

Incentives Division

MALTA ENTERPRISE ACT

European Regional Development Fund Energy Grant Scheme

Notes to Applicants

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Operational Programme I – Cohesion Policy 2007-2013
Investing in Competitiveness for a Better Quality of Life
Aid Scheme part-financed by the European Union
European Regional Development Fund (ERDF)
Co-financing: EU Funds, National Funds, and Private Funds
Investing in your future



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List of Abbreviations

AWU:	Annual Work Units
CBM:	Central Bank of Malta
EC:	European Commission
ERDF:	European Regional Development Fund
ESF:	European Social Fund
ETC:	Employment and Training Corporation
EU:	European Union
FIF:	Financial Identification Form
FTEs:	Full-time Equivalents
GA:	Grant Agreement
IAID:	Internal Audit & Investigation Directorate
IB:	Intermediate Body
ICT:	Information & Communications Technology
MA:	Managing Authority
ME:	Malta Enterprise
MFSA:	Malta Financial Services Authority
NAO:	National Audit Office
OP:	Operational Programme
OPM:	Office of the Prime Minister
PPCD:	Planning and Priorities Co-ordination Division
R & D:	Research & Development
SME:	Small and Medium-sized Enterprises
VAT:	Value Added Tax

Introduction

Malta Enterprise has been entrusted by the Managing Authority for Structural Funds as an Intermediate Body (IB)¹ to administer the ERDF Energy Grant Scheme under the 2007 – 2013 programming period under Priority Axis 4 Mitigation and Adaptation to Climate Change.

This document provides practical information to potential applicants in submitting an application to Malta Enterprise under the ERDF Energy Grant Scheme. The guide is grouped into 5 sections which include:

1. Call for Applications
2. Application Process
3. Eligibility Check
4. Evaluation Process
5. Grant Agreement

Going through the above sections together with the ERDF Energy Grant Scheme Incentive Guideline and the ERDF Scheme Notes to Applicants and corresponding Application Form, will assist potential applicants submit an application in line with the call for applications and corresponding eligibility and evaluation criteria. Successful Applicants should also be aware of the obligations outlined in the Grant Agreement since this would greatly assist in the successful implementation of selected projects.

Considering that the above scheme will be co-financed by the ERDF, this document defines the principles governing Malta Enterprise and the corresponding enterprises / beneficiaries² of the above scheme as outlined in the following documents:

- Commission Regulation (EC) No. 1083/2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund
- Commission Regulation (EC) No. 1080/2006 on the European Regional Development Fund
- Communication to the Commission Article 93 Council Regulation 1083/2006 on the Application of the 'n+2' rule
- Commission Regulation (EC) No. 1828/2006 on Information and Publicity Measures
- National Eligibility rules as per Article 56(4) of Commission Regulation (EC) No. 1083/2006 laying down the general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund.

¹ Please note that Malta Enterprise and Intermediate Body will be used interchangeably in this document.

² Please note that successful applicants and beneficiaries will be used interchangeably in this document.

1. Call for Applications

The ERDF Energy Grant Scheme will be issued through a competitive call for applications.

Malta Enterprise will publish the call for applications on the scheme website (www.energy.maltaenterprise.com). The call will close after 8 weeks from the date of publication of the call text on the Malta Enterprise website. Malta Enterprise has the discretion to extend the call for applications. This will be done through adverts in the papers and updates on the Malta Enterprise website.

Malta Enterprise will also ensure that due publicity of the calls for applications are made in the local press through the local newspapers.

Promotional material outlining the details of the scheme in line with the ME Act will be provided to interested clients.

Malta Enterprise will organise information session/s for prospective applicants highlighting the objectives of the scheme, the eligible enterprises, the eligible activities and details on compiling the application form. This information will also be available on the Malta Enterprise website through the ERDF Energy Grant Scheme Incentive Guideline and the corresponding ERDF Energy Grant Scheme Application form. If deemed appropriate Malta Enterprise will also make available a list of Frequently Asked Questions on its website following the information session/s.

2. Application Process

The call text will provide details of the scheme together with the respective:

1. Incentive Guideline – providing an outline of the eligible enterprises and eligible actions to be funded under the scheme
2. ERDF Scheme Notes to Applicants – providing details of the Application Process, Eligibility Check and the Evaluation Process
3. Application Form..

All documentation related to the application process may be obtained from call text available on the Malta Enterprise website.

All eligible applicants will be required to submit a hard copy (typed not hand written) and bound of the relevant application form together with all the respective supporting annexes. Each applicant can submit only one project per call.

It is recommended that potential applicants contact Malta Enterprise prior to submitting their application. Malta Enterprise staff will support interested applicants to understand the objectives of the incentive; explain details relevant to the scheme and address any problems they might encounter when completing their application. Malta Enterprise may be contacted on 2542 2020 or by email on energy@maltaenterprise.com.

Please note that if external consultants are used to compile the application form, such costs will be considered as ineligible since these costs will be incurred prior to the Grant Agreement date.

One original bound and sealed application form and the supporting annexes must be deposited in the respective tender box bearing the name of the call for proposals by the stipulated deadline outlined in the respective call text on the website and publicity in the local press. An acknowledgement of receipt of application will be issued to all applicants that submit their application in the tender box before the close of the call. Late applications will be rejected. The acknowledgment of receipt does not mean that the application is eligible for funding.

The tender box will be located in the reception area of Malta Enterprise at:

Malta Enterprise
Enterprise Centre
Industrial Estate
San Gwann SGN 3000

A detailed eligibility check and evaluation of all applications will be undertaken following the opening of tender box by Malta Enterprise following call deadline. Malta Enterprise envisages issuing such approvals no later than 5 months from deadline of the relevant call for applications. Late applications will be rejected.

3. Eligibility Check

Applications will be cross checked against the eligibility criteria which have been approved by the Monitoring Committee Meeting for the Structural Funds 2007 – 2013 of the 5th December 2007.

3.1 Eligibility Criteria

All the application forms received within the call deadline will be screened for their eligibility. The eligibility screening will be undertaken by a Technical Evaluation Committee based on the criteria outlined in the Incentive Guideline as stipulated by the Structural Funds 2007 – 2013 Monitoring Committee. These criteria are outlined below:

1. A single signed application form should be complete. That is:
 - a. all fields on the form must be filled in with all relevant details
 - b. all requested annexes must be signed and attached to the application form;
2. The application fits with one or more of the focus areas of the aid scheme as defined in Section 3 (*Incentive Description*) of the ERDF Energy Grant Scheme Incentive Guideline;
3. The applicant has honoured / rectified any obligations or conditions set by Malta Enterprise with respect to previous granted support;
4. Within State Aid parameters - the aid being requested must be in line with the respective State Aid rules as outlined in the Incentive Guideline;
5. Where applicable project/s need to comply with the laws pertaining to the actions being proposed for funding;
6. The applicant is eligible as defined in Section 2 (*Eligibility*) of the Incentive Guideline;
7. The project will be completed within the stipulated timeframe.

Following the Eligibility Check, those applicants that are found not to have submitted all the obligatory annexes in line with Clause 1 above, will be informed in writing by Malta Enterprise to submit such obligatory annexes. Applicants are obliged to submit the obligatory annexes within 7 calendar days of the written communication. Late submissions will not be considered. Applications found not to be in line with any of the other above conditions will not proceed to the evaluation stage and will be informed in writing outlining the details for rejection.

3.2 Appeals Procedure

Applicants that fail the eligibility check have the possibility to appeal in writing to Malta Enterprise within 12 calendar days from the date of the written correspondence from Malta Enterprise. The Appeals Letter should be addressed to the:

ERDF Appeals Committee Chairman
Malta Enterprise
Enterprise Centre,
Industrial Estate,
San Gwann SGN 3000

The appeal should include a detailed explanation supported by relevant documentation/testimonial as to why the applicant is appealing. If a particular application is rejected on the basis that the application is not complete, no additional documentation will be accepted as part of the appeal. Late appeals will not be considered.

The appeal will be reviewed by an independent ERDF Appeals Committee. Once the appeals process is concluded, the applicant will be informed in writing of the outcome by the ERDF Appeals Committee. The ERDF Appeals Committee decision is final.

4. Evaluation Process

Following the Eligibility Check and respective eligibility appeals procedure, the final short list of applicants will be evaluated by the Technical Evaluation Committee. Applications will be evaluated against the evaluation criteria which have been approved by the Monitoring Committee Meeting for the Structural Funds 2007 – 2013 of the 5th December 2007.

The evaluation process has been split into two sections: A Preliminary Evaluation and A Strategic Evaluation. The Preliminary Evaluation will assess how risky the project is vis-à-vis its potential for failure and the need for support of the applicant. The Strategic Criteria will assess the value of money of the project/investment and the degree to which cleaner fuels will be used.

A more detailed description of the preliminary and strategic criteria is outlined below:

4.1 Preliminary Evaluation

The **Preliminary Evaluation** (35%) is made up of three sections, which include:

1. **Risk Appraisal (20%):** This criterion considers the overall level of risk that the project proposal is likely to carry, if funds are awarded. Risk will be assessed on the basis of the following sub-criteria:
 - a) Age of the organisation (how long it has been established) - (5%)

Age of Organisation	Established	Score
	0 - 2 years inclusive	1
	Over 2 - 5 years inclusive	3
	Over 5 years	5

Note: In the case of start-ups, it is understood that the maximum scoring will be 3.

- b) The duration of the project (longer projects may carry more risk) – (5%)

Time Critical	Project duration	Score
	Over 24 months	1
	Over 12 months - 24 months inclusive	3
	0 - 12 months inclusive	5

Note: It is expected that projects last between 12 – 18 months. Project duration refers to the time between the commencement of the project and the submission of the last claim. To this effect applicants are encouraged to plan effectively when defining project duration.

- c) Ratio of total project value to net assets of the undertaking (this assesses the level of financial risk) – (5%)

Project Investment Costs vis-à-vis Applicant's/Organisation's net assets	Percentage (%)	Score
	Over 10%	1
	Over 5% - 10% inclusive	3
	0 - 5% inclusive	5

- d) Level of Commitment and Capacity of applicant to implement the project (by assessing the level of preparatory work that has been invested in designing the project and the degree to which the applicant has well-defined internal project management structures and financial resources) – (5%)

Commitment & Capacity to implement		Score
	No preparatory studies related to project	0
	Preparatory studies presented	2
	Allocated responsibility for project management, financial reporting and appointed project manager and accountant	+1
	Additional support responsible for implementation of project (besides accountant & PM)	+2

Note: Costs incurred related to the above studies are not considered as eligible costs since such costs are incurred prior to Grant Agreement date.

2. **Extent of need for support (10%):** Applications will be assessed in terms of the applicants' need for support. This will be determined based on the size of the enterprise and whether it forms part of a network or is a start-up. The smaller the undertaking the higher the score. Additional points will be given to start-up undertakings and to those undertakings that form part of a relevant network as outlined below:

Need for Support	Score
Micro and Small & Self Employed (less than 50 FTEs)	7
Medium (more than 5 0FTE inclusive but below 250 FTEs)	5
Large (250 FTEs plus)	3
Forms part of a Network or start-up	+ 3

Note: A network involves a group of enterprises working together towards a common goal. A start-up is defined as an enterprise set up less than 5 years ago.

3. **Holistic nature of project (5%):** Projects comprising more than one action outlined in the ERDF Energy Grant Scheme Incentive Guideline will be awarded higher marks. Marks will be awarded to projects which are more holistic in nature; this means involving more than one of the action areas outlined in the Incentive Guideline (Section 3).

Number of Eligible Intervention Areas implemented in the project	Score
One action in line with Incentive Guideline	1
Two actions in line with Incentive Guideline	2
Three actions in line with Incentive Guideline	3
Four actions in line with Incentive Guideline	4
Five actions in line with Incentive Guideline	5

Note: The maximum scoring of a particular project under the ERDF Energy Grant Scheme is 2 in line with Section 3 of the Incentive Guideline.

4.2 Strategic Evaluation

The **Strategic Evaluation** (65%) is made up of two sections; thematic priorities and horizontal priorities.

Thematic Priorities (55%) will assess how the project will contribute to national priorities and to the scheme objectives. Malta Enterprise will evaluate the project against the following criteria:

1. **Energy savings / energy generated in relation to investment (measured in € per kWh saved/generated from Renewable Energy Sources (40%))** – This section will measure the value for money of the project / investment.
2. **Fuel switching to cleaner fuels / Renewable Energy Sources (10%)** – This section will assess the degree to which cleaner fuels will be used – the baseline being the existing

fuels used by the applicant or heavy fuel oil/other power station fuel in the case of electricity.³

3. **Environmental impact (5%)** – This section will give weight to additional environmental benefits such as the reduction in use of other resources (water in particular), or use of waste for electricity / heat generation.

Horizontal Priorities (10%) will assess how the project contributes to the attainment of the horizontal priority/cross-cutting of Environmental Sustainability and Equal Opportunities. Commitments made will be monitored.

1. **Environmental Sustainability** – Applicants would need to prove that the project addresses issues such as carbon neutrality and climate change, water, waste, air quality and nature protection were applicable.
2. **Equal Opportunities** – Applicants would need to prove that the project addresses issues such as the involvement of disadvantaged groups in the project; increased participation of females, ensuring accessibility for all and family friendly measures were applicable.

Applications will be evaluated and ranked based on the above evaluation criteria by the Technical Evaluation Committee. Once ranked, the top ranking applications that achieve the respective pass mark (Pass Mark 50%, which includes the preliminary and strategic evaluation scoring) will be issued a Grant Agreement depending upon the available budget.

Those applicants that do not make the required pass mark, or a Grant Agreement was not issued due to limited budgets will be informed in writing in the form of a rejection letter.

Malta Enterprise envisages issuing such approvals not later than 5 months from deadline of the relevant call for applications. Any costs incurred prior to the signed Grant Agreement will be considered as ineligible.

4.3 Appeals Procedure

Those applicants that are sent a rejection letter have the possibility to appeal to Malta Enterprise on the decision within 12 calendar days from the date of written correspondence from Malta Enterprise. The Appeals Letter should be addressed to the:

ERDF Appeals Committee Chairman
Malta Enterprise
Enterprise Centre,
Industrial Estate,
San Gwann SGN 3000

The appeal should include a detailed explanation supported by relevant documentation/testimonials as to why the applicant cannot accept the decision. Late appeals will not be considered.

The appeal will be reviewed by an independent ERDF Appeals Committee. Once the appeals process is concluded, the applicant will be informed in writing of the outcome by the ERDF Appeals Committee. The ERDF Appeal Committee decision is final.

³ Conversion equation used for projects that entail Light Heating oil: 1tonne of LHO = 12100kWh (Source Eurostat Energy statistics manual) and 1tonne of LHO = 1185 ltrs of LHO (Source Eurostat Energy statistics manual)

5. Grant Agreement

The Grant Agreement sent to successful applicants will outline the obligations on potential beneficiaries to implement the respective project. The Beneficiary will be given approximately 8 weeks from the date of the Grant Agreement to return the countersigned Grant Agreement to Malta Enterprise. The date of the Grant Agreement will define the start of the project and any approved costs incurred after this date will be eligible.

The Grant Agreement will specify the:

- Value of the grant and the respective co-financing rate in line with the stipulated State Aid regime;
- Details of the project plan and corresponding financial plans;
- Compliance with Council Regulation (EC) No 1083/2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Funds, which includes:
 1. Eligible Costs – A non-exhaustive list of ineligible costs is outlined in Annex 2 for your perusal;
 2. The retention of all documentation in a separate file (related to the scheme and project implementation) up to 31st December 2020;
 3. The durability clause enshrined in Council Regulation (EC) 1083/2006 which states that an operation retains the contribution of the funds for five years from the completion of the project. If equipment is damaged, stolen or becomes obsolete during these five years, it must be replaced through the funds of the organization implementing the project;
 4. Conformity to publicity obligations as outlined in Annex 1; and
 5. On the spot checks by various National and EU Audit Authorities.

The Beneficiary is expected to maintain contact with Malta Enterprise throughout the duration of the project. Any changes that may occur during and even after project implementation must be communicated to Malta Enterprise. Only fully-implemented projects will be reimbursed. Copies of all written communication related to the project (including e-mails) should be kept in the Project File. For the purposes of the scheme, both e-mails and letters will be considered as official communication.

A sample of the Grant Agreement can be found in Annex 3.

Annex 1 – Publicity Guidelines

Details on the INFORMATION AND PUBLICITY

COMMISSION REGULATION (EC) No 1828/2006 of 8 December 2006 setting out rules for the implementation of Council Regulation (EC) No 1083/2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and of Regulation (EC) No 1080/2006 of the European Parliament and of the Council on the European Regional Development Fund.

This note provides general guidelines on the information and publicity obligations of Grant Scheme beneficiaries. In all cases, it remains the Beneficiary's responsibility to ensure its compliance in this regard with **Commission Regulation (EC) No 1828/2006**.

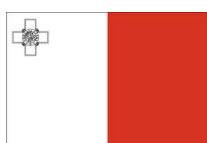
Publicity measures are to be carried out by the Beneficiary in accordance with the type of project which is being co-funded by the European Regional Development Fund in order to ensure the visibility of the interventions financed under the Operational Programme I.

The Beneficiary is responsible of informing the public about the assistance obtained from the Funds in line with the provisions provided under Article 8 of Commission Regulation 1828/2006. This article will also be reflected in the grant agreement between the IB and the Beneficiary.

In accordance with Article 9 of Commission Regulation 1828/2006, all information and publicity measures aimed at Beneficiaries, potential Beneficiaries and the public shall include the following:

1. the emblem of the EU and Maltese Flag
2. the logo of the ERDF Operational Programme
3. the name of the ERDF Operational Programme – “Investing in Competitiveness for a Better Quality of Life”
4. reference to ERDF: “insert name of funds”
5. the co-financing rate – EU and National
6. the statement chosen by the MA, highlighting the added value of the Community: “Investing in your future”.

With reference to the above, all publicity measures employed by the beneficiary shall bear the following standardized emblems and text, to be set out as shown below:



Operational Programme I – Cohesion Policy 2007-2013
Investing in Competitiveness for a Better Quality of Life
 Aid Scheme part-financed by the European Union
 European Regional Development Fund (ERDF)
 Co-financing: EU Funds, National Funds, and Private Funds
Investing in your future



The Community Emblem (12-starred European flag) shall be presented in accordance with the current specifications and must conform to the EU's visual identity guidelines including the correct colors or shades. Full information and examples can be found on the website: <http://www.ppcd.gov.mt/publicity>.

In line with Article 5 of Commission Regulation 1828/2006, the beneficiary must know that acceptance of funding is also an automatic acceptance of their inclusion in the publication (electronically or otherwise) of the list of Beneficiaries, the names of the operations and the amount of public funding allocated to the operation in line with Article 7(2) (d) of Commission Regulation 1828/2006.

Commemorative Plaques or Stickers

In the case of physical investments in commercial business premises, commemorative plaques shall be installed indefinitely at a site accessible to the general public. With regards to stickers these would need to be placed on equipment and maintained for at least five years from the completion of the project. These information and publicity provisions apply to all interventions (including all printed matter such as posters, brochures, CD/DVD covers, publications, etc.; websites and software) carried out as part(s) of the project financed under the respective scheme.

Posters, brochures, publications and other printed material

All printed material financed under the scheme shall contain the appropriate logos and emblems on the title page or equivalent.

Websites and software

For websites and other electronic or audio-visual materials, the above principles shall also apply by analogy. In the case where the project or part thereof consists of the installation of operational software packages, the Beneficiary will comply with these provisions by mentioning the contribution of the Grant Scheme, in line with the above mentioned specifications, at least on the home page of the operation. The website should also feature a hyperlink to the EU Commission's Structural Funds website http://ec.europa.eu/dgs/regional_policy/index_en.htm.

Fairs and other events

In the organisation of conferences, seminars, fairs, exhibitions and sales trips, the part-financing of the project under the Scheme shall be made explicit by applying the above principles by analogy, including, but not restricted to, the use of the appropriate logos and emblems on documents.

The European flag must be exhibited to display the contribution of the European Community. On the other hand the Community emblem must be displayed on documents together with that of Malta.

Evidence of complying with these provisions

In the case of infrastructural interventions, Malta Enterprise officials will be responsible to confirm that these information and publicity provisions have been abided with by the Beneficiary. Furthermore, the Beneficiary shall, not later than the date of the final site visit by Malta Enterprise officials, submit to Malta Enterprise photographic evidence of such compliance.

In the case of non-infrastructural projects or part thereof, the Beneficiary is to submit evidence of compliance with these provisions, including a copy of any printed matter or an electronic copy where applicable. Photographic evidence of compliance with these provisions is to be submitted in the case of participation in international fairs. All such evidence is to be submitted to Malta Enterprise by the Beneficiary not later than the date of submission of the final claim related to the completion of the project.

Annex 2 – Ineligible Costs

The costs below are considered to be ineligible costs under any of the schemes:

- i. second hand equipment;
- ii. costs incurred prior to signature date of Grant Agreement;
- iii. contingencies and/or losses made by the applicant;
- iv. the payment of dividends, royalty and interest charges;
- v. service charges arising on finance leases, hire purchase and credit arrangements;
- vi. cost resulting from the deferral of payments to creditors;
- vii. costs involved in winding up a company;
- viii. cost related to litigation including any resulting claims for damages or fines;
- ix. insurance and indemnity costs;
- x. bad debts;
- xi. payments for gifts and donations;
- xii. entertainment (including catering, receptions etc.);
- xiii. tax (VAT);
- xiv. statutory fines and penalties;
- xv. overheads;
- xvi. in kind contributions;
- xvii. depreciation;
- xviii. foreign exchange costs and losses;
- xix. maintenance/repair costs, including those related to items procured from the ERDF/Cohesion Funds;
- xx. purchase or lease of mobile infrastructure (i.e. infrastructure that is used for transport of people and goods);
- xxi. interest on debt;
- xxii. bank charges.

Annex 3 – Grant Agreement – (Sample)

AGREEMENT dated this dd/mm/yyyy

Grant Agreement in terms of the ERDF Energy Grant Scheme - Call 3

Whereby _____ as _____ for and on behalf of Malta Enterprise Corporation (hereinafter referred to as 'Malta Enterprise') and _____ as _____ for and on behalf of _____ (hereinafter referred to as "the Beneficiary") have agreed as follows:

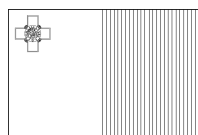
Whereas _____ by application dated dd/mm/yyyy submitted to Malta Enterprise, requested assistance under the ERDF Energy Grant Scheme – Call 3.

Whereas Malta Enterprise has approved financial assistance in favour of the Beneficiary in the form of a grant of up to € _____ to carry out the eligible actions outlined in Appendix A, which is co-financed by the European Regional Development Fund (ERDF) (Council Regulation 1080/2006) and the Government of Malta.

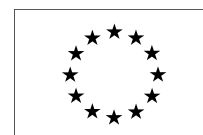
Whereas the Beneficiary is the body/organisation responsible for the implementation of the approved project in line with the terms and conditions set forth in this Grant Agreement.

Now therefore the aforesaid financial assistance is being made available by Malta Enterprise in favour of the Beneficiary under the terms and conditions stipulated in the Incentive Guideline as outlined in Appendix B and in particular subject to the conditions specified hereunder:

1. Malta Enterprise may at its discretion carry out a review of the progress being achieved in the implementation of the approved actions. Malta Enterprise and the Maltese or European audit entity may carry out the relevant 'on-the-spot' checks to verify the implementation of the approved actions in line with this Grant Agreement.
2. The reimbursement shall be affected only as to **50%** of the costs incurred for approved actions as outlined in Appendix A. A variation of 10% may be allowed on the individual actions but nonetheless no deviation from the maximum total of the grant approved may be allowed.
3. The onus of proof regarding the full implementation of the approved eligible actions lies solely with the Beneficiary. In the event that the approved eligible actions are not fully completed by the Beneficiary, Malta Enterprise shall recover in full the funds already disbursed in favour of the Beneficiary. Any changes in the eligible actions shall be communicated to Malta Enterprise in writing for approval. Changes in eligible expenditure shall require that the financial table annexed to the Grant Agreement be revised.



Operational Programme I – Cohesion Policy 2007-2013
Investing in Competitiveness for a Better Quality of Life
Schemes part-financed by the European Union
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Co-financing rate: EU Funds; National Funds; Private Funds
Investing in your future



Ref: **ERDFIAI2010-3XX**

4. The eligible period with regards to the dates of invoices / receipts forming part of the claim is from the date of the Grant Agreement till the **dd/mm/yyyy**. Two claims (one interim and one final) in respect of the implementation of the actions listed in Appendix A shall be submitted to Malta Enterprise. The interim claim may be submitted, once 50% of the eligible actions have been implemented.

5. The claim for reimbursement of the total eligible grant value, shall be submitted by the Beneficiary to Malta Enterprise, accompanied by the following documentation:
 - i. The official **claim form** (Annex 2 of the Notes to Beneficiaries) listing the approved eligible expense/s;
 - ii. A **Financial Identification Form** (FIF) (Annex 1 of the Notes to Beneficiaries) outlining details of a new beneficiary bank account;
 - iii. An **original Tax Invoice** (as specified in the 12th Schedule of the VAT Act Chapter 406 of the Laws of Malta) and a receipt, **or** an **original Fiscal Receipt** (as specified in the 13th Schedule of Chapter 406 of the VAT Act) together with a copy of the invoice. When foreign expenditure is incurred, the invoice and the original proof of payment such as original bank statement/s and/or any other relevant original banking documentation shall be provided.

The value of each single invoice shall not be less than € 1,200, excluding VAT.
 - iv. A **justification** and a **revised quotation** covering the service / product when the supplier/provider, action and/or price/s is/are different to that indicated in the application form;
 - v. Any supporting electronic content and/or documentation such as studies, marketing material and photos of equipment purchased (whichever applicable).

Payments to suppliers may only be made via cheques or bank transfer by the Beneficiary.

6. The Beneficiary shall remain a going concern for at least 5 years from the completion of the approved project and shall not undergo substantial modifications:
 - affecting its nature or its implementation conditions or giving to a firm or a public body an undue advantage; and
 - resulting either from a change in the nature of ownership in an item of infrastructure or a cessation or change of location in a productive activity within this time period.

7. Copies of all documentation related to the implementation of the project and respective claim/s should be kept in a separate Project File, by the Beneficiary till 31st December, 2020. These shall include:
- The signed original Grant Agreement and corresponding amendments / updates
 - Copy of the application form and other documentation submitted with the application form;
 - Acknowledgement of receipt of application by Malta Enterprise;
 - Copy of Claim form/s;
 - Copies of invoice/s and receipt/s;
 - Supporting documentation and photos of equipment purchased together with the relevant guarantees;
 - Evidence of publicity making reference to Structural Funds;
 - Inventories, Warranties and ISBN Numbers (if relevant); and
 - Certification of payment from Treasury.

A full list of documents to be kept in the Project File is listed in Section 4 *Project Implementation* of the Notes to Beneficiaries.

8. Any equipment acquired by the Beneficiary as part of the approved actions shall conform to the durability clause stipulated in Article 57 (1) of Council Regulation (EC) 1083/2006, stating that the Beneficiary retains the contribution of the funds only if that operation does not, within five years from the completion of the approved project, undergo a substantial modification. Hence, if equipment is damaged, stolen or becomes obsolete during these five years, it shall be replaced through the Beneficiaries own funds.

This equipment shall be used by the Beneficiary for the specific reason that it was bought for and in accordance with the contractual terms and conditions of the grant. All documentation in relation to the purchase and use of the equipment has to be filed, in the respective scheme's project file.

Any equipment or supplies co-financed under this Grant Agreement shall be inventorised by the Beneficiary. When there is a change of any equipment / supplies parts, the Beneficiary shall keep records and the inventory updated to reflect the new serial numbers.

Repairs and maintenance costs are not eligible. If the equipment is faulty and replaced by the supplier, whether under guarantee or not, the replacement shall carry out the same function.

9. State Aid Regulation.
10. The Beneficiary shall comply with information and publicity measures as outlined in Commission Regulation (EC) No 1828/2006. Guidelines on publicity in line with the above regulation are attached as Annex 6 of the Notes to Beneficiaries, for your perusal.

11. Malta Enterprise reserves the right to recover the grant from the Beneficiary in the case of:
 - i. misuse or abuse of assets after the completion of the project
 - ii. double funding of the same eligible actions listed in the attached Appendix A from Malta Enterprise or a third party
 - iii. breach of State Aid regulations outlined in section 9.

12. The Beneficiary shall comply with the Structural Funds implementing provisions as outlined in Council Regulation 1083/2006 and other applicable national legislation and EC requirements.

13. The Beneficiary was/is not subject to a procedure of recovery following the transfer of a productive activity within a Member State or to another Member State, in line with Article 57 (4) of the Cohesion Policy 2007 - 2013.

14. Any form of assistance granted under this scheme shall be listed as income in the Beneficiary's financial statements and all assets including "intangible assets" shall be included in the Capital Assets Register.

15. Permits and other required licences (such as MEPA, MRA, MCA permits, etc.) that have been applied for (if applicable) need to be attached to this Grant Agreement.

Finally, Malta Enterprise reserves the right to revoke, review and/or change any of the conditions set in this Grant Agreement as developments may warrant.

for and on behalf of
Malta Enterprise

for and on behalf of

ID No.: _____

Enclosed: Appendix A - List of Eligible Actions
 Appendix B – Aid Scheme Incentive Guideline
 Appendix C – Notes to Beneficiaries
 Appendix D – Permits / Approvals (if applicable)