



# **Creative Europe Programme (CREA)**

## **Call for proposals**

European Film Sales  
(CREA-MEDIA-2023-FILMSALES)

Version 1.0  
22 November 2022

<b>HISTORY OF CHANGES</b>			
<b>Version</b>	<b>Publication Date</b>	<b>Change</b>	<b>Page</b>
1.0	22.11.2022	▪ Initial version.	
		▪	
		▪	
		▪	



## EUROPEAN EDUCATION AND CULTURE EXECUTIVE AGENCY (EACEA)

EACEA.B – Creativity, Citizens, EU Values and Joint Operations  
EACEA.B.2 – MEDIA

### CALL FOR PROPOSALS

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## 0. Introduction

This is a call for proposals for EU **action grants** in the field of the MEDIA Strand under the **Creative Europe Programme**.

The regulatory framework for this EU Funding Programme is set out in:

- Regulation 2018/1046 ([EU Financial Regulation](#))
- the basic act (Creative Europe Regulation [2021/818](#)<sup>1</sup>).

The call is launched in accordance with the 2023 Work Programme<sup>2</sup> and will be managed by the **European Education and Culture Executive Agency (EACEA)** ('Agency').

 Please note that this call is subject to the final adoption of the budget by the EU budgetary authority. In case there are substantial changes, we may have to modify the call (or even cancel it).

The call covers the following **topic**:

- **CREA-MEDIA-2023-FILMSALES — European Film Sales**

Applicants cannot submit more than one proposal under this call.

We invite you to read the **call documentation** carefully, and in particular this Call Document, the Model Grant Agreement, the [EU Funding & Tenders Portal Online Manual](#) and the [EU Grants AGA — Annotated Grant Agreement](#).

These documents provide clarifications and answers to questions you may have when preparing your application:

- the [Call Document](#) outlines the:
  - background, objectives, scope, activities that can be funded and the expected results (sections 1 and 2)
  - timetable and available budget (sections 3 and 4)
  - admissibility and eligibility conditions (including mandatory documents; sections 5 and 6)
  - criteria for financial and operational capacity and exclusion (section 7)
  - evaluation and award procedure (section 8)
  - award criteria (section 9)
  - legal and financial set-up of the Grant Agreements (section 10)
  - how to submit an application (section 11)
- the [Online Manual](#) outlines the:

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<sup>1</sup> Regulation (EU) 2021/818 of the European Parliament and of the Council of 20 May 2021 establishing the Creative Europe Programme (2021 to 2027) (OJ L 189, 28.5.2021, p. 34).

<sup>2</sup> Commission Implementing Decision C(2022)6138 of 31.08.2022 amending Implementing Decision C(2021) 3563 on the financing of the Creative Europe Programme for 2021-2023 and the adoption of the work programmes for 2021 and 2022.

- procedures to register and submit proposals online via the EU Funding & Tenders Portal ('Portal')
- recommendations for the preparation of the application
- the AGA — Annotated Grant Agreement contains:
  - detailed annotations on all the provisions in the Grant Agreement you will have to sign in order to obtain the grant (*including cost eligibility, payment schedule, accessory obligations, etc*).

You are also encouraged to visit the [Creative Europe Project Results](#) website to consult the list of projects funded previously.

## 1. Background

Creative Europe (hereafter also 'The Programme') brings together actions supporting the European cultural and creative sectors.

The general objectives of the Programme are:

- to safeguard, develop and promote European cultural and linguistic diversity and heritage;
- to increase the competitiveness and the economic potential of the cultural and creative sectors, in particular the audiovisual sector.

These goals are pursued through the following specific objectives:

- enhancing artistic and cultural cooperation at the European level, in order to support the creation of European works and strengthen the economic, social and external dimensions of and innovation and mobility in Europe's cultural and creative sectors (**CULTURE strand**);
- promoting the competitiveness, scalability, cooperation, innovation, and sustainability, including through mobility in the European audiovisual sector (**MEDIA strand**); and
- promoting policy cooperation and innovative actions supporting all strands of the Programme, promoting a diverse, independent and pluralistic media environment, and media literacy, thereby fostering freedom of artistic expression, intercultural dialogue and social inclusion (**CROSS SECTORAL strand**).

The general and specific objectives of the Programme take into account the dual nature of the cultural and creative sectors, recognising, on the one hand, the intrinsic and artistic value of culture and, on the other, the economic value of those sectors, including their broader contribution to growth and competitiveness, creativity and innovation. The objectives are pursued in a way that encourages inclusion, equality, diversity and participation, including, where appropriate, specific incentives that encourage the active participation in the cultural and creative sectors of people with disabilities, people belonging to minorities and people belonging to socially marginalised groups, including both the creative process and audience development; and gender equality, in particular as a driver of economic growth, innovation and creativity.

## 2. Objectives — Themes and priorities — Activities that can be funded — Expected impact

### Objectives

Within the specific objective of promoting competitiveness, scalability, cooperation, innovation and sustainability, including through mobility, in the innovation, competitiveness and scalability of the European audiovisual sector, one of the priorities of the MEDIA strand is:

- to enhance the circulation, promotion, online and theatrical distribution of European audiovisual works, within the Union and internationally in the new digital environment; including through innovative business model.

### Themes and priorities (scope)

The MEDIA strand shall provide support for the following measures:

- support to international sales and circulation of non-national European works on all platforms (e.g. cinema theatres, online) targeting both small and large-sized productions, including through coordinated distribution strategies covering several countries and encouraging the use of subtitling, dubbing and where applicable, audio description tools.

The European Film Sales support shall encourage and support the wider transnational distribution of recent European films by providing funds to European sales agents, based upon their performance on the market, for further reinvestment in the acquisition, promotion and distribution (including online) of recent non-national European films.

### Activities that can be funded (scope)

There are two phases for the funded activities:

1. The generation of a potential fund which will be attributed according to the performance of the company on the European market.
2. The implementation of the action - the potential fund thus generated by each company must be reinvested in:
  - minimum guarantees or advances paid for the international sales rights on eligible non-national European films;
  - the promotion, marketing and advertising on the market of eligible non-national European films

### Expected impact

- Improvement in the trans-national distribution of recent non-national European films;
- Increase in the investment in the production, acquisition, promotion, theatrical and online distribution of non-national European films;
- Develop links between the production and distribution sector thus improving the competitive position of non-national European films.

## **3. Available budget**

The available call budget is **EUR 5 500 000**.

Specific budget information per topic can be found in the table below.

Topic	Topic budget
European Film Sales	<b>EUR 5 500 000</b>

The availability of the call budget still depends on the adoption of the budget 2023 by the EU budgetary authority.

We reserve the right not to award all available funds, depending on the proposals received and the results of the evaluation.

#### 4. Timetable and deadlines

Timetable and deadlines (indicative)	
Call opening:	08 December 2022
<u>Deadline for submission:</u>	<u>20 June 2023 – 17:00:00 CET</u> (Brussels)
Evaluation:	July – October 2023
Information on evaluation results:	November 2023
GA signature:	January 2024

#### 5. Admissibility and documents

Proposals must be submitted before the **call deadline** (see *timetable section 4*).

Proposals must be submitted **electronically** via the Funding & Tenders Portal Electronic Submission System (accessible via the Topic page in the [Search Funding & Tenders](#) section. Paper submissions are NOT possible.

Proposals (including annexes and supporting documents) must be submitted using the forms provided *inside* the Submission System (⚠ NOT the documents available on the Topic page — they are only for information).

Proposals must be **complete** and contain all the requested information and all required annexes and supporting documents:

- Application Form Part A — contains administrative information about the participants (future coordinator, beneficiaries and affiliated entities) and the summarised budget for the project (*to be filled in directly online*)
- Application Form Part B — contains the technical description of the project (*to be downloaded from the Portal Submission System, completed and then assembled and re-uploaded*)
- Part C (*to be filled in directly online*) containing additional project data
- **mandatory annexes and supporting documents** (*to be uploaded*):




- PDF with information about film(s)/work(s) generated from the Creative Europe MEDIA Database
- Information on independence and ownership and control (*template available in the Submission System*)
- List of films<sup>3</sup> (*template available in the Submission System*)
- Other annexes<sup>4</sup>

At proposal submission, you will have to confirm that you have the **mandate to act** for all applicants. Moreover you will have to confirm that the information in the application is correct and complete and that the participants comply with the conditions for receiving EU funding (especially eligibility, financial and operational capacity, exclusion, etc). Before signing the grant, each beneficiary and affiliated entity will have to confirm this again by signing a declaration of honour (DoH). Proposals without full support will be rejected.

Your application must be **readable, accessible and printable**.

Proposals are limited to maximum **70 pages** (Part B). Evaluators will not consider any additional pages.

You may be asked at a later stage for further documents (*for legal entity validation, financial capacity check, bank account validation, etc*).

 For more information about the submission process (including IT aspects), consult the [Online Manual](#).

## 6. Eligibility

### *Eligible participants (eligible countries)*

In order to be eligible, the applicants (beneficiaries and affiliated entities) must:

- be legal entities (public or private bodies)
- be established in one of the eligible countries, i.e.:
  - Creative Europe Participating Countries:
    - EU Member States (including overseas countries and territories (OCTs))
    - non-EU countries:
      - listed EEA countries and countries associated to the Creative Europe Programme or countries which are in ongoing negotiations for an association agreement and where the agreement enters into force before grant signature ([list of participating countries](#))
- be established in one of the countries participating in the MEDIA strand of the Creative Europe Programme and owned directly or indirectly, wholly or by majority participation, by nationals from such countries. When a company is publicly listed, the location of the stock exchange will in principle determine its

<sup>3</sup> Step 1 – Films acquired and distributed in 2022

<sup>4</sup> Official Box evidence to be provided in case the film is not available in the Creative Europe Media Database

nationality

- be a European Sales Agent, i.e. a European company acting as an intermediary agent for the producer, who specialises in the commercial exploitation of a film by marketing and licensing a film to distributors or other purchasers for foreign countries
- be appointed as sales agent by the producer of each film declared or supported by way of a written contract or agreement to sell the film in at least 10 countries participating in the MEDIA strand.

Beneficiaries and affiliated entities must register in the [Participant Register](#) — before submitting the proposal — and will have to be validated by the Central Validation Service (REA Validation). For the validation, they will be requested to upload documents showing legal status and origin.

Other entities may participate in other consortium roles, such as associated partners, subcontractors, third parties giving in-kind contributions, etc (*see section 13*).

### *Specific cases*

Natural persons — Natural persons are NOT eligible (with the exception of self-employed persons, i.e. sole traders, where the company does not have legal personality separate from that of the natural person.

International organisations — International organisations are eligible. The rules on eligible countries do not apply to them.

Entities without legal personality — Entities which do not have legal personality under their national law may exceptionally participate, provided that their representatives have the capacity to undertake legal obligations on their behalf, and offer guarantees for the protection of the EU financial interests equivalent to that offered by legal persons<sup>5</sup>.

EU bodies — EU bodies (with the exception of the European Commission Joint Research Centre) can NOT be part of the consortium.

Associations and interest groupings — Entities composed of members may participate as 'sole beneficiaries' or 'beneficiaries without legal personality'<sup>6</sup>. ⚠ Please note that if the action will be implemented by the members, they should also participate (either as beneficiaries or as affiliated entities, otherwise their costs will NOT be eligible).

Countries currently negotiating association agreements — Beneficiaries from countries with ongoing negotiations (*see list above*) may participate in the call and can sign grants if the negotiations are concluded before grant signature (with retroactive effect, if provided in the agreement).

EU restrictive measures — Special rules apply for certain entities (*e.g. entities subject to [EU restrictive measures](#) under Article 29 of the Treaty on the European Union (TEU) and Article 215 of the Treaty on the Functioning of the EU (TFEU)*<sup>7</sup> and entities covered by Commission Guidelines No [2013/C 205/05](#)<sup>8</sup>). Such entities are not eligible

<sup>5</sup> See Article 197(2)(c) EU Financial Regulation [2018/1046](#).

<sup>6</sup> For the definitions, see Articles 187(2) and 197(2)(c) EU Financial Regulation [2018/1046](#).

<sup>7</sup> Please note that the EU Official Journal contains the official list and, in case of conflict, its content prevails over that of the [EU Sanctions Map](#).

<sup>8</sup> Commission guidelines No [2013/C 205/05](#) on the eligibility of Israeli entities and their activities in the territories occupied by Israel since June 1967 for grants, prizes and financial instruments funded by the EU from 2014 onwards (OJEU C 205 of 19.07.2013, pp. 9-11).

to participate in any capacity, including as beneficiaries, affiliated entities, associated partners, subcontractors or recipients of financial support to third parties (if any).

 For more information, see [Rules for Legal Entity Validation, LEAR Appointment and Financial Capacity Assessment](#).

### Consortium composition

Only applications by single applicants are allowed (single beneficiaries).

### Eligible activities

Eligible activities are the ones set out in section 2 above.

### **Eligibility of films**

To generate the potential fund and to qualify for reinvestment measures, the film must comply with the following eligibility criteria:

- it must be a work of fiction (including animated films) or documentary, with a minimum duration of 60 minutes.
- it must have its first copyright established in 2019 at the earliest.
- it must not consist of alternative content (operas, concerts, performances, etc.), advertising, pornographic or racist material or advocate violence.
- it must be in majority produced by a producer or producers established in the countries participating in the MEDIA strand. A minimum 50% of the financing of the total estimated production budget must come from countries participating in the MEDIA strand and the production companies must be credited as such. To be considered as the actual producers the production companies must be credited as such. Elements such as opening credits, copyright appearing on the rolling credits, creative control, ownership of exploitation rights and share of profits may also be taken into account to determine who the actual producer is;
- it must be produced with the significant participation (as per the credits) of professionals who are nationals/residents of countries participating in the MEDIA strand and credited as such. 'Significant participation' is defined as having more than 50% of the points on the basis of the table below which includes also locations. The total can vary depending on the type of work (animation, documentary, fiction). When roles are shared, points are shared accordingly. In the event of a tie (i.e. where the points are equal for a given nationality) the nationality of the director (or the following talent in the list below) shall be decisive.
- European films will be considered as "national" in that country participating in the MEDIA strand whose nationals /residents have participated in the highest proportion in the making of the film. This country is considered as the country of origin of the film for the purpose of the action. They will be considered as "non-national" outside the country of origin

<b>Fiction</b>	<b>Points</b>	<b>Documentary</b>	<b>Points</b>	<b>Animation</b>	<b>Points</b>
Director	3	Director	3	Director	3
Author/(Script)writer	3	Author/(Script)writer	3	Author/(Script)writer	3

Actor 1	2	Composer	1	Composer	1
Actor 2	2	Production Designer	1	Editor	1
Actor 3	2	Director of Photography	1	Sound	1
Composer	1	Editor	1	Storyboard Artist	2
Production Designer	1	Sound	1	Character Designer	2
Director of Photography	1	Shooting Location	1	Animation Supervisor	2
Editor	1	Post Production Location	1	Art(istic) Director	1
Sound	1			Technical Director	1
Shooting Location	1			Post Production Location	1
Post Production Location	1			Studio Location	1
<b>TOTAL</b>	<b>19</b>		<b>13</b>		<b>19</b>

### **Eligibility of paying admission tickets**

The potential fund is proportional to the number of paying admission tickets sold for non-national European films<sup>9</sup> in countries participating in the MEDIA Strand, up to a fixed eligible ceiling per film and adjusted for each country.

To be eligible, admissions must comply with the following criteria:

- they must be achieved between 1st January 2022 to 31st December 2022;
- a normal ticket price<sup>10</sup> was actually paid to the relevant exhibitor (including any special offers or discounts) but explicitly excluding those admissions where no fee was paid;
- they must be clearly identifiable and certified by the national authority designated by the Member States;
- they must be declared by distributors who are eligible in the country<sup>11</sup>;
- the films must be eligible non-national European films in the country of distribution;
- the film must have its first copyright established in 2019 at the earliest.

Only admissions certified by National Authorities shall be taken into account for the calculation of the fund (under Step 2).

### **Eligible activities**

There are two phases for the eligible activities:

<sup>9</sup> European films are films from countries participating in the MEDIA Strand

<sup>10</sup> « normal ticket price » is the average price on the territory for commercial release. This excludes special tickets for school or club screenings where the amount paid does not correspond to commercial screenings.

<sup>11</sup> The list of declared admissions will be made available by EACEA.

**PHASE 1 - Generation of a potential fund**

A potential fund will be:

- attributed on the basis of the eligible admissions achieved by the European non-national films distributed by eligible distributors.
- calculated based upon a coefficient per eligible admission according to the nationality of the film.
- available to sales agents for further investments in eligible non-national European films.

The amount of the potential fund will be calculated in two steps:

**Step 1**

A fund of EUR 20.000 is allocated if:

- in 2022 the applicant has acquired the theatrical rights for 2 films (whether European or not), and
- in 2022, 2 European eligible films of its catalogue have been distributed in 1 non-national territory for which it has the theatrical rights duly documented by an official box office evidence (evidence to be provided in case the film is not available in the Creative Europe Media Database).

**Step 2**

If the applicant meets the criteria under Step 1, an additional fund will be calculated by multiplying the number of eligible admissions achieved in 2022 by a coefficient per admission.

<b>Nationality of the film</b>	<b>coefficient*</b>
<b>Germany, Spain, France, Italy</b>	0,90
<b>Others</b>	1,2

*\*Exceptionally, the coefficients have been adjusted taking into account the impact of the Covid crisis in the business models of the European sales agents.*

**Maximum eligible potential fund generated per sales agent**

The potential fund generated will not exceed the maximum threshold of 750.000 per sales agent.

Shall the sum of all generated funds exceed the available budget, the potential fund of each applicant will be reduced proportionally. This reduction will only affect the amounts generated in step 2.

**PHASE 2 – Eligible reinvestment activities**

The reinvestment can be made on a maximum of 5 different eligible non-national films.

Reinvestment on the same film in different categories of costs is allowed.

The films declared must comply with the criteria set out above relating to Eligibility of films and must be non-national for the applicant.

The potential fund thus generated by each beneficiary is to be reinvested in:

### **Eligible activity 1: Investment in acquisition of international sales rights**

- minimum guarantees or advances paid for the international sales rights on eligible non-national European films

Only the costs of the minimum guarantee or advance set out in the international sales contract/ agreement<sup>12</sup> signed between the sales agent and the producer of the film will be eligible.

A contract/agreement signed between a sales agent and a producer will be considered as an international sales contract/agreement only if it provides for the right of the sales agent to sell the film in at least 10 countries participating to the MEDIA Strand.

### **Eligible activity 2: Promotion, marketing and advertising**

- promotion, marketing and advertising (including online) on the market of eligible non-national European films
- optical and digital prints
- subtitling and dubbing (including of English language version)

*Activity 1 is only eligible up to 75% of the total direct reinvestment budget.*

Projects should not normally exceed 24 months (extensions are possible, if duly justified and through an amendment).

The above eligible activities 1 and 2 cannot include personnel work and travel arrangements.

Projects must comply with EU policy interests and priorities

Financial support to third parties is not allowed.

#### Duration

Projects should not normally exceed 24 months (extensions are possible, if duly justified and through an amendment).

#### Ethics

Projects must comply with:

- highest ethical standards and

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<sup>12</sup> The international sales contract/agreement must be signed during the implementation period

- applicable EU, international and national law.

They may not include pornographic or racist material or advocate violence.]

## 7. Financial and operational capacity and exclusion

### Financial capacity

Applicants must have **stable and sufficient resources** to successfully implement the projects and contribute their share. Organisations participating in several projects must have sufficient capacity to implement all these projects.

The financial capacity check will be carried out on the basis of the documents you will be requested to upload in the [Participant Register](#) during grant preparation (*e.g. profit and loss account and balance sheet, business plan, audit report produced by an approved external auditor, certifying the accounts for the last closed financial year, etc*). The analysis will be based on neutral financial indicators, but will also take into account other aspects, such as dependency on EU funding and deficit and revenue in previous years.

The check will normally be done for all coordinators, except:

- public bodies (entities established as public body under national law, including local, regional or national authorities) or international organisations
- entities active in cultural and creative sectors that have received over 50% of their annual revenue from public sources over the last two years
- if the project requested grant amount is not more than EUR 60 000.

If needed, it may also be done for affiliated entities.

If we consider that your financial capacity is not satisfactory, we may require:

- further information
  - an enhanced financial responsibility regime, i.e. joint and several responsibility for all beneficiaries or joint and several liability of affiliated entities (*see below, section 10*)
  - prefinancing paid in instalments
  - (one or more) prefinancing guarantees (*see below, section 10*)
- or
- propose no prefinancing
  - request that you are replaced or, if needed, reject the entire proposal.

 For more information, see [Rules for Legal Entity Validation, LEAR Appointment and Financial Capacity Assessment](#).

### Operational capacity

Applicants must have the **know-how, qualifications** and **resources** to successfully implement the projects and contribute their share (including sufficient experience in projects of comparable size and nature).

This capacity will be assessed together with the 'Project Management' award criterion, on the basis of the competence and experience of the applicants and their project teams, including operational resources (human, technical and other) or, exceptionally, the measures proposed to obtain it by the time the task implementation starts.

If the evaluation of the award criterion is positive, the applicants are considered to have sufficient operational capacity.

Applicants will have to show their capacity via the following:

- general profiles (qualifications and experiences) of the staff responsible for managing and implementing the project
- description of the consortium participants

Additional supporting documents may be requested, if needed to confirm the operational capacity of any applicant.

Public bodies, Member State organisations, international organisations and entities active in cultural and creative sectors that have received over 50% of their annual revenue from public sources over the last two years are exempted from the operational capacity check.

### Exclusion

Applicants which are subject to an **EU exclusion decision** or in one of the following **exclusion situations** that bar them from receiving EU funding can NOT participate<sup>13</sup>:

- bankruptcy, winding up, affairs administered by the courts, arrangement with creditors, suspended business activities or other similar procedures (including procedures for persons with unlimited liability for the applicant's debts)
- in breach of social security or tax obligations (including if done by persons with unlimited liability for the applicant's debts)
- guilty of grave professional misconduct<sup>14</sup> (including if done by persons having powers of representation, decision-making or control, beneficial owners or persons who are essential for the award/implementation of the grant)
- committed fraud, corruption, links to a criminal organisation, money laundering, terrorism-related crimes (including terrorism financing), child labour or human trafficking (including if done by persons having powers of representation, decision-making or control, beneficial owners or persons who are essential for the award/implementation of the grant)
- shown significant deficiencies in complying with main obligations under an EU procurement contract, grant agreement, prize, expert contract, or similar (including if done by persons having powers of representation, decision-making or control, beneficial owners or persons who are essential for the award/implementation of the grant)
- guilty of irregularities within the meaning of Article 1(2) of Regulation No [2988/95](#) (including if done by persons having powers of representation, decisionmaking- or control, beneficial owners or persons who are essential for the award/implementation of the grant)

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<sup>13</sup> See Articles 136 and 141 of EU Financial Regulation [2018/1046](#).

<sup>14</sup> Professional misconduct includes: violation of ethical standards of the profession, wrongful conduct with impact on professional credibility, false declarations/misrepresentation of information, participation in a cartel or other agreement distorting competition, violation of IPR, attempting to influence decision-making processes or obtain confidential information from public authorities to gain advantage.



- created under a different jurisdiction with the intent to circumvent fiscal, social or other legal obligations in the country of origin or created another entity with this purpose (including if done by persons having powers of representation, decision-making or control, beneficial owners or persons who are essential for the award/implementation of the grant).

Applicants will also be refused if it turns out that<sup>15</sup>:

- during the award procedure they misrepresented information required as a condition for participating or failed to supply that information
- they were previously involved in the preparation of the call and this entails a distortion of competition that cannot be remedied otherwise (conflict of interest).

## 8. Evaluation and award procedure

The proposals will have to follow the **standard submission and evaluation procedure** (one-stage submission + one-step evaluation).


An **evaluation committee** will assess all applications. Proposals will first be checked for formal requirements (admissibility, and eligibility, *see sections 5 and 6*). Proposals found admissible and eligible will be evaluated (for each topic) against the operational capacity and award criteria (*see sections 7 and 9*) and then ranked according to their scores.

For proposals with the same score (within a topic) a **priority order** will be determined according to the following approach:

Successively for every group of *ex aequo* proposals, starting with the highest scored group, and continuing in descending order:

The *ex aequo* proposals within the same topic will be prioritised according to the scores they have been awarded for the award criterion 'Relevance'. When these scores are equal, priority will be based on their scores for the criterion 'Dissemination'. When these scores are equal, priority will be based on their score for the criterion 'Quality of content and activities'.

All proposals will be informed about the evaluation result (**evaluation result letter**). Successful proposals will be invited for grant preparation; other ones will be put on the reserve list or rejected.

 No commitment for funding — Invitation to grant preparation does NOT constitute a formal commitment for funding. We will still need to make various legal checks before grant award: *legal entity validation, financial capacity, exclusion check, etc.*

**Grant preparation** will involve a dialogue in order to fine-tune technical or financial aspects of the project and may require extra information from your side. It may also include adjustments to the proposal to address recommendations of the evaluation committee or other concerns. Compliance will be a pre-condition for signing the grant.

If you believe that the evaluation procedure was flawed, you can submit a **complaint** (following the deadlines and procedures set out in the evaluation result letter). Please note that notifications which have not been opened within 10 days after sending are

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<sup>15</sup> See Article 141 EU Financial Regulation [2018/1046](#).

considered to have been accessed and that deadlines will be counted from opening/access (see also [Funding & Tenders Portal Terms and Conditions](#)). Please also be aware that for complaints submitted electronically, there may be character limitations.

## 9. Award criteria

The **award criteria** for this call are as follows:

- **Relevance (100 points)**

Relevance of the project taking into account performance of the applicant on the European market.

<b>Total Admissions 2022</b>	<b>Score</b>
2 films acquired in 2022, and 2 films distributed in 1 non-national territory in 2022	70
Up to 150.000 admissions obtained in 2022	80
150.001 to 1.000.000 admissions admissions obtained in 2022	90
>1.000.001 admissions obtained in 2022	100

Maximum points: 100 points.

Individual thresholds per criterion: n/a.

Overall threshold: 70 points.

Proposals that pass the individual thresholds AND the overall threshold will be considered for funding — within the limits of the available call budget. Other proposals will be rejected.

## 10. Legal and financial set-up of the Grant Agreements

If you pass evaluation, your project will be invited for grant preparation, where you will be asked to prepare the Grant Agreement together with the EU Project Officer.

This Grant Agreement will set the framework for your grant and its terms and conditions, in particular concerning deliverables, reporting and payments.

The Model Grant Agreement that will be used (and all other relevant templates and guidance documents) can be found on [Portal Reference Documents](#).

### Starting date and project duration

The project starting date and duration will be fixed in the Grant Agreement (*Data Sheet, point 1*). Normally the starting date will be after grant signature. Retroactive application can be granted exceptionally for duly justified reasons — but never earlier than the proposal submission date.

Project duration: 24 months (extensions are possible, if duly justified and through an amendment).

### Milestones and deliverables

The milestones and deliverables for each project will be managed through the Portal Grant Management System and will be reflected in Annex 1 of the Grant Agreement.

The project activities must be organised in the following work packages:

- WP 1 – Reinvestment activity plan (mandatory)

This single work package should cover the whole reinvestment activity to be carried out within the period of the action.

### Form of grant, funding rate and maximum grant amount

The grant parameters (*maximum grant amount, funding rate, total eligible costs, etc*) will be fixed in the Grant Agreement (*Data Sheet, point 3 and art 5*).

Project budget (maximum grant amount): EUR 750.000 per project. The grant awarded may be lower than the amount requested.

The grant will be a budget-based (actual costs, with unit cost and flat-rate elements). This means that it will reimburse ONLY certain types of costs (eligible costs) and costs that were *actually* incurred for your project (NOT the *budgeted* costs). For unit costs and flat-rates, you can charge the amounts calculated as explained in the Grant Agreement (*see art 6 and Annex 2 and 2a*).

The costs will be reimbursed at the funding rate fixed in the Grant Agreement (**70%**).

Grants may NOT produce a profit (i.e. surplus of revenues + EU grant over costs). For-profit organisations must declare their revenues and, if there is a profit, we will deduct it from the final grant amount (*see art 22.3*).

Moreover, please be aware that the final grant amount may be reduced in case of non-compliance with the Grant Agreement (*e.g. improper implementation, breach of obligations, etc*).

### Budget categories and cost eligibility rules

The budget categories and cost eligibility rules are fixed in the Grant Agreement (*Data Sheet, point 3, art 6 and Annex 2*).

*Budget categories for this call:*

- A. Personnel costs: Not applicable
- B. Subcontracting costs
- C. Purchase costs
  - C.1 Travel and subsistence: not applicable
  - C.2 Equipment
  - C.3 Other goods, works and services
- E. Indirect costs

*Specific cost eligibility conditions for this call:*

- personnel costs:
  - SME owner/natural person unit cost<sup>16</sup>: not applicable
  - volunteers unit cost<sup>17</sup>: not applicable
- travel and subsistence unit cost<sup>18</sup>: not applicable
- equipment costs: depreciation
- other cost categories:
  - costs for financial support to third parties: not allowed
- indirect cost flat-rate: 7% of the eligible direct costs (categories A-D, except volunteers costs and exempted specific cost categories, if any)
- VAT: non-deductible VAT is eligible (but please note that since 2013 VAT paid by beneficiaries that are public bodies acting as public authority is NOT eligible)
- divers:
  - in-kind contributions for free are allowed, but cost-neutral, i.e. cannot be declared as cost
  - other ineligible costs: No

### Reporting and payment arrangements


The reporting and payment arrangements are fixed in the Grant Agreement (*Data Sheet, point 4 and art 21 and 22*).

After grant signature, you will normally receive a **prefinancing** to start working on the project (float of normally **70%** of the maximum grant amount; exceptionally less or no prefinancing). The prefinancing will be paid 30 days from entry into force/financial guarantee (if required) — whichever is the latest.

There will be no **interim payments**.

**Payment of the balance:** At the end of the project, we will calculate your final grant amount. If the total of earlier payments is higher than the final grant amount, we will ask you (your coordinator) to pay back the difference (recovery).

All payments will be made to the coordinator.

 Please be aware that payments will be automatically lowered if one of your consortium members has outstanding debts towards the EU (granting authority or other EU bodies). Such debts will be offset by us — in line with the conditions set out in the Grant Agreement (*see art 22*).

Please also note that you are responsible for keeping records on all the work done and the costs declared.

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<sup>16</sup> Commission [Decision](#) of 20 October 2020 authorising the use of unit costs for the personnel costs of the owners of small and medium-sized enterprises and beneficiaries that are natural persons not receiving a salary for the work carried out by themselves under an action or work programme (C(2020)7715).

<sup>17</sup> Commission [Decision](#) of 10 April 2019 authorising the use of unit costs for declaring personnel costs for the work carried out by volunteers under an action or a work programme (C(2019)2646).

<sup>18</sup> Commission [Decision](#) of 12 January 2021 authorising the use of unit costs for travel, accommodation and subsistence costs under an action or work programme under the 2021-2027 multi-annual financial framework (C(2021)35).

### Prefinancing guarantees

If a prefinancing guarantee is required, it will be fixed in the Grant Agreement (*Data Sheet, point 4*). The amount will be set during grant preparation and it will normally be equal to or lower than the prefinancing for your grant.

The guarantee should be in euro and issued by an approved bank/financial institution established in an EU Member State. If you are established in a non-EU country and would like to provide a guarantee from a bank/financial institution in your country, please contact us (this may be exceptionally accepted, if it offers equivalent security).

Amounts blocked in bank accounts will NOT be accepted as financial guarantees.

Prefinancing guarantees are formally NOT linked to individual consortium members, which means that you are free to organise how to provide the guarantee amount (*by one or several beneficiaries, for the overall amount or several guarantees for partial amounts, by the beneficiary concerned or by another beneficiary, etc*). It is however important that the requested amount is covered and that the guarantee(s) are sent to us in time to make the prefinancing (scanned copy via Portal AND original by post).

If agreed with us, the bank guarantee may be replaced by a guarantee from a third party.

The guarantee will be released at the end of the grant, in accordance with the conditions laid down in the Grant Agreement.

### Certificates

Depending on the type of action, size of grant amount and type of beneficiaries, you may be requested to submit different certificates. The types, schedules and thresholds for each certificate are fixed in the Grant Agreement (*Data Sheet, point 4 and art 24*).

### Liability regime for recoveries

The liability regime for recoveries will be fixed in the Grant Agreement (*Data Sheet point 4.4 and art 22*).

For beneficiaries, it is one of the following:

- limited joint and several liability with individual ceilings — *each beneficiary up to their maximum grant amount*
  - unconditional joint and several liability — *each beneficiary up to the maximum grant amount for the action*
- or
- individual financial responsibility — *each beneficiary only for their own debts*.

In addition, the granting authority may require joint and several liability of affiliated entities (with their beneficiary).

### Provisions concerning the project implementation

IPR rules: *see Model Grant Agreement (art 16 and Annex 5)*:

- different rights of use of the granting authority on materials, documents and information received for policy, information, communication, dissemination and publicity purposes: Yes

Communication, dissemination and visibility of funding: *see Model Grant Agreement*

(art 17 and Annex 5):

- additional communication and dissemination activities: Yes
- special logos: Yes

Specific rules for carrying out the action: see *Model Grant Agreement (art 18 and Annex 5)*: n/a

#### Other specificities

n/a

#### Non-compliance and breach of contract

The Grant Agreement (chapter 5) provides for the measures we may take in case of breach of contract (and other non-compliance issues).



For more information, see [AGA – Annotated Grant Agreement](#).

### **11. How to submit an application**

All proposals must be submitted directly online via the Funding & Tenders Portal Electronic Submission System. Paper applications are NOT accepted.

Submission is a **2-step process**:

#### **a) create a user account and register your organisation**

To use the Submission System (the only way to apply), all participants need to [create an EU Login user account](#).

Once you have an EU Login account, you can [register your organisation](#) in the Participant Register. When your registration is finalised, you will receive a 9-digit participant identification code (PIC).

#### **b) submit the proposal**

Access the Electronic Submission System via the Topic page in the [Search Funding & Tenders](#) section (or, for calls sent by invitation to submit a proposal, through the link provided in the invitation letter).

Submit your proposal in 4 parts, as follows:

- Part A includes administrative information about the applicant organisations (future coordinator, beneficiaries, affiliated entities and associated partners) and the summarised budget for the proposal. Fill it in directly online
- Part B (description of the action) covers the technical content of the proposal. Download the mandatory word template from the Submission System, fill it in and upload it as a PDF file
- Part C containing additional project data. To be filled in directly online.
- Annexes (see section 5). Upload them as PDF file (single or multiple depending on the slots). Excel upload is sometimes possible, depending on the file type.

The proposal must keep to the **page limits** (see section 5); excess pages will be disregarded.

Documents must be uploaded to the **right category** in the Submission System otherwise the proposal might be considered incomplete and thus inadmissible.

The proposal must be submitted **before the call deadline** (see section 4). After this deadline, the system is closed and proposals can no longer be submitted.

Once the proposal is submitted, you will receive a **confirmation e-mail** (with date and time of your application). If you do not receive this confirmation e-mail, it means your proposal has NOT been submitted. If you believe this is due to a fault in the Submission System, you should immediately file a complaint via the [IT Helpdesk webform](#), explaining the circumstances and attaching a copy of the proposal (and, if possible, screenshots to show what happened).

Details on processes and procedures are described in the [Online Manual](#). The Online Manual also contains the links to FAQs and detailed instructions regarding the Portal Electronic Exchange System.

## 12. Help

As far as possible, ***please try to find the answers you need yourself***, in this and the other documentation (we have limited resources for handling direct enquiries):

- [Online Manual](#)
- FAQs on the Topic page (for call-specific questions in open calls; not applicable for actions by invitation)
- [Portal FAQ](#) (for general questions).

Please also consult the Topic page regularly, since we will use it to publish call updates. (For invitations, we will contact you directly in case of a call update).

### Contact

For individual questions on the Portal Submission System, please contact the [IT Helpdesk](#).

Non-IT related questions should be sent to the following email address: [EACEA-DISTRIBUTION-SALESAGENTS@ec.europa.eu](mailto:EACEA-DISTRIBUTION-SALESAGENTS@ec.europa.eu) .

Please indicate clearly the reference of the call and topic to which your question relates (see cover page).

## 13. Important



### IMPORTANT

- **Don't wait until the end** — Complete your application sufficiently in advance of the deadline to avoid any last minute **technical problems**. Problems due to last minute submissions (*e.g. congestion, etc*) will be entirely at your risk. Call deadlines can NOT be extended.
- **Consult** the Portal Topic page regularly. We will use it to publish updates and additional information on the call (call and topic updates).
- **Funding & Tenders Portal Electronic Exchange System** — By submitting the application, all participants **accept** to use the electronic exchange system in accordance with the [Portal Terms & Conditions](#).
- **Registration** — Before submitting the application, all beneficiaries, affiliated entities and associated partners must be registered in the [Participant Register](#). The participant identification code (PIC) (one per participant) is mandatory for the Application Form.
- **Consortium roles**— When setting up your consortium, you should think of organisations that help you reach objectives and solve problems.

The roles should be attributed according to the level of participation in the project. Main participants should participate as **beneficiaries** or **affiliated entities**; other entities can participate as associated partners, subcontractors, third parties giving in-kind contributions. **Associated partners** and third parties giving in-kind contributions should bear their own costs (they will not become formal recipients of EU funding). **Subcontracting** should normally constitute a limited part and must be performed by third parties (not by one of the beneficiaries/affiliated entities). Subcontracting going beyond 30% of the total eligible costs must be justified in the application.

- **Coordinator** — In multi-beneficiary grants, the beneficiaries participate as consortium (group of beneficiaries). They will have to choose a coordinator, who will take care of the project management and coordination and will represent the consortium towards the granting authority. In mono-beneficiary grants, the single beneficiary will automatically be coordinator.
- **Affiliated entities** — Applicants may participate with affiliated entities (i.e. entities linked to a beneficiary which participate in the action with similar rights and obligations as the beneficiaries, but do not sign the grant and therefore do not become beneficiaries themselves). They will get a part of the grant money and must therefore comply with all the call conditions and be validated (just like beneficiaries); but they do not count towards the minimum eligibility criteria for consortium composition (if any).
- **Associated partners** — Applicants may participate with associated partners (i.e. partner organisations which participate in the action but without the right to get grant money). They participate without funding and therefore do not need to be validated.
- **Consortium agreement** — For practical and legal reasons it is recommended to set up internal arrangements that allow you to deal with exceptional or unforeseen circumstances (in all cases, even if not mandatory under the Grant Agreement). The consortium agreement also gives you the possibility to redistribute the grant money according to your own consortium-internal principles and parameters (for instance, one beneficiary can reattribute its grant money to another beneficiary). The consortium agreement thus allows you to customise the EU grant to the needs inside your consortium and can also help to protect you in case of disputes.



- **Balanced project budget** — Grant applications must ensure a balanced project budget and sufficient other resources to implement the project successfully (*e.g. own contributions, income generated by the action, financial contributions from third parties, etc*). You may be requested to lower your estimated costs, if they are ineligible (including excessive).
- **No-profit rule** — Grants may NOT give a profit (i.e. surplus of revenues + EU grant over costs). This will be checked by us at the end of the project.
- **No double funding** — There is a strict prohibition of double funding from the EU budget (except under EU Synergies actions). Outside such Synergies actions, any given action may receive only ONE grant from the EU budget and cost items may under NO circumstances declared to two different EU actions.
- **Completed/ongoing projects** — Proposals for projects that have already been completed will be rejected; proposals for projects that have already started will be assessed on a case-by-case basis (in this case, no costs can be reimbursed for activities that took place before the project starting date/proposal submission).
- **Combination with EU operating grants** — Combination with EU operating grants is possible, if the project remains outside the operating grant work programme and you make sure that cost items are clearly separated in your accounting and NOT declared twice (see [AGA — Annotated Model Grant Agreement, art 6.2.E](#)).
- **Multiple proposals** — Applicants cannot submit more than one proposal under this call. Multiple proposals will be rejected.
- **Resubmission** — Proposals may be changed and re-submitted until the deadline for submission.
- **Rejection** — By submitting the application, all applicants accept the call conditions set out in this this Call Document (and the documents it refers to). Proposals that do not comply with all the call conditions will be **rejected**. This applies also to applicants: All applicants need to fulfil the criteria; if any one of them doesn't, they must be replaced or the entire proposal will be rejected.
- **Cancellation** — There may be circumstances which may require the cancellation of the call. In this case, you will be informed via a call or topic update. Please note that cancellations are without entitlement to compensation.
- **Language** — You can submit your proposal in any official EU language (project abstract/summary should however always be in English). For reasons of efficiency, we strongly advise you to use English for the entire application. If you need the call documentation in another official EU language, please submit a request within 10 days after call publication (for the contact information, see *section 12*).

- **Transparency** — In accordance with Article 38 of the [EU Financial Regulation](#), information about EU grants awarded is published each year on the [Europa website](#).

This includes:

- beneficiary names
- beneficiary addresses
- the purpose for which the grant was awarded
- the maximum amount awarded.

The publication can exceptionally be waived (on reasoned and duly substantiated request), if there is a risk that the disclosure could jeopardise your rights and freedoms under the EU Charter of Fundamental Rights or harm your commercial interests.

- **Data protection** — The submission of a proposal under this call involves the collection, use and processing of personal data. This data will be processed in accordance with the applicable legal framework. It will be processed solely for the purpose of evaluating your proposal, subsequent management of your grant and, if needed, programme monitoring, evaluation and communication. Details are explained in the [Funding & Tenders Portal Privacy Statement](#).