



GOVERNMENT
OF MALTA



FONDI.eu

Digitalise your Business

Guidance Notes

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Definitions

Aid intensity means the gross aid amount expressed as a percentage of the eligible costs, before any deducted tax or other charge.

Date of granting of the aid means the date when the legal right to receive the aid is conferred to the beneficiary, being the date of the signing of the Grant Agreement.

The **Start Date** is identified in the Grant Agreement signed between the IB and the Beneficiary. Start of works on actions in relation to the activities for which assistance is being requested may only be initiated after the date of the granting of the aid.

The **End date** is identified in the Grant Agreement and by such date the Beneficiary must ensure the following:

- The Investment has been procured, delivered and is fully operational; and
- All expenditure has been incurred, invoiced and fully paid; and
- All relevant licences are in place

Any expenditure incurred, invoiced or paid after the project end date will be considered as ineligible.

Operation means the project being proposed for part-financing through Call/s under this State aid scheme.

The **Authorised Representative** is the person identified in the application form who is entrusted to legally represent the Enterprise and is thereby authorised to enter into agreements and sign contracts for and on behalf of the Enterprise. In the case of Sole Traders/Self Employed person, this should invariably be the beneficiary.

The **Project Manager** is identified in the application form and is the person responsible for the implementation of the project on a day-to-day basis.

Economic activity – means an activity consisting of any one or more of the following:

- any trade, business, profession or vocation and the provision of any personal services;
- the exploitation of tangible or intangible property for the purpose of obtaining income there from on a continuing basis;
- the provision by a club, association or organisation of the facilities or advantages available to its members for a subscription or other consideration;
- the admission of persons to any premises for a consideration.

Digitalisation Investment means applications under the *Digitalise your Business* with the intent of financing hardware, software and digital solutions to improve their efficiency, productivity and customer experience. The maximum funding amount is €120,000 per investment and part-financing eligible expenditure up to 50% for investments in Malta and 60% for investments in Gozo with an additional 7% flat rate to finance any indirect costs related to the investment.

External source means a source that is autonomous and unrelated to the Beneficiary Undertaking.

Unrelated to the Beneficiary – the fact that the buyer does not control the seller is not sufficient for fulfilling this criterion. The parties must be unrelated. For that, there should be no influence (decisive or not) on the composition, voting or decisions of the organs of an Undertaking.

Undertaking means a **Micro, Small, Medium or Large Enterprise** as defined in Annex I of Commission Regulation (EU) No 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty as amended.

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02014R0651-20230701>

The main factors determining whether an enterprise is an SME are:

- **staff headcount** and
- either **turnover** or **balance sheet total**.

Company category	Staff headcount	Turnover	or	Balance sheet total
Medium-sized	< 250	≤ € 50 m		≤ € 43 m
Small	< 50	≤ € 10 m		≤ € 10 m
Micro	< 10	≤ € 2 m		≤ € 2 m

For more details:

http://ec.europa.eu/growth/smes/business-friendly-environment/sme-definition/index_en.htm

Large Enterprise is an Undertaking not fulfilling the criteria laid down in Annex I of Commission Regulation (EU) No 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty.

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

- one enterprise has a majority of the shareholders' or members' voting rights in another enterprise;
- one enterprise has the right to appoint or remove a majority of the members of the administrative, management or supervisory body of another enterprise;
- one enterprise has the right to exercise a dominant influence over another enterprise pursuant to a contract entered into with that enterprise or pursuant to a provision in its memorandum or articles of association;
- 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.

An enterprise is considered to be any entity engaged in an economic activity, irrespective of its legal form. This includes, in particular, self-employed persons and family businesses engaged in craft or other activities, and partnerships regularly engaged in an economic activity.

Enterprises which have one or other of such relationships through a natural person or group of natural persons acting jointly are also considered linked enterprises if they engage in their activity or in part of their activity in the same relevant market or in adjacent markets.

An '**adjacent market**' is considered to be the market for a product or service situated directly upstream or downstream of the relevant market.

Crafts means an art, skill, or trade, practised by a person or persons in the manufacture of artefacts and other products and generally requiring in its manufacturing a greater input of human skill than of machinery.

Assets refer to **tangible assets** meaning assets consisting of equipment and **intangible assets** meaning assets that do not have a physical or financial embodiment such as patents, licences, know-how or other intellectual property.

Marketing of agricultural products means holding or display with a view to sale, offering for sale, delivery or any other manner of placing on the market, except the first sale by a primary producer to resellers or processors and any activity preparing a product for such first sale; a sale by a primary producer to final consumers shall be considered to be marketing if it takes place in separate premises reserved for that purpose.

Primary agricultural production means production of products of the soil and of stock farming, listed in Annex I to the Treaty, without performing any further operation changing the nature of such products.

Processing of Agricultural products means any operation on an agricultural product resulting in a product which is also an agricultural product, except on-farm activities necessary for preparing an animal or plant product for the first sale.

Agricultural product means the products listed in Annex I to the Treaty, except fishery and aquaculture products falling within the scope to Regulation (EU) No 1379/2013 of the European Parliament.

Fishery and Aquaculture sector, are defined as per provisions of Regulation (EU) No 1379/2013 of the European Parliament.

1 Introduction

This document provides information on the *Digitalise your Business* and should be read in conjunction with the following document:

- User Guide to the Application Form

These Guidance Notes are binding and failure to comply with the provisions of these documents may result in financial corrections and recovery of funds.

These Guidance Notes may be reviewed, updated, and amended from time to time by the IB throughout the lifetime of the scheme.

1.1 Management structure

The Ministry responsible for the management of Union Funds is empowered to perform the tasks related to coordination, management and control of the Recovery and Resilience Plan for Malta. Within the same Ministry, the Planning and Priorities Coordination Division has been designated to ensure the leadership, coordination and overall oversight of this plan. The Measures and Support Division, also within the identified Ministry, is the institution in charge of implementation of investment reform C3-I4 'Rolling out measures to intensify the digitalisation of the private sector'. This management structure is established by Council Implementing Decision on the approval of the assessment of the recovery and resilience plan for Malta 11941/21 and supporting Annex ADD 1, by Regulation (EU) 2021/241 and of the European Union Recovery Instrument set up by Council Regulation (EU) 2020/2094.

1.2 Scope

Enterprises in Europe no longer compete just with their neighbours or even other firms in their country but with all competitors on the global marketplace. It is necessary to always be on top of the latest technologies to provide the best products and to deliver the most rewarding services. Digitalisation investment is needed to achieve such goal. The capability of an enterprise to digitalise by addressing new digital capabilities and digitalised processes is crucial for survival and future business growth. Digitalization opens up new economic opportunities. In addition, digital technologies enable new business models, intelligent work and production processes, more effective customer acquisition and better networking.

This incentive seeks to assist SMEs and Large Enterprises through non-repayable Grants to part-finance investment to digitalise their operations, and hence improve their resilience, efficiency, productivity and customer experience by addressing new digital capabilities and digitalised processes such as product and process design and engineering, end-to-end procurement, supply chain/distribution and after sales.

As part of the *Digital your Business*, investments in digital technologies and related processes and implementation are promoted. Investments in hardware, software and other digital solutions are eligible if the content is directly related to the digitalisation investment and/or the funding objectives, i.e. the use of hardware, software and other digital solutions must be combined with new functions or improvements with regard to the existing initial situation of digitalisation in the enterprise.

Proposals which are in line with the below priorities will be given precedence in selection.

- Manufacturing industry - investment that supports the transformation operations and transition to Industry 4.0 by optimising the use of existing technologies and exploitation of emerging technologies and trends such as digital twinning, predictive maintenance, track-and-trace, and modular design amongst others. Investments in digitalisation can thus help such enterprise to improve their efficiency, productivity and customer experience by ensuring they have the right capabilities that is central to their operating model and matching them with a strong skill sets in analytics and IT.
- Tourism industry – investment that ensures that digitalisation is leveraged with a view to enhance operations by addressing not only operational logistics but exploring the possibility of analytical tools and AI to design, adapt and personalise hospitality packages and offerings that maximise client experiences and investment in digitalisation and other technologies that will also contribute towards better resource efficiencies, such as the use of water and electricity.

The measure complies with the ‘Do no significant harm’ Technical Guidance (2021/C58/01), and shall exclude the following list of activities: (i) activities related to fossil fuels, including downstream use²; (ii) activities under the EU Emission Trading System (ETS) achieving projected greenhouse gas emissions that are not lower than the relevant benchmarks³; (iii) activities related to waste landfills, incinerators⁴ and mechanical biological treatment plants⁵; and (iv) activities where the long-term disposal of waste may cause harm to the environment.

1.3 Component

This Measure falls under Component 3 ‘Fostering a digital, smart and resilient economy’ of ‘Malta’s Recovery & Resilience Plan’, and addresses the following Investment:

Investment d. Investment grants to intensify the digitalisation of the private sector.

1.4 Duration

The *Digitalise your Business* will remain effective until 30 June 2026, subject to availability of funds.

² Except projects under this measure in power and/or heat generation, as well as related transmission and distribution infrastructure, using natural gas, that are compliant with the conditions set out in Annex III of the ‘Do no significant harm’ Technical Guidance (2021/C58/01).

³ Where the activity supported achieves projected greenhouse gas emissions that are not significantly lower than the relevant benchmarks, an explanation of the reasons why this is not possible should be provided. Benchmarks established for free allocation for activities falling within the scope of the Emissions Trading System, as set out in the Commission Implementing Regulation (EU) 2021/447.

⁴ This exclusion does not apply to actions under this measure in plants exclusively dedicated to treating non-recyclable hazardous waste, and to existing plants, where the actions under this measure are for the purpose of increasing energy efficiency, capturing exhaust gases for storage or use or recovering materials from incineration ashes, provided such actions under this measure do not result in an increase of the plants’ waste processing capacity or in an extension of the lifetime of the plants; for which evidence is provided at plant level.

⁵ This exclusion does not apply to actions under this measure in existing mechanical biological treatment plants, where the actions under this measure are for the purpose of increasing energy efficiency or retrofitting to recycling operations of separated waste to compost bio-waste and anaerobic digestion of bio-waste, provided such actions under this measure do not result in an increase of the plants’ waste processing capacity or in an extension of the lifetime of the plants; for which evidence is provided at plant level.

1.5 Budget

The initial allocated budget for this scheme is €10,000,000.

1.6 Open (rolling) Call

The scheme shall be managed on a demand driven basis. The Measures and Support Division shall issue a public open call (rolling-call) with periodical cut-off dates for interested eligible Undertakings to submit their applications. Following each cut-off date, applications will be assessed and evaluated and eligible applications scoring at least 50% of the selection criteria shall be ranked and grants shall be awarded subject to budget availability.

1.7 Maximum Grant and Aid intensity

The Grant amount that a single Undertaking may receive shall depend on the application for and receipt of *de minimis* aid by the single undertaking over any period of three years. In line with Commission Regulation (EU) No 2023/2831 of 13 December 2023 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid (the *de minimis* Regulation), a single Undertaking may not receive more than €300,000 in *de minimis* aid from any public funding (EU Funds and/or any national funds) over a rolling period of three years.

The maximum grant value is set at €120,000 for eligible actions, with an additional 7% flat rate to finance any indirect costs related to the investment (*for a maximum of €128,400*), part-financing eligible costs up to 50% for investments in Malta and 60% for investments in Gozo.

A maximum of 1 application per undertaking shall be eligible for funding under this scheme.

1.8 Implementation

Actions financed under the *Digitalise your Business* are to be implemented within 24 months from the date of the Grant Agreement. Extensions beyond this timeframe may be considered upon the express request of the Beneficiary, when justified. Nonetheless, investments are to be concluded by 30 June 2026⁶.

1.9 Regulatory Framework

Malta's Recovery and Resilience Plan

<https://eufunds.gov.mt/en/Operational%20Programmes/Pages/Recovery-and-Resilience-Facility.aspx>

The Recovery and Resilience Facility as established by Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021

<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32021R0241&from=EN>

Council Implementing Decision on the approval of the assessment of the recovery and resilience plan for Malta 11941/21 of 28 September 2021

<https://data.consilium.europa.eu/doc/document/ST-11941-2021-INIT/en/pdf>

Technical guidance on the application of “do no significant harm” under the Recovery and Resilience Facility Regulation

https://ec.europa.eu/info/sites/default/files/c2021_1054_en.pdf

⁶ This date may be extended subject to compliance with national targets.

Aid will be awarded in accordance with the relevant terms and conditions of Commission Regulation (EU) No 2023/2831 of 13 December 2023 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid.

<https://eur-lex.europa.eu/eli/reg/2023/2831>

2 Eligibility

2.1 Eligible Undertakings

Micro, Small, Medium and Large Enterprises engaged in an economic activity, irrespective of their legal form, referred to as the ‘Undertaking’ subject to the exclusions enlisted below.

Undertakings which are not vested with a legal personality acquired through the law applicable to their establishment, need to be registered under the Second Schedule of the Civil Code (CAP 16 of the Laws of Malta).

2.2 Eligible Actions

This Grant Scheme seeks to support digitalisation investment initiatives by SMEs and Large Enterprises, in several economic sectors, in their digitalisation endeavours and to intensify the digitalisation of operations. Digitalisation is crucial as it can help provide better services and products of higher quality, as well as improve the management of resources to increase efficiency and reach new markets.

The investment shall support enterprises through investments in digital technologies and related processes in the enterprise in particular hardware, software and other digital solutions to improve their efficiency, productivity and customer experience.

The concrete advantages of going digital are many and can help enterprises in different areas of activity, for example:

- digitalising the management system of resources and staff can optimise the way activities and tasks are undertaken, smoothening the work flow and producing long-term benefits;
- using new machines based upon digital technologies can improve the production of goods, both increasing the quality of the finished product and speeding up the process;
- deliver services perfectly tailored to the requests of clients, as all information required can be more easily found and analysed through software and programs;
- reaching out to new potential new customers is much easier thanks to digital marketing and the use of online channels that can identify and communicate to the audience most in need of your business.

2.3 Eligible Expenditure

This Grant Scheme will support eligible enterprises to procure:

- a) **e-Commerce Website** *(in line with the terms and conditions identified in [Annex I](#) of these Guidance Notes)*
- b) **Digital Solutions⁷** -
 - Commercial Off-The-Shelf (COTS) and Custom Software
 - Hardware *(such as Laptops, Docking Station, Port Replicator, Monitors, Tablets)*
 - Analytical Tools *(including necessary hardware and software)*

⁷ For subscription-based software, the cost of a 2-year subscription will be considered as the eligible cost item.

- Cyber Security systems
- Cloud computing
- Routers, switches and WIFI related equipment
- Other hardware, software or Digital Solutions (*identified in the application and not already identified above, which the division may consider eligible under this scheme*)
- Installation including any training costs on the use of the specific item acquired under points above and included in the purchase price of the item in question, and thus from the same provider.

All expenditure, being either an e-Commerce Website or Digital Solution must be maintained by the Beneficiary and remain operational for at least 3 years following the final payment to the beneficiary.

The aid value for the identified eligible expenditure shall be reimbursed through the application of Simplified Cost Options (*limited to the e-Commerce website*) or actual cost incurred and paid and capped at the value of the Grant Agreement or the invoice amount, whichever is the lowest (*excluding the e-Commerce Website*).

Any of the above expenditure is to be identified in the Application and Investment Proposal (*if applicable*) and are to be procured from external and unrelated sources to the applicant.

In addition to the above, applicants are also entitled in their operations budget another simplified cost option, being a flat rate on the eligible expenditure under *Digital Solutions*⁸, to reflect as follows:

- 7% flat rate to finance any indirect costs related to the investment⁹

Expenditure shall only be considered eligible if it is approved in the Grant Agreement, incurred during the specified project period and, the Beneficiary achieves the set indicators as outlined in the Grant Agreement and in line with these Guidance Notes.

2.4 Ineligible Expenditure

- a) Costs related to the repair and maintenance of the investment, including costs for maintenance agreements.
- b) Tax including Value Added Tax and other duties.
- c) Insurance costs.
- d) Training costs except for costs identified in section 2.3(b) above.
- e) Contingencies and/or losses made by the Applicant.
- f) Payment of dividends, royalty and interest changes.
- g) In kind contributions.
- h) Service charges arising on finance leases, hire purchase and credit arrangements.
- i) Used, re-furnished or re-manufactured Digital Solutions.
- j) Cost resulting from deferral of payments to creditors.
- k) Cost related to litigation including resulting claims for damages and fines.

⁸ As identified in 2.3(b).

⁹ In line with Article 54 (a) of Reg. (EU) 2021/1060 of the European Parliament and of the Council.

- l) Statutory fines and penalties.
- m) Payments for gifts and donations.
- n) Entertainment (including catering, receptions, etc.)
- o) Depreciation.
- p) Foreign exchange costs and related losses.
- q) Bank charges.
- r) Commissions.
- s) Projects that already exist within the framework of other funding programmes of the European Union.

2.5 Exclusions

- i. Undertakings which have already benefited from a grant under any of the following scheme: SME Digitalisation Grant Scheme; Digital Intensification Grant Scheme; Digitalise your Micro Business; Digitalise your Business.
- ii. Undertakings subject to collective insolvency proceedings or fulfilling the criteria under their domestic law for being placed in collective insolvency proceedings at the request of their creditors.
- iii. Undertakings subject to an outstanding recovery order following a Commission decision declaring an aid granted by Malta illegal and incompatible with the internal market.
- iv. Undertakings that have not honoured their obligations further to a recovery order issued by the IB responsible for the administration of aid schemes co-funded under the European Regional Development Fund – 2014-2020, European Regional Development Fund - 2021-2027 and NextGenerationEU Funds - Recovery and Resilience Facility (RRF).
- v. Exclusions as per provisions of Commission Regulation (EU) No 2023/2831 of 13 December 2023 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid
- vi. Undertakings whose activities¹⁰ include, directly or indirectly, the provision of any of the eligible expenditure, are excluded from applying for such expenditure.
- vii. Undertakings that have the internal capability¹¹ to develop or retail any of the eligible expenditure are excluded from applying for such expenditure.
- viii. Undertakings whose principal activities fall under Section A 'Agriculture, Forestry and Fishing' of the NACE Rev. 2.
- ix. Undertakings active in the sector of processing and marketing of agricultural products, in the following cases:
 - 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 undertakings concerned.
 - where the aid is conditional on being partly or entirely passed on to primary producers.

¹⁰ The principal activities shall be determined according to the NACE code and/or M&A.

¹¹ Internal capability shall be determined according to the NACE code and/or M&A of related enterprises.

- x. Undertakings whose principal activities include the manufacturing, processing and marketing of tobacco and tobacco products.
- xi. Public entities: Ministries, Departments, Entities, Authorities, Public Commissions, Public Sector Foundations and similar organisations carrying out a public or regulatory function which does not involve the carrying out of an economic activity, whether or not such organisations are established by law. With the exception of commercial Undertakings carrying out exclusively economic activity in direct competition with third parties and in which Government has a controlling interest.
- xii. Gambling and Betting Activities.
- xiii. Investment to achieve the reduction of greenhouse gas emissions from activities listed in Annex I to Directive 2003/87/EC.
- xiv. Actions resulting in training and mentoring activities.
- xv. Actions resulting in investment in the decommissioning or the construction of nuclear power stations.
- xvi. Actions resulting in investment in airport infrastructure unless related to environmental protection or accompanied by investment necessary to mitigate or reduce its negative environmental impact.
- xvii. Undertakings engaged in an illegal economic activity.

2.6 Additional Provisions

- i. The Grant amount is subject to the conditions outlined in these Guidance Notes and the determined thresholds. Moreover, this shall also depend on the application for and the receipt of *de minimis* aid by the single undertaking over any period of three years. In line with Commission Regulation (EU) No 2023/2831 of 13 December 2023 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid, a single Undertaking may not receive more than €300,000 in *de minimis* aid from any public funding (EU Funds and/or any other national funds) over a rolling period of three years.
- ii. Undertakings are to submit an updated *de minimis* declaration on *de minimis* aid, in line with Commission Regulation 2023/2831.
- iii. The applicant enterprise is in compliance with applicable EU and national legislation and administrative requirements, including fulfilment of fiscal obligations and social security contributions.
- iv. Any works on actions in relation to the activities for which assistance is being requested may only be initiated after the date of the granting of the aid.
- v. Applicants must submit an *Investment Proposal* document or 3 quotations for each sub-activity which shall include the technical specification. The presented *Investment Proposal* document or quotations shall be the basis on which the grant shall be calculated upon.
- vi. Applicants must submit an application for Investments located exclusively in either Malta or Gozo.
- vii. The investment must be maintained by the Undertaking and remain operational for a period of at least three years following the final payment to the Beneficiary. This shall not prevent the replacement of equipment that has become outdated or broken within this period, provided that the economic activity is retained in the area concerned for the relevant minimum period.
- viii. Intangible assets are eligible for the calculation of investment costs if they fulfil the following conditions:
 - a. they must be used exclusively in the establishment receiving the aid;
 - b. they must be amortisable;
 - c. they must be purchased under market conditions from third parties unrelated to the buyer; and
 - d. they must be included in the assets of the Undertaking receiving the aid and must remain associated with the project for which the aid is granted for at least three years following the completion of the investment project.
- ix. All assets including 'Intangible assets' must be included in the Capital Assets Register.
- x. For assets, particularly intangible assets that are acquired through periodic subscriptions, the eligible investment cost is considered to be the value for the first two years inclusive of any initial one-time costs. If the full two-year cost is not incurred during the project period, subject to at least part of the cost being incurred

during this period, the full value of a 2-year subscription will be reimbursed on the basis of the cost incurred during the project period.

- xi. All supplies and services may only be procured from external sources.
- xii. Approved projects shall be based and operational in Malta or Gozo.
- xiii. The Measures and Support Division will not be able to approve reimbursement for costs incurred on actions and/or activities that are not strictly in line with the Grant Agreement.
- xiv. The Undertaking has not been approved or granted any public funding, and will not seek public funding through other National and/or European Union funded initiatives in relation to the activities for which assistance is being requested through this measure. This includes schemes under NextGeneration EU, Cohesion Policy and any other European Union instruments or through any other form of Public Funding including schemes administered through National Funds.
- xv. The beneficiary shall ensure that greening and climate mitigation measures should be mainstreamed within the proposed investment, whilst reuse and recycling should be pursued as much as possible when disposing of redundant/replaced equipment.
- xvi. The Measures and Support Division reserves the right to refuse or withdraw an application by a potential applicant or beneficiary on the basis of actual, potential or perceived reputational harm and/or unwanted or unfavourable publicity to the IB, the Government of Malta and EU funds.

3 Applications

3.1 Application Process

The Measures and Support Division shall publicise the calls on fondi.eu website and will collaborate with stakeholders particularly representatives of the target group and other Government Entities to publicise the Grant Scheme to ensure the widest visibility possible.

3.2 Submission of Applications

Applicants must submit an online application as outlined in the call for applications. The application shall include the Undertaking's name and size, a description of the investment, including its start and end dates, the location of the investment, a list of investment costs and the amount of public funding needed for the investment, amongst other requirements.

It is strongly advisable that prior to embarking on the development and submission of the application prospective applicants read these 'Guidance Notes' together with 'User Guide to the Application Form' document.

3.3 Documents to be submitted with the Application

1. **Declaration** – a scanned copy of the signed Declaration Form¹².
2. **De Minimis Declaration Form**¹³ – a declaration by the single Undertaking outlining a breakdown of the *de minimis* aid applied for and/or granted to the single Undertaking over a period of three years from the year of application.
3. **For expenditure under Section 2.3(b) 'Digital Solutions', applicants are to submit either one of the following requirements:**
 - a) **Investment Proposal** – to define (in detail) the following:
 - *Description of the needed investment*
 - *Technical specifications for each specific investment;*
 - *Description of what is available on the market;*
 - *Identification of which suppliers offer the required investment and the price range- for each investment;*
 - *From the options considered, those that meet targets and requirements of the applicant should be identified.*
 - or
 - b) **Technical Specifications & Quotations** – to provide the minimum technical specifications and 3 comparable quotations as follows:
 - The set of minimum technical specifications against which the quotations provided were sought. These should determine the minimum characteristics of the digital solutions identified by the

¹² In the case that the Authorized Representative is not a Director, a Declaration of Authorization shall be submitted in addition to the Declaration form. This does not apply for Self-Employed/Sole Traders, given that the individual signing the Declaration form is the Authorized Representative. A copy of the Declaration Form can be found in the User Guide to the Application Form.

¹³ A copy of the de minimis Declaration Form can be found in the User Guide to the Application Form.

beneficiary, and that a supplier must provide. These should be clear, accurate and contain a description of the beneficiary's needs to enable the suppliers to provide the asset/s which meet those needs; and

- at least 3 comparable and valid quotations¹⁴ in respect of each sub-activity in line with the set minimum technical specifications and obtained from three different external and unrelated suppliers to the applicant. Quotations not meeting the requested technical specifications may not be considered by the beneficiary (*in case project gets approved, procurement shall be done from one of the submitted quotations*).

4. Compliance Certificate/s issued by the Commissioner for Revenue (CfR) – a certificate/s issued not earlier than three months from the date of the application, by the Office of the Commissioner for Revenue (CfR) covering Income Tax, VAT and Final Settlement and of Social Security Contributions Compliance Certificates.

5. Audited Financial Statements and/or the Management Accounts dated within the two financial years prior to the year of submission of the application in relation to the applicant and the linked and partner enterprises¹⁵. No documents would need to be submitted if a copy of these documents as outlined hereunder is already deposited with the Malta Business Registry (MBR) or the Co-Operatives Board.

In the case of linked and partner enterprises without a legal obligation to prepare financial statements the Management Accounts (Profit & Loss Statements/Income Statement and Balance Sheet/Statement of Assets and Liabilities) certified by a CPA is to be provided.

In the case of a Sole Trader/self-employed a copy of the Income Tax Return dated within the two financial years prior to the year of submission of the application together with a Profit & Loss Statement certified by a Certified Public Accountant (CPA) is to be provided.

In the case of a Start-up established not over 2 years from the date of application (*including Sole Trader/self-employed*) not having the above documentation, a Profit & Loss Account/Income Statement, Cash Flow Projections and a Balance Sheet/Statement of Assets and Liabilities certified by a CPA is to be provided.

Failure to provide the relevant document from the above list for an enterprise within the undertaking shall lead to the undertaking automatically being considered as a large enterprise.

6. Evidence of Private Match Financing for the project.

¹⁴ During evaluation the Project Selection Committee may request further clarifications or additional quotations if not satisfied with the provided documentation.

¹⁵ In line with MBR obligations of registered companies found [here](#).

- 7. Supporting Documentation including** NACE code confirmation¹⁶, GANTT Chart or Implementation Schedule. Any other supporting documentation (*such as preparatory work and correspondence*) that the Applicant deems that would add value to the application.

The Measures and Support Division may request any additional documentation for verification purposes.

In those cases where not all the documentation is submitted with the application, applicants shall be given the opportunity to rectify the application by submitting the required documentation. The maximum period allowed for rectifications shall not exceed 2 months from the date of the rectifications letter. Applicants are to submit their missing documentation to rectify their application by said deadline and application will be considered for evaluation and selection with the next cut-off date following complete submission of the application. If applicants fail to rectify an application by the indicated deadline in the rectifications letter, then the application shall be considered as incomplete and be rejected.

3.4 Acknowledgment

Once an application is submitted and confirmed, the system generates a unique reference number for the project and an acknowledgement e-mail together with the application reference number will be sent to the Applicant.

Applications will be assessed and selected as outlined in [Section 5](#) 'Assessment and Selection'. The issuance of the acknowledgement letter does not confer any obligation on the Measures and Support Division to issue the Grant towards the financing of the project. Actions may only be initiated further to the signing of the Grant Agreement.

¹⁶ The NACE confirmation shall be in the form of VAT Information Sheet or else communication with the NSO Business Register including the four-digit code in the form of 11.11.

4 Compliance with Community Policy

4.1 Payments of costs under the approved Investment

Undertakings should note that Grants awarded for actions under the Digitalise your Business are public funds. Beneficiary Undertakings should ensure that procurement of all cost items to be co-funded through the Grant Scheme is carried out in line with the principles of sound financial management.

4.2 State Aid Requirements

The terms and conditions of this Grant Scheme are in line with Commission Regulation (EU) No 2831/2023 of 13 December 2023 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid.

The Undertaking shall ensure compliance with the rules on cumulation of aid in line with Article 5 of the *de minimis* Regulation.

Applicants must submit with their application a duly filled in de minimis declaration form regarding any other de minimis aid received and applied for during the current year and the previous two years. The IB will ensure that the total amount of de minimis aid granted to the single Undertaking shall not exceed EUR 300,000 over any period of three years.

It is the responsibility of the Applicant Undertaking to seek advice and to ensure compliance with State Aid rules and requirements.

4.3 Do No Significant Harm Principle

Beneficiary Undertakings are required to ensure that planned investments fulfil and respect the conditions of the 'do no significant harm' (DNSH) principle within the meaning of Article 17 of Regulation (EU) 2020/852.

Assessment of compliance with the DNSH principle for project applications under this scheme is necessary. The assessment follows the methodology set out in the Commission's technical guidance on the application of 'do no significant harm' under the RRF Regulation (2021/C 58/01). It covers the six environmental objectives set out in Article of Regulation (EU) No 2020/852 including: climate change mitigation; climate change adaptation; sustainable use and protection of water and marine resources; circular economy; pollution prevention and control; and protection and restoration of biodiversity and ecosystems.

In this regard, and for the scope undertaken under this scheme, two of the six environmental objectives, being climate change mitigation and circular economy, have been identified that require a substantive assessment. Applicants need to indicate that project activities have no or an insignificant foreseeable impact on the environment. It is to be noted that both the environmental impact of the activity itself and the environmental impact of the products and services provided by that activity throughout their life cycle shall be taken into account, in particular by considering the production, use and end of life of those products and services.

5 Assessment and Selection

The Assessment and Selection of projects shall be undertaken by a Project Selection Committee.

Applications will be assessed against the Gateway (*eligibility*) Criteria and will proceed to be assessed against the Selection Criteria only if the application meets all the requirements of the Gateway (*eligibility*) Criteria.

Applications attaining at least 50% of the total score shall be approved for funding subject to the budget availability.

5.1 Gateway Criteria

The Gateway Criteria are the minimum requirements which must be met in order that any application may be considered for assessment and appraisal for selection for funding support. This stage will involve an assessment and a Due Diligence process to establish that these minimum requirements are met, namely:

1. **Complete application:** an Undertaking must present a fully compiled application together with all the requested supporting documentation, by the indicated deadline.
2. **Eligible Undertaking:** the Undertaking is an eligible Undertaking in line with these Guidance Notes.
3. **Eligible action:** the action for which the Applicant is asking for support is eligible and at least includes an eligible activity.
4. **Match Financing:** the Applicant has submitted evidence as to its capacity to match finance the project from private sources.

5.2 Selection Criteria

Only applications that meet all the Gateway (*eligibility*) Criteria shall proceed for assessment under the Selection Criteria. The Project Selection Committee may at this stage request clarifications from the Applicant. As part of the assessment and appraisal process, a score is awarded for each Selection Criteria. Applications scoring at least 50% of the Selection criteria shall be ranked and grants shall be awarded subject to budget availability.

The total maximum score under the Selection Criteria is 100. Applications will be assessed and evaluated against the Selection Criteria outlined hereunder.

- Risk Assessment
- Excellence
- Impact and Sustainability
- Quality and Efficiency of implementation

Criteria	Definition	Score
Risk Assessment	Ratio of Project value to net assets of Undertaking – 5 Applications will be risk assessed in terms of the ratio of the project's value to the financial resources of the Undertaking.	15
	Qualitative assessment of the Undertaking – 5 Applications will be risk assessed in relation to the age of the Undertaking, business experience, track record of the management and controlling shareholders.	
	Duration of the Project – 5 Applications will be risk assessed in relation to the proposed duration of the project. The proposed duration of the project will be assessed in relation to the implementation timelines in the respective Guidance Notes, taking into account potential delays in implementation that may stretch the implementation timeline with a potential impact on absorption of funds.	
	Implementation Risks linked to the duration to the project – max 0 (- 5 lowest) This section will carry negative making to reflect project implementation risks linked to the duration of the proposed activities. The duration of the project will be assessed in terms of how realistic it is to complete the project within the indicated timeframe. The more complex the activities the more likely it is that the project will experience delays and therefore the lower the score.	
Excellence	Quality of the proposed project concept– 5 The Application Form should be of good quality and provide clear information that can be readily understood by those who are not familiar with the project, taking into consideration the current state of digitalisation in the applicant enterprise. Moreover, the proposed project concept should be quite innovative and not run-of-the-mill. The evaluation will be assessing the overall quality of the proposed project the project background, context and need for the project, the project's objectives, expected results and resources required. The Application form is to evidence that the enterprise has recognised the need to understand new technology and utilise it.	30
	Coherence and Clarity of the Application Form – 10 The evaluation will be assessing the project's work plan, strategy and quality of the application. High scores will be given to those actions that show high levels of quality and coherence. Marks will be awarded for exceptional quality, and where market research was carried out to prepare a budget breakdown or where quantitative data is provided. It should be	

	<p>noted that hastily prepared applications are likely to fail during the evaluation process.</p> <p>Action seeks to maximise the internationalisation of the Undertaking – 5 The application will be evaluated in terms of the project's potential to support the Applicant to strengthen its international presence.</p> <p>Action is ambitious and is addressing any identified gaps in the enterprise and/or in the market for the specific sector – 10 The action will be assessed in terms of the extent of identified gaps (both in the enterprise and/or the sector) it addresses.</p> <p><i>Factual and statistical evidence to back up the justification will render the application more robust.</i></p>	
<p>Impact and Sustainability</p>	<p>The return on Investment (ROI) and potential cost reductions – 10 The application will be evaluated in terms of the project's impact vis-à-vis the future growth of the applicant through the return on investment (ROI). This will be done by dividing the projected increase in turnover by the cost of the investment. The application will also be evaluated on the potential cost reductions to the operations of the applicant by calculating the difference in the cost to sales ratio.</p> <p>Possible mitigation measures following the investment to avoid negative spill over effects in time of crisis - 5 This criteria assesses how the applicant plans to mitigate the economic and social impact of the coronavirus pandemic or any other crisis and make the enterprise more sustainable, resilient and better prepared for the challenges ahead, thus leading the business to continue operating as usual in times of crisis.</p> <p>The COVID-19 outbreak in early 2020 changed the economic, social and budgetary outlook in the Union and in the world, calling for an urgent and coordinated response. The COVID-19 crisis as well as the previous economic and financial crisis have shown that developing sound, sustainable and resilient enterprises built on strong economic and social structures helps businesses respond more effectively and in a fair and inclusive way to shocks and recover more swiftly from them. A lack of resilience can also lead to negative spill-over effects thereby posing challenges to the enterprise.</p> <p>Impact on improvements in the Undertaking's business model - 5 The application will be evaluated in terms of the project's impact on the potential sustainability of the business model. Enterprises are to identify the benefits of implementing the</p>	<p>25</p>

	digital project and the efforts made to innovate and invest in digital transformation so as not to risk being left behind in time of crisis.	
	<p>Effective integration of the Do No Significant Harm Principle – 5</p> <p>The application will be assessed in relation to the effective integration of the <i>Do No Significant Harm Principle</i>. Project applications are to include an assessment on how the project intends to mitigate 1) Climate change and 2) The circular economy, including waste prevention and recycling.</p>	
Quality and efficiency of implementation	<p>Size of Undertaking – 5</p> <p>In view of the difficulties encountered by Micro enterprises, proposals submitted by such enterprises will be awarded 5 marks.</p>	30
	<p>Industry of Applicant Enterprise – 5</p> <p>Proposals within the Manufacturing and Tourism sectors shall be given priority within the scheme and thus 2 marks will be allocated to Applicant enterprises falling within these sectors.</p> <p>Proposals which are in line with the below priorities will be allocated an additional 3 marks.</p> <ul style="list-style-type: none"> • Manufacturing industry - investment that supports the transformation operations and transition to Industry 4.0 by optimising the use of existing technologies and exploitation of emerging technologies and trends such as digital twinning, predictive maintenance, track-and-trace, and modular design amongst others. Investments in digitalisation can thus help such enterprise to improve their efficiency, productivity and customer experience by ensuring they have the right capabilities that is central to their operating model and matching them with a strong skill sets in analytics and IT. • Tourism industry – investment that ensures that digitalisation is leveraged with a view to enhance operations by addressing not only operational logistics but exploring the possibility of analytical tools and AI to design, adapt and personalise hospitality packages and offerings that maximise client experiences and investment in digitalisation and other technologies that will also contribute towards better resource efficiencies, such as the use of water and electricity. 	
	<p>Quality, readiness and timeliness of the proposed project - 10</p> <p>Marks will also be awarded for projects that are in an advanced state of readiness, e.g. where Applicants have already prepared the tender dossier or are in possession of the relevant licences/</p>	

	<p>permits. Evidence of readiness such as the provision of draft tender dossier should be provided.</p> <p>Marks will also be awarded for projects that present a GANTT chart or Implementation Schedule to indicate the timeliness of events of the proposed work.</p> <p>Assessing the risks that might impact the implementation of the project and the probability of these risks happening. The Application Form has to include details with the necessary measures to minimise the risks. The applicant is to demonstrate the capacity to deliver the project and puts in place a contingency plan to compensate for adverse effects on timetable, expenditure and outputs.</p>	
	<p>Management and Control Systems in place including organisation's structure – 5</p> <p>The evaluation will be assessing the project's Management and Control Systems adopted by the Applicant.</p> <p>The Application is to demonstrate quality standards adopted by the undertaking and include internal procedures, processes and resources in place. The application should demonstrate quality planning, quality control, quality assurance and quality improvement in relation to the proposed project.</p> <p>The Application must not only include the segregation of the level of management and control but shall also include an explanation of the expertise of the personnel in each role. This shall complement any organigram or description provided.</p>	
	<p>Level of capacity and allocation of resources towards the project – 5</p> <p>The capacity to implement the project is part of the commitment of the Applicant. The evaluation will be assessing the allocation of human resources, both internal and external, towards the project to ensure its successful implementation and sustainability. Experience in the implementation of projects co-financed through Structural Funds, other EU programmes or own funds shall be rewarded.</p>	

5.3 Unsuccessful Applications

Unsuccessful applicants will be informed in writing by the Measures and Support Division.

5.4 Appeals

An independent Appeals Board shall be appointed.

Applicants whose application was not selected may submit motivated representations withing 10 working days from the date of notification by the Measures and Support Division.

The Appeals Board shall assess the submitted representation, reviews those respective applications, and notify the Applicant of its decision. The decision of the Appeals Board shall be final.

5.5 Acceptance Letter

The Measures and Support Division shall issue a funding acceptance letter to selected applicants. The Funding acceptance letter shall include any conditions as outlined by the Project Selection Committee. It should be noted that a positive decision at this stage is not a guarantee of funding. All the conditions set out in the funding acceptance letter would need to be discharged before the Grant Agreement can be signed.

5.6 Grant Agreement

The Measures and Support Division shall liaise with the Applicant with a view to concluding the Grant Agreement. The Grant Agreement (GA) is the formal agreement between the Measures and Support Division and the Applicant. The GA is the legally binding document and sets out the terms of the grant. The IB will work through the terms and any conditions which must be discharged prior to entering the GA with the Applicant. When the Measures and Support Division is satisfied that any conditions have been discharged, it will issue the GA and submit two copies to the Applicant who will sign both copies with the Measures and Support Division keeping one copy and the other kept by the Beneficiary.

6 Implementation, Monitoring and Reporting

6.1 Implementation

6.1.1 Filing System

The beneficiary is to keep and maintain a separate filing system for the approved investment and may opt to keep an electronic system. Nonetheless, the filing system, regardless of whether it is electronic or hard copies, shall be made available and be easily referenced when monitoring and audit visits are conducted by the respective authorised entities. The beneficiary is obliged to keep all the documentation related to the operation for audit purposes for 3 years following the final payment to the beneficiary of the assisted operation. The sample proposed filing system folder can be downloaded from [here](#).

6.1.2 Inventory

The Beneficiary is to fill in an Inventory of the fixed assets financed from the project and include the required details on the standard template which is available in [Annex II](#) and is obliged to keep an updated version of such inventory. Assets must remain associated with the enterprise throughout the durability period.

The inventory shall be frequently updated to include the relevant details of the assets purchased and list any equipment that has undergone any alterations following acquisition. The list is to be signed and certified correct by the Project Manager and made available to the Measures and Support Division upon request.

6.1.3 Payments

Cash disbursements are strictly prohibited. The total expenditure must be paid by the beneficiary through transparent, traceable bank transactions. Payments should be made through an identifiable bank account as indicated in the Financial Identification Form submitted by the beneficiary¹⁷ and to the identified bank account of the Service Provider/Supplier as outlined in the respective invoice or in the Supplier Financial Identification Form.

6.1.4 Project Manager

The Project Manager is identified in the application form and is the person responsible for the implementation of the project on a day-to-day basis. The Project Manager is the beneficiary's point of contact with the Measures and Support Division and should be available and reachable within reasonable timeframes to discuss the project on a periodical basis as required.

The beneficiary shall ensure that a Project Manager is assigned throughout the full implementation of the project and should there be a change in the Project Manager a [Change in Project Manager form](#), downloaded from [here](#), shall be submitted via email on msd.eufunds@gov.mt.

6.1.5 Changes and amendments to the investment project

Issues may arise during the implementation of an investment project that necessitate a deviation from the original application as reflected in the Grant Agreement. In such cases,

¹⁷ The form (to be signed and dated) will need to be submitted at reimbursement stage by the beneficiary.

the beneficiary is to notify the Measures and Support Division immediately and submit a written request including a justification for the change.

For any changes the written request shall be accompanied by either an updated *Investment Proposal* for the said item or else 3 comparable and valid quotations together with the new technical specifications. In case of the latter, should the request be approved, procurement shall be done based on one of the submitted quotations.

No expenditure related to actions and activities impacted with such deviations may be incurred by the beneficiary without approval issued by the Measures and Support Division in this regard.

Invariably, deviations may not impact on the substance of the original application and on which the operation was evaluated and selected.

In no instance will requests for an increase in the budgetary allocations resulting in an increase in the total Grant amount as outlined in the Grant Agreement be accepted.

6.1.6 Retention of Documentation

The Beneficiary has the obligation to retain all related documents for control and audit purposes, for 3 years following the final payment to the beneficiary of the project. The Beneficiary must also co-operate with the Measures and Support Division and other monitoring and audit bodies entrusted with such functions with respect to the granting of aid under this scheme, for the duration of 3 years in light of audits and other controls.

6.2 Procurement Process

6.2.1 General

The procurement process shall be compliant with Community Policy as identified in [Section 4](#) of the Guidance Notes.

Moreover, eligible expenditure should meet the following criteria:

- (i) Must be incurred by the Beneficiary;
- (ii) Must be incurred within the period and for actions set out in the Grant Agreement;
- (iii) Must be identifiable and verifiable, recorded in the beneficiary's accounts in accordance with the applicable accounting standards;
- (iv) Must comply with the applicable national and EU legislation including law on taxes, labour and social security; and
- (v) Must be reasonable and comply with the principle of sound financial management.

Beneficiaries should avoid situations that could present conflicts of interest when undertaking procurement. All procurement of goods, works and services is to be made from sources external and unrelated to the beneficiary Undertaking.¹⁸

VAT is not an eligible cost and beneficiaries should ensure that VAT and any other taxes should be quoted separately by suppliers.

All financial documentation should be presented in the Euro denomination, and where this is not possible the beneficiary should convert the foreign currency using the applicable daily exchange reference rate issued by the European Central Bank and which may be accessed through: <https://www.ecb.europa.eu/stats/exchange/eurofxref/html/index.en.html>

The beneficiary should clearly indicate the rate applied. The exchange rate should be the rate applicable on the day the payment was made.

Unless the invoice issued by a Service Provider/Supplier includes the Bank Account identification where the payment is to be affected, the beneficiary shall request the Service Provider/Supplier to fill in the Supplier Financial Identification Form provided by the IB in [Annex V](#).

Failure by the beneficiary to observe the requirements may impact the eligibility of the expenditure and the investment project itself. The beneficiary may be subject to loss of funds through the imposition of financial corrections and/or recovery of funds if non-compliance is observed at any stage. The Beneficiary shall be liable to pay back the amount identified to be ineligible/non-compliant with these rules by the Measures and Support Division, the Planning and Priorities Coordination Division, the Audit Authority, and any other body responsible for the monitoring of expenditure.

6.2.2 Purchasing of e-Commerce Website

The purchasing of an e-Commerce website shall be reimbursed in the form of Lump Sum as identified in [Annex I](#) of the Guidance Notes.

The following documents are to be kept and presented with the claim for reimbursement, together with those identified in [Annex IV](#):

- Copy of Project Completion Report (*to be signed and dated by Service Provider*)
- Declaration of Unrelation Form as per [Annex VII](#) (*signed and dated by Service Provider*)
- e-Commerce website screenshots showing required EU funds publicity

6.2.3 Purchasing of items under the activity Digital Solutions

Beneficiaries shall procure from the preferred solutions identified in the *Investment Proposal* or else one of the quotations provided with the Application Form. In those instances where Beneficiary had a change approved in line with [Section 6.1.5](#), then the Beneficiary shall procure either from the preferred solutions identified in the updated *Investment Proposal* or else one of the quotations provided.

¹⁸ The fact that the buyer does not control the seller is not sufficient for fulfilling this criterion. The parties must be unrelated and there should be no influence (decisive or not) on the composition, voting or decisions of the organs of an Undertaking or family ties between the buyer and seller.

The following documents are to be kept and presented with the claim for reimbursement, together with those identified in [Annex IV](#):

- Copy of Invoice
- Copy of Agreement/email confirming purchase with Supplier
- Copy of Fiscal Receipt (*where a tax invoice is not provided*)
- Copy of Proof of Payment (*Copy of bank transfer payment/bank cheque encashment image*)
- Copy of Bank Statement identifying the transaction/s **Certified by a Certified Public Accountant**

6.2.4 Purchasing of Subscription-based Software

The purchasing of subscription-based Software shall be procured in line with the above procurement guidelines and the cost of a 2-year subscription will be considered as the eligible cost item. Together with the Claim for Reimbursement, and the documents identified in [Annex IV](#), a declaration from the supplier/service provider shall be provided indicating the following:

- Date of Purchase and/or installation
- Details confirming the type and version of the Software
- Details of the location, including hardware serial numbers, where the software is installed
- Terms of Licence
- Pricing Plan¹⁹

6.2.5 Award Criteria

The assessment for award of quotations should be based on the cheapest technically compliant criteria²⁰, however the beneficiary may opt for an offer that is higher than the cheapest technically compliant offer. In any case, the reimbursement will only be pegged against the cheapest technically compliant offer, or the expenditure approved in the Grant Agreement whichever is the lowest.

6.3 Monitoring

Effective monitoring is an important aspect which needs to be undertaken to ensure efficient and effective implementation and in ensuring that the targeted outcomes are achieved.

6.3.1 Monitoring by the Beneficiary

The beneficiary has the responsibility of ensuring effective monitoring of the implementation of the action. This responsibility goes beyond the achievement of the results but also that of monitoring the efficient implementation of the assisted intervention. The beneficiary must keep documentary evidence of the implementation including the filing system, progress and final implementation reports, photographic evidence, and any necessary pertinent documentation providing an audit trail of the actions and activities within the implemented operation.

¹⁹ Reimbursement to be capped to the cheapest price option.

²⁰ This shall not apply to *e-Commerce website* since it is reimbursed through Simplified Cost Option

6.3.2 Physical/Online on-the-spot checks by the Measures and Support Division

The Measures and Support Division will conduct physical or online visits²¹ to conduct checks and management verifications on the implementation of the project. Prior to such visit, the beneficiary is to submit an updated copy of the inventory and during the visit shall make available all documentation and records considered relevant to the project. During such visit, the Measures and Support Division will also physically check the procured investments and cross check their relevant details with the inventory. The Measures and Support Division shall draw up a report following the visits which will include the findings and any corrective action required because of the finding of the visit and the checks conducted.

The Measures and Support Division may make enquiries with the Malta Association of Credit Management to carry out the necessary checks in line with the Regulations and Good Governance principles and with other competent Authorities, including but not limited to Jobs Plus, to verify any information submitted.

The Measures and Support Division retain the right to conduct any unannounced monitoring visits at its sole discretion.

6.3.3 Monitoring and Evaluation Activities

The beneficiary is bound to co-operate and contribute to all monitoring and evaluation activities organised by the Measures and Support Division, the Planning and Priorities Coordination Division, Audit Authority, the European Commission as well as other Authorities. This may include contribution through participation in surveys, events and in providing information to be included in publications and online media.

6.4 Reporting

A periodical 'Progress Report' is to be submitted in line with the indicated schedule:

Period Covered	Submission Deadline
1 January – 30 June	31 July
1 July – 31 December	31 January

A 'Final Implementation Report' is to be submitted together with the final claim for reimbursement, following the completion of all the assisted activities as outlined in the Grant Agreement.

In section 6.5 '*Reimbursement*', guidance is provided to the beneficiary when to provide progress reports (*falling outside of the timelines presented in the table above*) in line with the submission of respective claims for reimbursement.

The Measures and Support Division shall carry out on-the-spot checks during and after the project implementation timeframe.

²¹ Depending on the nature of the investment

6.5 Reimbursement

Beneficiaries may present a claim/s for reimbursement upon completion of the project or of any of the activities²² identified in the *Priorities and Milestones of Planned Digitalisation Investment* and as accepted in the Grant Agreement.

Claim/s for reimbursement, which is to be submitted together with a Progress Report or Final Report (*as applicable*), may be presented to the Measures and Support Division once the beneficiary has effectively reached the set milestone (therefore implemented the agreed investment and renders it operational). This claim for reimbursement will include 100% of the eligible expenditure, for the chosen cost categories, outlined in the Grant Agreement.

Milestone – Implementation of the cost category in line with the Grant Agreement, investment is in place and operational.

Amount – 100% of the public support of the eligible Grant amount approved either of the complete project or of the activity²³ being claimed.

Payment Trigger – Receipt of claim for reimbursement accompanied by a Progress Report from the Beneficiary. Verification by the Measures and Support Division that the investment is in place and operational. The Measures and Support Division retains the discretion to request the Beneficiary to present expert reports to substantiate any claim presented, when and as required.

In the cases of more than one (1) claim for reimbursement, the 7% Flat Rate for Indirect Cost (*as identified under 2.3*) shall be reimbursed with the final claim for reimbursement.

Each claim for reimbursement shall include the documentation identified in [Annex IV](#).

The Measures and Support Division may request further documentation where and as necessary and the reimbursement request will only be processed once the Measures and Support Division is satisfied that the reimbursement criteria have been met.

It is the beneficiary's responsibility to ensure that reimbursement requests, including all the required supporting documentation, are submitted to the Measures and Support Division by not later than 31 March 2026, or on a later date as identified by the Measures and Support Division.

Reimbursement requests are expected to be submitted to the Measures and Support Division within 3 calendar months from the end date of the operation, or the date identified above, whichever is the earliest. At any point during or after this 3-month period, the Measures and Support Division may, by notice in writing, give a specific deadline to the beneficiary to submit their claim. Should the Measures and Support Division opt to impose such a deadline, the beneficiary may, upon the presentation of a reasonable justification, request that the deadline is extended.

²² e-Commerce Website or Digital Solutions

²³ *ibid*

6.6 Payment Process

The Measures and Support Division shall ensure that every effort is made to process the payment without undue delay from receipt of a complete Claim for Reimbursement, and further to the resolution of any clarifications sought from the beneficiary and is satisfied that the assisted intervention has been implemented in line with the Grant Agreement and the pertinent regulations. Once the claim for reimbursement is processed, further checks may be conducted by the EU Payments Unit before the execution of the payment. The Measures and Support Division shall not be held liable for any delays in the payment process, or for any overruling by a superior authority of its initial approval of payment.

6.7 Double Financing

In line with the provisions of Article 191 (3) of Regulation (EU, Euratom) 2018/1046 on the financial rules applicable to the general budget of the Union, it is a fundamental principle that **in no circumstances shall the same costs be financed twice by the budget**. The Measures and Support Division reserves the right to share all the information related to the supported activities with other public entities to ensure that no other public funds were made available to the Undertaking in respect of the same activity. Funding for the same action from any other source of public funds is prohibited and will result in claw back (recovery) of funds.

7 Audit and Control

7.1 Internal Control

The beneficiary has the responsibility to put in place and maintain control arrangements to ensure proper and sound financial management of the funds. The beneficiary shall ensure that a separate accounting system or an adequate accounting code is maintained for all transactions related to the operation without prejudice to national accounting rules. In the case where the beneficiary is implementing operations supported through different Schemes co-financed through European Structural and Investment Funds, a separate accounting system or an adequate accounting code must be maintained for each operation.

7.2 Accounting Treatment

7.2.1 Enterprises with the obligation to prepare annual financial statements

Use of an Adequate Accounting Code (*a Nominal Ledger Account dedicated to the scheme*) in an existing computerised Accounting System: in this case, beneficiaries must make provisions to open a new Accounting Code in their Nominal Ledger, where all transactions related to the operation will be posted. All entries must be easily identifiable and retrievable, as well as auditable. Beneficiaries may make use of Journal Entries. The same principles apply if a strictly separate accounting system is opted for.

Beneficiaries must comply with generally accepted accounting principles and practices as defined by Article 3(1) of LN. 19 of 2009 Accountancy Profession (Accounting and Auditing Standards) Regulations. This shall mean that beneficiaries are to adhere either to:

- i. International Accounting Standards²⁴; or
- ii. General Accounting Principles for qualifying private or small and medium-sized entities as may be prescribed by regulations, directives or guidelines issued from time to time in terms of the Accountancy Professions Act.²⁵

7.2.2 Enterprises with no obligation to prepare annual financial statements

A separate Bank Account and/or a record showing full details of expenditure paid and funds received related to the operation (*e.g. spreadsheet*) must be kept.

7.2.3 Audit Visits

It is pertinent to note that audit visits may be conducted without prior notice, throughout the different phases of the action including after completion of the action.

Beneficiaries should ensure that the Authorized Representative and Project Manager are available during the audit. All the documentation should be available in the designated project file and access to the documentation is to be facilitated, as may be requested by the auditors.

²⁴ Particularly the *International Accounting Standard (IAS) 20: Accounting for Government Grants and Disclosure of Government Assistance*.

²⁵ For financial reporting periods commencing on or after 1st January 2016 SL 281.05 (General Accounting Principles for Small and Medium-Sized Entities) Regulations.

7.2.4 Audit Follow-up

Further to the conclusion of the audit, the auditors will draft a report outlining all the findings and any pertinent recommendations. If clarifications are required, the auditors will seek feedback from both the Measures and Support Division and the beneficiary. The beneficiary is obliged to co-operate and provide the requested feedback, data, and information by the indicated deadlines and without undue delays.

7.3 Irregularities

Irregularities may be identified during different stages of the operation because of the different checks and audits carried out by different bodies, including the beneficiary. Irregularities may be identified also through other means such as fiscal controls and evaluations, receipt of complaints or information which may also be anonymous and public domain information.

The Beneficiary is responsible to **report** any irregularity detected **without delay** to the Measures and Support Division.

7.4 Financial Recovery and Correction

In those instances where an irregularity necessitates the recovery of funds, the individual/organisation that identified the irregularity must ensure that the recovery procedures are initiated immediately.

It is pertinent to note that failure to apply rules and regulations can result in irregularities which in turn could result to financial corrections, which in certain cases may lead to a recovery of up to 100% of the payment. The applicable recovery rates will be determined in line with the guidelines issued by the European Commission and in terms of State Aid Regulations.

8 Information and Publicity

Beneficiary Undertakings are responsible for ensuring proper visibility of interventions assisted through this Grant Scheme, part-financed by the European Union through the NextGenerationEU Funds.

All communication and publicity measures must acknowledge support from the European Union and the respective Fund in line with Article 34 of Chapter VIII of Regulation (EU) No. 2021/241 of 12 February 2021.

Visibility measures should be proportionate and reflect the scale of assistance and the nature of the project.

Beneficiaries are to seek the guidance of the Measures and Support Division prior to embarking on publicity and visibility actions. Failure to fully comply with the visibility and publicity requirements will result in financial corrections and loss of funds. The beneficiary is responsible to keep evidence of compliance such as copies of printed documentation, photographic evidence of participation at fairs, and of commemorative plaques and posters affixed throughout the implementation of the project.

8.1 Public Notification

In line with the principle of transparency all awarded grants are to be made publicly available on www.fondi.eu and are to be registered in a central State aid register set at national or EU level.

Such register shall include the following details:

- the identification of the beneficiary,
- the aid amount,
- the granting date,
- the aid instrument, and
- the sector involved on the basis of the statistical classification of economic activities in the Union ('NACE classification').

8.2 Commemorative Publicity




Permanent commemorative publicity shall be installed, within 1 month from completion of the investment project as follows:

- In a prominent site within the premises that is accessible to the general public, such as reception area
- In any section/area where any financed investment is located and/or affixed to the financed investment in case this is mobile.

Permanent publicity is to be produced as follows:

- **Dimensions:** Proportionate to the size of the operation and legible by passers-by, clients etc. However, the minimum size standard is A4 (0.210m × 0.297m)
- **Suggested background:** Copper, Bronze, Silver, Chrome, or Perspex
- **Fonts and Sizes:** Font in proportion to size of plaque. The beneficiary is to liaise with the Measures and Support Division to determine font type and size.

All logos and emblems can be downloaded from [here](#).

	
<p>TITLE OF DIGITAL INVESTMENT</p>	
<p>NAME OF SCHEME²⁶</p>	
	
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8.3 Stickers

In the case of purchasing of hardware, the Beneficiary might decide to affix a sticker to the procured investment. Also, in the case of purchasing of software, a sticker may be affixed to the hardware on which the procured software is installed on. The beneficiary is to liaise with the Measures and Support Division whether the stickers shall replace the commemorative publicity. The stickers shall be as follow:



²⁶ Digitalise your Business

8.4 e-Commerce Website

e-Commerce Websites should include all visibility requirements in full colour as follows:

- The Union emblem and the reference to the Union shall be visible, when landing on the website or mobile application, inside the area of a digital device, without requiring a user to scroll down the page to be linked to www.fondi.eu
- Reference to the investment supported through the NextGenerationEU to be linked to www.fondi.eu



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9 Durability

It is the beneficiary's responsibility to ensure compliance with the Durability requirements of assisted operations in line with the applicable Guidance Notes and the Grant Agreement, failure of which may result in recovery of funds.

- a) The beneficiary is to retain ownership of fixed assets purchased through EU funds and should ensure that the acquired assets are kept in good working order throughout and after the operation life and for the period as outlined in the applicable Guidance Notes.
- b) If an asset is faulty and/or damaged it should be replaced at the supplier's or the beneficiary's expense – whether under guarantee or not – the replacement must perform the same function and be of the same or higher specifications as the asset being replaced.
- c) If an asset is replaced, both the old and new serial numbers must be retained.
- d) The beneficiary shall ensure that the relevant publicity is present on project site (refer to [Section 8 – Information and Publicity](#)).
- e) In the case of assets purchased through a subscription; evidence of all payments paid throughout the durability period shall be kept.

During the durability period, the Measures and Support Division shall check the operation at least once and shall verify that the operation is not subject to any of the following:

- a) a cessation or transfer of a productive activity outside the programme area (for 2021-2027 operations 'outside the NUTS level 2 region in which it received support')
- b) a change in ownership of an item of infrastructure which gives to a firm or a public body any undue advantage
- c) a substantial change affecting its nature, objectives or implementation conditions which would result in undermining its original objectives.

Moreover, during such period beneficiaries will be asked to provide financial information (*where this is not available on the MBR*) including but not limited to:

- Turnover generated during the durability years
- Percentage of turnover attributed as a result of the investment
- Gross and Net Profit

Non-compliance to the above could result in the full/partial recovery of the grant as identified in [Section 7.4](#).

10 Data Protection

Data and information collected and held by the Measures and Support Division in relation to the financed action will be transferred to the Planning and Priorities Coordination Division and may also be transferred to official third parties in order to fulfil the Measures and Support Division's functions, in line with Community obligations according to law and in line with the provisions of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) and any amendments thereof.

Information and any data provided by the potential beneficiaries and beneficiary will be used for the sole purpose for which they are intended, that is, (i) verification procedures; and (ii) evaluation and monitoring purposes in line with Regulation (EU) 2021/241. The data will not be used for any other means or for any other purpose that is incompatible with that for which the data is being collected.

In applying for assistance under this scheme, applicants will be giving authorisation to the Measures and Support Division to make enquiries and to carry out the necessary checks with the competent Authorities and Organisations to verify any information submitted in relation to the application.

Beneficiary Undertakings should ensure that they disclose factual and accurate data to the Measures and Support Division. The Beneficiary Undertaking has the right to access all the data relating to the grant issued in its name and may request the rectification of any incorrect data.

11 Contact Details

For more information regarding the *Digitalise your Business* kindly contact the Measures and Support Division.

Address: Measures and Support Division
The Oaks Business Centre, Block B
Farsons Street
Hamrun HMR1325

Telephone Number: 25552635

Email: msd.eufunds@gov.mt

Website: <https://fondi.eu/>

Annex I – e-Commerce Website Terms and Conditions

General Notes

- To be procured from an external and unrelated e-Commerce Service Provider, registered with the Measures and Support Division
- Reimbursed through a Lump Sum of €4,800 for investments located in Malta and €5,760 for investments located in Gozo in line with the Aid Intensities identified in [Section 1.7](#).

Specifications

The e-Commerce website shall incorporate an online payment gateway and support at least the following:

- a. Design, development, implementation and delivery of an e-commerce website to meet the needs of the beneficiary.
- b. Development, implementation and delivery of all technical elements to enable the function of the website; including a CMS for use to upload content, secure online payment integration, which may include an online graphical product or service catalogue.
- c. Development, implementation, and delivery of all technical elements to allow the successful integration of a payment system including appropriate electronic communication channels.
- d. Integration of appropriate web analytics software to allow the enterprise to generate data reports on web traffic to and from the website.
- e. Creation of a design for the website that is in line with the brand identity of the enterprise.
- f. Registering and hosting of the site on secure servers.

Requirements

- The final e-commerce product shall include acknowledgement to support from EU Funds in line with Article 34 of Chapter VIII of Regulation (EU) No. 2021/241 and in line with these Guidance Notes’.
- On project completion, the beneficiary will provide the Measures and Support Division with an authenticated report, drawn up by the Service Provider, outlining the level of service provided, from a technical perspective and its resultant output in line with these Guidance Notes and outlining adherence to the following mandatory requirements:
 1. Open Web Application Security Project (OWASP) (https://www.owasp.org/index.php/Main_Page)
 2. PCI (Payment Card Industry) Security Standards (www.pcisecuritystandards.org) for online card payment processing.
 3. Data Protection Legislation
 4. An application security audit should be submitted once the site is live, which may be conducted using automated test applications, which would at least include the following requirements:
 - Cross Site Scripting Prevention

- Injection Flaws
- Malicious File Execution Attacks
- Insecure Direct Object Reference
- Cross Site Request Forgery
- Information Leakage and Improper Error Handling
- Broken Authentication and Session Management
- Insecure Cryptographic Storage
- Failure to restrict URL access

Annex II – Change in Project Manager Form

**Change in Project Manager Form**

I, (Name of Authorised Representative), as Authorised Representative on behalf of (Name of Beneficiary) as the Beneficiary, appoint (Name of new Project Manager) holder of ID card No. (ID No.) to the position of Project Manager in the stead of (Name of current Project Manager) for the investment project (Project Reference) effective as of (Date of new appointment).

The new Project Manager holds the position of (Insert Position within Enterprise) within the enterprise and may be contacted on (Insert Phone Number) and (Insert email Address).

Name of Authorised Representative

Signature

Date

Name of New Project Manager

Signature

Date



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Annex III – Inventory Template

[illegible]

Annex IV – Claim for Reimbursement – Documentation

The claim for reimbursement shall be accompanied by those documents identified for each sub-activity as per the respective sub-category in section **6.2**:

- [Purchasing of e-Commerce Website](#)
- [Items under the activity Digital Solutions](#)
- [Purchasing of Subscription-based Software](#)

together with the following documents:

- Claim for Reimbursement
- Checklist Annexed to Claim for Reimbursement
- Progress/Final Implementation Report
- [Beneficiary Financial Identification Form](#) *(only to be submitted with the first claim for reimbursement, as long as same account details are retained)*
- [Supplier Detail Form](#) *(in those cases where bank account details of supplier are not included in the invoice)*
- Copy of [Inventory](#) *(as per provided template)*
- Copy of Separate Ledger Account or Record showing full details of expenditure *(as per [Section 7.2](#))*
- Copy of warranties *(if applicable)*
- Photographic Evidence *(of procured items; serial numbers and publicity)*
- Compliance Certificate/s issued by the Commissioner for Revenue (CfR) covering Income Tax, VAT and Final Settlement and of Social Security Contributions Compliance Certificates **issued not earlier than one month from the date** when respective claim for reimbursement is presented to the Measures and Support Division.
- Statement signed by Authorized Representative *specifying the following*:
 - (i) The expenditure to implement the action was actually incurred by the Undertaking and was not reimbursed or may be recoverable through other sources;
 - (ii) The expenditure satisfies the conditions that are outlined in the Grant Agreement;
 - (iii) The output (investment) is in place and set in operation within the duration of the project period being the timeline outlined in the Grant Agreement;
 - (iv) The Beneficiary has ensured that any rules governing accumulation of aid have been respected.

Annex VI – Beneficiary Financial Identification Form


Financial Identification Form – EU Funds
Formola ta' Identifikazzjoni – Fondi tal-UE
 EU Payments Unit
Part I

Business Name as Registered with VAT Dept. / Isem il-Kumpanja kif Irreġistrata mad-Dipartiment tal-VAT	
Trading/Company Number and Name (if applicable) / Numru ta' Registrazzjoni Tal-Kumpanja u Isem (jekk applikabbli)	
Address / Indirizz	
Town/City / Belt/Raħal	Post Code / Kodiċi Postali
Country / Pajjiż	VAT Reg. Number / Numru tar-Registrazzjoni tal-VAT
Telephone Number / Mobile Number Numru tal-Telefoni / Numru tal-Mowbajl	Identification Number (ID or Passport) Numru ta' Identifikazzjoni (ID jew Passaport)
Contact Person / Isem tal-Persuna li magħha għandu jsir kuntatt	
e-mail Address (generik) / Indirizz Elettroniku (generiku)	

Part II

Bank Account Holder / Isem tad-Detentur tal-Kont tal-Bank
Bank Name / Isem tal-Bank Kummerċjali
Branch Address / Indirizz tal-Fergħa tal-Bank Kummerċjali
Town/City and Post Code / Belt/Raħal u Kodiċi Postali
Country / Pajjiż
International Bank Account Number (IBAN) (compulsory) / Numru Internazzjonali tal-Kont Bankarju (IBAN) (obbligatorju)
Bank Identifier Code (BIC) / Kodiċi ta' Identifikazzjoni tal-Bank (BIC)

Part III

I the undersigned declare that all information filled herein and conferred to you is to the best of my knowledge and belief true, correct and complete. I understand and am fully aware that falsification of any information may jeopardise the validity of the payment issued thereon. I further declare that I have read and understood the details given on page 2 of this form, and unless otherwise directed, the above information may be used for future EU related payments.

Jien, hawn taht iffirmat, niddikjara li l-informazzjoni kollha mimlija hawn fuq u mogħtija, hija, sa fejn naf jien, vera, korretta u sħiħa. Jiena nifhem, u jiena konxju, illi falsifikazzjoni ta' kwalunkwe tip ta' informazzjoni tista' tipperikola l-validità ta' pagamenti maħruġa fuq din l-informazzjoni. Niddikjara wkoll illi jiena qrajt u fihimt id-dettalji mogħtija fit-tieni pagna ta' din il-formola, u sakemm ma jkunx indikat mod ieħor, l-informazzjoni ta' hawn fuq tista' tintuża għal pagamenti futuri relatati mal-Fondi tal-UE.

Signature of Account Holder
Firma tad-Detentur tal-Kont

Date / Data
[compulsory / obbligatorju]

Signature of EU Payments Unit Representative
Firma tar-Rappreżentant tal-EU Payments Unit




Date/Data

Signature of Contracting Authority/FB* (as applicable)
Firma tal-Awtorità tal-Kuntratti/BA** (kif applikabbli)

Date/Data

* Final Beneficiary
** Benefiċjarju Aħħari

Annex VII – e-Commerce Website – Declaration of Unrelation

 	
Declaration of Unrelation	
<p>I hereby declare that <u>(insert name of Service Provider)</u> is external to the beneficiary Undertaking, and the parties are autonomous and unrelated to each other.</p>	
Details of Beneficiary	
Beneficiary Name (Registered Name)	
Beneficiary Registration No.	
VAT No.	
Official Address	
e-mail	
Telephone No.	
Name & Surname of Authorised Representative	(BLOCK LETTERS)
Designation	(BLOCK LETTERS)
Signature	
Official Stamp	
Date	
<p><i>Data Protection Declaration -</i> <i>Personal Data supplied to the Measures and Support Division (MSD) within the scope of implementation of projects being co-financed by Cohesion Policy funds is processed, in accordance with Community obligations according to law and in line with the provisions of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive (95/46/EC (General Data Protection Regulation) and any subsequent amendments, by MSD and by other stakeholders and competent authorities mandated to implement, monitor, execute payments, controls and audit the project/contract.</i></p>	
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