



A programme of the European Union



MEDIA – PROMOTION/ACCESS TO MARKETS

CALL FOR PROPOSALS EACEA/24/09

GUIDELINES

FOR THE SUBMISSION OF PROPOSALS TO OBTAIN FINANCIAL SUPPORT

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

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1. INTRODUCTION

1.1. Legal basis

The current call for proposals and attached guidelines (hereafter: "Call for proposals") 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).¹

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 Community 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.

This call is 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 community financial contribution.

1.2. Definitions

Action

- **Action:** the "action" covers the preparation and implementation stages as well as the follow-up, evaluation and dissemination of results of the activity(ies) for which the beneficiary receives financial support for a given year, should it be within a Framework Partnership Agreement or within a single grant agreement for an action.
- **Activity:** is defined by a specific content for a specific group of participants at a specific time in a specific location. Generally and in the framework of the current Call for Proposals, referring to professional events such as markets, fairs, forums etc...
- **Annual activities:** a group of activities implemented and managed by the applicant and taking place during the calendar year for which support is applied for. Annual activities also include any activity covering a period of over 6 consecutive months within a given calendar year, provided that it starts before the 1st of June, 2011. Such annual activities will be only receivable under the appropriate deadline (e.g. deadline of 30th June, 2010 stated herein).
- **MEDIA countries:** the Member States of the European Union, as well as the following countries of the European Economic Area (Iceland, Liechtenstein, Norway), Switzerland and Croatia.
- **Eligible European body:** this Call for Proposals is open to companies registered in and owned and continues to be owned, whether directly or by majority participation, by States or nationals from one of the Member States of the European Union as at 1st January 2010 and of the countries of the European Economic Area participating in the MEDIA Programme (Iceland, Liechtenstein, Norway), Switzerland and Croatia.

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

- **European countries with a low audiovisual production capacity:** the following countries will be considered as countries with a low audiovisual production capacity: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, Greece, Hungary, Ireland, Iceland, Latvia, Liechtenstein, Lithuania, Luxembourg, Norway, Netherlands, Malta, Poland, Portugal, Romania, Slovakia, Slovenia, Switzerland and Sweden.
- **European audiovisual (A/V) work:** European A/V work should be understood as an A/V work or project (being TV or Cinematographic), originating from a MEDIA country defined above or produced by a majority of producer(s) registered in and owned by nationals of a MEDIA country. Under the present Call for Proposals, the following programmes are not considered as eligible A/V and/or cinematographic works: live-broadcasting, music videos, non narrative artistic works (including but not limited to art videos, experimental videos etc), commercial and promotional works (including but not limited to advertisements), video games, formats (reality TV, games etc).

Agreement and relevant documents

- **Grant Agreement for an action:** Beneficiaries will be offered an agreement covering the action proposed and laying down the rules and conditions for the award of the grant.
 - ✓ Annual Action Plan: it sets out the objectives, priorities and expected results of the action, as well as the strategy and the actions to be implemented to ensure that the objectives and results are achieved.
 - ✓ Annual Work Programme: the annual work programme presents in detail the activity/ies to be implemented in the framework of an "action".

Applicant organisation and partners

- **Applicant:** organisation applying to the MEDIA Programme with an action.
- **Beneficiary:** organisation benefiting from a MEDIA Programme grant.
- **Financial contributor:** any public or private organisation providing a financial contribution to the Action.

1.3. Context of submission.

Under the Call for Proposals EACEA/24/09, the applicant may submit a proposal in view of getting funding for one year through a *single grant agreement for an action*.

Actions covered by a framework partnership agreement under Call for Proposals 11/2008 and 19/2008 are not eligible under the present Call for Proposals.

2. OBJECTIVES

2.1. Global objectives of the MEDIA programme

- ◆ To preserve and enhance European cultural and linguistic diversity and its cinematographic and audiovisual heritage, guarantee its accessibility to the public and promote intercultural dialogue;

- ◆ To increase the circulation and viewership of European audiovisual works inside and outside the European Union, including through greater cooperation between players;
- ◆ To 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. Specific objectives of the Promotion/Access to Markets Support Scheme

The specific objectives of the present Call for Proposals are:

- ◆ To improve the circulation of European audiovisual works by ensuring that the European audiovisual sector has access to European and international professional markets;
- ◆ To encourage common actions between national film and audiovisual programme promotion organisations.

For the implementation of these objectives, particular attention will be paid to the specific needs of countries with a low audiovisual production capacity, as well as to the development of an independent European production and distribution sector, in particular small and medium-sized enterprises.

2.3. Priorities of this Call for Proposals

The present Call for Proposals is aimed at supporting actions and their activities **taking place in the MEDIA countries as defined herein.**

Priority will be given to actions, which shall maintain and develop the geographical diversity of the European programmes presented and of the European professionals participating, in particular of those coming from countries with a low A/V production capacity and from the new EU Member states.

In order to be supported, actions shall demonstrate the synergy effects with already existing actions, as well as their added value and viability, especially in case of new and/or first editions.

The operational objectives of the MEDIA Promotion/Access to Markets Support scheme are to improve the conditions of access for professionals to trade events and to professional audiovisual markets inside Europe, to encourage and support the constitution of European catalogues and the setting up of databases of European programme catalogues intended for professionals, to encourage support for promotion from the pre-production or production phase and to encourage networking and coordination of European common actions.

The Proposal can be submitted either by an individual European operator or by a European network of national public or private operators specialised in promotion activities.

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

3. TIMETABLE

Applications must be sent to the Agency **by the following deadlines** (the postmark will be taken as proof of timely sending):

- 7th December, 2009 for activities starting between 01st June, 2010 and up to 31st December, 2010

- 30th June, 2010 for annual activities taking place in 2011 AND activities starting between 01st January, 2011 and 31st May, 2011.

Activities shall last for a maximum period of 12 months. In any case, activities must end by 31/12/2011.

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

Annual activities are a group of activities implemented and managed by the applicant and taking place during the calendar year for which support is applied for. Annual activities also include any activity covering a period of over 6 consecutive months within a given calendar year, provided that it starts before the 1st of June, 2011. Such annual activities will be only receivable under the appropriate deadline (e.g. deadline of 30th June, 2010 stated herein).

Applicants having several activities throughout the year can nevertheless choose to submit one separate application per activity, provided that its relevant budget exceeds EUR 500,000.

Activities covering over 6 consecutive months within a calendar year with a start date between 1st June, 2010 up to 31st December, 2010, might apply under the deadline of 7th December, 2009.

Applicants will be informed as soon as possible of the results of the selection and normally within 2 weeks of the date of decision by the Commission to grant or not a financial contribution. 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.

Period of eligibility of costs

Only costs incurred during the period of the action shall be considered as eligible. The period of the action and the period of eligibility of costs will normally start on the day the contract is signed by the last of the 2 parties.

If necessary, the beneficiary is allowed to start the action before the agreement is signed. In this case, applicants shall request it formally by ticking the appropriate box on application form VIII.

Please note that **only preparation costs** for the activities will be considered as eligible before signature of the agreement.

N.B:

- The action cannot start more than 10 months before the start date of the activity and ends at the latest 2 months after the end date of the activity.
- In case of annual activities, the action cannot start more than 3 months before the start date of the activities and ends at the latest 2 months after the end date of the activities.

4. BUDGET AVAILABLE

The total budget earmarked for the co-financing of the actions selected under this Call for Proposals is estimated at EUR 1,700,000. There is no allocation between the various action lines (Actions 1 to 4 defined under 5.3).

Financial contribution from the MEDIA Programme cannot exceed 50% of the total costs of the action. The recipient must guarantee the remaining funds.

The selection of an action does not signify agreement to the level of financial support requested. 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 the action.

In no circumstances does the award of a contribution in previous years infer the right to a grant under the present Call for Proposals.

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

5. ELIGIBILITY CRITERIA

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

5.1. Eligible applicants

The following call is opened to :

European company

Enterprises which benefit from the Programme shall be owned and shall continue to be owned, whether directly or by majority participation, by Member States ad/or Member State nationals (or nationals of the other European countries participating in the Media Programme) and registered in one of these countries.

It can be Public bodies or private companies (including non-profit organisations) active in the audiovisual sector.

Are not eligible:

- Applications from "natural" persons (i.e. individuals).

5.1.1 Legal entity

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

- ◆ Form III: "**Financial Identification**" ("Bank Identification Sheet") duly completed, stamped and signed by both the legal representative of the applicant and by a representative of the bank. The form relating to the financial identification of the applicant company according to the country in which it is established is available on the following website: http://ec.europa.eu/budget/execution/ftiers_en.htm
- ◆ Form IV: "**Legal Entity Form**" duly completed and signed by the legal representative of the applicant. The form relating to the legal structure of the applicant company according to the 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 applicant's **registration certificate** from the relevant authority, (e.g Companies register, Official Journal, etc.)

This(ese) document(s) must mention the name of the applicant organisation (full legal title), the registration number, the official registered address of the organisation, the date and place of registration. The information on this(ese) document(s) must correspond precisely to the information provided on application forms II and IV.

- ◆ The **statutes** of the applicant organisation.

If the name of the legal representative of the organisation is not stated in the official registration document, a **copy of his / her nomination** is also required (for instance: signed minutes of the Board).

- ◆ A copy of the **VAT registration**, including the VAT number.

If the applicant does not have a VAT number, "Not applicable" shall be written down in the right place on the application form IV.

5.2. Eligible Countries

Only organisations established and registered in countries participating in the MEDIA programme are eligible.

Countries participating in the MEDIA programme are the following:

- Member states of the European Union
- Member countries of the European Economic Area (EEA) participating in the MEDIA programme (Iceland, Liechtenstein, Norway)
- Switzerland
- Croatia

5.3. Eligible Actions

Only actions and their activities **taking place in the MEDIA countries** are eligible.

Furthermore, only those applications corresponding to at least one of the 4 Actions described below will be considered as eligible:

Action 1. Access to markets for European professionals

Actions aiming at improving the conditions governing access by professionals to trade shows and professional audiovisual markets **within Europe** and via specific technical and financial support schemes as part of the action, such as:

- the main European and international cinema markets
- the main European and international television markets
- thematic markets, particularly for animated films, documentaries, multimedia and new technologies.

In particular applicants will have to clearly explain, detail and demonstrate the various mechanisms put in place to enable a greater geographic European representation of the A/V works and professionals participating in the activity/ies and describe their results and impact. These mechanisms can be of financial nature (for example discount rates, invitation of professionals etc...) or of operational nature (assistance offered to professionals, various dedicated networking activities etc...).

Action 2. Promotion of European A/V and/or cinematographic works before and/or during the production phase

- The promotion of the production and co-production of European A/V and/or cinematographic works, as from the development phase of the work in question. Such support will take the form of co-production and financing initiatives and events.
- The setting up and launch of promotional initiatives for European A/V and/or cinematographic works in production, in order to facilitate their distribution at a European and international level.

Action 3. Computer-based Information tools on the A/V and cinematographic industry, intended for the professionals

- Creation and development of a database and/or a network of databases of European programmes and/or professionals of the A/V industry, intended for professionals.
- Creation and development of Information and/or Communication computer tools on the European A/V and/or cinema industry targeted at the professionals of this industry. This may take the form of internet websites and/or portals.

Only actions with a demonstrated added value to, synergy and cooperation with the existing European actions or actions with a very innovative aspect and nature for the benefits of the European A/V industry will be considered.

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

For clarity reasons, please note that online market or platform of distribution, digitisation of A/V works, as well as any other form of distribution not defined under the present Guidelines, are **excluded**. Are also excluded actions consisting solely in online virtual projects Bourse and/or co-financing forums.

Action 4. Common European promotional activities

The implementation of common promotional activities organized by pan European promotion organisations representing at least 15 MEDIA countries, aimed at facilitating the

promotion and circulation of European A/V and/or cinematographic works and the networking of European professionals.

Only actions intended primarily to the professionals with a demonstrated impact for the promotion and circulation of European A/V works and professionals will be considered as eligible.

5.4. Eligible Proposals

Only proposals submitted using the relevant official application form completed in full, signed (original signatures required) and received by the specified deadline (the postmark will be taken as proof of timely sending), will be considered.

The application form must be accompanied by documents attesting to its financial and operational capacity, and all the other documents referred to in the application form.

Applicants must submit a budget that is correctly calculated and balanced in terms of expenditure and revenue and must comply with the ceiling for Community cofinancing, set at 50% of the total costs of the action.

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 and set out below.

Applicants will be excluded from participation in this 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. 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 interest;
- b. are guilty of misrepresentation in supplying the information required by the Commission 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 93 to 96 of the Financial Regulations, 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, **applicant must sign a declaration on their honour certifying that they are not in any of the situations referred to in Articles 93 & 94 of the Financial Regulation.**

This declaration is included in the Application Form I of this Call for Proposals.

7. SELECTION CRITERIA

Applicant must have stable and sufficient sources of funding to maintain their activity throughout the period during which the action is being carried out or the year for which the grant is awarded and to participate in its funding. They must have the professional competencies and qualifications required to complete the proposed action or work programme.

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

7.1. Operational Capacity

In order to permit an assessment of their operational capacity, applicants must prove their operational capacity to implement the activity by demonstrating the existence of:

- Human and technological resources available within the applicant organisation (the CVs of the person(s) responsible for the proposed action, showing all their relevant professional experience);
- A solid experience in organising promotional activities (the track record of the applicant organisation shall be included in the proposals / this might be also demonstrated by the experience of the managing director or people directly in charge of implementing and managing the proposed action);
- An extensive international network of contacts in the audiovisual industry.

7.2. Financial Capacity

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

- Profit and Loss account of the applicant organisation as well as a complete balance sheet and its annexes for the last financial year if it is a non-profit organisation (2 years if the applicant is a commercial company).
- The form concerning the financial capacity included in the application form (application form V) duly signed and correctly filled in. The data (figures) presented will be based on the applicant annual accounts of the last financial year if it is a non-profit organisation (2 last years in case of commercial company) for which accounts have been closed. The applicant assures that the figures are accurate and verifiable.
- Bank identification sheet (application form III) duly completed by the applicant and certified by its bank (original signatures are required).

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

- Reject the application
- Ask for additional information
- Require a guarantee (see section 9.3)
- Offer a grant without pre-financing

For new companies that cannot provide annual accounts certified by an approved auditor external to the company: a bank guarantee will be required or a grant agreement without pre-financing may be offered.

Exemptions

The verification of financial capacity does not apply to:

- Public bodies or international organisations under public law
- Applicants which request less than EUR 25,000 to the MEDIA Programme

If the applicant is in one of the situations here described, this must be mentioned on the **application form V** ("Information concerning the applicant's financial capacity") and the applicant must certify that it has the operational and financial capacity (Declaration of honour – Application form I).

7.3. Audit

Only for grants over EUR 500,000, the application shall be accompanied by an external audit report produced by an approved external auditor. This report shall certify the accounts of the applicant for the last financial year available (non profit organisation) or for the last two financial years available (for commercial company).

This obligation does not apply to public bodies and international organisations under public law.

8. AWARD CRITERIA

Eligible applications will be assessed on the basis of the following weighted criteria in light of the objectives and priorities set in this Call for proposals:

European dimension of the action	30 points
Impact on the Promotion & Circulation of European Audiovisual Works	30 points
Quality and Cost-effectiveness of the action plan submitted	25 points
Innovative aspects of the action	5 points
Promotion of European A/V works from countries with a low audiovisual production capacity	10 points
TOTAL	100 points

Applicants will submit an annual Action Plan and an annual Work Programme.

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

For the purpose of this stage, the below detailed award criteria will be judged as appropriate to the individual Proposal and based on the information provided in the Application forms.

8.1. European dimension of the action

- The number and range of European works featured in the action;
- The number and range of European professionals featured in the action.

To this end, applicant will have to provide extensive lists of all A/V works and professionals featured and promoted within the frame of its action. These lists shall be provided in various forms (lists, catalogues, brochures etc...) and shall be provided at least on Excel format on DVD or CD-Rom. They shall enable to identify the geographical origin, as well as the relevant type and/or function.

8.2. Impact on the Promotion & Circulation of European Audiovisual Works

The sales/co-production record, the concrete mechanisms implemented by the applicant to facilitate market access for European professionals and A/V works, any active policy established by the applicant to encourage the promotion and distribution of European works featured, and the actions carried out to promote the action beyond the activity/ies.

Special attention shall be also paid on the diverse profiles and relevance of the European professionals participating and/or targeted at, in order to increase the potential of promotion and circulation of the European A/V works.

Applicant should demonstrate the potential collaboration and synergy effects with existing MEDIA supported actions and the added value of the proposed action.

Furthermore, initiatives to enhance the networking between European professionals and companies, will be taken into account.

During the selection process, the results achieved by applicants under the previous Call(s) for Proposals will be also taken into consideration.

8.3. Quality and Cost-effectiveness of the action plan submitted

- The quality of the action plan (annual or global action plan): applicant shall present in a concise and synthesized way the concrete implementation of its action, its objectives, added value, potential, partnerships and benefits. Furthermore, where applicable, applicant shall clearly describe and justify the methodology applied for selection of A/V works and professionals, as well as for their follow-up. Finally, the presentation must be clear, sufficiently detailed and correct, especially with regards to the budgetary aspects;
- The cost-effectiveness of the action plan: the cost/effectiveness, in particular in relation to the ratio of services offered and of personnel/administrative costs, will be analysed and taken into consideration, as well as the viability and feasibility of the action and of its financing plan.

8.4. Innovative aspects of the action

- The innovative aspect compared to previous year(s)/edition(s) and/or
- The innovative aspect within the market/industry and compared to competitors.

In case of first edition/new action, a market/marketing survey **MUST** be provided, demonstrating the viability and potential of the action. This survey must rely on figures and sources which are concrete, true and verifiable.

8.5. Promotion of European A/V works from countries with a low audiovisual production capacity

The participation of European A/V works and professionals originating from the countries with a low A/V production capacity shall be encouraged. Applicant shall describe the means and resources allocated to achieve such target. Applicants from European countries with a low A/V production capacity shall in particular demonstrate the cooperation and participation of other European countries with a low A/V production capacity.

9. FINANCIAL CONDITIONS

Community grants are incentives to carry out actions 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 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/index.cfm?fuseaction=home&Language=en>

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

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 allocated amount may not exceed the amount requested.

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.

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 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, or in kind. 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. Please also refer to section 9.6 and 9.8

The Community 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 definitive approval by the Agency, a financial agreement (single grant agreement), drawn up in euro and detailing the conditions and level of funding, 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 above EUR 50,000.

A pre-financing payment of 75% will be transferred to the beneficiary within 45 days of the date when the last of the two parties signs the agreement and all the possible guarantees are received. 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 report. 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 eligible costs, and the beneficiary will, where applicable, be required to repay any excessive amounts already transferred by the Agency 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.

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.

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 may require any organisation which has been awarded a grant to provide a financial 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 States 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 payments of balances to the beneficiary, in accordance with the conditions laid down in the grant agreement.

This requirement does not apply to public bodies and international organisations under public law established by inter-governmental agreements.

9.4. Double Financing

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 intend to submit to the European Institutions, indicating for each support the Community Programme concerned and the amount of the support.

Applicants's attention is drawn to the fact that in the case of organisations receiving an operating grant, indirect costs are no longer eligible under specific actions.

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 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.

N.B:

- Costs assigned to a specific budget heading in the application form must be assigned to **this very same budget heading** in the final accounts.
- The beneficiary shall ascertain from the competent national authorities the provisions, rules and legislation governing the taxation of promotion activities in his country.

Distinction between eligible and non-eligible costs

The estimated budget submitted in the application file **must only state eligible costs**.

If the applicant plans some costs for the proposed action, which cannot be considered as eligible for the MEDIA Programme (*i.e. costs which are not stated in the estimated budget*), the applicant may attach to the application file a short explanatory note on these non-eligible costs if this note contributes to a better understanding of its promotional activities by the Evaluation Committee.

Estimated Budget:

The estimated budget will form an integral part of the grant agreement

The estimated budget must be presented as set out in the Application Form and **strictly in compliance with the following procedures:**

- The estimated budget will be sub-divided into the headings and sub-headings proposed in the budget form.

- Total revenue and total expenditure must be equal amounts.

Note to the Estimated Budget

The applicants have to explain the reasoning behind the amounts stated in the estimated Budget.

- The Note to the estimated budget must be sufficiently detailed to allow identification and control of the proposed activity.
- The presentation of the Note to the estimated budget will be identical "heading by heading" to the estimated budget.
- In the event that costs such as Personnel costs or Overheads are distributed over one or more activities, a detailed justification for such distribution must be included in the Note to the estimated budget.

9.5.1 Eligible direct costs

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

For proposed actions including several activities, the applicants must submit

- A budget per activity
- A budget and the note to the budget for the whole Action

Budget Headings are the following:

1. Administrative/Personnel Costs
2. Sub-contracting costs
3. Operating Costs

1 – Project Management and Administrative costs

This Budget Heading consists of the following Sub-headings:

- 1.1. Salaries of Personnel and fees for Project Management
- 1.2. Travel costs for Personnel and Project Management
- 1.3. Accommodation and subsistence costs of Personnel and Project Management
- 1.4. IT costs
- 1.5. Financial costs and other costs

1.1. Salaries of Personnel and fees for Project Management

Are to be written under this sub-heading any costs relating to employees (personnel) of the applicants organisation or company and to any human resources directly linked to the management of the action and its activity/ies, such as project manager, policy officer, project assistant etc., which contribution is charged over the whole duration of the action. This might include consultants and any other external partner(s).

The personnel costs shall be calculated on the basis of the actual daily salary of the employee, multiplied by the number of days devoted to the action. Where applicable, this figure will include all the usual contributions paid by the employer, such as social security contributions, but shall exclude any bonuses, incentive payments or profit-sharing schemes.

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

Common rules:

- Administrative and Personnel costs must not exceed 40% of the total eligible costs. These Administrative and Personnel costs are calculated by adding the subheading 1.1. "Salaries of Personnel and fees of Project Management" to the Overheads (maximum 7% of total headings 1.-3.)
- The TOTAL working days per year per person across ALL projects funded by Community grants cannot exceed 220.
- Senior staff/consultants and directors shall be identified by name (if already known at submission stage).
- These costs must be actual costs incurred by the applicant; personnel costs of other organisations are eligible only if they are directly paid or reimbursed by the applicant.

1.2. Travel costs for Personnel and Project Management

1.3. Accommodation and subsistence costs of Personnel and Project Management

The costs specified under these sub-headings are related to travel, as well as accommodation and subsistence costs for the staff and persons attached to the proposed action. Amounts stated must correspond to specific and clearly identifiable activities.

The number and destination of journeys and the number of days spent travelling must be reasonable with regard to the objectives of the applicant for the proposed action.

The destination of the travels as well as the number of days forecast and the name or role in the activity of the person(s) travelling should be justified in the Note to the estimated budget.

Accommodation and subsistence costs ("per diems") cannot be in excess of the scales accepted by the Commission and published on the following website:

http://ec.europa.eu/europeaid/work/procedures/implementation/per_diems/index_en.htm

If there is no overnight stay, the amounts are reduced by 50%.

If the internal regulation of the institution applying for a MEDIA grant imposes a lower limit than the scales accepted by the Commission, the lower limit must be used as a basis of calculation.

Common rules:

- Air travel : only economy class tickets will be eligible
- Train travel : second and first class tickets are eligible
- Car travel: the eligible amount will be limited to the amount corresponding to the price of a 1st class train ticket.
- Per diems cover taxi and parking costs. Applicants using these monetary limits are thus not authorised to include the taxi costs separately in the budget.
- Local transport: please note that local transport such as shuttle services, bus services etc, are only applicable under operational costs (Budget Heading 3) and are eligible only during the implementation of the activity/ies.

These conditions apply also for travel and subsistence costs for other professionals participating in the action (cf. 2.2, 2.3, 3.3. below).

1.4. IT costs

The costs specified under this Sub-Heading relate to various computing and data base costs applicable under management of the action solely. They have to be differentiated from computing and database costs directly incurred for the implementation of the Action 3 only (sub-heading 3.4.).

The costs listed under this Sub-Heading include for example, leasing costs of hardware and software, as well as their development, production and maintenance costs and costs related to connect time to on-line services where this is necessary for the proper implementation of the action.

Common rules:

- These costs may be charged to the action in so far as such costs are not specifically charged under any other category of cost.
- Only the portion of the computing and technical equipment's depreciation corresponding to the duration of the activity(ies) and the rate of actual use for the purposes of the activity(ies) may be taken into account by the Agency.
- Only the cost of rental, leasing of equipment for the duration of the activity(ies) will be considered eligible.

1.5. Financial costs and other costs

Costs related to bank guarantee that may be required by the Agency can be written in this category.

Interest charges (bank interests) are not eligible. Please pay particular attention to the other ineligible costs listed under section 9.6.

2 – Sub contracting costs

The costs specified under this heading relate to the amounts paid to third parties carrying out a specific one-off task in connection with the proposed action.

Sub-contracting costs are accepted only if the applicant does not have the skills required. **Subcontracting costs must be substantiated by receipted invoices.**

All necessary explanations shall be stated in the "Note to the estimated budget".

This Budget Heading consists of the following Sub-headings:

- 2.1 Fees/Flat rates of third parties
- 2.2 Travel costs of third parties
- 2.3 Accommodation and Subsistence costs of third parties

2.1 Fees/Flat rates of third parties

Costs under this Sub-Heading relate to the provision of services by persons who are neither employees of the applicant's organisation or company, nor individuals contracted for the whole duration of the action (see 1.1 above), for example:

- Expenditure relating to persons taken on exclusively for the duration of the activity/ies, such as interpreters, press attaches, publicists, hostesses, etc.
- Any fees and expenditures relating to the provision of consultancy services (on a short-term basis) by experts in particular in audio-visual matters to European professionals participating in the activity/ies to which the action relates. This category includes translation costs incurred in the frame of the action.

Common rules:

- Individuals contracted with a significant involvement in the management and/or organisation of the action and its activity/ies, shall be considered as "personnel" and budgeted accordingly under 1.1.
- Records of the time devoted to the activity/ies by third parties should be detailed clearly according to the type of service provided, the period during which they have been charged to the activity and their cost per head (duration, number, individual cost).

2.2 Travel costs of third parties

2.3 Accommodation and Subsistence costs of third parties

Costs under these Sub-Headings relate to the travel and accommodation costs of the sub-contracting persons specified under 2.1. above.

For the limits, rules and conditions applicable on travel and subsistence costs, please refer to points 1.2 and 1.3 above.

3 – Operational costs

This Budget Heading consists of the following Sub-headings:

- 3.1 Rental of surface and stand costs/Equipment costs
- 3.2 Promotional costs
- 3.3 Invitations of professionals of the A/V industry
- 3.4 Specific costs for Database/web based actions (action 3 only)

3.1 Rental of surface and stand costs/Equipment costs

Costs under this Sub-Heading relate to expenditure linked to the rental of space (exhibition areas, conference rooms, rooms, venues etc), as well as the design, construction, decoration and modification of any stands/booths or service and structures, furniture and furnishings, necessary for the implementation of the activity/ies as well as maintenance and storage costs of them over the duration of the activity/ies.

Common rules:

- Only the portion of the audiovisual and any technical equipment's depreciation corresponding to the duration of the activity(ies) and the rate of actual use for the purposes of the activity(ies) may be taken into account by the Agency.

- Only the cost of rental, leasing of equipment and/or of space for the duration of the activity(ies) will be considered eligible.
- Purchase costs will only be eligible in exceptional circumstances where this results in lower costs than would otherwise be possible. In such cases, costs incurred for the period in question shall be calculated and charged to the action using normal accounting practice (i.e. depreciation).

3.2 *Promotional costs*

Costs under this sub-Heading relate to expenditure linked to the following various costs:

- **Advertising costs:** Costs linked to the design, lay-out and publication of advertisements (including bill-boards and sign-posting) as well as the buying of advertising space and covering the cost of running press campaigns during the period of the action.
- **Design and Publication costs:** Costs linked to the development, design, layout, translation and publication of printed promotional material (for example brochures, catalogues, posters, cards etc...).
- **Promotional and public relations activities:** Costs relating to the preparation, organisation and holding of any press conferences, professional meetings and in general all promotional activities, including social events/meetings, designed to enhance the exposure given to the activities of European audio-visual professionals participating in the action. This category also includes the elaboration and production of non-printed promotional material (e.g. video trailers) designed to enhance the exposure given to the activities of European audiovisual professionals participating in the action.
- **Prints and Prizes:** Costs relating to prints such as the copyright and screenings fees of print (e.g. costs relating to the acquisition of the right to exhibit films as part of the action, including any standard distribution charge; Nevertheless, costs of possible screening fees, charged by the licensor of the films, and costs for the acquisition of the rights for the distribution of the films (such as Minimum Guarantees) are not eligible. This category also includes costs relating to the transport and insurance of prints as well as costs for the translation and sub-titling of the prints of films participating in the action, where these are directly related to this participation.

Common rules:

- Each item must be detailed separately according to the type of expenditure foreseen and the quantity and unit cost must be indicated.

3.3 *Invitations of professionals of the A/V industry*

Costs under this Sub-Heading relate to expenditure linked to the travel and accommodation/subsistence of professionals of the A/V industry.

These professionals invited must be audiovisual professionals with a specific, significant and direct involvement in the action proposed. They might be the producers/directors/authors presenting projects at a co-production/financing forum and/or be professionals qualified as decision makers. Are considered as decision-makers the persons who can have a significant role in the financing and/or co-production and/or distribution/sale of the projects/audiovisual works presented in the

frame of the proposed action, such as commissioning editors, buyers, financiers, co-producers, distributors etc.

Journalists and other persons invited to attend with the aim of enhancing the exposure given to the activities of the European professionals participating in the action can also be eligible under this category, provided that their presence and the impact of their work are demonstrated and justified.

Common rules:

- Costs related to A/V professionals outside of the European Union are not eligible, unless the necessity of their involvement within the proposal is duly demonstrated and justified.
- Any transportation and accommodation/subsistence cost linked to other professionals of the audiovisual sector and in particular of Training institutes, Festivals and similar initiatives' representatives, are not eligible unless their role within the action is clearly described, demonstrated and justified.
- For the limits, rules and conditions applicable on travel and accommodation/subsistence costs, please refer to points 1.2 and 1.3 above.
In particular the travel costs must be broken down separately from the subsistence costs, with indication of the number of days/night and unit cost.

3.4 Specific costs for Database/web based actions (Action 3 only)

Costs under this Sub-Heading relate to specific expenditure linked to the operational costs incurred within the implementation of Action 3 solely.

Such costs include for example costs related to research and development, purchase (please apply appropriate depreciation)/leasing of equipment, production and maintenance of material (hardware and software), including updating costs, internet connections etc.

9.5.2 Eligible indirect costs ("overheads")

These costs represent the applicant's general administrative costs. They are considered as eligible when they relate indirectly to the implementation of the proposed action but do not fall into any of the above-mentioned categories.

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

These costs should be in line with the principles set out in these guidelines. They cannot exceed a flat-rate amount of **7% of the total eligible direct costs** of the action (budget headings 1+2+3).

Overhead costs encompass the following categories:

- ♦ **Premises and related expenses** (e.g. rent, insurance ...)
- ♦ **Office expenses and consumables** (e.g. telephone, postal services, photocopies ...)

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

9.6. Contributions in kind

Contributions in kind can be accounted for in the calculation of the MEDIA contribution, provided that they do not exceed **25%** of the total cost of the action.

Contributions in kind covering costs listed under Sub-Heading 1.1. and 1.5. of the estimated budget of the action are not allowed.

9.7. Ineligible Costs

The following costs are considered ineligible:

- 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, according to the applicable national legislation,
- Costs declared by the beneficiary and supported in the framework of another action or under another Community grant,
- Excessive or reckless expenditure.

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

9.8. Sources of Income

All financial contributions must be substantiated by clear statements duly dated and signed (Annex E), specifying the amounts and the fact that they will be provided in cash or in kind.

The part 1 of the Estimated Budget (sheet 1 – Financing Plan) should show:

- The direct monetary contribution from the applicant (own resources);
- Any income generated by the proposed action (e.g. fees charged to participants, revenue from sales of publications etc.);
- The financial contribution from other fund providers (public and/or private);
- The contribution applied for to the MEDIA Programme.

Contributions in kind

Contributions in kind must be presented under the appropriate heading and separately from the contributions "in cash" in the financing plan.

Contributions in kind cannot cover all the necessary cofinancing. At least 75% of the total cost of the action must be covered by cofinancing other than contributions in kind.

The value calculated for the contributions in kind must not exceed:

- the costs actually borne and duly supported by accounting documents of the third parties who made these contributions to the beneficiary free of charge but bear the corresponding costs;
- the costs generally accepted on the market in question for the type of contribution concerned when no costs are borne.

10. SUB-CONTRACTING AND AWARD OF PROCUREMENT CONTRACTS

Where implementation of the action requires sub-contracting or the awarding of a procurement contract, the beneficiary 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.

The beneficiary must clearly document the tendering procedure and retain the documentation for the event of an audit.

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. This information may also be published in any other appropriate publication, for example the Official Journal of the European Community.

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:

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

Beneficiaries must clearly acknowledge the European Union's contribution and mention clearly "*With the support of the MEDIA Programme of the European Union*" in all publications or in conjunction with activities for which the grant is used.

Furthermore, beneficiaries are required to display clearly the name and logo of the MEDIA Programme on all their publications, posters, programmes and other products realised in the frame of the action supported, to be found under:
http://ec.europa.eu/information_society/media/overview/who/logos/index_en.htm

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 2000

on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data.²

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 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

The Call for Proposals is published in the Official Journal of the European Union and on MEDIA Programme's website at the following address:

http://ec.europa.eu/information_society/media/promo/markt/index_en.htm

13.2. Application Forms

Grant applications must be drawn up using the form specifically designed for this purpose in one of the official language of the European Union. 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 or French. Please note that only typed applications will be considered.

Application forms and budget forms can be downloaded from the following website:

http://ec.europa.eu/information_society/media/promo/markt/index_en.htm

Applicants are required to present

- **ONE** complete and unbound application file duly signed.
- All the official documents relating to the legal entity and financial capacity of the applicant.

² Official Journal L 8, 12.1.2001.

- **FOUR** bound copies including **ONLY** the following items of the application file:
 - ◇ Application form II : Information on the application organisation
 - ◇ Application form VII : Annual Action Plan
 - ◇ Application form VIII : Annual Work Programme
 - ◇ Annex II of the application forms : The estimated budget
 - ◇ Annex D : Lists of the A/V works presented at the previous edition and/or professionals participating **ONLY** !

In addition to these, an electronic version of the documents requested in the Annex D (list of professionals and A/V works participating in the action) shall be included **on CD-Rom / DVD-Rom on Excel** (no other formats accepted) and attached to the application file.

13.3. Submission of the Application

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

Applications which do not include all the stipulated documents and which are not submitted before the deadline will not be considered.

Proposals must be sent **by registered mail** at the applicant's own expense and by the **relevant deadline** - postmark will be proof of timely sending - to the following address:

Education, Audiovisual and Culture Agency (EACEA)
Unit MEDIA Programme – P8
MEDIA Promotion/ Access to markets EACEA/24/09
Mr. Constantin Daskalakis
BOUR 03/30
Avenue du Bourget 1
B -1140 Brussels, BELGIUM

Applications delivered by hand must be receipt by the services of the Commission at the latest on the **relevant deadline** before 15.00 hours to the address indicated above.

For express couriers, the date of delivery to the express courier company will be proof of timely sending.

Applications sent by fax or email will not be accepted.

All envelopes should be clearly marked
"MEDIA PROMOTION/ACCESS TO MARKETS EACEA/24/09"

No changes to the dossier can be made after the application has been submitted. 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 that fulfil the eligibility criteria will be considered for a grant. If an application is deemed ineligible, a letter indicating the reasons will be sent to the applicant.

All unsuccessful applicants will be informed in writing.

Selected proposals will be subjected 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

- 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).
- 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).
- 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).

13.5. Contacts

For any further information please contact **preferably** the MEDIA Desks and Antennae (addresses list on http://ec.europa.eu/information_society/media/overview/who/desks/index_en.htm).

Or

EACEA – Education, Audiovisual and Culture Executive Agency
Nathalie Ducher
MEDIA Programme
E-mail: nathalie.ducher@ec.europa.eu