



GOVERNMENT
OF MALTA



FONDI.eu

GUIDANCE NOTES

Support for conservation and sustainable use and development of genetic resources in agriculture

Measure 10.2

RURAL DEVELOPMENT PROGRAMME
(MALTA) 2014 - 2020

Template Version

26/10/2023 – Version 1.2.1

MANAGING AUTHORITY (EAFRD)

The Oaks Business Centre, Block B, Triq Farsons,
Hamrun HMR 1321, Malta
Telephone: (+)356 2555 2634

Email: rds submissions.mefl@gov.mt



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

Notices

HISTORY OF CHANGES		
Version	Publication Date	Change
1.1	28.05.2019	Publication of first version for Calls 1,2,3
1.2	16.10.2023	Publication of Call 4
1.2.1	25.10.2023	Section 2.1 Eligible Actions Pg 10.

Procedure for the submission of applications

- Applications are to be sent by email on rdsuggestions.mefl@gov.mt
- Applicants are to ensure to submit their application before noon (12pm Central European Time) of the indicated closing date.
- If Application and supporting documentation exceeds 20MB, please split the files in separate zipped folders and send in separate emails (*e.g. Application M10.2 Joe Borg - Part 2 of 3*)
- The MA remains available to confirm with applicants that an application has been received if contacted via email on rdsuggestions.mefl@gov.mt or via Tel. 2555 2634 during office hours. After a manual check on the submitted applications, the MA will also issue an acknowledgement letter.
- Note that the automated acknowledgement sent from the RDD mailbox does not in any way confirm or otherwise the (a) successful receipt of part or full application, nor, (b) that the application is deemed admissible.
- The applicants will be advised further, during the evaluation process, with regards to the submission of any necessary clarifications/documents required
- The Managing Authority reserves the right, in particular on the basis of approval or direction by the European Commission, to amend from time-to-time certain provisions established by this guidance document. Such amendments may become applicable and enforced retrospectively.
- In case of any conflicts between these guidelines and the text of the Rural Development Programme (RDP) 2014-2020 and other legislative text, the interpretation given by the RDP and relevant legislation will be given priority. The English version will be the legally binding text.
- The Managing Authority reserves the right to request additional information not included in this Guidance Document.

Contents

Contents	3
Definitions	5
1.0 Introduction	7
1.1 Authorities	7
1.2 Scope & Objectives	7
1.3 Duration	8
1.4 Budget	8
1.5 Maximum Grant Value and Aid Intensity	8
2.0 Eligibility	9
2.1 Eligible Actions	9
2.2 Ineligible Actions	10
2.3 Eligible Applicants	10
2.4 Eligible Expenditure	10
2.5 Ineligible Expenditure	11
2.6 Additional Provisions	12
2.7 Complementarity and demarcation with other measures	12
3.0 Filling out Part A – Administrative Forms	14
4.0 Filling out Part B – Technical Description	15
5.0 Documents to be submitted with the Application	19
6.0 Acknowledgement	19
7.0 Additional Notes	19
7.1 Additional provisions	19
8.0 Contact Details of Competent Authorities	20
9.0 Assessment and selection	20
9.1 Validation of applications	20
9.2 Assessment of Applications	20
9.3 Eligibility Criteria	21
9.3.1 General Eligibility Criteria	21
9.3.2 Measure-Specific Eligibility Criteria	21
9.4 Selection of Proposed Investments	21
9.4.1 General Selection Criteria	22
9.5 Unsuccessful applicants	22

9.6 Appeals	22
9.7 Letter of Acceptance	22
9.8 Grant Agreement	23
9.9 Changes	23
10.0 Contractual Obligations	24
10.1 Durability of Investment	24
10.2 Documentation	24
10.3 Procurement	25
10.4 Controls and Penalties	25
10.4.1 Administrative checks on support applications	25
10.4.2 Administrative checks on payment claims by the paying agency (ARPA)	26
11.0 Compliance with Community Policy	27
11.1 General Principles	27
11.2 Equal Opportunities and Non-discrimination	27
11.3 Sustainable Development	27
12.0 Data Policy	28
12.1 Data Protection	28
12.2 Transparency	28
12.3 Monitoring, Evaluation and Dissemination	28
13.0 Contract Details	29

Definitions

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

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

Cost-effectiveness analysis: Compares the costs and effects of an intervention to assess the extent to which it can be regarded as providing value for money.

Contact Person: A person that is authorised by the applicant and can be contacted directly for matters in connection with the application.

CRRB: Change Request Review Board

EAFRD: European Agricultural Fund for Rural Development.

EAFRD regulation: Regulation (EU) No 1305/2013 of 17 December 2013 on support for rural development by the EAFRD, as amended.

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

Grant Agreement (GA): An agreement signed between the MA and the selected applicant (beneficiary) containing provisions and conditions related to the support being given.

Grant Award Letter: A letter sent by the MA to selected applicants upon the completion of the selection process as to inform applicants of its outcome.

Land Registration Identification System (LPIS): The system contains all agricultural areas, registered at the Front Office (ARPA) that may be eligible for a land-based measure under the Common Agricultural Policy.

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

Monitoring: Regular examination of the resources, outputs, and results of interventions.

Project Leader: Is a person who is authorised by the applicant to ensure a project is carried through and in line with commitments.

Project Selection Committee (PSC): An independent Committee that assesses and ranks applications.

Project Selection Appeals Board (PSAB): An independent Committee that assesses any submissions of appeals.

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

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

1.0 Introduction

These Guidance Notes are intended to assist Applicants understand the requirements for requesting and receiving funding support under the Measure 10.2 – Support for conservation and sustainable use and development of genetic resources in agriculture.

Applicants are advised to familiarise themselves with these Guidance Notes prior to filling in and preparation of the Application. The Guidance Notes, Application Form and all Annexes and other documentation are available at <http://www.fondi.eu>.

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

1.1 Authorities

The Funds and Programmes Division (FPD) within the Parliamentary Secretariat for European Funds (MEFL) is the Managing Authority (MA) responsible for managing the measures of the European Agricultural Fund for Rural Development Fund (EAFRD) in accordance with the Rural Development Programme (RDP) for Malta for the 2014 – 2020 programming period.

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

1.2 Scope & Objectives

Genetic resources are a strategic resource at the heart of sustainable production. Their efficient conservation and use is critical to safeguard food and nutrition security, now and in the future. Meeting this challenge will require a continued stream of improved crops and varieties adapted to agroecosystem conditions. The loss of genetic diversity reduces the options for sustainably managing resilient agriculture, in the face of adverse environments, and rapidly fluctuating meteorological conditions.

The Objective of Measure 10.2 is to provide conservation, development, and sustainable use of genetic resources in agriculture, to ensure that the largest possible genetic diversity within each species is preserved over the very long term.

The limited land and the need to produce more and varied products have led to the introduction of new species and varieties, the end result being that our local genotypes have already been lost or are in danger of becoming extinct. This sub-measure intends to support activities that will enable the valorisation of these varieties (plant and animal) that are specifically vulnerable to genetic erosion.

The value of conserving genetic resources is realized only through their effective use. This requires strong linkages along the chain from in situ resource conservation and collection, through storage in

gene banks, through research and breeding, to farmers and their communities, and ultimately consumers.

1.3 Duration

This Batch shall close on 12th January 2024, at noon (1200hrs Central European Time) subject to availability of funds and/or notifications by the MA informing otherwise.

1.4 Budget

The indicative budget available for this call is **€1 million** (public expenditure). The MA reserves the right to amend the budget allocated.

1.5 Maximum Grant Value and Aid Intensity

Subject to State Aid limitations that may become applicable depending on the type of activity and the status of the applicant, no particular limit is being imposed as to the amount of grant value that may be requested by the applicant. However, the MA reserves the right to reject any application, including but not limited to cases where funds are not available under the respective measure. This sub-measure will finance up to 100% of the eligible costs, subject however to **the limitations and thresholds of the State aid rules as applicable**, in those cases where **due to the type of activity and the status of the applicant concerned, the assistance would constitute State Aid**.

Value added tax (VAT) shall not be eligible for aid.

2.0 Eligibility

2.1 Eligible Actions

Measure 10.2 shall support applicants through the provision of grants to implement conservation-type operation, through one or more of the following actions:

- (a) actions promoting the ex situ and in situ conservation¹, characterisation, collection and utilisation of genetic resources in agriculture, including web-based inventories of genetic resources currently conserved in situ, including in situ/on-farm conservation, and of ex situ collections (gene banks) and databases.
- (b) actions promoting the exchange of information for the conservation, characterisation, collection and utilisation of genetic resources in agriculture, among competent organisations in the Member States.
- (c) information, dissemination and advisory actions involving non-governmental organisations and other relevant stakeholders, training courses and the preparation of technical reports as a result of (a or b).

Conservation projects for plant genetic resources shall focus on any of the following operations:

- (a) Identification: selection & sampling of fruit varieties, including DNA analysis of selections to establish the identity of the variety.
- (b) Characterisation
- (c) Conservation: accessions from the selected plants would be identified and introduced into conservation fields then monitored to collect further data on physiological and morphological characteristics for the necessary registration to the National Register of Varieties.
- (d) Sanitation: testing of accessions and sanitation to produce virus free material.
- (e) Valorisation: to test aptitude to certain criteria, establishment of mother blocks of selected varieties for the production of healthy local varieties; promotion within the local farming community.

Plant species proposed for conservation must be in line with national regulations.

Conservation actions for plant genetic resources may include:

- the establishment and maintenance of seed collections from the wild or cultivated sites
- germination testing for seed batches
- establishment of plots for the conservation of candidate stocks

¹ '*In situ* conservation' in agriculture means the conservation of genetic material in ecosystems and natural habitats and the maintenance and recovery of viable population of species or feral breeds in their natural surroundings and, in the case of domesticated animal breeds or cultivated plant species, in the farm environment where they have developed their distinct properties.

'*Ex situ* conservation' means the conservation of genetic material for agriculture outside their natural habitat.

- variety assessment and preparation of variety data sheets based on the morpho-pomological description of candidate stocks
- assessment of the sanitary status of candidate stocks
- sanitation of candidate stocks
- activation of certification programme
- activation of pro tempore nursery activity
- mandatory control of certain pests

This sub-measure intends to support activities that will enable the valorisation of plant and animal varieties that are specifically vulnerable to genetic erosion. However, plants and animals that are not under threat and which are not indigenous can also be included.

In general, conservation projects for animal genetic resources shall focus on any of the following operations:

- (a) Phenotypical evaluation and identification of livestock breeds in Malta
- (b) Genetic profiling of registered purebreds in other countries, in cases where the breed is existent
- (c) Identification of herds and high producing individuals
- (d) Establishment of specific pathogen free purebred herds in Malta/Gozo
- (e) Setting up of Maltese herd book including pedigree
- (f) Establishment of a breeding programme with improved genetic merit

2.2 Ineligible Actions

Any actions that are not in conformity with national and EU legislation and which are not supported under this measure as listed under section 2.1, shall not be eligible.

2.3 Eligible Applicants

Private Entities ONLY are eligible to apply under this call e.g. research institutions, private bodies, non-governmental organizations, producers' organisations, and associations. Public entities² are NOT eligible.

2.4 Eligible Expenditure

Expenditure is considered to be eligible expenditure and therefore eligible for reimbursement **only** if it has been incurred **after** an application has been submitted to the Managing Authority and an acknowledgement is issued by the Managing Authority, in line with Article 60 (2) of Regulation (EU) 1305/2013.

The following type of expenditure is considered eligible for the purpose of support under M10.2:

- Personnel engaged in the management and implementation of conservation projects
- Experts fees (including travelling and subsistence costs)
- Costs of training personnel

² For the scope of this call, the University of Malta and MCAST are considered not eligible.

- Production of information/dissemination material, including databases and websites
- Equipment related to the scope of the project

Personnel Costs involved in the running costs of the project are eligible. These can include wages of persons specifically engaged or assigned to run the project e.g. project co-ordinator, technical officers, secretarial costs, etc. In case of persons already employed with the organisation, the salary is worked-out upon the payroll of the individual, based on the duration of hours that the individual will be assigned to the project. The Agricultural and Rural Paying Agency will be requesting supporting documentation, some of which are listed in Section 11.1 of the Payment Guidelines³.

Kindly note that prior to procuring the equipment or services required, the applicant is to present the Paying Agency with three (3) new comparable quotations and a copy of the request for quotations. Quotations are to be submitted together with a formal letter addressed to the Paying Agency whereby the chosen quotation is indicated by inserting reference to the quotation number and the full name of the chosen supplier/service provider.

If the beneficiary does not opt for the cheapest quotation, the amount of funding co-financed through the EAFRD (2014 – 2020) can only be based on the cheapest quotation obtained. Should for some reason three (3) quotations cannot be obtained by the applicant, a justification why, should also be provided by the applicant and it would be the Paying Agency's prerogative, after consulting with the Managing Authority, whether to accept such justification or not for reimbursement purposes.

The MA reserves the right to utilise the simplified cost option applying standard prices for all works/investments under this Measure.

2.5 Ineligible Expenditure

The following costs shall be considered to be ineligible for the purpose of support for the purpose of this measure:

- (a) Simple replacement investments shall not be eligible for support.
- (b) Infrastructure
- (c) The purchase of agricultural production rights, payment entitlements, animals, annual plants and their planting.
- (d) Second-hand machinery and/or equipment.
- (e) Ordinary maintenance operations.
- (f) Any means of transportation.
- (g) Transaction costs.
- (h) Other costs connected with the leasing contract, such as lessor's margin, interest refinancing costs, overheads and insurance charges (shall not be eligible expenditure).
- (i) Costs related to extension of warranty, preventive maintenance, commissioning of works, planning application fees, and insurance charges.
- (j) Contingencies and/or losses made by the Applicant.

³ <https://agrikoltura.gov.mt/en/arpa/Documents/guidelines/investmentMeasuresPaymentGuidelinesFinalEN-V3.0.pdf>

- (k) Expenditure/costs linked to interventions that are, at the time of application, directly (i.e. the specific investment) served by a breach notice by respective responsible authorities including the Environment and Resources Authority (ERA) and the Planning Authority (PA).
- (l) In kind contributions.
- (m) Statutory fines and penalties.
- (n) Purchase or lease of land.
- (o) Aid shall not be granted in respect of investments to comply with Union standards in force.

The list above is not to be considered as non-exhaustive and the MA may update this list from time-to-time. Where in doubt, it is advised to speak to the Managing Authority.

2.6 Additional Provisions

The Scope of this conservation measure must be strictly targeted towards the conservation of genetic resources in plant species and/or livestock breeds.

Furthermore, it is important that the proposed projects meet the following criteria. Failure to meet these criteria will lead to rejection of the application.

The proposed project must:

- a. be carried out within the geographic region of the Maltese Islands
- b. be carried out by competent organisations
- c. identify the species that need to be conserved
- d. demonstrate how the proposed project will support conservation and sustainable use and development of genetic resources in agriculture
- e. Propose conservation measure strictly targeted towards the conservation of genetic resources in plant species and / or livestock breeds
- f. comply with the scope of the actions listed under the Measure.

Education, awareness, and promotion: priority will be given to those proposals which aim to integrate not just conservation measures but also have built in components linked to education, awareness and promotion.

State Aid assessment of applications received under this measure will be undertaken during the evaluation of the same applications. This assessment will be based upon the type of beneficiary (eg: NGO, agricultural entity, etc.), their economic activity and the nature of the project including the potential of the project to result in an economic activity. Documentation to conduct such assessment may be requested and the applicant will be informed accordingly. Prior to the signing of the grant agreement, the applicant will also be notified with regards the outcome of the State aid assessment and the amount of the State aid financing that would be awarded.

2.7 Complementarity and demarcation with other measures

Measure 10.2 is complementary with measure 10.1 'Payment for agri-environment-climate commitments'. Regulation No (EU) 1305-2013 establishes demarcation between the two measures insofar that support may be provided for the conservation and for the sustainable use and development of genetic resources in agriculture for operations not covered by the provisions under paragraphs 1 to

8 of article 28 of the same regulation. Furthermore, such commitments may be carried out by beneficiaries other than those referred to in paragraph 2 of the same article. Hence, under measure 10.2, no assistance may be granted to farmers, groups of farmers, or other land managers.

3.0 Filling out Part A – Administrative Forms

- **Project Title:** Name your project in a way that it can be easily understood and captures the gist of your project. Must be within 15 words.
- **Project Duration:** Insert the number of months required to complete the proposed project. The maximum project duration is 15 months and thus applicants are advised to be realistic in their project in view of the timing constraints. The project duration in months will be calculated from the date of the signing of the grant agreement.
- **The Applicant:** Tick the box according to the type of private entity.
- **Applicant's Information:** Fill-in details of applicant, project leader and details of partnership (if applicable)
- **VAT Status:** Fill-in details of Value Added Tax (VAT)
- **Details of the contact person for the application:** In case a third party (such as consultant/advisor) is filling in this application and will be responsible for any queries in relation to the application, then the information of the contact person is to be entered here.
- **Partner Entities:** Specify whether the operation entails the involvement of other entities. If yes, enter details as per above.
- **Partner's Participation:** Insert details of how the partner entity will be participating in the project.

4.0 Filling out Part B – Technical Description

Key Investment Plan: This is a critical section of the application form. This is where all the details and technical specifications of the project are to be explained by using a combination of quantitative and qualitative data.

Investments: Tick the type of actions and activity of investments according to the project.

Details: Describe the actions and investments to be carried out as part of project implementation – explain the justification why the project is needed and the expected results of what the project will obtain by its termination. List down the type of plants/animals that are going to be targeted by the project. The list of investments can be listed in the Project Cost table.

Project Indicators (20 marks): This section needs to feature how the project will contribute to the cross-cutting objectives, focus areas and needs of the Rural Development Programme 2014-2023 which are explained in the section below. Tick accordingly and provide a brief overview how the project fits within the objectives and needs.

Contribution to cross-cutting objectives and focus areas and needs

Applications for support will be considered based on their contribution to one or more of the following cross cutting objectives, focus areas and needs⁴.

Contribution to Cross-Cutting Objectives

Project proposals under expenditure for genetic resources conservation are expected to contribute to one or more of the following cross-cutting objectives:

1. Environment: Support to the conservation of local genetic resources will lead to the reversal of biodiversity decline.
2. Climate change mitigation and adaptation: Support in conservation, sustainable use and development of genetic resources in agriculture have beneficial effects through making Maltese agriculture more adaptable and resilient to climate change.
3. Innovation: Support for Maltese indigenous tree species and breeds of livestock, offer potential for further product development, enabling micro-enterprise and SMEs to develop niche products for the Maltese market and for tourism.

Contribution to Focus Areas

Project proposals under this Sub-Measure are expected to contribute to one or more of the following focus areas⁵:

1. Focus Area 4A: restoring, preserving and enhancing biodiversity, including Natura 2000 areas and high nature value farming, and the state of European landscapes.
2. Focus Area 4B: Improving water management, including fertiliser and pesticide management

⁴ For further details on the Focus areas and cross-cutting objectives, please refer to chapter 8 of the RDP 2014-2020 'Agri-environment-climate, section 8.2.7.2 'General description of the measure including its intervention logic and contribution to focus areas and cross-cutting objective'.

⁵ Certain aspects of these focus areas shall not be applicable for the purpose of this call, according to the actions that are eligible. More details on eligibility of actions are provided in subsequent sections.

3. Focus Area 4C: Improving soil management
4. Focus Area 5E: fostering carbon sequestration in agriculture and forestry.

Contribution to the Needs of the Rural Development Programme

Applicants are also required to demonstrate how their proposed projects shall result in the achievement of certain targets by clearly outlining the proposed project's contribution to one or more of the following needs that have been identified in the Malta Rural Development Programme (RDP)⁶:

Need 1: Water, Wastes and Energy:

Energy, water and waste management are closely linked and all exhibit current weaknesses which are linked in part to a lack of awareness and expertise among the farm population, to achieve improved management. Farmers require increased capacity to deal with the challenges faced by Malta's agriculture and rural development in order to ensure their future sustainability.

Given the state of Malta's water reserves and its current dependence upon increasingly high-cost imported fuels and other inputs, it is a priority for primary producers and other stakeholders to have improved knowledge and understanding in the following topics:

1. Nutrient budgeting
2. Efficient water management and use
3. Cropping practices to minimise water and energy use

Need 2: Maltese Quality Produce

Projects will be funded to improve the competitiveness of rural businesses through adding value to their primary production of goods and services.

Possibilities for funding include projects targeting the following topics:

4. Realistic options and techniques for adding value to primary produce
5. Developing and managing brands and quality marks to add value

Need 4: Landscape and environment

In order to encourage better management and protection of the rural environment, proposals should encourage interventions which include:

6. Improved understanding of the relationship between agricultural practice and natural processes and ecosystems, effective stewardship and management, and good practice in sustainable techniques.

Need 5: Wider rural economy and quality of life

The most significant needs in relation to the wider rural economy relate to helping rural producers and processors to make positive and stronger links with the tourism market.

Preference will be given to applications in which the project proposal targets more than one indicator and/or contributes considerably towards the relevant measure indicators.

⁶ Certain aspects of these needs shall not be applicable for the purpose of this call, according to the actions that are eligible. More details on eligibility of actions are provided in subsequent sections.

Education, awareness and promotion (40 marks): Priority will be given to those proposals which aim to integrate not just conservation measures but also have built in components linked to education, awareness and promotion.

Project Costs: For each investment proposed, list down in the table (double – click on the table) the line item (e.g. Equipment) and the Quantity (e.g. 1). Each investment is to be backed up by a quotation or Bill of Quantities to be enclosed with the application form. Only items listed in this section will be considered for application assessment and grant award. Projects co-funded through this Measure will be assisted with 100% contribution from the European Agricultural Fund for Rural development and Government of Malta funds. The amount of each component is to be included under the year in which the investment is expected to be procured. Next to each investment, kindly list down the location of where the investment will be placed and kept for the whole duration and durability of the project.

Preparedness/Readiness (10 marks): Readiness refers to project proposals that are in an advanced state of preparedness such as quotations having already been gathered, necessary permits obtained etc. Kindly list the activities envisaged within the operation that requires a planning or an environmental permit, identify whether the permit application has already been submitted and if yes list down the PA or Tracking number.

Organisational Capacity (20 marks): The applicant will be assessed based on the experience they have in the management of similar project and the plan to engage necessary persons to successfully implement the project. This section also focuses on project sustainability, where the applicant has to describe how the project will lead to benefits to the general rural area, even after the project has been completed. Benefits may be related to environmental, social, economic, aesthetic and tourism.

Cost Effectiveness (20 marks): Cost effectiveness refers to evidence added value, effectiveness and reasonableness of costs proposed. The outputs and outcomes of the proposal should be proportionate to the level of funding offered. Project deliverability will also be assessed on the basis of whether competitive quotes have been sought, clear rationale in cases where the lowest valid offer is not chosen whether the costs are realistic and whether the application shows how the project will be successful at the end of the contract.

Horizontal Priorities (20 marks): The applicant should ensure that the proposed intervention/s contribute towards the promotion of equal opportunities, equality, non-discrimination and improved accessibility whilst targeting sustainable development in the areas of economic growth, social cohesion and environmental protection. Consideration will be made of whether the applicant has a gender mainstream strategy, an appropriate policy on equality and diversity (e.g. as an employer), access requirements have been taken into account (e.g. for buildings, websites), and whether any jobs created are open to a diverse range of applicants.

Complementarity (10 marks): This refers to the potential of the proposed project to lead to funding opportunities under other measures/funds. Indicate under which programmes the project or its extension could be supported. Furthermore, list the actions that will complement other projects being implemented at international, national and/or entity level.

Publicity & Visibility: Beneficiaries are obliged by Commission Implementing Regulation (EU) No 808/2014 to acknowledge support from the Fund through plaques or billboard depending on the Grant

Amount. Beneficiaries are to follow publicity obligations as stipulated in the Visual Identity Guidelines⁷ and any other information listed in the website www.fondi.eu Additional marks are given to applicants describing promotional actions which go beyond the regulatory obligations.

⁷ <https://fondi.eu/visual-identity-guidelines-2021-2027/>

5.0 Documents to be submitted with the Application

A checklist of documents to be submitted with the Application is attached to the Application Form. The applicants will be advised further, during the evaluation process, with regards to the submission of any necessary clarifications/documents required.

6.0 Acknowledgement

An acknowledgement shall be issued by the receiving officers upon submission of a completely filled-in application form, as per instructions in section above.

Disclaimer: The person receiving the application is not responsible for the administrative compliance of the application form. This issuance of this acknowledgement letter does not imply that the applicant has submitted all the necessary documentation. The application may be refused and returned to the applicant following the issuance of the acknowledgement letter.

7.0 Additional Notes

Actions financed under Sub-Measure 10.2 are to be implemented and payment documentation submitted within 20 months from the date of approval of the grant. The MA reserves the right to extend this period after the signing of the Grant Agreement, if the beneficiary presents a valid justification, and subject that such justification is approved by the Change Request Review Board.

Projects with a grant value of equal or less than EUR100,000 shall be limited to two (2) change request submissions, whereas projects with a grant value of more than EUR100,000 but less than or equal to EUR200,000 shall be limited to three (3) change request submissions. The limit of change request submissions applies for the entire duration of the project. For the avoidance of doubt, the limitation is subject to the number of submissions and not the amount of changes requested per submission. Furthermore, the limitation still applies in case the MA rejects the request in part or in its entirety.

7.1 Additional provisions

Where the investment is likely to have negative effects on the environment, investment operations shall be preceded by an assessment of the expected environmental impact in accordance with legislation specific to that kind of investment (Article 45 of Regulation 1305/2013).

8.0 Contact Details of Competent Authorities

- The Tax Compliance Certificate can be acquired by contacting of the Commissioner for Revenue

Tel No: 22962755

Email: compliance-certificates.mfin@gov.mt

OR

Using the E-ID online services

9.0 Assessment and selection

9.1 Validation of applications

The MA will undertake a validity check of all applications that are received.

Should any documentation that is required be missing from the Application Form, the MA shall notify the Applicant through a notification letter. Any required documents that were missing from the Application Form are to be submitted within the specified period from the date of the notification letter.

Only complete applications will be considered by the Project Selection Committee. Applications that remain incomplete after the specified period notice period has elapsed will be rejected.

Should the applicant wish to re-submit an application, the process is considered a new one. In such cases, the effective application date would be that of the new submission.

9.2 Assessment of Applications

Applications for support that pass the admissibility check will proceed to the next step and shall be assessed according to the eligibility and selection criteria (Part B – Technical Description).

Applications shall be assessed and ranked based on selection criteria relevant to the Measure.

The Project Selection Committee (PSC) will award marks according to the criteria and rank projects according to the marks obtained. In order to qualify for selection, the proposal needs to obtain at least 50% of the total marks of the general and measure-specific selection criteria.

During the assessment and selection process, checks will also be carried out to assess the reasonableness of the cost were applicable.

The selection of projects may be limited by the available budget, in which case the highest-ranking projects will be offered a grant.

9.3 Eligibility Criteria

All valid applications shall be assessed against the eligibility criteria that have been established for the RDP 2014-2020. Eligibility criteria consist of two sets: general eligibility criteria and measure-specific eligibility criteria.

It is important to note that all applications need to conform to/fulfil ALL general and measure-specific eligibility criteria in order to be considered for ranking and selection.

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

9.3.1 General Eligibility Criteria

The following are the general eligibility criteria to which the application must conform:

- a. Submitted application is fully completed/filled-in
- b. Applicant demonstrates that the applicant forms part of (or is the legal representative) the beneficiary/applicant organisation.
- c. The proposed project will be implemented within the eligible territory.
- d. Evidence of sufficient financial capacity required to cover the private financial component (where applicable) is provided.
- e. The proposed project contributes to the targets and objectives of the relevant measure/s.
- f. The proposed project contributes to at least one indicator target.

9.3.2 Measure-Specific Eligibility Criteria

The following are the measure-specific eligibility criteria to which the application must conform:

- a. Conservation of genetic resources in plant species and/or livestock breeds

9.4 Selection of Proposed Investments

For a project to be considered for funding, it must obtain at least 50% of the marks available in total (both general and measure-specific criteria). Projects will be ranked according to marks and funds allocated to those projects which obtain the highest marks. In cases of over-demand for funding, other projects which obtain the pass mark, but which are not funded/selected will be placed on a reserve list according to marks obtained and funding offered if and when funds become available.

For the purpose of project selection, the Investments in this measure carry a total maximum scoring of 140 marks, while the measure-specific criteria carries a maximum of 40 marks.

9.4.1 General Selection Criteria

The maximum total marks that can be obtained by fulfilling these general selection criteria is 100. The maximum scoring of the general selection criteria applicable to this Measure pertains to:

- Project proposal targeting multiple indicators (20 marks)
- Preparedness / Readiness (10 marks)
- Organisational capacity (20 marks)
- Cost Effectiveness (20 marks)
- Horizontal Priorities (20 marks)
- Complementarity (10 marks)

The measure specific selection criteria of this measure contribute to:

- Education, awareness, and promotion (40 marks)

More information on each criterion can be found in Section B of the Guidelines.

The MA reserves the right to update and change the selection criteria as deemed necessary, respecting the appropriate legal provisions. Any updates would be reflected in the version of the criteria and the Guidance Notes for the Investments in Holdings Measure uploaded online.

9.5 Unsuccessful applicants

The MA will inform all applicants about the outcome of the selection process.

9.6 Appeals

Applicants who feel aggrieved by the outcome of the procedure have the right of appeal with the Project Selection Appeals Board (PSAB) within five (5) working days from the date of the letter of rejection by the PSC.

The same application cannot be considered as being under PSAB and PSC consideration concurrently. As stated above, only the application undergoing a PSAB procedure will be under consideration (by the PSAB).

9.7 Letter of Acceptance

The MA will proceed to write to the successful applicants informing them of the decision of acceptance of their project. Scanned copies of the letter shall also be submitted through email. Letters of acceptance may include conditions which have been raised by the PSC.

9.8 Grant Agreement

Applicants whose proposals for investments have been selected in accordance with the procedure described above, in terms of being eligible and having obtained the necessary scoring for selection, and furthermore, could be allocated the requisite budget for funding, shall be invited to enter into an agreement with the MA by signing the Grant Agreement. More details on the generic provisions applicable in the Grant Agreement and the contractual obligations of the Beneficiary are provided in the subsequent sections. Selected applicants that do not come forward to sign the grant agreement within stipulated timeframes will have the award withdrawn.

9.9 Changes

The beneficiary organisation shall undertake every effort to ensure that the project is implemented within the stipulated timelines as defined in the project actions⁸, and in line with the relevant EU and National Regulations and administrative procedures.

The Beneficiary shall not change or alter the overall and broad project scope and actions. Significant and strategic changes that alter the scope of the project actions must be agreed to by the Managing Authority in the Change Request procedure published by the MA, as soon as the former becomes aware of them.

In case the beneficiary fails to follow the timelines defined in the Grant Agreement may lead to recoveries of funds by ARPA.

In cases where amendments to the Grant Agreement need to be made by the beneficiary, the beneficiary must submit a written request to the Change Request Review Board (CRRB) via the Change Request Form *prior* to the changes being implemented (*a priori*). The CRRB will review the request and notify the beneficiary accordingly.

If a request for changes to the Grant Agreement is submitted after these changes have actually taken place (*ex-post*), the expenditure related to these changes may be subject to applicable penalties.

In the case where an investment included in the project requires a planning permit, the project will be subject to a withdrawal assessment by the Managing Authority if the necessary permit approvals are not obtained within 25% of the applicable project duration, at the time of the withdrawal assessment. This is without prejudice to any other withdrawals that the MA or ARPA may seek in view of project progress impacting timeframes and scope.

The Change Request Form can be downloaded from the Managing Authority website from the following link: https://fondi.eu/important_documentat/earfd-templates/

⁸ The high-level actions as per approved application form that the applicant can undertake and claim expenditure against.

10.0 Contractual Obligations

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

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

10.1 Durability of Investment⁹

Ownership – unless stipulated otherwise in the Grant Agreement, ownership of the results of the projects, including industrial and intellectual property rights, and of the reports and other documents relating to it shall be that of the main applicant. However, given the scope of the intervention and also the fact that projects under M10.2 are being funded by the EU, the Government of Malta and the Managing Authority has the right to ask for such documents to pass on to other entities if this is deemed in the interest of the public and/or public administration.

Beneficiaries are obliged to maintain the project as a going concern for three or five years, as defined in Article 71 of Regulation 1303/2013, from the date of final payment to the beneficiary. The period shall also be stipulated in the Grant Agreement.

Investments will be subject to ex-post on-the-spot checks. Failure to comply with the obligation for the durability of investments will result in penalties being applied.

The Project has to be operational and functional at the end of the implementation period.

10.2 Documentation

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

The targets set out in the project as submitted in the application and as revised in the award letter are binding on the beneficiary. Where applicable, the beneficiary shall be responsible to collect the relevant baseline as well as data to be able to measure progress on the indicator and shall update the progress achieved towards these targets when required by the Managing Authority.

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

10.3 Procurement

Beneficiaries should note that grants awarded for actions under expenditure for genetic resources conservation are public funds. In this regard, all beneficiaries should ensure that any procurement undertaken for cost items to be financed through the Investments in Holdings Measure is carried out in line with the principles of sound financial management, good governance, transparency, and equality together with the provisions of the Manual of Procedures issued by the relevant authorities and with the provisions of the relevant EU and/or National Legislation including contents of MA PA Circular 1 of 2021.

Checks in relations to procurement will verify that Union public procurement rules and related national rules are complied with and that the basic principles of transparency, objectivity, non-discrimination, and appropriate disclosure have been respected throughout the entire process. ARPA reserves the right to ask for further clarifications and additional documentation before processing a request for payment.

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

10.4 Controls and Penalties

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

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

The following sections are intended as a guide on applicable checks and controls.

10.4.1 Administrative checks on support applications

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

- the eligibility of the beneficiary.
- the eligibility criteria, commitments, and other obligations of the operation for which support is requested.
- compliance with the selection criteria.

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

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

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

Kindly note that the ARPA Payment Guidelines can be accessed through:

<https://agrikoltura.gov.mt/en/arpa/Pages/guidelines.aspx>

¹⁰ Simplified costs option

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

11.0 Compliance with Community Policy

11.1 General Principles

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

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

11.2 Equal Opportunities and Non-discrimination

Beneficiaries are required to take a pro-active approach to Equal Opportunities and must ensure that at all stages of the implementation of the action/s consideration is given to Equal Opportunities.

Equal Opportunities and non-discrimination are not meant to just address gender discrimination but have a wider scope and include race, ethnicity, religion or belief, disability, age and sexual orientation.

11.3 Sustainable Development

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

12.0 Data Policy

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

12.1 Data Protection

Whilst abiding to the provisions set in the Data Protection Act regarding the handling of personal data, the Managing Authority and/or Paying Agency will retain the right to disclose, exchange or request information about any applicant, application, and agreement to or with other organisations or consultants which the Managing Authority and/or Paying Agency consider appropriate for administration, statistical, monitoring, evaluation and dissemination purposes.

12.2 Transparency

Because projects implemented under Measure 4.1 involve expenditure of public money, there is public interest in how the money is spent. In this respect the Managing Authority will ensure that the principle of transparency is fully respected in the implementation of operations under Malta's Rural Development Programme 2014-2020.

Annually, and by no later than 30th May of each year, the Agriculture and Rural Payments Agency (ARPA) is bound to publish a list of beneficiaries who received payment during the preceding financial year (16th October to 15th October) in line with Regulation (EU) No 1306/2013 of the European Parliament and of the Council.

12.3 Monitoring, Evaluation and Dissemination

From time to time, the Managing Authority and/or the Paying Agency, as well as other National and/or EU entities as may be identified by the Managing Authority, may conduct economic, environmental, or other evaluation of the measure which may involve the beneficiary in surveys/interviews of various types. Managing Authority officials or consultants/evaluators engaged by the Managing Authority may contact beneficiaries as necessary. In applying for support under this measure the beneficiary is deemed automatically as agreeing to cooperate with or take part in such studies, which are important for reviewing the effectiveness of the measure as well as evidencing implementation of projects. The MA may also request cooperation from beneficiaries vis-à-vis promotion of the RDP, including use of pictures/videos taken from projects supported through this measure.

Two of the reporting requirements that the Managing Authority requires are the Project Progress Report and the Project Closure Report. The Project Progress Report (PPR) is designed to monitor the implementation of RDP projects and includes brief description of the major achievements achieved through a specific time period. The Project Closure Report (PCR) is designed to evaluate the implementation of RDP projects and includes brief description of the major achievements registered. The final payment claim will not be issued unless the PCR is satisfactorily compiled by the beneficiary. The MA reserves the right to request other reports, as required.

13.0 Contract Details

For more information regarding the Investments in Holdings Measure, kindly contact the Funds and Programmes Division.

Address:

The Oaks Business Centre, Block B, Triq Farsons, Hamrun HMR 1321, Malta

Telephone Number: (+)356 2555 2634

E-mail: rsubmissions.mefl@gov.mt

Website: www.fondi.eu