



**GOVERNMENT
OF MALTA**



GUIDANCE NOTES

Measure 4 - Development of Green Infrastructure

***RURAL DEVELOPMENT PROGRAMME
Malta (2014-2020)***

Version Call 5 – issued on the 9th July 2024

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**European Agricultural Fund
for Rural Development:**
Europe Investing in Rural Areas

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The GAL Xlokk Foundation reserves the right, in particular on the basis of the approval or direction by the European Commission, to amend from time to time certain provisions established by this guidance document.

Such amendments may become applicable and enforced retrospectively.

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 priority.

The GAL Xlokk Foundation reserves the right to request additional information not Included in the accompanying application form.

Definitions:

Agriculture and Rural Payments 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: A periodic collection and analysis of evidence to form conclusions on the effectiveness and efficiency of interventions.

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.

Natural person: An individual submitting an application for a project he/she owns or an individual submitting an application on behalf of an entity. For instance, a parish Priest or arch-priest submitting an application on behalf of a Parish.

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

Results: The direct effects or changes that arise due to the project.

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.

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 4 – Development of Green Infrastructure** 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.com¹.

Applicants are reminded to check that they referred to the **latest** guidance notes as available on the Foundation'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

Green infrastructure delivers essential ecosystem services which underpin human well-being and quality of life. The European Commission defines green infrastructure as a strategically planned network of high quality natural and semi-natural areas with other environmental features, which are designed and managed to deliver a wide range of ecosystem services and protect biodiversity in both rural and urban settings².

Green infrastructure is multi-functional, performing many functions within the same spatial area and providing several benefits to local communities. These include the protection of cultural heritage, conservation and sustainable use of biodiversity, provision of open and recreational space amenities for local communities, increased carbon sequestration, improved flood water management and air quality regulation. The analysis of the territory and consultation findings have shown that the GXF territory has access to existing spaces, that present several opportunities for further development of green infrastructure to improve the quality of life of the GXF communities.

This measure has therefore been designed to support projects that, in consultation with relevant stakeholders, facilitate the development and implementation of green infrastructure within the GXF territory through the creation of green areas that can support biodiversity in rural areas, particularly within the built zone (such as on derelict sites, within public buildings and gardens/parks) and enhancement of open spaces in village core areas, in the outskirts of the same villages, as well as to provide an interconnected network of green spaces between localities.

¹ www.galxlokk.com

² Building a green infrastructure for Europe. European Commission 2013

3 Scope and Objectives of the Measure

The general aim of this measure is to improve the environmental landscape of the area. The purpose is to support the development of urban green infrastructure within the GXF territory through the development/creation/improvement of new green open spaces in rural areas and the installation of elements of green infrastructure (green belts and corridors, green roofs, vertical gardens etc.) within both built and rural areas.

The specific objective of the measure is, by end of the programming period, to improve the environment performance and quality of life of GXF communities through the development of green infrastructure in at least 13 projects leading to the greening of spaces within the territory. It is imperative to add that these projects have to be freely accessible to the general public.

3.1 *Scope of action includes:*

- (i) the installation of green infrastructure components and related ancillary works and educational/information actions as a type of non-productive investment with a clear benefit for biodiversity, society and climate change adaptation.
- (ii) the restoration and establishment of infrastructure needed for the management of habitats, such as urban landscape features, soil conservation and water management, the removal of alien species and the planting of new vegetation.

The following indicative list presents best estimates of the type of operations that are likely to be supported through this measure:

- The use of native vegetation and trees in the landscaping of open spaces for the creation of recreational spaces, whilst promoting informal education;
- The regeneration and/or embellishment of open spaces in village core areas and rural outskirts through the development of green infrastructure;
- The upgrading and embellishment, through the use of natural and eco-friendly materials, of open green spaces such as gardens, together with programmes for the promotion of benefits of biodiversity and the ecosystem services which it supports;
- The creation of green belts and green corridors within the territory, linking different localities, and providing a means of educating and interpreting the importance of green infrastructure;
- The creation of elements of green infrastructure including green roofs and green walls within the public buildings, such as schools;
- The careful restoration and embellishment of sites of cultural, historical and ecological importance, such as public gardens.

4 Eligible Actions

Support through this action shall be **limited to Capital Expenditure** undertaken by **Local Councils**, Voluntary Organizations compliant with Office of the Commissioner for Voluntary Organizations; 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 and regularly operating within the Xlokk territory, state Schools and Private Schools³. The operations of such entities must be in compliance with national rules and regulations, and regularly operating within the Xlokk territory.

Projects must be **physically undertaken** in any of the rural localities that constitute the GAL Xlokk Foundation territory, listed in the following table. With respect to Local Councils, Only Local Councils that have become full-paid members for the (2014-2020) programming period are eligible for funding..

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

5 Description of the requirements and targets

The applicant is required to demonstrate that the proposed investment shall result in the achievement of the Measure’s objectives. Applicants must demonstrate how the proposed project leads to the development of new or existing green infrastructure to improve the quality of life of the communities of the LAG’s territory.

6 Eligible Investments

In the case of development of green infrastructure projects, costs incurred are only eligible if investment operations have been preceded, where applicable, by an assessment of the expected environmental impact (approved by the Environment and Resources Authority) in accordance with relevant legislations. The investment in green infrastructure must be in line with all relevant planning and development permits, including, where applicable, consultation on permits and/or guidelines issued by the authorities competent for the environment and resources.

In the case of intervention on trees, reference should be done to the subsidiary legislation 569.64 of the Environment and Resources Authority on “Trees and Woodlands Protection Regulation – Legal notice 200 of 2011 as well as the Guidelines on Works Involving Trees.⁴

³ Assistance granted to private schools may give rise to State aid implications. In such cases, any assistance would have to be granted in line with the provisions of 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, 24.12.2013] (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], which allows a total of €200,000 per single undertaking in de minimis aid, over any period of three consecutive fiscal years.

⁴ <https://era.org.mt/>

The Environmental and Resources Authority should be contacted for clearance and/or approval via email on info@era.org.mt

Eligible investment supported under Measure 4 is as follows:

1. Construction or improvement of immovable property costs;
2. General costs such as architects, irrigation/water engineers, project management costs and consultation fees, feasibility studies, the acquisition of patent rights and licences – ceiling up to 10% of the total eligible cost;
3. Establishing green infrastructure elements (such as green roofs and walls)/landscape/soil management plans;
4. Fencing and other works needed to facilitate conservation management, including protection of water and soil;
5. Restoration costs of ecological habitats and landscapes and features;
6. The costs of propagation material (seeds, seedlings, saplings etc.) used for structural changes, planting, under-planting, edges and borders, belts etc., and the related plant prevention, (e.g. poles, irrigation equipment, and any individual plant protection requirements as appropriate);
7. The costs of materials and/or services, labour used for the above mentioned investments for improving the environmental or public amenity value of green open areas;
8. The cost of amenities and facilities such as garden/street lighting, light furniture, other fittings and fixtures that are needed for the project, and that respect the environment and landscape quality of the project;
9. Removing of invasive trees in a sensible way;
10. Purchasing and planting of native flora species;
11. Investment in environmental educational, awareness, information and communication initiatives (this is an obligatory investment with a ceiling of up to 5% of the total eligible cost)

****Where applicable, only Projects covered by a valid Planning Authority permit are eligible under this Action.***

7 Non-Eligible Investments:

The following is an indicative list of non-eligible investment under Measure 4:

- Purchase of land and buildings;
- Currency exchange losses;
- Purchase of means of transportation;
- Purchase of machinery and real estate;
- Planting and purchasing of non-native species of trees/plants/shrubs
- 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 make reference to Article 60 of 1305/2013 of the EP. The applicant may at his own risk initiate the implementation of the project as from the date of submission of application);
- Income Tax 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;
- Building and/or restoration of rubble walls
- Administration fees (salaries, insurance obligations and running costs);
- Second-hand equipment;
- Value Added Tax (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.
- Statutory fines and penalties

8 Eligible applicants

The eligible beneficiaries for funding under Measure 4 are the following:

- ✓ **Local Councils** - (Local Councils applying for funds must be **full-paid members of the GXF**);
- ✓ **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.⁵ Voluntary organisations under the Second Register (generating a Gross Annual Income of less than €5,000) **cannot** apply for this scheme.
- ✓ All **private, church, independent and state schools** within the Xlokk territory.

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 including all necessary documents. GXF will do the necessary checks with the Paying Agency and will not tolerate any form of abuse.

9 Aid Intensities

A beneficiary will be granted 80% of the total eligible expenditure should the proposed investment be selected. 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.

10 Financing – Budget

The maximum grant support for each project is **capped at €100,000**.

⁵ These VOs must be compliant with the Commissioner for Voluntary Organisations

The **indicative** remaining total allocated funds for this call is set at **€67,267.19**. In the case of over-subscription of the call, the **GXF MAY** reserve the right to allocate additional funds to this measure following approval by the Managing Authority.

11 Filling out Part A – Administrative Forms

- **Project Title:** Name your project in a way that it can be easily understood and captures the gist of the project. Must be within 15 words.
- **Project Duration:** *The applicant must* insert the number of months required to complete the proposed project. The maximum project duration is **10 months** (till 30th May 2025) and thus applicants are advised to be realistic in their project in view of the timing constraints. The project duration in months will be calculated from the date of the signing of the grant agreement.
- **The applicant:** *The applicant must* tick the box according to whether being a local council, registered Voluntary Organisation or School.
- **Applicant's Information:** The applicant must fill-in only the section that is relevant according to the nature of activity which you ticked.

12 Filling out Part B – Technical Description

- **Key Investment Plan (Project Summary):** This is a **critical** section of the application form. This is where all the details and technical specifications of the project are to be explained. The applicant is being asked to provide details of the proposed actions and investments, together with the objectives of the same project.
- **VAT Declaration** - the applicant should indicate whether the project gives rise to sales. If the project is directly related to sales on which VAT is charged the applicant can recover the VAT element from the VAT department. If the sales are zero rated (exempt with credit) the applicant will cover the VAT from the LEADER funds. Please read the declaration carefully and tick accordingly. The declaration will become legally binding once the project is approved and the applicant has signed the Grant Agreement.
- **Source of funding** - the applicant should indicate whether other sources of funding were considered. Please read the declaration carefully and tick accordingly. The declaration will become legally binding once the project is approved and the applicant has signed the Grant Agreement.
- **Project Costs:** For each investment proposed, list down in the table (double – click on the table) the line item (e.g. Propagation material) and the Quantity (e.g 1). Each investment is to be backed up by a quotation or Bill of Quantities to be enclosed with the application form. Only items listed in this section will be considered for application assessment and grant award. Projects co-funded through this Measure will be assisted with 80% contribution from the European Agricultural Fund for Rural development and Government of Malta funds. The amount of each component is to be included under the year in which the investment is expected to be procured.

- **Project location** - Details where the project will be located should be provided.

13 Filling out Part C – Selection Criteria ⁶

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 selection criteria. For those eligible projects going through the assessment stage, the PSC may seek clearance from the State Aid Monitoring Board (SAMB).

The following is a list, together with maximum scoring, of selection criteria applicable to the measure. The maximum total marks that can be obtained by fulfilling these selection criteria is 100%.

1. Relevance to the objective of the measure (max.20 marks)		
1a	Evidence that the project contributes to the conservation of biodiversity - max 5 marks	High marks will be given to interventions which will contribute towards the conservation of biodiversity
1b	Evidence that the project contributes to the creation of green carbon sinks and makes use of specific species of conservation value - max 5 marks	High marks will be given to interventions with high green carbon sinks and conservation species
1c	Evidence that the proposed investment contributes to the creation of recreational space for visitors - max 10 marks	High marks will be given to interventions which will contribute towards the creation of recreational spaces for visitors.
2. Link to the territory (max.20 marks)		
2a	Evidence that the area proposed for intervention has a documented link to the natural history of the area - max 10 marks	The applicant should provide details of the historical background of the asset/site related to the territory
2b	Evidence that the area proposed for intervention has a documented link to the socio-demographic development of the area - max 5 marks	The applicant should provide details of The socio-demographic aspect of the project in relation to the territory.
2c	Evidence that the area proposed for intervention is linked to other sites of ecological value in the same area - max 5 marks	<i>.The applicant should provide details of the link between the project and other sites of ecological value within the territory</i>

⁶ The applicant shall keep in mind that the information submitted in the application form shall be used for scoring purposes and thus it is the applicants' interest to be comprehensive when providing such information

3. Type of project (max.15 marks)		
3a	The project is an integrated project in that it incorporates the achievement of more than one objective - max 5 marks	The applicant should identify which objectives the intervention will target from the following: (cultural exchange, enhancing of life quality, leisure & entertainment and skills building) .The applicant is required to provide few details
3b	The project is area-based and targets more than one element of green infrastructure within the same area - max 5 marks	<i>High marks are given to applicants involving projects which target several green infrastructure elements.</i>
3c	The project involves a cooperation between more than one local actor - max 5 marks	<i>High marks are given applicants involving other actors.Projects with at least another partner apart from the lead partner will be givenfull marks. Partners need to contribute tangibly to the project</i>
4. Social impact on the Community (max.15 marks)		
4a	The project's information and education components are targeted to children (less than 13 years of age), youths (over 13 years of age) and persons with learning difficulties and/or disabilities - Marks are given to applicants describing and/or disabilities - max 15 marks	<i>Marks are given to applicants describing the direct social impact towards the identified target group. These can include any promotional/dissemination actions taken</i>
5. Preparedness(max. 15 marks)		
5a	Evidence that the necessary consultation with stakeholders and regulatory entities has taken place by the main applicants - max 5 marks	<i>Marks are given to applicants that have shown evidence of arrangements with entities, persons and competent authorities involved in the development and delivery of the project and other competent applicable Authorities</i>
5b	All PA / DNO permits (if any) and other relevant permits are in hand -max 10 marks	Applicants are awarded points according to the level of preparedness with regards to Permits & bill of quantities, Marking scheme: ● No PA permit required - 10 ; ● PA or DNO permit in hand - 10;
6. Sustainability of the Project (max. 15 marks)		
6a	Evidence of the project's sustainability following 5 years from its completion - max 5 marks	<i>Points awarded on the basis of how the applicant will demonstrate project's sustainability</i>

6b	Evidence that the project sustains the environment and climate - max 5 marks	<i>Points awarded on the basis of how the proposed intervention contributes towards environmental protection</i>
6c	Evidence that the investment supports the policies related to gender equality and non-discrimination - max 5 marks	<i>Points awarded on the basis that the proposed intervention/s contribute towards the promotion of equal opportunities equality, non-discrimination and improved accessibility whilst targeting sustainable development in the areas of economic growth and social cohesion. Consideration will be made of whether the applicant has a gender mainstream strategy and an adequate policy on equality</i>
	Total	100 marks
<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 4 of these Guidance Notes) and must also obtain 50 marks 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>		

14 The Application Process – General Provisions

Interested applicants need to submit the completed application form for Measure 4 (5th call). It is strongly advisable that prior to the preparation and submission of the application, prospective applicants read these guidance notes.

- a. All applications must be completed in full by the Project Leader. No parts of the application form are to be left blank – in cases where specific requested information in the application is not applicable to the applicant, the applicant must fill in the field with the note ‘Not applicable’.
- b. 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 ensure that the application form and the requested supporting documentation **are presented at the GXF offices, 269, Main Street, Qormi, by hand and on info@galxlokk.com within the deadline of the call.**
- c. 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.
- d. The call for applications will open on the 9th **July 2024** 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

- e. A receipt shall be issued by the receiving officer upon submission of a completely filled-in application form. 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.
- f. The first Call for proposal will remain open until **Thursday 8th August 2024, 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 last Thursday of each respective month, at noon**. Applicants are encouraged not to leave to the last day to submit their application.

***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.*

15 Evaluation – Administrative Checks

The evaluation committee 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 to inform the applicant.

The evaluation committee 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. 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.**

16 Eligibility Criteria

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

- a. The applicant is able to demonstrate that he/she forms part of (or is the legal representative of) the beneficiary/applicant organisation.
- b. Submitted application is fully completed and duly filled-in⁷
 - 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.
 - The proposed project contributes to the general and specific objectives of the measure;
 - At application stage, the applicant is to include the certificate of compliance issued by the Commissioner for Voluntary Organisations till the year ending 2020 (applies to Voluntary Organisations only);
 - The project includes investment in environmental education, awareness, information and communication initiatives (maximum ceiling of up to 5% of the total project costs);
 - The project is not on agricultural land and/or designated ecological areas such as Natura 2000 sites;
 - The project area does not exceed 0.5 hectares (5000sq^m);
 - The proposed project is compatible with the surrounding environment and respects the wider environment.

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

17 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.

17.1 Preliminary List of results

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 website⁸. In addition, a notification letter shall be sent to applicants informing them of their right of appeal in cases where applications fail to qualify.

⁷ In terms of details as required by the Selection Committee to evaluate the project for eligibility and selection accordingly.

⁸ [Galxlokk](#)

17.2 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 decision of the Appeals Board is **final** and the applicant cannot contest this decision. The applicant will be must notified in writing the decisions to each appellant. The appeals procedure shall be published on LAGs website.

17.3 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.

17.4 Grant Agreement

Applicants whose proposals for investments have been selected in accordance with the procedure described above, in terms of being eligible and having obtained the necessary scoring for selection, and furthermore, could be allocated the requisite budget for

funding, shall be invited to enter into an agreement with the GXF by signing the Grant Agreement. More details on the generic provisions applicable in the Grant Agreement and the contractual obligations of the Beneficiary are provided in the subsequent sections. Selected applicants that do not come forward to sign the grant agreement within stipulated time-frames will have the award withdrawn.

17.5 Changes

Change requests should be approved by the GXF. Any request should be made before the actual expiry of the original time-frame. 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.

Local Councils requesting an extension can submit a change request in the form of an email on info@galxlokk.com and the Local Government Division. In case of other requests, the local council should use the latest '*Change Request Form*'. The requests should always be approved by the GXF Chairperson and the Permanent Secretary responsible for the Local Government Division .

In case of voluntary organisations and natural persons a change request in the form of an email on info@galxlokk.com should suffice.

If a request for changes to the contract is submitted after these changes have actually taken place (ex-post), the expenditure related to these changes may be subject to applicable penalties. The written request for changes must indicate the changes required, the necessary justification and relevant supporting documentation.

18 Contractual Obligations

Upon signing the Grant Agreement, the Beneficiary becomes legally bound by certain provisions. The following sections provide information on some aspects of the contractual obligations of the Beneficiary.

The Agriculture and Rural Paying Agency (ARPA) may, from time to time, issue further information and guidance.

18.1 Durability of Investment⁹

Beneficiaries are obliged to maintain the project as a going concern for five (5) years, as defined in Article 71 of Regulation 1303/2013, from the date of final payment to the beneficiary,. With regards to SMEs this period is of three (3) years from the final payment to the beneficiary, The period shall also be stipulated in the Grant Agreement.

⁹ It is being clarified that in line with the obligations under Art 71 (1) (b) of Regulation (Eu) No 1303/2013 Of The European Parliament and of the Council, a change in ownership of an item of infrastructure **is not possible**. This means that the beneficiary has to maintain ownership of the assets purchased by EU funds and the beneficiary has to ensure that the acquired assets are kept in good condition during and after the implementation of the project. This period, as described in the guidance notes and grant agreement (contract), is applicable for 3 or 5 years, depending on the durability obligations. Breach of such obligation will lead to a full recovery of any support paid.

Investments will be subject to ex-post on-the-spot checks. Failure to comply with the obligation for the durability of investments will result in penalties being applied. The Project has to be operational and functional at the end of the implementation period.

18.2 Documentation

Beneficiaries are obliged to retain all supporting documentation for a two (2)-year period from 31 December following the submission of the accounts in which the final expenditure of the completed operation is included. A signed inventory, listing any items bought in connection with the project, should be compiled and held on site and this should be made available to ARPA whenever requested.

18.3 Procurement

Beneficiaries should note that grants awarded for actions under this sub-measure are public funds. In this regard, all beneficiaries should ensure that any procurement undertaken for cost items to be financed through this sub-measure is carried out in line with the principles of sound financial management, good governance, transparency, and equality together with the provisions of the Manual of Procedures issued by the relevant authorities and with the provisions of the relevant EU and/or National Legislation

Checks in relation to public procurement will verify that Union public procurement rules and related National rules are complied with and that the basic principles of transparency, objectivity, non-discrimination, and appropriate disclosure have been respected throughout the entire process.

In cases of non-compliance with the rules of public procurement, the financial corrections towards the service provider beneficiary will be determined by the Paying Agency on the basis of the Commission Decision of 14.5.2019 laying down the guidelines for determining financial corrections C(2019)3452 final.

18.4 Controls and Penalties

Beneficiaries must note that by signing the Grant Agreement they are agreeing to undertake an obligation for the relevant checks and controls by the respective Authorities including the following:

- a. The Paying Agency (PA) – Agriculture and Rural Payments Agency (ARPA), Ministry for Agriculture, Fishing, and Animal Rights (MAFA),
- b. The Certifying Body (CB) – Internal Audit and Investigations Department (IAID), Office of the Prime Minister (OPM),
- c. The National Audit Office (NAO) in view of the fact that public funds are being utilised for the implementation of the investment,
- d. The Audit Services of the European Commission (EC) and the European Court of Auditors (ECA) in view of the fact the investment is benefiting from European Union (EU) funds,
- e. The VAT Department to ensure that VAT Regulations are respected.

18.4.1 Administrative checks on support applications

Administrative checks on applications for support shall ensure the compliance of the operation with applicable obligations established by Union or national law or by the rural development programme, including those of public procurement, State aid and other obligatory standards and requirements. The checks shall, in particular, include verification of:

- the eligibility of the beneficiary.
- the eligibility criteria, commitments, and other obligations of the operation for which support is requested.
- compliance with the selection criteria.
- the eligibility of the costs of the operation, including compliance with the category of costs or calculation method to be used when the operation or part of it falls under Article 67(1)(b), (c) and (d) of Regulation (EU) No 1303/2013¹⁰.
- for costs referred to in Article 67(1)(a) of Regulation (EU) No 1303/2013, excluding contributions in kind and depreciation, a verification of the reasonableness of the costs submitted. The costs shall be evaluated using a suitable evaluation system, such as reference costs, a comparison of different offers or an evaluation committee."¹¹

18.4.2 Administrative checks on payment claims by the paying agency (ARPA)

Once a Beneficiary's project proposal is selected and awarded a grant, the beneficiary will be invited to enter into a Grant Agreement with the GXF. Following the signature of the Grant Agreement and subject to the eligibility rules of the specific measure, a Beneficiary may start to submit payment claims to the Agriculture and Rural Payments Agency (the Agency) for processing, verification and ultimately payment authorisation.

19 Payments

- a. In the case of Local Councils, the possibility of a **50% advance payment** of the total eligible cost of the project may be considered.
- b. The facility of interim payments will be provided by the Agriculture and Rural Payments Agency (ARPA).
- c. 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).
- d. In case of infrastructural works a provisional certificate of works prepared by an engineer/architect must also be presented.
- e. 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).

¹⁰ Simplified costs option

¹¹ Article 48(2) of Commission Implementing Regulation (EU) No 808/2014

- f. 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.
- g. In case of irregularities, penalties and sanctions may be applied by ARPA in line with the above-mentioned guidelines.
- h. Official certification by the architect appointed by the beneficiary is required for settlement of final payment (in case of infrastructural works).
- i. **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.**

20 Compliance with Community Policy

20.1 General Principles

It is the responsibility of the Beneficiary to ensure compliance with Community Policy, namely:

- a. Public Procurement
- b. Equal Opportunities
- c. Sustainable development

20.2 Procurement

At application stage, applicants are not required to submit quotations for structural works - a bill of quantities prepared by a warranted architect will suffice. On the other hand at application, one quotation is required **for all non-infrastructural components for which funding is being requested.**

Upon project approval, irrespective of the type of applicant (local council, VO or natural 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>

20.2.1 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. Upon, project approval the applicant should abide by the Public Procurement Regulations in this regard.

20.2.2 Procurement procedures for Voluntary organisations and natural persons

In the case of natural persons and Voluntary Organisations, applicants are asked to abide by the latest circular issued by Managing Authority and Paying Agency on the 21st June 2021, MA PA EAFRD Circular 01/2021 found in the below link:

<https://fondi.eu/wp-content/uploads/2023/01/MA-PA-EAFRD-Circular-01-2021.pdf>

20.3 Equal Opportunities and Non-discrimination

Beneficiaries are required to take a pro-active approach to Equal Opportunities and must ensure that at all stages of the implementation of the action/s consideration is given to Equal Opportunities. Equal Opportunities and non-discrimination are not meant to just address gender discrimination but have a wider scope and include race, ethnicity, religion or belief, disability, age and sexual orientation.

20.4 Sustainable Development

Beneficiaries should include Sustainable Development in their action/s and must ensure that the operation is structured in such a manner that concrete positive actions towards better sustainability and main-streaming feature throughout. It is important that environmental matters should also be taken into consideration at all stages of the design, development and implementation of the action and the action should be structured to avoid any related environmental damage.

21 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://fondi.eu/visual-identity-guidelines-2021-2027/>

22 Data Policy

By submitting the application, the applicant is giving his/her consent to have personal and project details published in line with the obligations in the relevant EU Regulations and other requests by relevant bodies.

22.1 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

22.2 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.

22.3 Monitoring, Evaluation and Dissemination

From time to time, the GXF, Managing Authority and/or Paying Agency, as well as other National and/or EU entities as may be identified, may conduct economic, environmental

or other evaluation of the measure which may involve the beneficiary in surveys/interviews of various types. Managing Authority officials or consultants/evaluators engaged by the Managing Authority may contact beneficiaries as necessary. In applying for support under this measure the beneficiary is deemed automatically as agreeing to cooperate with or take part in such studies, which are important for reviewing the effectiveness of the measure as well as evidencing implementation of projects. The GXF may also request cooperation from beneficiaries vis-a-vis promotion of the RDP, including use of pictures/videos taken from projects funded under this measure.

23 Contact Details

For more information regarding the Measure, kindly contact the GAL XLOKK Foundation.

Address: 269, Main Street, Qormi. QRM 1107

Telephone number: +356 2099 8008

Email: info@galxlokk.com

Website: www.galxlokk.com