



## **Measure 3 – Guidance notes** ***Promotion of the cultural heritage***

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*Call 3 - issued on the 11<sup>th</sup> November 2022*

### **GAL XLOKK FOUNDATION**

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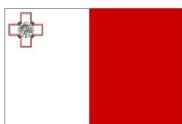
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*Guidance notes are being updated following the Expression of Interest issued by the Funds and Programmes Division within the Ministry for the Economy, European Funds and Lands, for additional budget under M19.2 and M19.4*

*This measure falls under the **LEADER** Programme (Community Led Local Development) of the Rural Development Programme (RDP) 2014 – 2020, which is part financed by the European Agricultural Fund for Rural Development.*

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### **Rural Development Programme for Malta 2014-2020**

Part financed by the European Union  
Co-financing Rate:  
75% European Union; 25% Government of Malta



***The European Agricultural Fund for Rural Development:  
Europe investing in rural areas***

In case of any conflicts between these guidance notes and the text of the Rural Development Programme (RDP) 2014-2020, GAL XLOKK Local Development Strategy and other legislative text, the interpretation given by the relevant legislation will be given overall priority.

The Foundation reserves the right to request additional information not included in the accompanying application form.

**Definitions:**

**Paying Agency:** The Agriculture and Rural Payments Agency (ARPA) within the Ministry for Agriculture, Fisheries and Animal Rights is the Paying Agency.

**Checks and controls:** Provide a means of verification that the investment operation complies with, and is in conformity to, the relevant rules and regulations.

**Decision Committee (DC):** The DC of the LAG is the decision-making body in relation to all activities.

**EAFRD:** European Agricultural Fund for Rural Development.

**Evaluation Committee (EC):** A committee appointed by the LAG and can be constituted by a least 2 members. Both are responsible for administratively checking the applications.

**Grant Agreement:** An agreement signed between the GAL XLOKK Foundation and the selected applicant (beneficiary) containing provisions and conditions related to the particular support.

**LEADER:** *Liason Entre Actions de Development de l'Economie Rurale*'. The LEADER programme refers to the implementation of the actions included in the Local Development strategies by the LAG to address specific local issues in line with the Rural Development programme for 2014-2020.

**Managing Authority (MA):** A national or regional body designated by a Member State to manage a rural development programme.

**Measure:** An aid scheme for implementing a policy. Each measure sets out specific rules to be complied with by the projects or actions that can be financed. There are two main types of measures: investment measures and area-related aid.

**Project Selection Appeals Board:** An independent Committee that assesses any submissions of appeals.

**Project Selection Committee (PSC):** The role of the Decision Committee includes the assessment and review of all recommendations made by the Evaluation committee. The PSC assesses and ranks applications.

**Project closure:** Closure takes place after the Agriculture and Rural Payments Agency has issued the final payment to the beneficiary, after it has carried out all the necessary checks and controls.

**Project completion:** A project can be deemed completed when the final request for payment has been submitted to the Agriculture and Rural Payments Agency

**Rural Development Programme (RDP):** A document prepared by a Member State or region, and approved by the European Commission, to plan and monitor the implementation of the rural development policy.

**Single undertaking** includes all enterprises having at least one of the following relationships with each other:

- a. One enterprise has a majority of the shareholder's or members' voting rights in another enterprise;
- b. One enterprise has the right to appoint or remove a majority of the members of the administrative, management or supervisory body of another enterprise;
- c. One enterprise has the right to exercise a dominant influence over another enterprise pursuant to a contract entered into with that enterprise or to a provision in its memorandum or articles of association;
- d. One enterprise, which is a shareholder in or member of another enterprise, controls alone, pursuant to an agreement with other shareholders in or members of that enterprise, a majority of shareholders' or members' voting rights in that enterprise.

Enterprises having any of the relationships referred to in points (a) to (d) through one or more other enterprises shall also be considered to be a single undertaking

**Voluntary Organisations (VO):** Eligible VOs shall be those that are fully enrolled with the VO Commissioner and are compliant in their annual returns, as required by Subsidiary Legislation 492.01 of the Voluntary Organisations Act.

## 1. Introduction

These Guidance Notes are intended to assist Applicants in understanding the requirements for requesting and receiving funding support under **Measure 3 – Promotion of the Cultural Heritage** of the Xlokk Local Development Strategy (LDS).

Applicants are advised to familiarise themselves with these Guidance Notes prior to filling in and preparing the Application Form. The Guidance Notes, Application Form and all annexes and other documentation are available at [www.galxlokk.com](http://www.galxlokk.com)<sup>1</sup>.

Applicants are reminded to check that they referred to the latest guidance notes as available on the Foundations's website, and that they have filled in the latest available version of the application form that is available for download from the website. Only the latest version at the time of application will be accepted.

## 2. Rationale for Intervention

This measure, falls under *Objective 1 of the Xlokk LDS – Development of the cultural landscape, social heritage and tourism product of the rural territory.*

The need to record, document and translate knowledge that is in danger of being lost is undeniable. In many localities in rural areas, the only surviving tradesman with the know-how and the history of the traditions and the trades is of old age, and unless this information is captured, there is a risk that the heritage will be lost upon his death. The need to address this issue, and to develop the cultural and traditional knowledge base, is in line with the national drive to build a digital platform for Malta's touristic product. In this context, the use of modern technology that is not only more accessible, but also permits user interactivity, is greatly encouraged. As mentioned earlier, while one locality might not have the necessary density of attractions/sites of interest to afford the tourist an entire day experience, the possibility of combining a number of attractions/sites of interest across neighbouring villages/localities adds value to the touristic experience and improves the cost-effectiveness of the individual operations.

Evidence obtained from the analysis of the territory and the consultation findings indicates that the LAG territory has a significant tourism product, which may not be fully exploited due to the lack of information dissemination and promotion activities. This measure aims to promote the territory's cultural heritage and improve accessibility to rural assets of touristic importance through visitor-oriented actions such as the installation of sign-posting, the recording of local knowledge, and the use of various information dissemination methods, including interactive applications in social media, dedicated websites, and other ICT applications.

It is also recognised that rural tourism projects that build on co-operation among different actors, whether from different sectors, or different localities, are cost-effective and hence such projects are encouraged. In such cases applicants must clearly demonstrate that there is a leading partner and that he/she holds a sense of ownership of the project.

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<sup>1</sup> <http://galxlokk.com/category/documents/>

### 3. Scope and Objectives of the Measure

This action supports the documentation and/or digitalisation of information, branding, advertising, and dissemination of information related to the cultural heritage; the setting up of heritage tours and trails joining up different attractions/sites of touristic importance, and the limited installation of physical structures for improved access and mobility by visitors (such as ramps) and small-scale refurbishment of ancillary facilities for sanitary purposes (such as upgrading of on-site toilet facilities).

#### a) General description of the Action - Description of the type of operation

Based on the analysis of the territory and the findings of the consultation exercise, the following list presents best estimates of the type of operations that are likely to be supported through this measure:

- area-wide sign-posting to render the localities more accessible for non-residents and tourists;
- cooperation between tourism operators, local councils and organisations based within the territory to develop and promote trails and tours that build around sites of cultural importance;
- the recording, documentation, promotion and dissemination of information, in printed and digital formats, about artefacts, museums and sites of cultural heritage value within the territory, and
- the branding of a unique product or experience within the territory, including the one-time design and development of a marketing plan.

### 4. Eligible Actions

Support through this action shall be limited to Capital Expenditure undertaken by Local Councils, private entities (legal persons) and Voluntary Organisations compliant with Office of the Commissioner for Voluntary Organisations that do not carry out an economic activity within the meaning of Article 107 of the Treaty of the Functioning of the European Union. The operations of such entities must be in compliance with national rules and regulations.

Projects must be physically undertaken in any of the rural localities that constitute the GAL Xlokk Foundation territory, listed in the following table.

Rural Localities within the Xlokk Action Group Foundation Territory		
Ħal-Qormi	Ħal-Luqa	Santa Luċija
Il-Gudja	Ħal-Kirkop	Mqabba
Il-Qrendi	Ħal-Safi	Iż-Żurrieq
Ħal-Għaxaq	Birzebbugia	Iż-Żejtun
Marsaxlokk	Marsaskala	Ħaż-Żabbar
Ix-Xgħajra	Il-Kalkara	

## 5. Eligibility Criteria

The following general eligibility criteria shall apply for the evaluation of proposals for actions to be supported under this measure:

- Submitted application (including a Contracting Schedule and Disbursement Schedule) is fully completed and duly filled-in with details required by the Decision Committee to evaluate the application for eligibility and selection;
- The applicant is able to demonstrate that he/she forms part of (or is the legal representative of) the beneficiary/applicant organisation. In case of a VO, *only the President/Chairperson, Secretary or Treasurer of the organisation can act as project leader*;
- At application stage, the applicant is to include the latest certificate of compliance issued by the Commissioner for Voluntary Organisations - Compliance certificate for year 2021 (applies to Voluntary Organisations only);
- The proposed project will be implemented within the GXF territory;
- The applicant is able to demonstrate evidence of sufficient financial capacity required to finance the project and to fund the private financial component (*refer to section 30 of these guidance notes - application requirements check-list*);
- The proposed project contributes to the general and specific objectives of the measure;
- The proposed project contributes to at least one indicator target;

The GXF reserves the right to revise the eligibility criteria applicable to the Measure, subject to pre-notification.

## 6. Description of the requirements and targets

In line with the goals of Malta's tourism strategy, which identifies the need to develop opportunities for rural tourism, this measure provides an opportunity to develop collaboration between local actors and to improve the marketing and dissemination of information regarding the cultural heritage of the territory. The rural tourism potential, and the increasing recognition of the value of the cultural landscapes, is recognised as an opportunity for balanced, territorial development.

The need to improve communication and develop networks in order to enable local actors to create and market products and rural tourism experiences is also recognised in the Malta RDP, where opportunities for farm diversification activities and collaboration for the development of rural tourism services are provided.

As shown by the analysis of the territory and the consultation findings, this measure serves as an important tool for the provision of opportunities for the development of tourism services, and for bringing together local actors and economic operators with a similar agenda. The set-up of cultural heritage trails and tours, building around local products, techniques, food, sites and objects of interest, serves to foster collaboration between local actors, improve their economic performance and result in a better tourism product of the territory. Through these interventions, this measure aims to develop cooperation, increase tourism visits and develop new rural tourism experiences within the territory.

**Contribution to cross-cutting objectives of the RDP (innovation, climate and environment)**

Activities carried out under this measure are expected to promote value-added innovation in rural development through the development of rural tourism, which in turn fosters business innovation. Innovation in the cultural dimension is also spurred through the selection criteria favouring the mix of technology as a platform for tradition, in what is considered a positive clash of generational differences and an excellent mode of transmitting knowledge from one generation to the next and sustaining the traditional heritage in time.

## 7. Eligible Investments

Where applicable, the investment must be in line with all relevant planning, environmental and development permits, including permits from the competent authorities.

The eligible costs to be reimbursed through this grant support relate to two types of investments:

- Type 1: Investments associated with the development of marketing, advertising, branding, promotion and information dissemination activities, including experts' and professional fees (market research, designers, etc.) and the procurement of related services (website development, promotional material, etc.) as well as installation of physical infrastructure for promotion and information (sign-posts, boards, information panels, etc.).
- Type 2: Very small, one-off, structural investments that are directly related to the improvement of access and mobility of visitors (e.g. ramps and similar structures) and the upgrading of facilities for hygiene (e.g. toilets for visitors).

In view of the fact that the main objective of this measure is to support marketing of the rural areas and their assets and sites of importance, and that ancillary investments are of secondary importance, the maximum permitted expenditure in relation to type 2 interventions shall be capped at 20% of the total eligible cost of the project.

***\*Where applicable, only Projects covered by a valid Planning Authority permit and those which are in the process of a permit application are eligible under this Action. Projects should be having a Planning Authority number or DNO number. Projects with a tracking number will be rejected at application stage.***

The beneficiary can only claim EAFRD funds for eligible and approved expenditure that has been incurred after an application has been submitted to the GXF and an acknowledgement is issued by the Foundation, in line with EU Regulation 1305 of 2013 Article 60 (2).

## 8. Non-Eligible Investments under Measure 3

The following is an indicative list of non-eligible investment under Measure 3:

- Purchase of land and buildings;
- Currency exchange losses;
- Provisional installations that are not directly related to the investment (e.g. warehouses for keeping materials for the construction)
- Expenditures made before the launch of the call for application (the applicant should refer to Article 60 of Regulation 1305/2013 of the European Parliament and

Council. The applicant may at his own risk initiate the implementation of the project as from the date of submission of application);

- Income Tax and/or other operational costs of the entity applying for the project, including provisions for possible future losses or debts;
- Bank Interest;
- Inputs which are the subject of a contribution in kind;
- Administration fees (salaries, insurance obligations and running costs);
- Second-hand equipment;
- Value Added Tax (except where it is non-recoverable under national VAT legislation). Refer to section 10 of these guidance notes.
- Work in kind
- Statutory fines and penalties
- Planning Authority Fees;
- Accessibility projects in isolation will not be considered;

In accordance with the Public Procurement Regulations, expenditure relating to economic operators convicted of a criminal offence are considered ineligible for funding and such expenditure will not be reimbursed by the Paying Agency.

## 9. Eligible applicants

The beneficiaries eligible for funding under Measure 3 are **Local Councils, private entities (legal persons) and Enrolled Voluntary Organisations (VOs) in line with the Voluntary Organisations Act 2007** (Chapter 492 of the Laws of Malta), and that do not carry out an economic activity within the meaning of Article 107 of the Treaty of the Functioning of the European Union.<sup>2</sup> Local Councils applying for funds must be **full-paid members of the GXF**.

Beneficiaries should be willing to invest within the GAL Xlokk Foundation territory, and provide **a service directly related to the cultural identity** within GXF's territory.

Voluntary organisations are categorised as per below:

- ✓ Category 1 - where the total revenue does not exceed the €20,000 over three consecutive years;
- ✓ Category 2 - where the total revenue for the last three consecutive years is over €20,000 but does not exceed €200,000;
- ✓ Category 3 - where the total revenue for the last three consecutive years exceeds €200,000.

Voluntary organisations under the Second Register (generating a Gross Annual Income of less than €5,000) **cannot** apply for this scheme.

*IMP: Applicants who have already benefited under one of the calls as part of the same measure may still apply under this call on the basis that they have presented the last claim for payment to the Paying Agency. GXF will do the necessary checks with the Paying Agency and will not tolerate any form of abuse.*

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<sup>2</sup> These VO's must be compliant with the Commissioner for Voluntary Organisations



## 10. Aid Intensities

A beneficiary will be granted the following financial assistance should the proposed investment be selected:

- 80% of the total eligible expenditure.
- The other 20% of the total eligible expenditure must be borne by the applicant.

The VAT element must to be borne by the applicant (except where it is non-recoverable under National VAT legislation). Grant assistance may be provided in respect of non-recoverable VAT. **Written confirmation from the VAT Department that the project applicant is not-registered for VAT must be presented by the applicant. The VAT Declaration Form (annex 1 of these guidance notes) should be duly filled by the applicant and endorsed by a representative from the VAT Department.**

## 11. Financing – Budget

75% will be financed through the EAFRD whilst the remaining 25% will be financed through Malta funds. The maximum grant support for each project is capped as at €10,000.

The **indicative** remaining total allocated funds for this call is set at **€30,000** of which 80% will be financed through the EAFRD whilst the remaining 20% will be financed by the Beneficiary. In the case of over-subscription of the call, the **GAL XLOKK Foundation MAY** reserve the right to allocate additional funds to this measure following approval by the Managing Authority.

## 12. State Aid Rules and Regulations

No State aid implications arise for those beneficiaries that are local councils or enrolled voluntary organisations that do not carry out an economic activity. Assistance to entities that carry out an economic activity is subject to State aid rules. Therefore, 'private entities' are subject to the state aid rules as indicated in this section.

With regards to private entities, this scheme will be implemented in line with Commission Regulation (EU) No. 1407/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid [OJ L 352/1] (the de minimis Regulation), as amended by Commission Regulation (EU) 2020/972 of 2 July 2020, amending Regulation (EU) No 1407/2013 as regards its prolongation and amending Regulation (EU) No 651/2014 as regards its prolongation and relevant adjustments [OJ L 215/3, 7.7.2020].

Assistance may not be awarded to the following:

- a) Undertakings active in the fishery and aquaculture sector, as covered by Council Regulation (EC) No. 104/2000;
- b) Undertakings active in the primary production of agricultural products;
- c) Undertakings active in the sector of processing and marketing of agricultural products, in the following cases:
  - i. Where the amount of the aid is fixed on the basis of the price or quantity of such products purchased from primary producers or put on the market by the businesses concerned;

- ii. Where the aid is conditional on being partly or entirely passed on to primary producers;
- d) Aid to export-related activities towards third countries or Member States, namely aid directly linked to the quantities exported, to the establishment and operation of a distribution network or to other current expenditure linked to the export activity;
- e) Aid contingent upon the use of domestic over imported goods;

The total amount of *de minimis* aid granted to a single undertaking shall not exceed the amount of €200,000 (or €100,000 for a single undertaking performing road freight transport for hire or reward) over any period of three consecutive fiscal years. This period covers the fiscal year concerned as well as the previous two fiscal years. 'Fiscal year' means the fiscal year as used for tax purposes by the undertaking concerned.

This maximum threshold would include all State aid granted under this aid scheme and any other State aid measure granted under the *de minimis* rule including that received from any entity other than the GXF. Any *de minimis* aid received in excess of the established threshold will have to be recovered, with interest, from the undertaking receiving the aid.

**Singe undertaking:** The term 'single undertaking' is defined as follows:

Single Undertaking includes, for the purposes of this scheme, all enterprises having at least one (1) of the following relationships with each other:

- a) one (1) enterprise has a majority of the shareholders' or members' voting rights in another enterprise;
- b) one (1) enterprise has the right to appoint or remove a majority of the members of the administrative, management or supervisory body of another enterprise;
- c) one (1) enterprise has the right to exercise a dominant influence over another
- d) enterprise pursuant to a contract entered into with that enterprise or to a provision in its memorandum or articles of association;
- e) one (1) enterprise, which is a shareholder in or member of another enterprise,
- f) controls alone, pursuant to an agreement with other shareholders in or members of that enterprise, a majority of shareholders' or members' voting rights in that enterprise.

Enterprises having any of the relationships referred to in points (a) to (d) above through one or more other enterprises shall also be considered to be a single undertaking.

The *de minimis* Regulation states that a group of linked enterprises is considered as one single undertaking for the application of the *de minimis* rule, but that enterprise which has no relationship with each other except for the fact that each of them has a direct link to the same public body or bodies are not treated as being linked to each other. The specific situation of enterprises controlled by the same public body or bodies, which may have an independent power of decision, is therefore taken into account.

In terms of Article 5 of the *de minimis* Regulation, *de minimis* aid granted under this measure may be cumulated with *de minimis* aid granted in accordance with Commission Regulation (EU) No 360/2012 up to the ceiling laid down in that Regulation. It may be cumulated with *de minimis* aid granted in accordance with other *de minimis* regulations up to the relevant ceiling fixed in terms of the *de minimis* Regulation.

*De minimis* aid awarded under this measure shall not be cumulated with State aid in relation to the same eligible costs or with State aid for the same risk finance measure, if such cumulation would exceed the highest relevant aid intensity or aid amount fixed in the specific circumstances of each case by a block exemption regulation or a decision adopted by the European Commission. *De minimis* aid which is not granted for or attributable to specific eligible costs may be cumulated with other State aid granted under a block exemption regulation or a decision adopted by the Commission.

The *de minimis* declaration form (annex 3 of these guidance notes) must be filled in and submitted together with the application form. In line with the *de minimis* Regulation, records regarding *de minimis* aid shall be maintained for 10 years from the date on which the last individual aid is granted under the Scheme.

### 13. The Application Process – General Provisions

- Interested applicants need to submit the completed application form for Measure 3.
- All applications must be completed in full, signed and dated by the Project Leader. In case of local councils, the application should be signed by both the mayor and executive secretary.
- No parts of the application form are to be left blank – in cases where specific requested information in the application are not applicable to the applicant, the applicant must fill in the field with the note ‘Not applicable’.
- Although, GXF representatives are available for meetings with interested applicants, it is the ultimate duty of the applicants to read thoroughly the guidance notes and application form. It is also the ultimate responsibility of the applicants to ensure that all documentation requested is correctly presented. Applicants must also ensure that the applicants themselves fall within the criteria of eligibility and that project proposed and any related investments are eligible for funding and that the application form and the requested supporting documentation **are presented at the GXF offices, 269, Main Street, Qormi, by hand within the deadline of the call.**
- It is not the duty of GXF to verify the above matters irrespective of any meetings that may be held between GXF and the applicants.
- Applicants should submit an **original signed** project application form (1) in both PDF (.pdf) and WORD (.doc or .docx) format including also the supporting documentation. A copy of the application form including all supporting documentation attached to the original Application Form should also be submitted.
- A check-list of attachments is attached to the Application Form. The applicants must ensure that ALL the mandatory supporting documentation as per *Section 8* of the application form are submitted.
- For the application to be considered complete, all attachments marked compulsory are to be submitted with the Application Form. The GAL XLOKK Foundation will undertake a validity check following receipt of the application. Any required documentation not submitted with the application form shall be requested within 5 working days from the date of a notification letter sent by GAL Xlokk. Only complete applications will be considered by the Project Selection Committee.
- The call for applications will open on **Tuesday 12<sup>th</sup> April 2022** and shall remain open until the entire budgetary allocation under this Measure is allocated. The GXF will be adopting an **Open Block Calls Procedure**. This means that a batch of applications received within a respective time block will be assessed separately from applications received in subsequent batches. The call shall close either once the

allocated budget has been committed or should the call be withdrawn through a notification by the GXF. The GXF may re-issue the call in a similar or different format. The GXF may also issue clarifications and amendments during the time period of the open call for applications without necessarily closing and re-opening the call. Such clarifications will be uploaded on our website: [www.galxlokk.com](http://www.galxlokk.com)

- The first Call for proposal will remain open until **Friday 14<sup>th</sup> November 2022, at noon**, subject to availability of funds. Applications received after this deadline **WILL NOT BE CONSIDERED for the first batch**.
- The deadline for the respective set of applications will be received **on the second Thursday of each respective month, at noon**.

Applicants are encouraged not to leave to the last day to submit their application. In case of queries or clarifications required applicants may contact GAL Xlokk on the following:

Email: [info@galxlokk.com](mailto:info@galxlokk.com)

Tel: +356 2099 8008

***Disclaimer:** The issuance of the receipt letter does not imply that the applicant will be considered as a main beneficiary under this call. The application may be refused and returned to the applicant following the issuance of the receipt letter.*

#### **14. Evaluation – Administrative Checks**

The GAL Xlokk Foundation will carry out administrative checks on submitted applications. It is important that the submitted application form is filled-in correctly and completely. In case an application is submitted with missing documentation/information, a notification letter will be sent to the applicant allowing a period of 5 working days to submit the missing documentation and/or information from the date of such letter.

If the requested documentation is not submitted within this time-frame, the application will be automatically disqualified and a rejection letter will be sent by the GAL Xlokk administration to inform the applicant. GAL Xlokk will then carry out verification of the eligibility of the supporting documentation submitted, as well as the screening of the application in terms of the eligibility criteria. It is important to note that it is within the responsibility of the applicant to ensure that the content of the application and the supporting documentation submitted is in full and in line with what is being requested.

With reference to the quotations to be submitted by the applicant, the Evaluation Committee reserves the right to ask for further clarifications or necessary adjustments even after the applicant submits the missing documentation/clarifications. The Evaluation Committee reserves the right to contact suppliers/service providers to validate the quotations provided.

No further additional information will be accepted after the closing date for applications unless it is requested by GAL Xlokk Foundation. In this regard, it is the applicant's sole responsibility to ensure that the application is complete in the best possible way before submission. Evaluation of the application will be carried out only on the information submitted at application stage or any other information as requested by GXF. **Any false or misleading information will lead to the immediate rejection of the application.**

## 15. Selection Process

A Project Selection Committee (PSC) made up from the Decision Committee members will be responsible for ranking and selecting applications for support after close liaison with the EC members. The PSC may request the services of a technical expert to assist the whole evaluation process. The PSC reserves the right to request additional information and further clarifications on the project as part of the selection process.

## 16. Ranking of Projects and Selection Process

The PSC will proceed to award marks to each proposal based on the information submitted in the applications and provided through clarifications (where applicable). In order to qualify for selection, the proposal needs to obtain a total of at least 50% of the total marks of the general and measure-specific selection criteria. For those eligible projects going through the assessment stage, the PSC will seek clearance from the State Aid Monitoring Board (SAMB).

A preliminary list of the proposals containing selected, on reserve and failed applicants together with their respective score shall be drawn up. Furthermore, the PSC reserves the right to request project re-dimensioning in special circumstances.

The preliminary result shall be published on the Foundation's official website<sup>3</sup>. In addition, a notification letter shall be sent to applicants informing them of their right of appeal in cases where applications fail to qualify.

## 17. Unsuccessful Project Proposals

In the notification letter sent to the applicant, reasons why the project was not selected shall be provided. The applicant shall have the right to appeal in writing through a registered letter within 5 working days from receipt of the email/letter of notification of result sent by the LAG.

The appeal is to be addressed to the Chairperson of the Project Selection Appeals Board (PSAB). The PSAB is an independent Committee set up to review in an autonomous way any appeals lodged. The PSAB will be composed of a minimum of three (3) individuals with a Chairperson chairing the appeals process. The appellant is required to sustain the clarifications provided by including justified reasons backed by necessary supporting documentation/testimonials.

The applicants wishing to lodge an appeal must send a registered letter addressed to **"The Chairperson", Project Selection Appeals Board of GXF, 269, Main Street, Qormi, QRM 1107**, within 5 working days from when the applicant receives the notification letter. **The Appeals Board will not consider late appeals.** The letter should include detailed reason/s of why the appeal is being made, supported by any relevant documentation/testimonials.

The Chairperson of PSAB shall review and assess the validity of all the appeals submitted within the stipulated time-frame. Valid appeals will be presented to the PSAB for

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<sup>3</sup> <http://galxlokk.com/category/news-2/> and <http://galxlokk.com/category/documents/>

assessment. No additional information other than that presented at application stage will be considered during the review. The relevant documentation shall be provided for the sole purpose of supporting the basis of the information provided in the appeal letter. An appeal that does not provide sufficient detailed reasons may be refused at the preliminary stage as unjustified.

Upon submission of the appeal, the Appeals Board shall be convened within no later than 5 working days to review the appeals presented. All necessary relevant documents will be made available to the Appeals Board by the LAG Manager.

The Appeals Board must conclude the process of appeals by no later than 15 working days from the appeals closure date. Upon finalisation of the process, a detailed report articulating all decisions taken must be presented to the DC. The decision of the Appeals Board **is final** and the applicant cannot contest this decision. The DC must notify in writing the decisions to each appellant. The appeals procedure shall be published on LAGs website.

#### **18. Publication of Final Result**

Upon completion of the appeals process, GAL Xlokk shall publish the final result of the projects eligible for financial support on its website and notice board.

The successful applicants will receive a 'Letter of offer' following the publication of the Final list of results. The applicants will be required to send a 'Letter of acceptance' (a draft copy of the Acceptance letter will be sent with the letter of offer) and a Bank Payment Form within 10 working days from the receipt of the 'Letter of Offer'.

If, after 10 working days, the LAG does not receive the letter of acceptance, it will be considered that the applicant is no longer interested in undertaking the project and funds will be relocated according to the discretion of the LAG.

Should the beneficiary accept the offer, eligible period of expenditure should start from the date of submission of application (*Refer to Article 60 of EU Regulation 1305/2013*).

If the applicant accepts the offer, the bank payment form should be completed and referred to the Front Office of the ARPA. The form must be endorsed by a bank official and should show the IBAN of the applicant.

#### **19. Procurement Procedures for Local Councils**

Given that the eligible applicants under this call comprise of Local Councils, the Procurement Guidelines issued by the Department for Local Government must be strictly adhered to. In case of infrastructural works, an architect's Bill of Quantities (BOQ) with details is to be presented. This has to be prepared by an architect appointed by the applicant and submitted as part of the application submitted. In case of other services, such as publications and the installation of mobile apps etc. the submission of one quotation should suffice at application stage. The applicant should abide by the Public Procurement Regulations in this regard.

#### **20. Procurement Procedures for Voluntary organisations and private entities (legal persons)**

In the case of private entities (legal persons) and Voluntary Organisations, applicants are asked to abide by the latest circular issued by Managing Authority and Paying Agency on the 21<sup>st</sup> June 2021, MA PA EAFRD Circular 01/2021 found in the below link: <https://eufunds.gov.mt/en/EU%20Funds%20Programmes/European%20Agricultural%20Fund/Documents/Circulars/2021/MA%20PA%20EAFRD%20Circular%2001-2021.pdf>

**At application stage, the applicant is being requested to submit a minimum of one (1) quotation for each line item.** At the same time, an applicant is still being allowed to submit three (3) quotations at application stage, subject that quotations have a validity period of six (6) months. **Should the applicant opt to submit one quotation at application stage, a minimum of three quotations will be requested upon approval of the project.** In case of infrastructural works, the applicant is asked to submit a Bill of Quantities (BOQ), whilst basing the quotations on the same architect's BOQ. This has to be endorsed and dated by a warranted architect appointed by the applicant.

**Irrespective of the type of applicant (local council, VO or private entity/legal person),** following the adjudication of the chosen supplier/s, the applicant should send a letter or email to the chosen and rejected suppliers upon issue of the project's award letter informing them of the organisation's decision.

If the cheapest quotation is not chosen by the applicant, a justification would need to be provided. The applicant is to note that in such cases, the amount of funding co-financed through the EAFRD (2014 – 2020) can only be based on the cheapest quotation obtained.

Should for some reason three (3) quotations cannot be obtained by the applicant, a justification why, should also be provided by the applicant and it would be the Paying Agency's prerogative, after consulting with the GXF, whether to accept such justification or not.

*In accordance with the Public Procurement Regulations, expenditure relating to economic operators convicted of a criminal offence are considered ineligible for funding and such expenditure will not be reimbursed by the Agriculture and Rural Payments Agency.*

Applicants are guided to refer to the "Guidelines on the Submission of Payment Claims related to Investment Measures" issued by ARPA for details related to the required content and format of quotations and other procurement procedures; these guidelines may be downloaded at the below link:

<https://agriculture.gov.mt/en/arpa/Documents/guidelines/investmentMeasuresPaymentGuidelinesFinalEN-V3.0.pdf>

## **21. Contracting with Beneficiaries**

Contracting shall be undertaken by the GXF with the beneficiaries. Contracts are to be signed by the LAG's Chairperson (or any formally authorised delegate) and a legal representative of the beneficiary. In case where the signatory on behalf of the beneficiary is not a legal representative, a power of attorney must be presented showing delegation of signatories between the legal representative and the appointed signatory. The power of attorney is to be endorsed by a public notary.

The contract shall be given to the beneficiary for verification prior to it being signed. The contract shall be signed in two originals (one for the LAG and another for the beneficiary). Copies must be maintained in a secure location by the parties for a period of five (5) from confirmation of last payment.

## 22. Payment

- The facility of interim payments will be provided by the Agriculture and Rural Payments Agency (ARPA). Interim payments (of up to 80% of the total eligible value of the project) following the submission of a request for reimbursement and financial documentation (including invoices and receipts).
- In case of infrastructural works a provisional certificate of works prepared by an engineer/architect must also be presented.
- The final payment of the remaining 20% of the total eligible cost of the project will be made following the completion of the works and submission of the request for reimbursement together with the necessary financial documentation (including invoices and receipts, and a provisional certificate of works prepared by a warranted architect).
- The final payment will be issued once all the necessary on-site verifications and on-the-spot-check are carried out by GXF and ARPA and adherence to the contract is confirmed.
- Claims are to be presented as outlined in ARPA's payment guidelines available at: <https://agriculture.gov.mt/en/arpa/Documents/guidelines/investmentMeasuresPaymentGuidelinesFinalEN-V3.0.pdf>
- In case of irregularities, penalties and sanctions may be applied by ARPA in line with the above-mentioned guidelines.
- Official certification by the architect appointed by the beneficiary is required for settlement of final payment (in case of infrastructural works).
- **The project is to be completed by not later than twelve (12) months from contract signature or as defined by the GXF in the respective grant agreement.**
- The final claim for reimbursement of funds allocated to the project must also be submitted within the deadline as defined in the grant agreement.

## 23. Extension to Contract Time-frames

Such request should be approved by the GXF. In case of local councils, the form to be used in such case is the '*Change Request Form*' and the request should be made before the actual expiry of the original time-frame. The form should also be sent to the Department of Local Government for the approval of the Permanent Secretary.

In case of voluntary organisations and private entities/legal persons a change request in the form of an email on [info@galxlokk.com](mailto:info@galxlokk.com) should suffice.



A request for approval of an extension of the time required in order to terminate the project is to be backed by written justified reasons. Cases related to poor project management will not be accepted. Following review of the request by the GXF, the final decision will be sent to the beneficiary in writing. Should an extension be approved, the period of extension shall be determined by GXF, after consultation with the Managing Authority.

In cases where amendments to the contract are required, the beneficiary must submit a *Change Request* to GXF prior to the changes being actually implemented (a priori) and the beneficiary must wait for a reply from GXF.

If a request for changes to the contract is submitted after these changes have actually taken place (ex-post), the changes will not be eligible for funding and, depending on the extent of the changes, this may lead to the whole project being considered ineligible. The written request for changes must indicate the changes required, the necessary justification and relevant supporting documentation.

If the applicant wishes to change the specification of the investments, a written request prior to such changes must be sent to GXF. For example, funding is approved for the purchase of Model X of a projector and following the contracting, the applicant wishes to purchase Model Y of this projector as the previous model is no longer produced/available, then a request for change must be submitted and the applicant must wait for a reply from the GAL XLOKK Foundation.

GXF will review the request and if the proposal does not affect the nature of the project and remains in line with the objectives of the Measure, the changes may be approved. A notification letter will be sent to the beneficiary in writing and an addendum to the contract shall be carried out and signed between all parties.

If the request for changes is not approved by GXF, the beneficiary will receive a notification and will be requested to confirm whether the project as stipulated in the contract will be completed or withdrawn.

#### **Failure to comply with the contract**

Failure to meet the commitments stipulated in the contract shall result in sanctions applied to the amounts committed or paid. The Agriculture and Rural Payments Agency, Internal Audit and Investigations Department (IAID), the European Commission (EC), the European Court of Auditors (ECA), the European Anti-Fraud Office (DG OLAF) and/or the Managing Authority reserve the right to undertake further checks and controls.

#### **24. Project Sustainability**

It is to be noted that in line with Article 71 of Regulation 1303/2013, in the case of an operation in infrastructure or productive investment, the applicant shall repay the contribution from the EAFRD Funds if within (5) years of the final payment to the beneficiary or within the period of time set out in State aid Rules, where applicable, it is subject to any of the following:

- a) A cessation or relocation of a productive activity outside the programme area;
- b) A change in ownership of an item of infrastructure which gives to a firm or a public body an undue advantage;
- c) A substantial change affecting its nature, objectives or implementation conditions which would result in undermine its original objectives.

## **25. Publicity**

In case of information and publicity, the main beneficiaries must abide by the provisions of Part 2 of Commission Implementing Regulation (EU) No. 808/2014, as well as any Publicity/Visibility Guidelines that may be provided by the GXF through MA.

In order to meet the requirements of the EAFRD Regulations, beneficiaries must ensure that adequate publicity is given to the project with a view to:

- a. making potential participants aware of the opportunities afforded by it;
- b. making the general public aware of the role of the Community in relation to the project;
- c. ensure transparency of the assistance concerned.
- d. As an example, materials used by the Beneficiary and major correspondence, including contracts signed with third parties must include any acknowledgement of EAFRD support.
- e. Any publicity material, such as advertisements, billboards and information leaflets about EAFRD co-financed projects must acknowledge this support.
- f. Publicity of individual projects must be incorporated into the project budget.
- g. Applicants are to be cautious when determining publicity actions for the project.
- h. Applicants should also ensure that the project benefits from any free publicity and that anything that will be proposed to be funded under the project is either obligatory or adds value to the results of the project, taking into account the value for money principle. In this regard, publicity measures of individual projects should take into account the nature of the project and must be relative to the size and objectives of the project.
- i. The Beneficiary should note that publicity may only be used to increase awareness of what EU funds are used for and to disseminate results. Publicity measures undertaken must be project specific.
- j. Publicity and information measures must not be used as a marketing tool to promote an organisation, its products, services or infrastructure. Where a project includes an element of marketing, this must be used to complement but not replace the project's obligatory information and publicity measures.
- k. Marketing efforts should be included as a separate activity in the project and as a separate budgetary allocation and justified accordingly. The Applicant may also make reference to the 'Visual Identity Guidelines 2014-2020' that may be downloaded from the following link: <https://eufunds.gov.mt/en/EU%20Funds%20Programmes/European%20Agricultural%20Fund/Pages/Links%20and%20Downloads/Publicity.aspx>

## **26. Data Protection**

GAL XLOKK has the duty to protect data provided in the Application Form. Any queries regarding Data Protection matters should be brought to the attention of the GAL XLOKK. The officer in charge can be contacted by e-mail on: [info@galxlokk.com](mailto:info@galxlokk.com)

## **27. Retention of Documents**

The applicant is to retain all documentation in a project file (required to ensure any adequate audit trail) safely stored. All documents pertaining to the implementation of the project must be retained by the applicant for at least five (5) years following the end of the programming period. This is to facilitate audits and the ex-post evaluation of the programme.

## **28. Basic Terms and Conditions**

- If a project application is successful, EU Funds will be offered on rigorous terms and conditions, which will be stipulated in the Grant Agreement. In accepting the offer of EU Funds, the Applicant will take on responsibility for compliance with these terms and conditions. These include requirements to demonstrate satisfactory progress in delivering what the project has set out to achieve and adherence to an agreed pattern and time schedule of spending. Failure to meet these conditions and any false information given in the application may lead to the EU Funds being withdrawn and any EU Funds paid being recovered from the Applicant.
- All projects are subject to management verifications, audits carried out by auditors (including by the Internal Audit and Investigations Department (IAID), the European Court of Auditors and the European Commission (EC) auditors), evaluations (programme evaluators) and inquiries by DG OLAF. Officials from the GXF, ARPA and MA and other horizontal stakeholders would also have rights of access to the project and all relevant documentation. Such officials could carry out spot checks (physical and documentary) to establish that sufficient progress is being made in line with the Grant Agreement and that the Beneficiary has put in place systems of management and control that ensure the efficient implementation of the project in line with the relevant Regulations and Procedures.
- If the project is selected for funding, the Applicant would be bound by the principles of transparency, good governance, sound financial management and the relevant national regulations.
- By submitting the Application, the Organisation is giving its automatic consent to publishing (including on the internet) the details of the Organisation and the project (including budget and implementation period) in line with the obligations in the relevant Council and Commission Regulations.
- The applicant should also be aware of the durability clause enshrined in Article 71 of Regulation 1303/2013, which states that an operation retains the contribution from the EAFRD only if that operation does not, within five years from the final payment of the competent authorities, undergo a substantial modification.
- The applicant is to declare whether an application for part or all of the proposed project has been submitted for assistance under any other Community Source including European Regional Development Fund (ERDF), Cohesion Fund (CF), etc. If in the affirmative the applicant is required to indicate all relevant details.
- The applicant organisation should note that if the project is accepted, the applicant will be automatically giving his/her consent to have all the documents and data related to the project, (including name of project leader and other persons relevant to the project, invoices, receipts and documents related to contracts etc..) made available to all the relevant stakeholders including third party evaluators and auditors involved in the EAFRD fund system. The LAG reminds the Applicant that it is the responsibility of the Applicant to inform any third parties (including contractors) that all data and information relating to the project will be shared with other stakeholders, local and European.

- The chosen entity must ensure that all activities are carried out in compliance with applicable national and community rules and any other mandatory requirements as laid down in the Rural Development Programme for Malta (2014-2020). Failure to do so will result in penalties with respect to the grant received plus interest accrued according to the law.
- Planning permit where relevant. In case where a Planning Authority (PA) permit is required, the valid PA permit and approved drawings or the application submitted to PA and related drawings have to be presented as part of the documentation with the application. GXF reserves the right to reject any project if the PA permit is not presented in time to allow the project to be completed within the set deadline. Grant agreements for projects in need of such permits will only be signed once the valid PA permit is granted.
- Once the applicant endorses the contract with the LAG, the applicant will be automatically be giving its consent to the publication of data related to the payments that the ARPA will eventually be affecting. This will be in line with Regulation (EU) 1306/2013 of the European Parliament and of the Council. The regulation requires all Member States of the European Union to publish details of beneficiaries, who received payments under the CAP.

<b>29. Selection criteria and Sub-criteria</b>		
<b>An evaluation of the proposals will be carried out in accordance with the selection criteria set out in the Selection Criteria grid below:</b>		
<b>Selection criteria and sub-criteria</b>		<b>Maximum POINTS</b>
<b>1</b>	<b>Relevance to the objective of the measure</b>	<b>30</b>
1a	Evidence of touristic value of the project to be promoted	10
1b	Evidence of cultural value of the project to be promoted	10
1c	Evidence that the activity capitalises on local knowledge	10
<b>2</b>	<b>Link to the territory</b>	<b>20</b>
2a	Evidence that the object/s to be promoted has a historical link to the area	10
2b	Evidence that the object/s to be promoted is/are linked to other objects of cultural value in the same area	5
2c	Evidence that the object/s to be promoted is/are linked to other objects of touristic value in the same area	5
<b>3</b>	<b>Type of project</b>	<b>20</b>
3a	The project is an integrated project in that incorporates the achievement of more than one objective	5
3b	The project is area-based and targets more than object/site of interest within the same area	5
3c	The project involves more than one local actor	10
<b>4</b>	<b>Preparedness</b>	<b>20</b>
4a	Evidence that the necessary consultation with stakeholders and business operators (e.g. in tourism sector) has taken place	10
4b	Evidence that the proposed project is fully compatible with the policies and objectives of Malta's tourism policy, including rural tourism policies, on the basis of consultations and communications with the relevant competent authorities	10
<b>5</b>	<b>Sustainability</b>	<b>10</b>
5a	Evidence that the project has a neutral or positive impact on the environment and the climate	5
5b	Evidence that the project has a neutral or positive impact on gender and other forms of non-discrimination policies	5
<p>To be considered for funding or to be placed on the reserve list, a project must pass all the eligibility criteria (refer to Section 5 of these Guidance Notes) and must also obtain <b>50 marks</b> out of the total marks allocated to the selection criteria. Please note that in relation to the above, for every criterion there are sub-criteria which the Project Selection Committee will be using to mark the projects.</p>		

<b>30. Application requirements check-list - List of requirements and annexes Check-list</b>		
<b>1</b>	Original <u>signed fully-filled</u> project application form (1) together with one (1) copy of the signed project application form. This should include the supporting documents. A digital version in of the application form in both pdf and word formats, together with a pdf version of all supporting documents should be included.	<i>Compulsory at application stage for All applicants</i>
<b>2</b>	Copy of I.D. Card of Project Leader	<i>Compulsory at application stage for all applicants</i>
<b>3</b>	Letter of Intent signed by the entity's official representatives or by the majority of the committee appointing the Project Leader	<i>Required for all applicants</i>
<b>4</b>	Title Deeds or Lease or other form of contract for Project Location (Contract) in cases of infrastructural interventions or any other interventions that are related to the building	<i>Required - If applicable</i>
<b>5</b>	Signed Owner's consent in the case of a lease/management agreement/guardianship or any other form of Contract for the works to be carried out	<i>Required - If applicable</i>
<b>6</b>	Section 7G of the application form - Log/Time-line of activities (in case of investments that will result in delivery of specific services)	<i>Compulsory at application stage for VOs and natural persons only</i>
<b>7</b>	Section 7H (i, ii and iii) of the application duly filled	<i>Compulsory at application stage for Local Councils only</i>
<b>8</b>	Copy of Voluntary Organisation (VO) Certificate issued by the Commissioner for Voluntary Organisations	<i>Required for VOs only</i>
<b>9</b>	A copy of the of the latest compliance certificate issued by the Commissioner for Voluntary Organisations (Year 2021)	<i>Required for VOs only</i>
<b>10</b>	The latest signed VO statute as approved by the Commissioner for Voluntary Organisations	<i>Required for VOs only</i>
<b>11</b>	Financial Accounts as submitted to the Commissioner for Voluntary Organisations for the last two years (minimum for year 2021 and 2020)	<i>Required for VOs only</i>
<b>12</b>	Audited financial statements of year n-1 and n-2. If n1 year audited accounts are not available, the applicant is to submit the management Financial accounts.  <i>The GXF retains the right to consult with the Director of Local Government to check that the co-financing as declared by the Local Council is available/ likely to be met.</i>	<i>Required for Local Councils only</i>
<b>13</b>	The most recent site plans and approved drawings found in the PA website related to the proposed investment	<i>Required - If applicable</i>
<b>14</b>	FSS/SSC Compliance Certificate from the Inland Revenue Department confirming there are no pending dues or is otherwise honouring an agreement for settling any outstanding amounts (the certificate should not be dated up to 3 months prior to the deadline of this batch /deadline) - an email should be sent on <a href="mailto:certificates.cfr@gov.mt">certificates.cfr@gov.mt</a>	<i>Required - for Category 2 VOs, Category 3 VOs and private entities</i>
<b>15</b>	A declaration from an accountant or auditor confirming that the	<i>Required - if applicable</i>

	applicant qualifies as a tax exempt entity and falls under the definition of a non-taxable person	<i>for VOs only</i>
<b>16</b>	Copy of application with PA and proposed drawings and site Plans related to the proposed investment	<i>Required - If applicable</i>
<b>17</b>	Correspondence with the PA that the enhancement of the proposed premises/site or the proposed use does not require a PA permit or a DNO.	<i>Required - If applicable</i>
<b>18</b>	Copy of VAT Certificate	<i>Required - If applicable</i>
<b>19</b>	<b>A minimum of one</b> itemized quotations <sup>4</sup> for all project costs which are not related to infrastructural investment ( <b>a quotation</b> , including VAT number of suppliers and beneficiary, reference number, original signature of the supplier (signature only required in case of RFQ or Financial Bid Form), details of supplier, address of beneficiary, amount excluding VAT, VAT rate, total including VAT and quantities.)	<i>Compulsory at application stage for all applicants in case of non-infrastructural works</i>
<b>20</b>	Detailed, Signed and Dated Estimate by an architect in case of structural works (Bill of Quantities)	<i>Compulsory at application stage - If applicable</i>
<b>21</b>	In case of the submission of 3 quotations or more, a dated adjudication report stating the chosen supplier/s – to be signed by the project leader and another legal representative of the entity	<i>Compulsory if the 3 quotations were submitted - for Voluntary organisations and private entities (at application stage)</i>
<b>22</b>	Original signed Bank, accountant or auditor's declaration confirming availability of own resources if the co-financing of the project will be met through own resources – Declaration should clearly refer to the project project being implemented.	<i>Required for all Applicants - excluding Category 1 VOs</i>
<b>23</b>	Original signed declaration by the treasurer and another signatory confirming availability of own resources if the co-financing of the project will be met through own resources – Declaration should clearly refer to the project project being implemented.	<i>Required for Category 1 VOs only</i>
<b>24</b>	The latest photographic evidence of the proposed investment	<i>Required - If applicable</i>
<b>25</b>	Signed list of committee members (including the role, ID number and address of each member)	<i>Required - for VOs only</i>
<b>26</b>	Annex 1 – VAT Declaration Form	<i>Required for all applicants</i>
<b>27</b>	Annex 2 – If private part is to be financed by a loan, a bank letter of intent or a bank sanction letter is to be provided. The letter shall be issued not earlier than 3 months from the date of the submission of the application	<i>Required - If applicable</i>
<b>28</b>	Annex 3 – State Aid Declaration	<i>Compulsory for all private entities</i>
<b>29</b>	Annex 4 – Financial Bid Form	<i>Optional</i>

<b>Definitions applicable to the <i>Application requirements check-list</i></b>	
<b>Compulsory at application stage</b>	The applicant should submit the document at the initial application phase. Failure to submit the document would automatically disqualify the application and will not be further assessed
<b>Required</b>	The applicant is allowed to submit the document both at initial application phase and at clarifications stage.
<b>NOTE:</b> Should the applicant submit a particular document, it is the discretion of the Evaluation Committee and/or Project Selection Committee whether to request further clarifications	

**Note to the applicant:**

Part or all of the information you provide will be held on a computer. This information will be used for the administration of applications and producing monitoring reports. The Foundation has the right to share information with government departments, agencies and implementing bodies to enable them to prevent fraudulent applications or for detecting crime and to co-ordinate processing of complementary applications.

The information on the Application Form along with any attached documents will be treated as confidential throughout and after the project appraisal process. If your project is selected for an award of grant, to meet EU requirements for transparency regarding the use of EAFRD assistance, the Ministry for the Economy, European Funds and Lands and GAL XLOKK Foundation (GXF) have the right to publish the name of the applicant, the amount of grant awarded and a brief summary of the project.



# Annex 1 - VAT Declaration Form

## Part I – Declaration by Beneficiary

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1.	Project Title	<input type="text"/>
2.	Beneficiary Organisation	<input type="text"/>
3.	Beneficiary Organisation Address	<input type="text"/>
4.	Name of Legal Representative	<input type="text"/>
5.	VAT no. (if any)	<input type="text"/>
6.	Brief Project Description	<input type="text"/>

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7. Does the organization have any sales on which VAT is charged or zero-rated sales (exempt with credit)?  
Yes  No

If **NO**, the organization has no right of recouping VAT from the VAT Department.

If **YES**, please provide a short description of the sales on which VAT is charged.

**8. Please identify whether project is directly related to the sales on which VAT is charged or to sales which are zero rated (exempt with credit).**

Yes  No  Partial

If **YES**, for this activity, the organisation would be considered as a taxable person with an obligation for article 10 registration and would have the right of full deduction of input VAT attributable to the project in terms of article 22 of the VAT Act (Cap. 406, Laws of Malta), provided that the project would be entirely used for the purpose of such supplies.

If **NO**, for this activity, the organisation would either be considered as a taxable person doing exempt without credit supplies or a non-taxable legal person with activities outside the scope of VAT and for which registration under article 10 is not required and whereby there would be no right of input VAT deduction under the VAT Act.

If **PARTIAL**, for this activity, the organisation would be considered as a taxable person requiring article 10 registration and would have a partial right of input VAT deduction in terms of article 22 of the VAT Act.

**I declare that the above-mentioned information is correct.**

_____ Signature and stamp of Beneficiary Organisation	_____ Name of Legal Representative	_____ Date
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For official use only:

**Part II – Declaration by VAT Division**

Based on the information reported by the Beneficiary in his declaration the VAT status of the beneficiary organisation vis-a-vis the activities envisaged under Technical Assistance is considered as:

Taxable person (right of full deduction)	<input type="checkbox"/>
Taxable person (partial right to deduct)	<input type="checkbox"/>
Taxable person (exempt with credit)	<input type="checkbox"/>
Taxable person (exempt without credit)	<input type="checkbox"/>
Non-taxable legal person (activities out of scope of VAT)	<input type="checkbox"/>

_____ Signature and stamp of VAT Department Representative	_____ Name of VAT Department Representative	_____ Date
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## **Annex 2 - Recommended text for Bank letter of intent**

Our Ref:

Date

The Manager  
GAL XLOKK Foundation  
269, Main Street  
Qormi. QRM 1107

Dear Sir

We are informed that \_\_\_\_\_ has applied for an EU funded call.

The Bank is interested and prepared to consider in terms of its credit policy, any application for financial support in connection with this project.

In particular, but without limiting the generality of the foregoing, our commitment to provide bank funding, as well as establishment of the conditions applicable to such funding, would only be possible after the following are carried out, to the Bank's satisfaction:

- i. a detailed assessment of the business and financial plans;
- ii. a viability study of the project; and
- iii. a situation analysis, at the time of the application

Kindly note that this letter does not constitute a binding obligation upon the Bank and any application for credit facilities would be subject to a full formal credit analysis, in line with the Bank's normal lending criteria.

Yours faithfully,

Relationship Manager

## Annex 3 - State Aid Declaration (De Minimis)

If the submitted application by a private entity is approved, the project will benefit from de minimis State aid in line with Commission Regulation (EU) No 1407/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid.

Commission Regulation (EU) No 1407/2013 allows a 'single undertaking' to receive an aggregate maximum amount of de minimis aid of €200,000 under all de minimis aid measures, over a period of three 'fiscal years'. This aggregate maximum threshold applies in principle to all economic sectors with the exception of a 'single undertaking' performing road freight transport for hire or reward for which a lower de minimis threshold of €100,000 over any period of three 'fiscal years' applies. The agriculture and fisheries sectors are subject to different thresholds and criteria. For the purpose of this declaration, the term 'single undertaking' shall have the meaning as established in Commission Regulation (EU) No 1407/2013. Moreover, 'fiscal year' means the fiscal year as used for tax purposes by the undertaking concerned.

This maximum threshold would include all State aid granted under this scheme and any other State aid measure granted under the de minimis rule. Any de minimis aid received in excess of the established threshold will have to be recovered, with interest, from the undertaking receiving the aid.

The following is an indicative list of the possible forms of State aid:

- Grants from public bodies
- Loans or loan guarantees at favourable rates
- Tax benefits
- Waiving or deferral of fees or interest normally due
- Marketing and advertising assistance
- Consultancy, training and other support provided either free or at a reduced rate
- Aid for investment in environmental projects or research and development assistance
- Purchase, rent or lease of immovable property at less than market rate.

Potentially any assistance from a public body may constitute State aid. Should you have any doubts whether any public assistance received is de minimis aid, you should contact the agency or department from which the assistance was received in order to ascertain this.

### DECLARATION

I declare that a comprehensive amount of *de minimis* aid received to date during the current fiscal year and the previous two fiscal years is:

Fiscal Year 2020	Fiscal Year 2021	Fiscal Year 2022	Total

A breakdown of the source, type and amount of all de minimis aid received as well as that applied for from any State aid grantor, is presented overleaf.

Undertaking (Full Legal Name) (If Applicable)

VAT Registration Number

\_\_\_\_\_  
Name and Surname (BLOCK LETTERS)

\_\_\_\_\_  
Position in Establishment

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**DETAILED INFORMATION CONCERNING APPLICABLE STATE AID UNDER THE *DE MINIMIS* RULES FOR FISCAL YEAR 2020, 2021 and 2022**

**SECTION 1 - *DE MINIMIS* STATE AID AWARDED**

Date	Source/Grantor	Type of State Aid (Measure Name)	Awarded to	Amount in €
<b>TOTAL:</b>				€ A1 -

**SECTION 2 - *DE MINIMIS* STATE AID PENDING FOR APPROVAL**

Date	Source/Grantor	Type of State Aid (Measure Name)	Awarded to	Amount in €

<b>TOTAL:</b>				€ A2 -

**SECTION 3 - DE MINIMIS STATE AID REQUESTED IN THIS APPLICATION**

Date	Source/Grantor	Type of State Aid (Name of Measure)	Amount in €
			A3

<b>TOTAL of Section 1,2 and 3 above (A1+A2+A3):</b>	
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**ANNEX 4 - Financial Bid Form Template**

***To be filled in by the supplier***

**RFQ (Ref no \_\_\_\_\_)**

**Quotation to:**

*Name of organisation/entity*

*Address*

*VAT number*

**Applicant Details - 1A**

<b>Name and Surname of representative</b>	
<b>ID number</b>	
<b>Company Name</b>	
<b>VAT NO</b>	
<b>Postal Address</b>	
<b>E-Mail Address</b>	
<b>Mobile Number</b>	
<b>Fixed Line Number</b>	
<b>Date</b>	
<b>Signature</b>	

## **Financial Bid – 1B**

*(the table can be amended according to the number of items required)*

<b>Item No.</b>	<b>Item Description</b>	<b>Quantity</b>	<b>Unit Price Excluding VAT</b>	<b>VAT Rate</b>	<b>Total Price Including VAT</b>
1					
2					
3					
4					
5					
Any discount		Specify rate			
<b>Total</b>					

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**(GRAND TOTAL Amount in words)**

**Signature:**

**Name and Surname:**

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**Rural Development Programme for Malta 2014-2020**

Part financed by the European Union  
Co-financing Rate:  
75% European Union; 25% Government of Malta



*The European Agricultural Fund for Rural Development:  
Europe investing in rural areas*