) encourage the promotion of Europe's cinematographic and audiovisual heritage and the improvement of the public's access to it at both European and international level.

### 2.2 *Priorities:*

The MEDIA Programme encourages European audiovisual festivals taking place in countries participating in the MEDIA Programme which:

- place strong emphasis on European films in particular, films from countries of low audiovisual production capacity,<sup>2</sup>
- place strong emphasis on non-national European programming and geographic diversity of non-national European programming,
- implement actions to secure non-national European professionals attendance,
- develop actions to secure the presence of young audiences,
- demonstrate progress in overall audience impact,
- organize initiatives for media literacy (for example film education) in close cooperation with schools and other institutions, and
- demonstrate a concrete, realistic and strategic development in artistic, organisational and financial terms.

## 3. TIMETABLE

The Calls for Proposals to be published annually will indicate the deadlines to submit proposals.

It is foreseen that, in each annual Call for Proposals, a first deadline will be set in October/November (for festivals starting between May and October of the following year) and that a second deadline will be set in April (for festivals starting between November of that year and April of the following year).

Please read carefully section 13.3 on the procedures for submitting proposals.

For selected festivals, applicants will be informed within two weeks following the Commission's decision.

For unsuccessful applications, the Agency will inform the applicants as soon as possible and in writing of the reasons for its decision with regard to the criteria established in these guidelines.

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<sup>2</sup> All **MEDIA countries** with the exception of France, Germany, Italy, Spain and the United Kingdom

#### 4. AVAILABLE BUDGET

The total available budget to be earmarked for the co-financing of actions will be indicated in each Call for Proposals.

MEDIA contributions per action cannot exceed 50% of the total eligible costs. The maximum contribution per action under these guidelines is EUR 75,000. Contributions for approved applications shall be no less than EUR 10,000.

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

#### 5. ELIGIBILITY CRITERIA

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

##### 5.1. *Eligible organisations*

These guidelines concern:

European organisations (private companies, non-profit organisations, associations, charities, foundations, municipalities/Town Councils, etc.) owned, whether directly or by majority participation by Member States and/or Member State nationals (or nationals of the other European countries participating in the Media Programme) and registered in one of these countries.

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

##### 5.1.1 Legal entity

In order to demonstrate its existence as a legal person, the applicant must provide up-to-date copies of the following documents:

- FORM D "**bank identification form**"  
FORM E "**legal entity form**"
- A copy of the **organisation's registration certificate** from the relevant authority (**including copies of all amendments**), e.g. Companies register, Official Journal, etc. indicating the company registration number, the full legal title of the organisation, the registered address, the date and place of registration.
- A copy of the complete up to date **list of company directors / shareholders** / board members, indicating their function and nationality.
- If the name of the company's legal representative does not appear on the official registration documents provided, a proof of his/her nomination is also required (signed minutes of the Board).
- The company statutes.
- A copy of the **VAT registration** including the VAT number.
- If the applicant is a public institution (e.g. Town Council): **legal resolution** or decision established in respect of the public company, or other official document established for the public-law entity. A proof of the official address of the institution is also needed.
- Where the person authorised to sign any agreement with the Agency is not the Statutory Legal Representative, a letter of proxy (signed by the Statutory Legal Representative or a member of the Board) granting the authority to sign agreements with the Agency on behalf of the organisation is mandatory.

##### 5.2. *Eligible countries*

The legal entities must be established in one of the countries participating in the MEDIA Programme.

### **5.3. *Eligible activities***

Festivals must start during the eligible period indicated in each Call for Proposals.

Only applications submitted by eligible entities organising audiovisual festivals in countries participating in the MEDIA Programme will be accepted.

A minimum of 70% of the eligible programming presented to the public during the festival and detailed in the official catalogue must be European (See section 1.2 for definitions). The European programming must represent at least 10 countries participating in the MEDIA Programme.

The following events are not eligible:

- Festivals dedicated to works that are not considered as eligible, such as commercials, live-broadcast events, music videos, videogames, amateur films, mobile phone films and non-narrative artistic works
- Festivals focussing on themes such as archaeology or anthropology, medicine, ornithology, science, environment, tourism and sport.

### **5.4. *Eligible proposals***

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

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

Applicants must submit a budget that is balanced in terms of expenditure and revenue and that complies with the ceiling for European Union cofinancing, set at 50%.

## 6. EXCLUSION CRITERIA

Applicants must state that they are not in any of the situations described in Articles 93(1), 94 and 96(2)(a) of the Financial Regulation applicable to the general budget of the European Communities (Council Regulation (EC, Euratom) No 1605/2002 as amended) 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 Union's financial interests;
- f) they are subject to an administrative penalty referred to in Article 96(1) of the Financial Regulation (Council Regulation 1605/2002 of 25/06/02, as amended).

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;

and they are subject to the penalty consisting in the exclusion from contracts and grants financed by the budget for a maximum period of ten years.

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.

This declaration is included in the Application Forms provided in Annex I.

## **7. SELECTION CRITERIA**

Applicant must have stable and sufficient sources of funding to maintain their activity throughout the period during which the action is being carried out. 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:

- the curriculum vitae of the legal representative of the company,
- the curriculum vitae of the person(s) in charge of the action and of the key staff involved in its implementation (for example programmers, administrative staff, education officers, etc ),
- a summary of the activities of the applicant over the last three years.

### **7.2. *Financial Capacity***

In signing the form B of Annex I, the applicant declares on the honour to have financial and operational capacity to implement the action for which support is requested.

However the Agency reserves its right to request any document/information relating to the financial capacity before taking any final decision on granting support. If the Agency considers that financial capacity is not satisfactory, it may:

- reject the application
- ask for further information
- offer a grant agreement without prefinancing

### **7.3. *Audit***

Not Applicable



## 8. AWARD CRITERIA

The eligible proposals will be ranked according to the award criteria defined and weighted below. Within the limit of the available budget, actions obtaining the highest scores will be selected.

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

<b>1. The European dimension of the programming</b> Will be taken into account: the proportion of programming devoted to European films.	15%
<b>2. Cultural and geographic diversity of the programming</b> Will be taken into account: the proportion of programming devoted to films originating from other MEDIA states countries, the proportion of programming devoted to films originating from MEDIA countries with low audiovisual production capacity and the number of MEDIA states represented in the programming.  <i>(All countries that are participating in the MEDIA programme, with the exception of France, Germany, Italy, Spain and UK are considered as low audiovisual production capacity countries)</i>	20%
<b>3. Quality and innovative nature of the programming</b> Will be taken into account: the scale, the nature and originality of the programming with regard to other European festivals, the programme structure, the diversity of genres highlighted by the festival, the development of the festival with regard to other European festivals.	10%
<b>4. Audience impact</b> Will be taken into account: the scale of the audience, the actions implemented towards the audience in order to promote European audiovisual productions to the public and the initiatives in place to promote media literacy, notably film education.	30%
<b>5. Impact on the promotion and circulation of European audiovisual works</b> Will be taken into account: the sales record, the mechanisms implemented by the festival to facilitate market access for European young professionals and to encourage the promotion and distribution of featured European works, the actions implemented to promote the programming beyond the event and the level of co-operation developed with other European festivals.	15%
<b>6. Film professionals' participation</b> Will be taken into account: the size, the nature and the diversity of professional attendance.  <i>(The guest attendance list indicating the name, nationality, occupation and company of participants must be provided)</i>	10%

## 9. FINANCIAL CONDITIONS

European Union grants are incentives to carry out projects which would not be feasible without the Agency'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 amount to be awarded will be determined within the available budgetary resources and in consideration of the nature of the action, whose assessment will be based on the selection and award criteria.

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 countries outside the euro zone must use the conversion rate of **the month of the relevant deadline for submission**. Official rates are published in the Official Journal of the European Union, series C. (see s.9.7)

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 European Union budget.

The allocated amount may not exceed the amount requested.

The applicant must indicate the sources and amounts of any other funding received or requested for the same action and guarantee the remaining financing.

In case of selection and whatever the outcome of the requests for funding to third parties, the beneficiary undertakes, by signing Form B "declaration on the honour", to match the full amount of the EU funding.

The Agency 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 part of any eventual profit to be recovered (deducted from any final payment) by the Agency will be calculated pro rata, multiplying the total profit for the action by the ratio of the actual eligible costs in the actual total costs.

If the action is selected, the beneficiary will receive either a decision or a grant agreement (see section 1.2 for definition), by which the beneficiary shall undertake to allow staff from the Agency, the Commission, OLAF and the Court of Auditors of the European Union, and persons authorised by them, appropriate access to the sites or premises where the action is being carried out, and to all documents relating to the technical and financial management of the operation. Access by persons authorised by the Agency may be subject to confidentiality arrangements to be agreed between the Agency and the beneficiary.

### 9.1 *Contractual provisions and Payment procedures*

In the event of definitive approval by the Agency, a grant agreement or a grant decision (see section 1.2 - Definition) drawn up in euro and detailing the conditions and level of funding, will be sent to the beneficiary.

- Decision: the decision must not be returned to the Agency. The general conditions applicable to the decision (General Conditions "II.a Financing by reimbursement of eligible costs") are available in the 'Documents register' of the Agency website [http://eacea.ec.europa.eu/index\\_en.php](http://eacea.ec.europa.eu/index_en.php)  
As regards grant decisions, beneficiaries understand that:

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

- Agreement: the 2 copies of the original agreement must be signed by the beneficiary 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 above EUR 50,000.

Payments should be made as follows:

- A pre-financing payment of 75% will be transferred to the beneficiary within 45 days of :
  - the date of reception of the payment request (for decisions) ,
  - the date when the last of the two parties signs the agreement (for grant agreements) ,
 and when all the possible guarantees are received by the Agency.

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

- The Agency will establish the amount of the final payment to be made to the beneficiary on the basis of the final reports. The amount of this final contribution depends on actual costs incurred by the beneficiary within the period of eligibility of costs. The final contribution cannot exceed 50% of the actual eligible costs. Where applicable, the beneficiary will be required to repay any excess amounts already transferred under the pre-financing 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 contracting authority, 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, and operating grants of EUR 100 000 or more.

## **9.3 *Guarantee***

The Agency may require any organisation which has been awarded a grant to provide a guarantee first, in order to limit the financial risks linked to the prefinancing payment.

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 authorising officer responsible may agree that a bank or financial institution established in that third country may provide the guarantee if he considers that the bank or financial institution offers equivalent security and characteristics as those offered by a bank or financial institution established in a Member State.

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 financing***

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

### 9.5 *Eligible costs*

Festivals supports are allocated following the procedure of *focussed management*.

Under this procedure, although grant's decision is given on the basis of an assessment of the whole action, the MEDIA contribution only covers the following categories of cost:

- Costs related to the presentation of **European** films (see art 1.2 – definitions)
- Talents accompanying a **European** film (see art 1.2 – definitions)
- Official printed catalogue and programme guide

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 as specified in the grant agreement, with the exception of costs relating to final reports and certificates on the action's 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.

**If by the nature of the action it is required, and if the applicant makes the request** (see last page of eligible costs budget), costs incurred before the signing date of the grant agreement can be eligible. In any case, the eligibility period for costs can only start at the earliest, on the date of the submission of the proposition (postmark will be proof of timely sending) and will end at the latest, 2 months after the end date of the event.

### 9.6 *Ineligible costs*

The following costs shall not be considered eligible and must be excluded from **all** sections of the official budget forms:

- 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 covered by another action or work programme receiving a European Union grant, and
- excessive or reckless expenditure.

Contributions in kind do not constitute eligible costs.

### 9.7. *Presentation of the detailed estimated budget*

The following budget forms must be provided:

1. the **global budget** for the entire action, including a financing plan (Annex II.a and II.b)
2. the **budget of costs to be cofinanced by MEDIA**(Annex II.c)

Applicants from States which are members of the Euro Zone must present their budget and reports exclusively in EUR. All other applicants must present their budget in their national currency **and** indicate the official conversion rate of the month of the relevant deadline for submission. Official rates are published in the Official Journal of the European Union, series C. The exchange rates to use can be obtained from the national MEDIA Desks and Antennae and from the European Commission web site: (<http://ec.europa.eu/budget/inforeuro/index.cfm?fuseaction=home&Language=en>). Conversion into EUR will be calculated automatically in the budget form on the basis of exchange rate indicated by the beneficiary.

**ONLY BUDGETS USING THE OFFICIAL BUDGET FORMS WILL BE ACCEPTED.** The forms must be filled in before printing. The 3 separate worksheets allow the applicant to detail the financing plan, the overall provisional costs for the action and the provisional eligible costs. The formulas and protection in place in this form should not be circumvented; they have been set to help the applicant to fill out the budget form consistently and correctly. If an error message remains when you have finished encoding your data, you are requested to check and solve the problem before printing.

The **three** budget forms must be dated and signed by the company's legal representative. All pages must be initialled. No annex to the budget will be treated.

The global budget for the action attached to the application must have revenue and expenditure in balance.

Expenses related to the purchase of equipment (new or second hand) can appear in the budget as long as they are depreciated using the relevant accountancy principles. Only depreciation over the cost eligibility period can be considered as eligible.

### ANNEX II.b – PART A - costs NOT co-financed by the MEDIA contribution

#### 1. Personnel costs

##### *1.1 - Personnel expenses*

The cost of staff assigned to the action, comprising actual salaries plus social security charges and other statutory costs included in their remuneration, provided that this cost does not exceed the average rates corresponding to the usual remuneration policy of the beneficiary or, where applicable, its partners. NB: this cost must be actual cost incurred by the beneficiary, staff cost of other organisations is eligible only if it is paid directly or reimbursed by the beneficiary. Staff costs calculations must be based on the duration of work required for the action.

##### *1.2 - Travel and subsistence costs of personnel*

Subsistence allowances for staff taking part in the action  
Travel allowances for staff taking part in the action

#### 2. Third Party assistance

##### *2.1 - Third party assistance*

Services provided during the action by persons who are not employees of the applicant's organisation or company.

##### *2.2 - Travel and subsistence costs for third parties*

Expenditure relating to travel and subsistence of invited third parties, **except travel and accommodation costs for talents attached to a European film presented** (see below).

3. Indirect administrative overheads and related expenses*3.1 - Indirect costs (max 7% of total direct costs)**3.2 - Consumables*4. Screening venue and equipment hiring*4.1 - Rental of screening venues**4.2 - Hire of equipment*5. Communication and publication costs*5.1 - Communication costs, including online content and website maintenance**5.2 - Publication cost*

*All publication costs (leaflets, invitations, posters, cards, monographies, etc..) related to the action, **except eligible costs related to the printed version of the official catalogue and programme guide** (see below)*

6. Non European and ineligible films

The following costs must relate to the presentation during the festival of the non-European or non eligible films detailed in the official catalogue

*6.1 - Print Traffic**6.2 - Sub-titling & translation**6.3 - Screening fees*7. Auditing costs8. Miscellaneous costs

Any other costs the applicant wishes to include in the budget which do not fall into any of the above-mentioned categories, but are related to the action. These costs should be in line with the principles as regards costs eligibility set out in this section.

**ANNEX II.b – PART B - costs co-financed by the MEDIA contribution**1. European films - Prints

The following costs must relate to the presentation during the festival of the eligible **European** films detailed in the official catalogue

*1.1 - Print traffic costs**1.2 - Sub-titling & translation costs**1.3 - Screening fees*2. European films - Guests

Costs incurred for talents (see 1.2 definition) invited by the applicant to present eligible **European** films during the festival

*2.1 - Travel costs*

*2.2 - Accommodation costs* (within the limits approved annually by the Commission  
[http://ec.europa.eu/europeaid/work/procedures/implementation/per\\_diems/index\\_en.htm](http://ec.europa.eu/europeaid/work/procedures/implementation/per_diems/index_en.htm))

3. Catalogue and programme guide

Costs relating to the development, translation and printing of :

*- the official **printed** catalogue**- the **printed** programme guide.*

The categories of costs declared in Part B and that the candidates would like to be cofinanced by MEDIA must be detailed in annex II.c.

The applicant must ensure that the total of each selected category of costs in the eligible budget does not exceed the total declared for that same category in Part B.

The annex II.c. will be annexed to the contract.

## 10. SUB-CONTRACTING AND AWARD OF PROCUREMENT CONTRACT

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 European Union institutions during the first half of the year following the closure of the budget year in respect of which they were awarded. The information may also be published using any other appropriate medium, including the Official Journal of the European Union.

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, and the amount awarded and rate of funding.

Beneficiaries must clearly acknowledge the European Union's contribution in all publications or in conjunction with activities for which the grant is used. The name and logo of the programme as well as the mention "*with the support of the MEDIA Programme of the European Union*" must appear on all publications, posters, programmes and other products created in relation to the co-financed action, **including the festival's official website**.

The logo of the MEDIA Programme can be downloaded from the following address: <http://ec.europa.eu/media/>

In addition, the text as regards the Festivals Support Scheme must be included in all the catalogues published for the event. The text is provided by the Agency. Compliance with the above will constitute a contractual obligation as regards the grant agreement or the decision.

## 12. DATA PROTECTION

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

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 European Union 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 Agency. Beneficiaries may lodge a complaint against the processing of their personal data with the European Data Protection Supervisor at any time.

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

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

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

### 13. PROCEDURE FOR THE SUBMISSION OF PROPOSALS

#### 13.1. Publication

Following the adoption the Annual Work Programmes, the Calls for proposals will be published in the Official Journal of the European Union and will be accessible on the MEDIA programme website at the following address: <http://ec.europa.eu/media>.

#### 13.2. Application forms

Grant applications must be drawn up in one of the official EU languages, using the form specifically designed for this purpose (annex I & II). To facilitate the assessment of your application, **a French or English translation** of the documents relevant to the assessment of the festival (annex I) must be submitted. Please note that only typed applications will be considered.

The official application forms (including the official budget forms) for each Call for Proposals will be available on the following website: <http://ec.europa.eu/media>

Applications must include a detailed description of the festival as well as statistics for the entire event for which financial support is requested. Applications for a "European section" as part of a more general event will not be accepted.

Should different festivals be organised by the same organisation, separate applications must be submitted for each individual action under the same Call for Proposals.

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

***NB: Before applying, the applicants must ensure that their application:***

- *respects the requirements of the guidelines and of the Call for Proposals,*
- *is correctly and fully completed and signed,*
- *includes a detailed, balanced, correct and complete financial form,*
- *does contain all the requested documents.*

**An incomplete application can be rejected for ineligibility reasons.**

#### 13.3. Submission of the grant application

Only applications submitted on the correct form, duly completed, dated, showing a balanced budget (revenue/expenditure), submitted in one original and signed by the person authorised to enter into legally binding commitments on behalf of the applicant organisation will be accepted.

The application must be submitted in one copy (**do NOT bind the applications**).

The documents must be presented in the following order:

1. Annex I duly completed, dated and signed where requested by applicant's Legal representative.
2. Annex II (budget forms), with each section duly signed and dated and each page duly initialled, and
3. All the other documents required in the checklist, in the requested order.

Applications which are submitted after the deadline indicated in the calls for proposals will not be considered.



Proposals must be sent at the applicant's own expense before the deadline to the address indicated in the Call for Proposals.

Proposals must be sent:

- by registered post, (the postmark will be taken as proof of timely sending)
- by express courier (date of delivery to the express courier services as proof of timely sending)
- by hand (date of delivery to the services of the Commission as proof of timely receipt). Proposals delivered by hand must arrive **before 3.00 PM** on the relevant deadline.

Applications sent by fax or email will not be accepted.

No amendments / modifications to the application will be accepted following its receipt. Nevertheless, the Agency reserves the right to request additional information clarifying elements of the application. Applicants should give full and prompt replies to any such request.

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

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

The Agency reserves its right to request any document/information relating to the financial capacity or guarantees from applicants before taking any final decision on granting support.

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

### ***13.4 Applicable Rules***

- 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 amended subsequently).
- 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 amended subsequently).
- Decision No 1718/2006/EC of the European Parliament and of the Council of 15 November 2006 concerning the implementation of a support Programme for the European audiovisual sector (MEDIA 2007)

### ***13.5. Contacts***

For any further information please contact your mediadesk/antennas **first**:

[http://ec.europa.eu/comm/avpolicy/media/desk\\_en.html](http://ec.europa.eu/comm/avpolicy/media/desk_en.html)

Contact within the EACEA:

[EACEA-MEDIA-FESTIVALS@ec.europa.eu](mailto:EACEA-MEDIA-FESTIVALS@ec.europa.eu)