



GUIDANCE NOTES

Conservation & Sustainable Use and Development of Genetic Resources in Agriculture

Intervention 70.1

COMMON AGRICULTURAL POLICY – STRATEGIC PLAN (MALTA) 2023-2027

2nd December 2024 Version 1.0

MANAGING AUTHORITY (CAP-SP)

The Oaks Business Centre, Block B, Triq Farsons,
Hamrun HMR 1321, Malta
Telephone: (+)356 2555 2555
Email: fondi.eu@gov.mt



Disclaimer

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.

In case of any conflicts between these guidelines and the text of the Common Agricultural Policy Strategic Plan (CAP SP) 2023 - 2027 and other legislative text, the interpretation given by the CAP SP and relevant legislation will be given priority.

The English version will be the legally binding text.

The Managing Authority also reserves the right to request additional information not included in this Guidance Document, in order to proceed with checks and evaluation of the application throughout the process.

This document supersedes any previous guidance notes, website notifications or other media notification issued on this Intervention prior to the launch of this call. Other notifications can be issued on such platforms following the issue of this call.

Further details on the application process may be published in due course on the website of the Managing Authority https://fondi.eu/ For more information, the Managing Authority can be contacted by email at fondi.eu@gov.mt or (+)356 2555 2555 during office hours.

Notices

HISTORY OF CHANGES (where applicable)		
Version Publication Date Change		
1.0	2 nd December 2024	Publishing of call

PROCEDURE FOR THE SUBMISSION OF APPLICATIONS

Applications are to be sent by email on rdsubmissions.opm-ees@gov.mt

If Application and supporting documentation exceeds 20MB, please split the files in separate zipped folders and send in separate emails (*e.g. Application M2.1 Joe Borg - Part 2 of 3*)

Applications in hard copy, whether submitted by mail, by hand or any other means, will not be accepted and in this case, the application will not be deemed admissible and hence will not be considered during the evaluation process. Pen-drives and CDs etc are not required and will not be accepted. This applies to submissions at both the Front Offices in Malta and Gozo as well as the Managing Authority Offices in Hamrun.

DEADLINES AND ACKNOWLEDGEMENTS

It is the responsibility of the applicant to ensure that the application is submitted prior to the set deadline.

Upon receipt of applications, the Managing Authority will not be in a position to validate with applicants whether their submission satisfies the admissibility check to be considered for evaluation. It is the applicant's sole responsibility to ensure the application has been submitted in its entirety. The Managing Authority remains available to confirm with applicants that an application has been received if contacted via email on fondi.eu@gov.mt or (+)356 2555 2555 during office hours.

The acknowledgement email does not imply that the applicant has submitted all the necessary documentation. The Project Selection Committee may request clarifications following the issuance of the acknowledgement letter.

DISCLAIMER

This notification supersedes any previous guidance notes, website notifications or other media notification issued on this Intervention prior to the launch of this call. Other notifications can be issued on such platforms following the issue of this call.

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Contents

	9
1.1 Authorities	9
1.2 Scope	9
1.3 Regulatory Framework	9
1.4 Contribution towards the CSP Objectives	11
1.5 Duration	11
1.6 Budget	11
1.7 Maximum Grant Value & Aid Intensity	11
2.0 Standard Eligibility Conditions	12
2.1 General Eligibility Criteria	12
2.2 Eligible Actions	12
2.3 Ineligible Actions	13
2.4 Eligible Applicants	13
2.5 Eligible Expenditure	13
2.6 Ineligible Expenditure	14
3.0 The Project Proposal as shall be presented during the application process	16
3.1 Project Details	16
3.2 Sector and Type of Activity	16
3.3 Technical Description	17
3.3 Technical Description	
·	18
3.4 Budget	18
3.4 Budget	18 18
3.4 Budget	18 18 18
3.4 Budget	
3.4 Budget	
3.4 Budget	
3.4 Budget 3.5 Supporting Documents 3.6 Declarations 4.0 Assessment and Selection 4.1 Validation of applications 4.2 Assessment and Selection of Applications 4.3 Unsuccessful Applicants	
3.4 Budget 3.5 Supporting Documents 3.6 Declarations 4.0 Assessment and Selection 4.1 Validation of applications 4.2 Assessment and Selection of Applications 4.3 Unsuccessful Applicants 4.4 Appeals	
3.4 Budget	
3.4 Budget	

5.2 Administrative checks on payments claims by the Paying Agency (ARPA)	26
5.3 Payment Triggers and Management Verifications	26
5.4 Controls and Penalties	27
5.5 Documentation	27
5.6 Durability of Investment	28
5.7 Responsible Entities	28
6.0 Compliance with Community Policy	30
7.0 Overarching Commitments	31
7.1 Data Protection	31
7.2 Transparency	31
7.3 Monitoring, Evaluation and Dissemination	31
7.4 Conflict of Interest	31
7.5 Force Majeure	32
8.0 Contact Details	33
Annex I – Estimate of Works (Template)	34

Definitions

CAP: Common Agricultural Policy is a commitment that the EU is promoting amongst its Member States to ensure a stable supply of food, safeguards farmers' income and protects the environment, while keeping rural areas vibrant.

CSP: Common Agricultural Policy – Strategic Plan is a plan drawn up by each Member State to contribute towards reaching the aims of the Common Agricultural Policy. CAP Strategic Plans encourage the transition towards a smart, sustainable, competitive, resilient, and diversified agricultural sector, while ensuring long-term food security.

CAP SP Regulation: REGULATION (EU) 2021/2115 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing rules on support for strategic plans to be drawn up by Member States under the common agricultural policy (CAP Strategic Plans) and financed by the European Agricultural Guarantee Fund (EAGF) and by the European Agricultural Fund for Rural Development (EAFRD) and repealing Regulations (EU) No 1305/2013 and (EU) No 1307/2013 and REGULATION (EU) 2021/2116 of the European Parliament and of the Council of 2 December 2021 on the financing, management and monitoring of the common agricultural policy and repealing Regulation (EU) No 1306/2013.

CPR: (where applicable) Common Provision Regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy.

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

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

CRRB: Change Request Review Board

EAFRD: European Agricultural Fund for Rural Development.

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

ex situ conservation - the conservation of genetic material for agriculture or forestry outside their natural habitat.

ex situ collection - a collection of genetic material for agriculture or forestry maintained outside their natural habitat.

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

Grant Award Letter: A letter sent by the MA to selected applicants upon the completion of the selection process in order to inform applicants of its outcome. The award letter can include certain conditions and actions expected on the part of the applicant.

in situ conservation in agriculture - 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 farmed environment where they have developed their distinctive properties.

in situ conservation in forestry - the conservation of genetic material in ecosystems and natural habitats and the maintenance and recovery of viable population of species in their natural surroundings.

Intervention: There are two types of interventions - those related to land (e.g. practices on agricultural land) or through investments (e.g. investing in the infrastructure of a farm, or buying equipment for the processing of agricultural products).

Managing Authority: A national or regional body designated by a Member State to manage and implement the CAP Strategic Plan.

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

On-farm or on-forest holding conservation - *in situ* conservation and development at farm or forest holding level.

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

Project Leader: Is a person who is authorised by the applicant to ensure a project is carried through and in line with commitments. The Project Leader can be contacted directly for matters relative to an on-going project and is expected to have responsibility for the execution of a project.

Project Selection Appeals Board (PSAB): An independent Committee that assesses appeal submissions.

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

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

Simplified Cost Options (SCOs): Expenditure which is reimbursed according to predefined methods (translated into amounts/percentages) based on processes, outputs or results representing the best approximation of real costs incurred when implementing an action.

1.0 Introduction

These Guidance Notes are intended to assist Applicants understand the requirements for requesting and receiving funding support under the *Conservation & Sustainable Use and Development of Genetic Resources in Agriculture* of the Common Agricultural Policy Strategic Plan 2023-2027.

Applicants are advised to familiarise themselves with these Guidance Notes prior to completing an application. The Guidance Notes, Application Form and all Annexes and other documentation are available at www.fondi.eu during the application period.

1.1 Authorities

The Funds and Programmes Division (FPD) within the Ministry responsible for EU Funds is the Managing Authority (MA) responsible for managing the interventions of the European Agricultural Fund for Rural Development Fund (EAFRD) in accordance with the Common Agricultural Policy – Strategic Plan for the 2023-2027 programming period.

The Paying Agency (PA) is the Agriculture and Rural Payments Agency (ARPA) within the Ministry responsible for Agriculture.

Other national authorities may be involved and referred to in the assessment of an application, or during project implementation.

1.2 Scope

This intervention aims to support activities that will enable the valorisation of varieties of plant and animals, focusing on the entire territory of Malta. Conservation-type operations supported under this intervention shall be stricly targeted towards the conservation of genetic resources in plant species and/or livestock breeds.

1.3 Regulatory Framework

The following is a list of the applicable Plan and main Regulations:

- a. The Common Agricultural Policy Strategic Plan that provides support from the European Agricultural Fund for Rural Development
- b. Regulation (EU) 2021/2115 of the European Parliament and of the Council of 2 December 2021 establishing rules on support for strategic plans to be drawn up by Member States under the common agricultural policy (CAP Strategic Plans) and financed by the European Agricultural Guarantee Fund (EAGF) and by the European Agricultural Fund for Rural Development (EAFRD) and repealing Regulations (EU) No 1305/2013 and (EU) No 1307/2013

- c. Regulation (EU) 2021/2116 of the European Parliament and of the Council of 2 December 2021 on the financing, management and monitoring of the common agricultural policy and repealing Regulation (EU) No 1306/2013
- d. Regulation (EU) 2021/2117 of the European Parliament and of the Council of 2 December 2021 amending Regulations (EU) No 1308/2013 establishing a common organisation of the markets in agricultural products, (EU) No 1151/2012 on quality schemes for agricultural products and foodstuffs, (EU) No 251/2014 on the definition, description, presentation, labelling and the protection of geographical indicators of aromatised wine products and (EU) No 228/2013 laying down specific interventions for agriculture in the outermost regions of the Union
- e. Regulation (EU) 2022/129 of the European Parliament and the Council of 21 December 2021, laying down rules for types of intervention concerning oilseeds, cotton and by-products of wine making under Regulation (EU) 2021/2115 of the European Parliament and of the Council and for the information, publicity and visibility requirements relating to Union support and the CAP Strategic Plans
- f. Regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy;
- g. Commission Implementing Regulation (EU) 2022/1475 of 6 September 2022 laying down detailed rules for implementation of Regulation (EU) 2021/2115 of the European Parliament and of the Council as regards the evaluation of the CAP Strategic Plans and the provision of information for monitoring and evaluation;
- h. Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012;
- i. Commission Delegated Regulation (EU) 2022/126 of 7 December 2021 supplementing Regulation (EU) 2021/2115 of the European Parliament and of the Council with additional requirements for certain types of intervention specified by Member States in their CAP Strategic Plans for the period 2023 to 2027 under that Regulation as well as rules on the ratio for the good agricultural and environmental condition (GAEC) standard 1, C/2021/9115
- j. Regulation (EU) 2016/1012 of the European Parliament and of the Council of 8 June 2016 on zootechnical and genealogical conditions for the breeding, trade in and entry into the Union of purebred breeding animals, hybrid breeding pigs and the germinal products thereof and amending Regulation (EU) No 652/2014, Council Directives 89/608/EEC and 90/425/EEC and repealing certain acts in the area of animal breeding ('Animal Breeding Regulation') (Text with EEA relevance)
- k. Environment Protection Act (CAP 549 of the Laws of Malta);

The above list is not exhaustive and may be amended. It is up to the application to ensure that all national and EU rules are being followed at all time.

1.4 Contribution towards the CSP Objectives

The most relevant Specific Objectives to which *the Conservation & Sustainable Use and Development of Genetic Resources in Agriculture* contributes are:

SO06: Contribute to halting and reversing biodiversity loss, enhance ecosystem services and preserve habitats and landscapes.

Needs addressed by the intervention:

Code	Description
6.5	Conserve endemic species with the aim of preserving local agricultural genetic resources

Result Indicators addressed by the intervention:

R.27 Environment-/climate-related performance through investment in rural areas: Number of operations contributing to environmental sustainability, climate mitigation and adaptation goals in rural areas

1.5 Duration

This Batch of applications shall close on the **14th March 2025** at noon (12:00hrs Central European Time) subject to availability of funds and/or notifications by the MA informing otherwise. The total maximum duration of the project should be up to 24 months.

Subject to availability of funds and/or notifications by the MA informing otherwise, subsequent batches may also be notified following the closure of this batch.

1.6 Budget

The overall budget available for this intervention is €1 million in total (public expenditure). The MA reserves the right to amend the budget allocated.

1.7 Maximum Grant Value & Aid Intensity

This intervention will finance 100% of the eligible costs. There is no capping applicable under this call. No state aid implications apply.

The MA reserves the right to reject an application, including but not limited to cases where funds are not available under the respective intervention. In such instances the MA may consider the creation of a Reserve list of project proposals that are positively considered by the PSC.

2.0 Standard Eligibility Conditions

2.1 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 intervention.
- (f) The proposed project contributes to the specific objectives, needs and results of the programme.

2.2 Eligible Actions

This intervention aims to support activities that will enable the valorisation of varieties of plant and animals. Conservation-type operations supported under this intervention shall be <u>strictly targeted</u> towards the conservation of genetic resources in plant species and/or livestock breeds and can include:

- actions promoting the ex situ and in situ conservation, 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;
- actions promoting the exchange of information for the conservation, characterisation, collection and utilisation of genetic resources in agriculture, among competent organisations in Member States; and
- actions promoting the information, dissemination and advisory actions involving nongovernment organisations and other relevant stakeholders, training courses and the preparation of technical reports.

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.

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
- 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
- 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

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

2.3 Ineligible Actions

Any actions that are not in conformity to the applicable environment, planning and agricultural legislation and/or policy and not in line with the scope of this intervention as outlined in Malta's CAP SP, shall be considered as ineligible for funding.

2.4 Eligible Applicants

Support under this intervention is available to:

- Public Entities and Departments, with a remit to protect local agricultural produce and/or enhance/establish gene banks for local agricultural produce.

Applicants are to present documentation showing that their entity or department covers responsibilities within the remit described. Reference should be made to official documentation such as legal or other notices.

2.5 Eligible Expenditure

The following type of expenditure is considered eligible for the purpose of support:

- a) Personnel engaged in the management and implementation of conservation projects;
- b) Expert fees (including travelling and subsistence costs);
- c) Costs of training personnel;
- d) Production of information/dissemination material, including databases and websites;
- e) Equipment related to the scope of the projects;
- f) Infrastructural works; and
- g) A 7% flat rate of the total direct eligible costs will be added to the budget, in line with Article 83(2)(c) of Regulation (EU) 2021/2115 and Article 54(a) of Regulation (EU) 2021/1060. The budget allocation covered by this automatic flat rate is specifically for overhead costs incurred by any Beneficiary who carries out an EU-funded project. No documentation needs to be provided by applicants in order to be awarded this flat rate.

Applicants are to refer to National Eligibility Rules Version 1 which is accessible from the fondi.eu website¹.

The MA reserves the right to utilise the simplified cost option applying standard prices for all actions under this Intervention.

As per regulation (EU) 2021/2116, Article 44, Payments to Beneficiaries, beneficiaries may request an advance payment of up to 50% of the public aid related to the investment.

Expenditure is considered to be eligible expenditure and therefore eligible for reimbursement **only** if it has been incurred **after Friday 27th October 2023**, in line with the CSP 2023-2027 and the pertinent Eligibility Rules.

Any costs incurred before the issue of the award letter, shall be considered as eligible insofar as they and are in line with the National Eligibility Rules and approved by the Managing Authority.

2.6 Ineligible Expenditure

The following costs shall be considered ineligible for the purpose of this investment:

- a) Simple replacement investments.
- b) The purchase of agricultural production rights, payment entitlements, livestock, annual plants, and their planting.
- c) Other costs connected with the leasing contract, such as lessor's margin, interest refinancing costs, and insurance charges.
- d) Publicity and Dissemination which is obligatory by the programme
- e) Project Management Costs
- f) Second-hand machinery and/or equipment.
- g) 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).

¹ https://fondi.eu/wp-content/uploads/2023/09/202<u>1 2027 National-Eligibility-Rules.pdf</u>

- h) Contingencies and/or losses made by the Applicant.
- i) Statutory fines and penalties.
- j) In kind contributions.
- k) Ordinary maintenance operations.
- I) Transaction costs.
- m) Costs related to extension of warranty, preventive maintenance, commissioning of works, planning application fees, and insurance charges.

VAT expenses incurred by beneficiaries of EU Funds shall not be eligible for reimbursement or contribution from the EU Funds, except in specific circumstances as outlined in Article 64(1) (c) of the Common Provision Regulation.

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.

3.0 The Project Proposal as shall be presented during the application process.

It is strongly advisable that prior to the preparation and submission of the application, prospective applicants carefully read these Guidance Notes.

More information on each section of the application can be found in the following section.

3.1 Project Details

- *Project Title:* Name your project in a way that it can be easily understood and captures the gist of your project (max 100 characters)
- *Project Duration:* Insert the number of months required to complete the proposed project. The maximum project duration is 24 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 grant award letter.
- *The Applicant:* Tick the box as applicable showing the type of applicant.
- Nature of Activity/Business: Tick where applicable.
- Applicant's Information: To include details of applicant address, mobile number, email address and website (if applicable).
- *Project Leader:* To include details of project leader address, mobile number, email address and position within the entity.
- VAT Status: To include information regarding VAT status.
- Details of the contact person for the application/project implementation: To be filled in if contact person is different than applicant and to choose if this is valid for application stage or project implementation stage. If ticked yes, information of contract person is to be filled in.

3.2 Sector and Type of Activity

Sector and Type of Activity: Tick only the sector that is applicable to your activity and indicate if its conventional (C) or organic (O).

3.3 Technical Description

Project Description: Key Investment Plan forms an integral part of the Application Form, and all Sections must be completed by the Applicant for such applications to be eligible under this intervention (Note this section contributes directly to the selection criteria as listed in the application).

- Actions linked to the investment: Tick the type of actions and activity of investment according
 to the project.
- **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 its termination. List down the type of plants/animals that are going to be targeted by the project. Include information on how the project will enhance/result in the adoption of innovation/use of state-of-the-art technology in the sector. Also state whether the applicant will have partnership with other actors. (20 marks).
- *Objectives and needs to be addressed:* As indicated in Section 1.4, this intervention targets SO6 and Need 6.5 of the CAP-SP (15 marks).
- Contributions of the project towards the Farm to Fork Strategy: Tick the boxes relevant to your project. More information on the Farm to Fork Strategy can be found here (15 marks). This section is NOT to be filled-in for projects where grant value is less than €50,000.
- **Readiness:** 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 (5 marks).
- *Risks:* Explain the risks associated with the project and provide the mitigation and/or preventive measures as well as the actions to be taken in case an adverse event occurs. Give an explanation on risks associated with financial, implementation, capacity, legal, logistical and procurement.
- *Equal Opportunities:* Tick where applicable where the project will facilitate the increased participation of women, young farmers, young persons and/or other minorities, and explain how the project will ensure equal opportunities (5 marks).
- Sustainable Development: Applicants are required to demonstrate that they have considered sustainable development areas at all stages of their projects and how contribution will be mainstreamed throughout the projects' aims and operations. Tick the actions that the project will be contributing to (15 marks).

3.4 Budget

In this section the applicant needs to insert the budget which will support the proposed project.

The amount of each component is to be included under the year in which the investment is expected to be procured. The expected Beneficiaries under this Call for project proposals are expected to practice the principles of good governance and sound financial management not only during implementation but also at application stage when drafting the proposed budget. The Project Selection Committee reserves the right to request clarifications on the budget presented by each applicant should it be deemed necessary to do so.

3.5 Supporting Documents

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

Disclaimer: The submission of an application form and its subsequent acknowledgement does not imply that the application is being automatically accepted and/or rejected. The outcome of the evaluation of any individual application will be communicated to each applicant following an assessment carried out by the Project Selection Committee (PSC).

3.6 Declarations

The Applicant is requested to read through the statements in the declaration section and confirm that the Applicant will abide with the stipulated declarations. If the information is found to be false or deliberately or otherwise misleading, any EU funds awarded may be withdrawn and any funds paid may be recovered by the Paying Agency from the Applicant completing the application form. These obligations shall be considered binding upon receiving the award letter, if the application is approved for co-financing. If the applicant does not accept all these declarations, the applicant will not be allowed to submit the application form. If submitted, such application would be considered null and void.

4.0 Assessment and Selection

4.1 Validation of applications

The Project Selection Committee will undertake a validity check of all applications that are received. Should any documentation that is required be missing from the Application Form, the Project Selection Committee 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 (usually within 5 working days) 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 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.

4.2 Assessment and Selection of Applications²

Applications for support that pass the validity check will proceed to the next step and shall be assessed according to the eligibility and selection criteria.

Selection criteria is designed to assess the fit and contribution of project proposals with the CAP-SP strategy, its target group and its objectives.

During the assessment and selection process, checks will also be carried out to assess the reasonableness of the cost presented were applicable. The Project Selection Committee may seek clarifications on the costs and specifications presented, issue recertification procedure(s) for missing supporting documentation, reserves the right to peg the grant to an amount that it deems reasonable, and/or reject applications that do not satisfy the identified 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.

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

The voting members of the Project Selection Committee shall decide how the project proposal addresses the criteria and assign points according to the following selection criteria:

² The applicant shall keep in mind that the information and documentation submitted in the application form shall be used for scoring purposes againnt this list of criteria and thus it is in the applicants' interest to be comprehensive when providing such information.

	Assessment Maximum Points		
1.	The proposed project addresses the needs as expressed in the specific objectives	The assessment is carried out on the level of needs deemed to be addresses by the project proposal in relation to the Specific Objective under which the intervention is taking place, within the spirit of the CAP-SP ≤ 2 needs assessed (5 marks) > 2 ≤ 4 needs addressed (10 marks) > 4 needs addressed (15 marks)	15
2.	Contribution of the project towards the Farm to Fork Strategy	Evidence that the project proposal is deemed to contribute towards the Farm to Fork Strategy, including, inter alia, the below: Ensuring Sustainable Food Production, incl. shift to organic farming - Ensuring Food Security - Stimulating sustainable food processing, wholesale, retail, hospitality and food services practices - Promoting sustainable food consumption and facilitating shift to healthy, sustainable diets - Reducing food loss and waste - Combating food fraud along the food supply chain - Research, innovation, technology and investments - Advisory services, data and knowledge sharing, and skills ≤ 2 needs assessed (5 marks) > 2 ≤ 4 needs addressed (10 marks) > 4 needs addressed (15 marks)	Project under €50,000 — Selection Criteria not to be considered.
3.	Innovation/Use-of-the-art technology in the Sector & Partnership	The assessment is carried out on the level of potential contribution of the project to enhance/result in: (a) The adoption of innovation/use of state-of-the-art technology in the sector (max. 3 marks) (b) Partnership with other actors (max. 2 marks)	5 Project under €50,000 – Selection Criteria not to be considered.
4.			15

	Contribution towards Results	The result pertaining to this intervention is R.27 Environment-/climate-related performance through investment in rural areas: Number of operations contributing to environmental sustainability, climate mitigation and adaptation goals in rural areas.	
5.	Readiness	Risk associated with the implementation and timeline of the project as proposed by the Applicant. Sub-Criteria 1: (a) Planning Permit Approved / No Permits Required (3 marks) (b) Planning Permit Pending Decision (1 mark) (c) Planning Permit Application (if required) no submitted (0 marks) Sub-Criteria 2: (d) Risks identified and mitigated in the proposed are justified (2 marks)	5
6.	Quality of operation proposal – Clarity & Sequence	 (a) The proposal is not well defined and poorly sequenced. Central ideals are not focused to support the intended outcomes and following the thread of thought. Description appears disconnected. (0 marks) (b) The central purpose of the proposal is identified and presented in a logical sequence. Ideas are generally focused in a way that supports the desired outcomes and reader is able to follow with little or no difficulty. (5 marks) (c) 6c. The central purpose of the proposal is clear and supporting ideas are well-focused presented in a logical sequence which flows naturally. Details are relevant and enrich the proposal and are engaging to the audience. (10 marks) 	10
7.	Quality of Operation proposal - Description	(a) Description is poor and provides no understanding to the audience of the activities to be implemented to achieve the intended outcomes. (0 marks)	5

8.	Ensuring equal opportunities – increases participation of women, young, farmers, young persons, other minorities.	 (b) Description is adequately presented that the reader can follow with little or no difficulty. (3 marks) (c) Description is well detailed and is engaging to the audience. (5 marks) (a) Increased participation on one (3 marks) (b) Combination of 2 or more (5 marks) 	5
9.	Sustainable Development Actions	Actions targeted: - Actions that reduce ammonia emissions - Actions that promote animal welfare (interalia proposals that achieve housing systems, and in particular alternative systems for laying hens, free farrowing for sows as well as extended time in group housing for sows and calves (beyond the minimum time required by the EU legislation). - Actions that promote circular economy - Actions that target the use of antimicrobials. - Adoption/facilitating the adoption of agricultural practices which are deemed as contributing towards enhanced sustainability Investments in Renewable Energy and Energy Efficient Systems Reduction of nutrient losses, while ensuring no deterioration in soil fertility Carbon Capture / Sequestration Potential - Increased capacity of water holding in the landscape by the proposed interventions - Make efficient use of existing legitimate buildings, structures and infrastructure, so as to avoid new development pressures scattered in the countryside Restore already degraded land, natural habitats and landscapes where reasonably possible as well as prevent adverse environmental impacts that may arise from indirect and consequential implications of development, such as	15

impacts associated with widening of rural roads, infrastructure, rural tourism, etc; and - improve/restore specific aspects of the environment, including the protection	
and conservation of the natural/rural environment, including site topography, natural physical features, valleys and watercourses, cliffs/escarpments, old rubble walls, traditional terraced fields, mature trees (e.g. carobs), areas of garrigue(xaghri), maquis or mosaic landscapes (made up of a mix of patches of arable land and patches of garrigue/maquis, and/or characterised by non-trivial rock outcrops, etc.).	
1 action: 5 marks 2 actions: 10 marks 3+ actions: 15 marks	
Large Projects	90
Small Projects	70

The selection criteria for all interventions can be accessed at: FONDI.eu | 2021-2027 Eligibility & Selection: Rules & Criteria - FONDI.eu.

The Project Selection Committee reserves the right to carry out on the spot verifications to confirm that the investment for which funding has been applied for is not already in place and that the quotation(s) presented was obtained from suppliers or service providers who are not related to the applicant.

The Project Selection Committee reserves the right on a case-by-base basis to request that management verifications in respect of certain Grant Agreements are commensurate and proportionate to the investment requested, which may require additional supporting documentation to ensure that the investment put in place is in line with the investment approved. Such additional checks/supported documentation to trigger the final payment will be clearly outlines in the Grant Agreement.

4.3 Unsuccessful Applicants

The MA will inform all applicants about the outcome of the selection process. This notification can be made via email notification.

4.4 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 (unless otherwise specified) from the date of the letter of rejection by the Project Selection Committee.

The same application (i.e. applications broadly having the same scope) cannot be considered as being under PSAB and PSC consideration concurrently. In such cases, only the application undergoing a PSAB procedure will be under consideration (by the PSAB).

4.5 Notification of Acceptance

The Managing Authority will inform all successful applicants of the decision of acceptance of their project. Letters of acceptance may include conditions which have been raised by the Project Selection Committee which conditions need to be adhered to.

4.6 Grant Agreement

Applicants who 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. Selected applicants that do not come forward to sign the grant agreement within stipulated timeframes will have the award withdrawn.

4.7 Changes

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

The Beneficiary shall not strategically change or alter the overall and broad project scope and actions of his/her/their own volition. Significant and strategic changes that alter the scope of the project must be agreed to by the Managing Authority in the Change Request procedure published by the MA. Strategic changes applied to the project that do not bear the MA approval would be done at the applicant's own risk and will be assessed at the payment stage of the project.

In case the beneficiary fails to follow the timelines defined in the Grant Agreement, this may lead to recoveries of funds by the Paying Agency or termination by the MA unless an extension is either requested and granted by the MA or granted as an administrative extension by the MA.

Projects with a grant value of equal or less than EUR100,000 shall be limited to two (2) change request submissions, including extension requests, 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.

In the case where an investment included in the project requires a planning permit and the necessary permit approvals are not obtained in due time as deemed necessary by the MA, the project proposal will be subject to a withdrawal assessment by the MA. 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: http://fondi.eu/important_documentat/earfd-templates/

5.0 Contractual Obligations

Upon receiving the award letter, the Beneficiary becomes legally bound by certain provisions. The following sections provide information on some aspects of the contractual obligations of the Beneficiary.

5.1 Procurement

Beneficiaries should note that grants awarded for actions under this Intervention are public funds. In this regard, all beneficiaries should ensure that any procurement undertaken for works/services/supplies to be financed through this intervention 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.

In cases of non-compliances with the rules of public procurement, the financial corrections towards the 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.

5.2 Administrative checks on payments claims by the Paying Agency (ARPA)

Following the signature of the Grant Agreement and subject to the eligibility rules of the specific intervention, a Beneficiary may start to submit payment claims to the Paying Agency for processing, verification and ultimately payment authorisation.

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 Common Agricultural Policy Strategic Plan. Kindly note that the ARPA Payment Guidelines can be accessed through the ARPA website: https://arpa.gov.mt/

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

5.3 Payment Triggers and Management Verifications

In case of the Overheads component, beneficiaries do not need to provide any documents to trigger this payment. All that is required, is to include the allocated amount on the Claim for Reimbursement. Should the Beneficiary fail to carry out a part of the investment that was approved in the Grant Agreement, the Overheads component will be recalculated and paid at 7% of the eligible investment that was found to be in place and operational.

Management Verifications are an essential component in all EU-funded projects in order to ensure compliance with applicable regulations, to promote accountability and transparency, manage risks, monitor performance, maintain sound financial management, meet legal requirements, facilitate accurate reporting, and enhance the overall quality of the project. These verifications are an essential

component of the EU funding process, helping to safeguard the proper use of EU funds and the achievement of project objectives.

5.4 Controls and Penalties

Maltese Authority reserve the right to suspend the disbursement of grant fund or to recover any funds disbursed to the Beneficiary in any of the following circumstances:

- a) Non-compliance with the terms and conditions of the Grant Agreement, including but not limited to failure to achieve operation's objectives, milestones, or financial reporting requirements;
- b) Mismanagement or financial irregularities, including but not limited to unauthorized use of funds, false declarations, or fraudulent activities;
- c) Breach of EU regulations, applicable laws, or any other relevant legal requirements governing the use of EU funds, including the National Eligibility rules, the Manual of procedures, and any specific guidelines issued by national authorities;
- d) Unauthorized expenditure or ineligible costs not in line with the approved operation/budget or outside the scope of the project;
- e) Suspicion of Fraud, Corruption, Conflict of Interest, Double Funding, or any other misconduct that puts at risk the EU financial interest, the fulfilment of the conditions triggering the payment of lump sums, unit costs, or flat rates, including, where required, the achievement of outputs and/or results.
- f) Actual, potential, or perceived reputational harm and/or unwarranted or unfavourable publicity to the Managing Authority, the Government of Malta, national and/or EU institutions, and/or EU funds.
- g) Any other justifiable reason deemed by the Managing Authority to warrant suspension or recovery of funds provided that such actions are consistent with EU regulations and principles.

5.5 Documentation

Without prejudice to national legislation or practices that require a longer period for the retention of documents, all supporting documents related to a project supported by the Funds are to be kept by the Paying Agency for at least a 5-year period from 31 December of the year following the submission of the accounts in which the final expenditure of the completed operation is included. This documentation will also be available in the IT system managed by the national funding Authorities and made available as required by the relevant stakeholders including the Programme auditors, the European Commission, and the Court of Auditors, etc. unless otherwise decided by the Managing Authority.

Without prejudice to national legislation or practices that require a longer period for the retention of documents, the beneficiary shall retain the pertinent documentation in either digital or printed format linked to this project for funding purposes.

A signed inventory, listing any items bought in connection with the project, should be compiled and maintained by the beneficiary and this should be made available to the Paying Agency, or any other

legitimate authority whenever requested. An inventory template can be found on the <u>www.fondi.eu</u> website under the Templates section.

5.6 Durability of Investment³

Beneficiaries are obliged to maintain the project in operation after the final payment to the beneficiary, as follows:

- For investments with a grant value of up of €15,000 the durability period obligations will extend to one (1) year from the final payment to the beneficiary.
- For investments with a grant value of between €15,000 and €200,000 the durability period obligations will extend to three (3) years from the final payment to the beneficiary.
- For investments with a grant value of over €200,000 the durability period obligations will extend to five (5) years from the final payment to the beneficiary.⁴

This obligation is tied to investments in infrastructure and/or to productive investments and is applied regardless of the size of the beneficiary. Beneficiaries must ensure that such investments are not subject to any of the following situations within this identified period:

- Cessation or transfer of a productive activity outside the NUTS level 2 region in which support was received.
- Change in ownership of an item of infrastructure which gives to a firm or body an undue advantage.
- Substantial change affecting the nature, objectives or implementation conditions which would result in undermining the original objectives of the concerned investments.

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

All project activities must be in place, operational and functional at the time payments are presented for processing.

5.7 Responsible Entities

Checks and controls can be done by any of the following authorities:

- a. The Managing Authority (MA) Funds and Programme Division (FPD), within the Ministry responsible for EU funds
- b. The Paying Agency (PA) Agriculture and Rural Payments Agency (ARPA), Ministry for Agriculture, Fisheries and Animal Rights (MAFA),

³ It is being clarified that in line with the obligations under the CAP-PS, a change in ownership of an item of infrastructure is **not possible**. This means that the beneficiary has to maintain ownership of the assets purchased by EU funds and the beneficiary has to ensure that the acquired assets are kept in good condition during and after the implementation of the project. Breach of such obligation will lead to a full recovery of any support paid.

- c. The Certifying Body (CB) Internal Audit and Investigations Department (IAID), Office of the Prime Minister (OPM),
- d. The National Audit Office (NAO) in view of the fact that public funds are being utilised for the implementation of the investment,
- e. 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,
- f. The VAT Department to ensure that VAT Regulations are respected,
- g. And any other national or EU entity which has a legal right to carry out verifications on public funds awarded.

6.0 Compliance with Community Policy

Each Grant Agreement will endeavour to preserve the **Horizontal Principles** and respect the fundamental **Human rights** that underpin all EU-funded projects. These principles promote impartiality, openness, and accessibility for individuals with disabilities, fostering inclusiveness and equal opportunities for all participants involved in the projects.

Gender equality is a fundamental aspect of these principles recognizing the importance of empowering all genders to contribute meaningfully to the development and execution of each project.

To foster a harmonious and sustainable environment for all, EU-funded projects must abide by the Charter of Fundamental Rights of the European Union, ensuring that the rights and freedom of all EU citizens are respected. Project activities, decisions, and actions must not violate or infringe upon the rights and dignity of individuals or groups, as defined by Maltese and international law, and wherever possible, promote the creation of an equal and just society.

The principle of **sustainable development** is of paramount importance, reflecting our commitment to meeting the needs of the present without compromising the ability of future generations to meet their own needs. Malta firmly believes in upholding the Union policy on the environment, as stipulated in Article 11 and Article 191 (1) Treaty on the Functioning of the European Union. All projects are required to comply with environmental regulations. This includes fully respecting the Union environmental acquis and national legislation pertaining to environmental protection. Projects should aim to avoid or minimize adverse environmental, social, and economic impacts, striving to prevent significant harm to ecosystems, natural resources, cultural heritage, and human health.

In recognition of the crucial role played by **innovation** in driving economic growth and societal progress, this guiding principle is critical and incorporated into Malta's funding framework. By emphasizing and promoting this principle, the aim is to encourage and nurture innovative initiatives that showcase exceptional promise and potential. EU funded projects should aspire to support and promote innovative initiatives that exhibit exceptional potential, thereby ensuring the efficient and effective allocation of EU funds to projects that can truly make a difference in shaping Europe's future.

7.0 Overarching Commitments

7.1 Data Protection

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.

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.

7.2 Transparency

Because projects implemented under this Intervention 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 Common Agricultural Policy — Strategic Plan 2023-2027. A list of Beneficiaries who are awarded a grant and separately, those who receive payment are published to ensure maximum transparency.

7.3 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 intervention 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 intervention 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 intervention as well as evidencing implementation of projects. The MA may also request cooperation from beneficiaries vis-à-vis promotion of the CAP SP, including use of pictures/videos taken from projects supported through this intervention.

7.4 Conflict of Interest

Checks and balances to ensure that situations that may give rise to actual and/or perceived conflict(s) of interest are vital in order to safeguard the ethical and transparent use of EU funds, fosters fair competition, builds trust, and ensures compliance with legal requirements, ultimately contributing to the success and legitimacy of EU-funded projects.

In line with Article 61 of the Financial Regulation (EU, Eurotom) 2018/1046 of 18th July 2018⁴, the Ministry responsible for EU Funds, together with ARPA, carry out the necessary verifications to ensure that no conflict of interest arises at any stage of a project's lifecycle. Should a conflict of interest be detected, the applicant/beneficiary will be notified to ensure that such instances do not prejudice the EU budget at large. The relevant authorities reserve the right to take <u>any</u> remedial actions that may deemed necessary in such situations.

7.5 Force Majeure

If a beneficiary was unable to comply with the obligations as a result of Force Majeure or exceptional circumstances as provided for in article 3 of (EU) 2116/2021 s/he shall retain her/his right to eligible aid up till when the case of Force Majeure or the exceptional circumstance occurred. Cases of Force Majeure and exceptional circumstances shall be notified in writing to the competent authority (ARPA), with relevant evidence to the satisfaction of the competent authority, within fifteen (15) working days from the date on which the beneficiary or the person entitled through him, is in a position to do so. After consultation with the Force Majeure Board, ARPA will decide whether there is a case of force majeure or otherwise according to the parameters of the applicable EU Regulations. Should ARPA deem a case to be affected by a Force Majeure event, the beneficiary may be justified or excused, totally or partially, with respect to some default that there may be. But if the Force Majeure application is rejected, the Maltese Authorities may seek to recover or withdraw all funds related to this scheme.

Official documentation needs to be submitted together with the Force Majeure application. In case of illness a medical certificate is required and in case of mandatory quarantine, the official notification issued by the Ministry for Health is required, in cases of plant diseases and/or death of trees in the case of vineyards a report must be presented by the Agriculture Directorate or the Plant Protection Directorate (depending on the case).

Further information on Force Majeure requests may be accessed from ARPA's website on https://arpa.gov.mt/en/

 $^{^4}$ Financial Regulation (EU, Eurotom) 2018/1046 of 18th July 2018 on the financial rules applicable to the general budget of the Union.

8.0 Contact Details

For more information regarding this intervention, kindly contact the Managing Authority through the following contact information and by referring specifically to this Intervention.

Telephone Number: (+)356 2555 2555

E-mail: fondi.eu@gov.mt

Website: <u>www.fondi.eu</u>

Annex I – Estimate of Works (Template)

Construction projects consist of a number of major components or chapters, such as earthworks, concrete, masonry, roofing, etc that may cover new construction projects, restoration or upgrading among others. In order to aid the Project Selection Committee, assess the grant requested and arrive at a sound decision, applicants are required to present a filled-in Estimate of Works by an Architect of their choice. This template is NOT a Bills of Quantity. It is meant as a general estimate of the overall costs for construction projects to arrive at an estimated budget. Full and detailed Bills of Quantity should be in hand by the beneficiary and may be requested at payment stage.

Category of Cost	Estimate in Euro exc. VAT	Estimate in Euro inc. VAT
Planning and Professional Fees		
Civil Works		
Mechanical / Other Services		
Plant (equipment)		
Finishes (including apertures)		
Others [architect to specify]		
Sub-Total		
Contingency up to 15%		
TOTAL		

With respect to the category Plant (equipment) applicants should briefly mention in point form the equipment foreseen to be covered by this Estimate of Works. This information is necessary to help the Project Selection Process ascertain the relevance of such equipment to the overall actions of the project. This information is not to be construed as a definite list of equipment that may be funded through EAFRD.

The category Contingency up to 15%, refers to additional funds set aside to account for unforeseen circumstances or events that may arise during the project's execution. Although the Project Selection Committee may approve this category of cost up to 15%, approved Beneficiaries shall be able to substantiate this expenditure in full.

Name and Surname	Signature of Professional
(Block Capitals)	
	Date: