

Investment in Cultural Organisations - Gozo

Guidelines and Regulations



Issued: 08th November 2021

ALLOCATIONS

SESSION BUDGET	MAXIMUM ELIGIBLE AMOUNT PER PROJECT
EUR 250,000 per year	EUR 70,000 per year The amount will be granted for a period of three consecutive years subject to availability of Government funds.

CO-FUNDING	DISBURSEMENT
The fund may cover up to 80% of total project costs	100% of payment applicable to the 1st year as pre-financing and upon signing of contract. 100% of the 2nd year payment upon approval of progress report 2022 and Action Plan for the year 2023. 70% of the 3rd year payment upon approval of progress report 2023 and Action Plan for the year 2024. 30% of the 3rd year payment upon approval of final report for the year 2024.

TIMEFRAMES

APPLICATION DEADLINE	RESULTS	MAXIMUM PROJECT DURATION	ELIGIBLE TIMEFRAME
21 st December 2021	01 st February 2022	36 months	02 nd February 2022 – 31 st December 2024

1 The programme

Through this initiative, Arts Council Malta aims to create partnerships with a number of organisations in Gozo focusing on, and active in, the cultural and creative sectors. The organisations will help Arts Council Malta to deliver the ongoing strategy and aim to achieve the ultimate goal of placing arts and creativity at the heart of Malta's future.

The partnership is intended to provide stable support for organisations to plan ahead, grow, develop and deliver ACM's strategic goals primarily addressing creative professionals and communities, namely to:

1. nurture creative potential and support its development into professional activity;
2. invest in artistic excellence;
3. connect Malta to the international artistic community;
4. provide more opportunities for people to engage in creativity.

Arts Council Malta will be receiving applications from voluntary organisations enrolled with the Commissioner for Voluntary Organisations that have the potential to make a significant contribution to the priorities and ambitions highlighted above.

The funds allocated to the selected organisations will be covering activities happening in 2022, 2023, 2024.

1.1 Targeted initiatives and priority areas

This initiative specifically targets organisations proposing festivals and/or yearly events.

Through this initiative, Arts Council Malta addresses the following priority areas in Gozo:

- supporting high-quality festivals and events which would be part of a diversified and coordinated portfolio of activities and events;
- developing a more coordinated yearly programme of events;
- nurturing cultural tourism.

1.2 What is the programme looking for?

The programme is looking for initiatives that have **artistic excellence** at the very core. The organisations need to demonstrate clearly how they are going to ensure that their artistic programme is able to reach high levels of artistic excellence.

It is important that the applicant organisations have a **strong track record** in relation to the production of the project proposed.

This can be shown through proper and solid **collaboration** agreements with main partners involved such as, for instance, the public cultural organisations, education institutions, hosting venues, etc. It is also important for the organisations to show how the platform proposed will encourage and facilitate co-creation and collaboration between the different stakeholders. The proposal needs to include a commitment for the organisations to discuss artistic programmes with the relevant stakeholders in order to maximise on the potential of collaborations and to make sure that the programmes proposed fit both platforms and artists involved. The final decisions remain the onus of the organisations/beneficiaries.

The programme also seeks to support an important level of **risk-taking**, and it will be looking favourably at organisations who intend to push their own boundaries on a number of levels — artistic and operational collaborators, artistic content and titles proposed (in the case of established productions). It is therefore important that the proposals **include a clear plan for innovative input and updates** which the organisations intend to carry out throughout the respective financial years.

The proposal needs to be supported by a plan for **the management of the activity supported**. It is important to provide a clear structure of the organisation and explain how each role will be essential for the fulfilment of the aims set by the strategic plan of the organisation. It is also important to highlight why that specific person is carrying out the mentioned role. The programme recognises the importance of voluntary workers and voluntary support for the implementation of the projects. In this regard, the proposal needs to include a clear plan for the inclusion and development of volunteer programmes to maximise on the already existing potential of these projects and initiatives. The programme is also seeking to support **training programmes as well as shadowing & mentoring programmes**, and will be looking at these favourably.

The programme also seeks to support extensive networking particularly on an international level. The proposals should also include a clear plan for international collaborations throughout the respective financial years.

The proposal needs to include a clear plan for **audience development and community engagement**. This needs to be supported by a detailed plan for market research and data collection as well as community engagement programmes (which cover the local communities as well as other identified communities in the ACM strategy).

2. Definitions

Applicant

- An applicant may be a Voluntary Organisation enrolled with the Office of the Commissioner for Voluntary Organisations.

Applicants cannot be employees of Arts Council Malta or involved in the management of the *Investment in Cultural Organisations - Gozo*.

Application

- An application is a submission, inclusive of all mandatory documents and any annexes to the application form made by an eligible applicant.

Beneficiary

- The beneficiary is the recipient of the grant. The beneficiary is responsible for the implementation of the proposal supported by the Programme.

Creative professionals

- All artistic and creative individuals professionally active in the cultural and creative sectors.

Eligibility

- Applications are screened by the Senior Fund Executive in terms of eligibility. Applications are screened to determine eligibility in terms of section three (3) of these guidelines. Applications that are not eligible shall not be processed further and shall not undergo evaluation.

Evaluation

- Applications deemed compliant and eligible are evaluated against the criteria established in these guidelines by the appointed evaluators.

Evaluators

- Arts Council Malta appoints an evaluation team for the Programme. The Arts Council may appoint both local and foreign professionals in the sector of culture and the arts.

Management and Administration:

- Arts Council Malta is responsible for the management of this Programme. All official correspondence, including the online submission of applications, must be sent to the address indicated in these guidelines.

Mandatory documentation:

- Any document(s) needed to support your proposal and aid the evaluation of your project (eg. track records, portfolios, artistic CVs, official correspondence confirming rental of space, permits or other); please refer to section 5.1 of these guidelines for a list of mandatory documents.

Maximum Funding:

- There is a ceiling amount of €70,000 per project per year to be allocated. This will be decided on a case-by-case basis depending on the project.

Public Cultural Organisations

- Public cultural entities falling under the remit of Arts Council Malta which include Teatru Manoel, Mediterranean Conference Centre, Malta Philharmonic Orchestra, Fondazzjoni

Kreattività, Pjazza Teatru Rjal, Valletta Cultural Agency, MICAS, Festivals Malta, Kor Malta and ŻfinMalta.

Undertaking

- An undertaking is defined as an entity engaged in an economic activity within the meaning of Article 107 TFEU (i.e. any activity consisting in offering goods and services on a market), regardless of its legal status and the way in which it is financed. The classification of a particular entity as an undertaking depends entirely on the nature of its activities. The application of the State aid rules does not depend on whether the entity is set up to generate profits. Non-profit entities can also offer goods and services on a market. Where this is not the case, non-profit entities remain outside the scope of State aid. Furthermore, the classification of an entity as an undertaking is always relative to a specific activity. An entity that carries out both economic and non-economic activities is to be regarded as an undertaking only with regard to the former.

Undertaking in difficulty

- Undertaking in difficulty means an undertaking in respect of which at least one of the following circumstances occurs:
 - In the case of a limited liability company (other than an SME that has been in existence for less than three years or, for the purposes of eligibility for risk finance aid, an SME within 7 years from its first commercial sale that qualifies for risk finance investments following due diligence by the selected financial intermediary), where more than half of its subscribed share capital has disappeared as a result of accumulated losses. This is the case when deduction of accumulated losses from reserves (and all other elements generally considered as part of the company's own funds) leads to a negative cumulative amount that exceeds half of the subscribed share capital. For the purposes of this provision, "limited liability company" refers in particular to the types of company mentioned in Annex I of Directive 2013/34/EU and "share capital" includes, where relevant, any share premium.
 - In the case of a company where at least some members have unlimited liability for the debt of the company (other than an SME that has been in existence for less than three years or, for the purposes of eligibility for risk finance aid, an SME within 7 years from its first commercial sale that qualifies for risk finance investments following due diligence by the selected financial intermediary), where more than half of its capital as shown in the company accounts has disappeared as a result of accumulated losses. For the purposes of this provision, "a company where at least some members have unlimited liability for the debt of the company" refers in particular to the types of company mentioned in Annex II of Directive 2013/34/EU.
 - Where the undertaking is subject to collective insolvency proceedings or fulfils the criteria under its domestic law for being placed in collective insolvency proceedings at the request of its creditors.
 - Where the undertaking has received rescue aid and has not yet reimbursed the loan or terminated the guarantee, or has received restructuring aid and is still subject to a restructuring plan.
 - In the case of an undertaking that is not an SME, where, for the past two years:
 - the undertaking's book debt to equity ratio has been greater than 7.5 and

- the undertaking's EBITDA interest coverage ratio has been below 1.0.

Voluntary Organisation

- An organisation which is legally established and/or publicly registered in Malta, having a statute. Voluntary organisations must be enrolled with the Commissioner for Voluntary Organisations in accordance with the Voluntary Organisations Act requirements (<http://www.maltacvs.org>). The applicant must be a legally authorised representative of the organisation.

3 Eligibility

The yearly grant may cover up to 80% of the total costs up to a maximum of EUR70,000 per project (whichever is the lowest), (subject to the availability of Government funds), depending on the voluntary organisation and the initiative proposed. Following approval of proposals, Arts Council Malta will establish a financing programme for beneficiaries following negotiations on the proposed budgetary plans. The choice of funding allocation as well as the ceiling established lies at the discretion of Arts Council Malta.

Maximum eligible timeframe to implement the project: 36 months

3.1 Who can apply?

The Investment in Cultural Organisations - Gozo is open for Voluntary Organisations enrolled with the Commissioner for Voluntary Organisations and that have a registered address in Gozo.

3.2 Who cannot apply?

- Applicants whose profile is not verified due to it being an incomplete profile for not having the below mandatory documents:
 - A copy of your Maltese ID card (including the front and back side) or your Maltese; residence permit or your Maltese citizenship certificate or your Maltese passport
 - A signed statute of the Voluntary Organisation.
- Beneficiaries who have not honoured previous funding commitments;
- Organisations/Activities receiving local public funds through established government line-votes;
- Voluntary Organisations which are:
 - not enrolled with the Commissioner for Voluntary Organisations;
 - which have not presented their updated accounts to the Commissioner for Voluntary Organisations and are not compliant by the date of application;

- which do not have a registered address in Gozo.

3.3 What costs can be covered?

Arts Council Malta reserves the right to award grants to beneficiaries based on a fixed allocation every year, without exceeding the 80% co-funding threshold or the maximum allocation depending on the project.

The amount to be awarded is at the discretion of the Evaluation Board set up by Arts Council Malta.

Eligible costs shall be the following:

- artistic fees;
- contingency, 10% of the total cost;
- digitalisation
- documentation;
- health & safety measures;
- hire/purchase of equipment (purchase of equipment will only be considered if deemed necessary to the project);
- indirect costs, not exceeding 5% of the total cost (Examples — Servicing: electricity, water, cleaning; telephone / fax / Internet connections; postage and mailing; paper, ink / cartridge, stationery, etc.);
- insurance;
- marketing, PR and communication, not exceeding 10% of project total;
- other fees directly related to project implementation (including, but not limited to: service providers, mentors, digital consultancy services, legal, participation or enrolment, linguistic fees, surtitling, etc.);
- project management fees (including, but not limited to: administration, coordination, development);
- production;
- rental of spaces;
- standard accommodation, excluding long-term accommodation or part of;
- subscriptions to virtual platforms or other digital services, where relevant;
- subsistence, catering and hospitality not exceeding 5% of the total expenditure;
- travel (economy class) including but not limited to: public transport, air travel, car/vehicle rental);
- travel VISA.

For more information about presenting your budget, refer to our General Budget Guidelines available on: <https://www.artscouncilmalta.org/pages/funds-opportunities/restart-schemes-2021/general-budget-guidelines/>.

3.4 What costs cannot be covered?

- Budgets exceeding 80% of the project expenditure.
- Contributions in kind exceeding 5% of the total expenditure.
- Costs already covered by Public Cultural Organisations, or another public funding programme/scheme managed or co-managed by Arts Council Malta or other public agency, Government department or Ministry.
- Costs declared by the beneficiary and already covered by another grant of the Government of Malta.
- Costs which are already covered through usual operational budgets (space which is owned by the applicant or the partner/supporting organisation/individual).
- Debt and debt service charges.
- Doubtful debts.
- Exchange losses.
- Expenditure deemed excessive or reckless.
- Fees for services provided by Public Cultural Organisations or other public agency, Government department or Ministry.
- Funding for the creation or upholding of bursaries, prizes or scholarships.
- Interest owed.
- Provisions for losses or debts.
- Recoverable VAT, where applicable
- Reimbursement of salaries or part of.
- Retroactive costs.
- Return on capital.
- Subsistence, catering and hospitality exceeding 5% of the total expenditure.

3.5 What applications are not eligible?

The following activities are **not** eligible under this Fund:

- activities of an intrinsically self-sustainable nature;
- activities which are not related to culture, the arts and the creative industries;
- activities whose objective is fundraising or political propaganda;
- applications submitted after noon (12:00) of the respective day of deadline;
- applications submitted by public entities with or without a line vote;
- costs for traditional activities and festivities;
- events held on a regular basis, including school/annual shows, regular training programmes, and/or repeated events;
- incomplete applications (refer to application check list in section 5.1);
- individual modules credited as part of an educational course or research as part of established academic programmes;
- initiatives eligible under the Malta Film Fund, VOPS, Għaqda Nazzjonali Kazini tal-Banda, National Book Council, Valletta Cultural Agency, Malta Arts Scholarships or any other state-funded programme dedicated to Maltese arts/culture;

- projects of an intrinsically self-sustainable nature;
- projects that would have already taken place before the result is notified to applicant(s);
- projects whose duration does not fall within the eligible timeframe.

Any other activity which may be developed outside the scope of the *Investment in Cultural Organisations - Gozo* is not eligible for support.

Applicants can submit more than one application under the same call; however, only one of the applications can be funded per session.

4 Evaluation

The Evaluation Board will base its decision upon the following criteria:

4.1 Criterion 1 — Concept (40 marks)

This criterion considers the artistic ideas(s) of the proposed programme of activities as well as its strategic vision, aims and objectives in relation to the applicant. This may also include the collaborations being proposed, the nature of projects and/or productions and/or events etc., whether they are regular or new, relevant background information on the applicant/s and feasibility and envisaged impacts of the programme/s. The application will also need to refer to any plans for professional development and capacity building that form part of the proposal. Thus, the following questions are to be addressed:

- What is the artistic rationale and specific objectives that inform your proposed programme/s of activities? How is the proposal relevant to ACM's overall strategic goals? (10 marks)
- What are the anticipated and desired outcomes of your proposal? How will you determine whether these outcomes are likely to be achieved or not? (5 marks)
- How do you think this proposal is relevant and challenging to your artistic development and that of your main collaborators? The applicant's track record and that of the collaborators is required. (5 marks)
- Provide a strategic plan for the years covered by the Programme. This should include the vision of the festival, its goals and the artistic programme, and how the organisation intends to ensure high levels of excellence, the plan for innovative input (as highlighted above), showcasing opportunities. (10 marks)
- Provide information about partnerships proposed including collaboration agreements with main stakeholders. (10 marks)

4.2 Criterion 2: Project Management (20 marks)

This criterion considers the level of commitment and preparation prior to the funding application as well as the proposed plan to deliver your project and achieve the targeted objectives. Thus, the

implementation timeline for deliverables and relevant timeframes need to be made evident and justified accordingly together with the relevant risk management. This is also applicable to applications that focus on activities that are primarily aimed towards the development and capacity building of the applicant/s. The following questions need to be addressed:

- How are you planning to deliver the proposed programme? (e.g. timeframes, workplans, responsibilities, skills and track record of people managing projects, logistics plan) (10 marks)
- What is the degree of flexibility in the planning, given the risks and uncertainties? What are the mitigation measures envisaged in view of the identified risks? (e.g. contingency plans, risk assessments, health and safety measures, possible adjustments that may take place) (5 marks)
- Are there any necessary permits, copyright issues and other legal, ethical and administrative matters to be addressed? (5 marks)

4.3 Criterion 3: Audience Engagement (20 marks)

This criterion considers the engagement and the development of established and/or new audiences. Engagement refers to the role, the nature of involvement in the programme and the experience offered to the audience. Audiences may include internal and/or external stakeholder groups depending on the nature of the proposed programme. For example, if the primary aim of the programme is towards capacity building, the audiences may include collaborators and any other participants who are involved in the process. If the programme includes a series of public events or productions, the audiences may include members from the general public. This criterion emphasises the level of engagement based on what is being proposed by the applicant/s in line with the following questions:

- Who are your target audiences (whether that is internal and/or external) and how will these audiences be reached? (10 marks)
- Can you provide an outline of the marketing, PR and communications plan as deemed relevant to the proposed programme? Why did you opt for your chosen methods? (Note: communications plan also includes internal dissemination which may not be at a public level) (5 marks)
- Plans related to international networking should also be included. (5 marks)

4.4 Criterion 4: Budget (20 marks)

This criterion considers how well-planned and realistic the presented annual budget plan is. It also considers efforts to secure funds from other sources. The following questions will need to be addressed:

- Provide a detailed income-expenditure budget for Year 1 and forecasts for the two consecutive years. (10 marks)
- What are the budgeted costs that are both directly and indirectly linked to the delivery of the proposed programme? (e.g. fixed costs that are ongoing such as artistic fees for

specific productions) What is the budgeted annual income for the proposed programme? If no income is envisaged, what is the justification? (10 marks)

5. Submitting the application

Follow these steps to apply:

1. Read these guidelines and regulations very carefully.
2. Check whether your proposed idea can be addressed by this programme.
3. Press the link that will take you to the online application system.
4. Create your profile with Arts Council Malta by clicking on Register and filling in the details.
5. From the open calls section, select the online application for the programme you intend to apply.
6. Follow the instructions step by step. Fill in all the required information from the online application including the budget, and attach the supporting documentation.
7. Submit the application. You should be receiving an automatic acknowledgement by the system. If you do not receive such a notification, contact us on applyforfunds@artscouncil.mt.

In case of difficulty, or if you would like to consult us regarding this fund, you can call us on 2334 7230, Monday to Friday, between 09:00 and 16:00, or email us on fundinfo@artscouncil.mt.

It is your responsibility to present a complete application form as explained in these guidelines and regulations. If you do not present all the necessary information and documentation, your application will not be processed and evaluated.

Prior to the application deadline, Arts Council Malta representatives will not be checking your application forms. It is solely at the Arts Council Malta's discretion to request that applicants provide any missing mandatory documentation following the call deadline.

Upon the submission of the application, applicants accept that should the application be awarded funding, the name, the project title, short project description and the amount awarded can be published by Arts Council Malta.

A decision on funding will be made on the strength of the submitted information, and supporting documents.

Applications handed in after 12.00 (noon) of the respective deadline cannot be accepted.

5.1 Checklist

In order to be complete, applications must be accompanied by:

- a copy of the VAT certificate of Registration, where applicable;
- a detailed income-expenditure budget for Year 1 and forecasts for the two consecutive years;
- applicant biography/artistic CV to be included in the applicant profile;
- audiovisuals / portfolio showing the applicant's work, as relevant to the proposal (Audiovisuals up to 5MB may be uploaded directly in the application form, in the case of larger files these may be provided as a link);
- letters of intent from collaborators;
- a proposed programme of activities for the period being applied for. This may include any artistic and cultural events, productions, performances, exhibitions, festivals, training and development initiatives that are relevant to the objectives of the applicant (detailed programme for year 1, and forecast programme for the two consecutive years);
- quotes to support the income-expenditure budget for Year 1;
- strategic Plan;
- the track record of the applicants and collaborators — this includes the CV, artistic portfolios and related documentation.

6 Evaluation process

This programme is competitive and will be evaluated by a panel of three relevant experts, according to the established criteria.

As specified above, each criterion is allocated specific marks. In order to be considered for funding, projects have to obtain an average of 60 marks or more.

Nevertheless, the evaluation session and funding decisions depend on the quality of the submitted proposals as well as the availability of the funds. Therefore, obtaining 60 marks or more does not automatically mean that your project proposal has been successful. The Evaluation Board may decide not to allocate the total funds available for a particular call if the proposed projects do not reach the required level in terms of the fund criteria.

Eligible applications will be assessed by an evaluation team selected by the Council on the basis of their professional experience. Arts Council Malta will select evaluators on the basis of their independent and professional experience. The evaluators will present an assessment on each of the proposed projects, indicating the relevant ratings awarded.

6.1 Shortlisting

The evaluation board will meet during an initial evaluation in which all the eligible applications will be discussed. All applications will be given a score, and those scoring 60 marks and higher will be shortlisted. The shortlisted applications will attend an online pitching session. The pitching session is compulsory, a maximum of three participants may attend the pitching session.

It is solely at the evaluators' discretion to invite any applicant scoring less than 60 marks, to attend a pitching session.

All applications, including those that are not shortlisted, will receive the official result notification together with a copy of the feedback form on the result date as indicated in page 2 of this document.

6.2 Pitching

The aim of the online pitching session is to create an opportunity for applicants to make a case for their projects to the evaluators. The project applications would already have been reviewed by the evaluators and the Fund Manager before the pitching session.

During the online session, the applicant has the opportunity to present comments, latest insights and additions to the already submitted project description.

The pitch can be presented in a variety of formats, including but not limited to visual aids, power point presentations, audio, etc., that should not be longer than ten (10) minutes. During the pitch, applicants are expected to explain the project's artistic vision and communicate how the project will be implemented. This ten-minute pitch will be followed by a Q&A session with the panel of evaluators.

6.3 Communication of results

On the day indicated on page 3, you will receive your result notification from Arts Council Malta. Together with the covering letter, we will also attach a copy of the feedback form, indicating the reasons and marks leading to the Evaluation Board's decision, according to the fund criteria.

The order of classification of the projects, according to the marks allocated by the evaluators, will be published online. Only the names and summaries of the successful projects will be published; in the case of projects which have not been awarded any funds, only their reference number will be published.

If you have any difficulties concerning your results, you should email us on fundinfo@artscouncil.mt within five (5) days of receiving your funding decision.

No information on the evaluation process will be released before the official result notification.

Any form of soliciting will automatically disqualify an application.

All information received by the Funding unit, Fund Manager and Evaluators will be considered confidential, both during and after the evaluation process. Provisions on data protection and confidentiality for successful projects will be included in the Grant agreement.

7. Project implementation and monitoring

A contract specifying the conditions of the programme will be signed. The pre-financing payment consisting of 100% of the amount allocated by the Evaluation Board for the year 2022 will be processed after the signing of the contract. The amount allocated for the year 2023 will be processed upon the submission and approval of the progress report for the year 2022 including certified accounts and VAT invoices and the year 2023 Action Plan. 70% of the amount awarded for the year 2024 will be processed upon the submission and approval of the progress report for the year 2023 including certified accounts and VAT invoices and the year 2024 Action Plan. The remaining 30% will be disbursed after the submission and approval of the final report for the year 2024 including certified accounts and VAT invoices.

The beneficiaries must use the Arts Council's logo on all related material and specify that the project was supported by the grant as follows: **Supported by Arts Council Malta**, in all marketing, PR and printed material. The grant received must be used solely for the purpose for which it was awarded, in line with the submitted proposal and the contract.

Beneficiaries must notify Arts Council Malta immediately if changes affecting the nature of the project take place during implementation. Changes cannot be implemented unless approval is received. Arts Council Malta reserves the right to revise or withhold the final payment if the change in the project is not considered to be in line with the initial proposal, or if the Council is not informed of the changes within a reasonable time.

Beneficiaries must make themselves available for visits and communication with Arts Council Malta representatives for monitoring purposes both during the implementation of the project as well as after its completion.

Arts Council Malta also reserves the right to revise the final payment if the total expenditure is less than that estimated in the application form.

7.1 Report

At the end of each year, you will be required to submit a detailed report highlighting the work carried out and the project achievements, by not later than six (6) weeks after your project has concluded. Arts Council Malta will provide a template for your reports. If relevant, together with this report, beneficiaries must submit copies of any relevant marketing, publicity or information material developed for the funded project. Beneficiaries will also be requested to submit evidence of the research process, which includes visual documentation (a minimum of 5 high res images should be submitted), blogs and other documentation.

At the end of year 1 and year 2, you will be required to submit an action plan for the following year's programme. You will also be required to present an updated budget together with all supporting documents.

Arts Council Malta retains the right to make use of submitted project material.

Arts Council Malta retains the right to recover funds in case these are not being used and/or are misused and/or are not used according to the submitted budget.

8. Complaints procedure

Filing a complaint will not affect your chances of receiving support from Arts Council Malta in the future. All complaints will be treated with confidentiality.

8.1 Grounds for complaints

Applicants can make a complaint regarding procedural anomalies and irregularities during the submission and evaluation process in terms of the procedures stipulated in these guidelines and regulations. Complaints cannot be made concerning:

- The Arts Council's or Government's policies and procedures.
- The merits of the application in terms of the criteria stipulated in these guidelines and regulations. Only applicants may file complaints concerning their project.

8.2 Filing a complaint

Complaints must be made in writing and must be as clear as possible. The complaint must state the grounds and the reasons for the complaint, providing a detailed explanation and justification supported by relevant documentation or testimonials as to why the complainant deems that irregularities were committed in the procedure/s stipulated in these guidelines and regulations or in standard good governance rules and regulations governing the public sector. The decision at the end of the complaint process shall be final. Complaints need to be

made to the Director of Funding and Strategy, Arts Council Malta within five (5) working days of receipt of your funding decision. You will normally receive a reply to your complaint within ten (10) working days.

In case you are not satisfied with the reply, Arts Council Malta will convene a Board that will discuss your complaint further. If you approach our complaints procedure, then you are accepting that we can use information about your project to address the complaint. The decision of the Board is final.

9. Applicability of State Aid Rules

9.1 Voluntary organisations that do not carry out an economic activity within the meaning of Article 107 TFEU

Voluntary organisations that do not carry out an economic activity within the meaning of Article 107 TFEU may also apply for the Programme. The rules outlined in section 9.2 below are not applicable in such case.

9.2 State aid rules applicable to voluntary organisations that carry out an economic activity within the meaning of Article 107 TFEU

The terms and conditions set out in these guidelines with regards to registered voluntary organisations that carry out an economic activity and are thus deemed to be undertakings (as defined above), will be implemented in line with Commission Regulation (EU) No 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty, as amended by Commission Regulation (EU) No 2017/1084 of 14 June 2017 amending Regulation (EU) No 651/2014 as regards aid for port and airport infrastructure, notification thresholds for aid for culture and heritage conservation and for aid for sport and multifunctional recreational infrastructures, and regional operating aid schemes for outermost regions and amending Regulation (EU) No 702/2014 as regards the calculation of eligible costs, by Commission Regulation (EU) 2020/972 of 2 July 2020 amending Regulation (EU) No 1407/2013 as regards its prolongation and amending Regulation (EU) No 651/2014 as regards its prolongation and relevant adjustments, by Commission Regulation (EU) 2021/1237 of 23 July 2021 amending Regulation (EU) No 651/2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty, and as may be subsequently amended [hereinafter referred to as the General Block Exemption Regulation].

The measure is not applicable to the following:

- a. Activities listed down in Article 1 (2), (3), (4) and (5) of the General Block Exemption Regulation [where applicable].
- b. Undertakings in difficulty are, in principle, excluded from the scope of this scheme, unless the undertaking was not in difficulty on 31 December 2019 but became an undertaking in difficulty in the period from 1 January 2020 to 31 December 2021.

Furthermore, assistance may not be granted if the aid is:

- a. related to export activities towards third countries or Member States, namely aid directly linked to quantities exported, to the establishment and operation of a distribution network or to the other current expenditure linked to export activity;
- b. contingent upon the use of domestic in preference to imported goods;
- c. in favour of a beneficiary which is subject to an outstanding recovery order following a previous Commission decision declaring an aid granted by Malta illegal and incompatible with the internal market.

For the purposes of calculating the aid intensity and eligible costs, all figures used shall be taken before any deduction of tax or other charge. The eligible costs shall be supported by documentary evidence which shall be clear, specific and contemporary.

Rules on the cumulation of aid will be in line with Article 8 of the General Block Exemption Regulation.

Need advice?

ACM offers pre-submission consultation services to help secure support for your project. We are there every step of the way. We can help you determine whether the core concept and profile of your project are in line with the targeted support mechanism, and provide feedback on the way you plan to present your project. Plan ahead and get in touch with us at least four weeks before the submission deadline, to make the best of our services.

You are welcome to call us on 2334 7230, on weekdays, between 09:00 and 16:00, or to send us an email on fundinfo@artscouncil.mt.

Guidelines updated on 07th October 2021