

European Maritime and Fisheries Fund

Call for proposals

Maritime Spatial Planning – EMFF Work Programme 2020

EMFF-Maritime Spatial Planning-2020¹

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¹ Call ID in 2020 EMFF Work Programme: EMFF-2020-2.1.4

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EUROPEAN COMMISSION Executive Agency for Small and Medium-sized Enterprises (EASME)

EASME.A – COSME, H2020 SME and EMFF **A.3 – EMFF**

European Maritime and Fisheries Fund MSP call EMFF-Maritime Spatial Planning-2020²

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² Call ID in 2020 EMFF Work Programme: EMFF-2020-2.1.4

0. Introduction

This is an EU call for proposals in the area of Maritime Spatial Planning under the European Maritime and Fisheries Fund.

This call for proposals is launched in accordance with the 2020 Work Programme for the implementation of the European Maritime and Fisheries Fund (EMFF) (section 2.1.4 of the annex to the Work Programme)³.

It covers the following topics:

- EMFF-MSP-01-2020 (Topic 1) North Sea and Baltic Sea
- EMFF-MSP-02-2020 (Topic 2) Outermost Regions⁴ (within the meaning of Article 355(1) and Article 349 TFEU as subsequently amended⁵)

You are invited to read the call documentation carefully, i.e. this **call for proposals** and the **guide for applicants**. These documents provide clarifications and answers to questions you may have when preparing your application:

- The <u>call for proposals</u> outlines the:
 - objectives, themes and priorities, types of activities that can be financed and the expected results of the call (sections 1 and 2);
 - timetable and available budget (section 3);
 - admissibility, eligibility, and other conditions (sections 4, 5 and 7);
 - award criteria (section 6);
 - evaluation procedure (section 8);
 - legal and financial set-up and submission procedure (section 9 and 10).
- The guide for applicants outlines the:
 - procedures to register and submit proposals online via the <u>EU Funding &</u> <u>Tenders Portal</u> ('Portal');
 - recommendations for the preparation of the proposal;
 - explanation of the application form (Proposal Template Part A and B), which describes the project;
 - overview of the cost eligibility criteria.

Applicants are encouraged to take into account the principles of the <u>EASME</u> <u>Environmental Policy Charter</u> when preparing their proposals. You are also encouraged to visit the <u>EASME website</u> to consult the list of projects funded previously under the EMFF.

³ Commission Implementing Decision C(2019) 8977 final of 17 December 2019 concerning the adoption of the work programme for 2020 and the financing decision for the implementation of the European Maritime and Fisheries Fund.

⁴ Guadeloupe, French Guiana, Martinique, Mayotte, Réunion, Saint-Martin, the Azores, Madeira and the Canary Islands

⁵ <u>European Council Decision of 29 October 2010 amending the status with regard to the European Union of the island of Saint-Barthélemy (2010/718/EU); European Council Decision of 11 July 2012 amending the status of Mayotte with regard to the European Union (2012/419/EU).</u>

1. Background to the Maritime Spatial Planning call

Human activities at sea are taking up an increasing amount of space and exerting pressure on marine and coastal ecosystems. This makes it necessary to manage our Oceans and Seas in an integrated manner.

At a global scale, Maritime Spatial Planning (MSP) has emerged as an important policy tool for delivering efficient marine resource management and sustainable development. MSP can also be used to strengthen cross-border cooperation, and therefore support improved ocean governance.

In 2007, the EU adopted the Integrated Maritime Policy (IMP) to provide a more coherent approach to maritime issues. Shortly after, in 2008, the Communication "Roadmap for Maritime Spatial Planning: Achieving common principles in the EU" was adopted by the Commission. The process culminated in 2014 with the adoption of EU MSP legislation (hereinafter "the MSP Directive").

The MSP Directive entered into force in September 2014 and establishes a set of common minimum requirements. It represents an overarching governance framework for EU Members States, which are required to adopt maritime spatial plans by 2021 in all EU waters.

Among the requirements, Member states are requested to cooperate with bordering countries to ensure coherence plans are set across the marine region concerned and where possible to cooperate with third-country authorities. Furthermore, they are encouraged to make use of existing instruments and tools to organise the use of the best available data⁶, necessary for the setting up of the maritime spatial plans.

Since 2009, the European Commission has co-financed a number of MSP cross-border projects to help Members States comply with the provisions laid down in the MSP Directive. The present call for proposals pursues the same line of action.

2. Objectives — Themes & priorities — Activities that can be funded — Expected Results (For both topics EMFF-MSP-01-2020 and EMFF-MSP-02-2020)

<u>Objectives</u>

The objective of this call for proposals is to support the establishment and implementation of Maritime Spatial Plans in line with the objectives pursued in the framework of the MSP Directive. More specifically, this action intends to support Member States in **setting up maritime spatial plans** and ensuring that **plans are coherent and coordinated across marine regions concerned**. The deadline for Member States to adopt their Maritime Spatial Plans is 31 March 2021.

In this context, applicants are required to address the following priorities in their proposals:

- 1. Support the work of MSP competent authorities and/or inter-ministerial bodies in the establishment and adoption of maritime spatial plans;
- 2. Where relevant, support the development of cross-border cooperation on MSP with bordering Member States and third countries with a view to ensure **that**

⁶ <u>Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an</u> <u>Infrastructure for Spatial Information in the European Community (INSPIRE) (OJ L 108, 25.4.2007, p. 1).</u>

maritime spatial plans are coherent and coordinated across marine regions concerned;

3. Making use of the best available data and organise the sharing of information, necessary for maritime spatial plans, by using relevant mechanism and tools (e.g. INSPIRE, EMODNet).

Themes & priorities

Proposals are expected to develop innovative responses to tackle specific challenges that EU Members States might encounter when preparing, establishing or revising their maritime spatial plans.

These challenges should be common to the Member States participating in the project. The shared interest in developing innovative responses can apply within a sea basin and/or across sea basins. This means that a proposal could bring together participants from different Member States, located in different sea basins.

Hereunder is a non-exhaustive list of examples of such challenges/issues:

- 1. <u>Climate proofing of MSP</u>: incorporating adaptation and mitigation actions and/or strategies into MSP, making MSP flexible and adaptive to respond to climate change.
- 2. <u>MSP as an enabler of the EU's "Green Deal":</u> development of a clean, circular blue economy, preserving and protecting biodiversity in the marine environment (in particular with spatial measures), facilitating the supply of clean, affordable and secure, energy, enabling the provision of healthy and environmentally-friendly food from the sea.
- 3. <u>Development of an economic sector (e.g. tourism, offshore wind energy, aquaculture) in the maritime domain:</u> ex-ante assessments (Strategic Environmental Assessment, Environmental Impact Assessment), allocation of sufficient sea space, resolution of conflicts with other uses, enabling synergies with other sectors / activities, etc.
- 4. <u>Applying the Ecosystems Based Approach (EBA) in MSP</u>: designing maritime spatial plans to integrate objectives and measures of other EU instruments (e.g. the Marine Strategy Framework Directive⁷) with the aim to reduce collective pressures and ensuring that marine ecosystems are in a healthy, productive and resilient condition.
- 5. <u>Addressing gaps and challenges in the collection and use of data in the MSP context:</u> using best available data and instruments to prepare, monitor and revise maritime spatial plans. Developing data tools, models and infrastructures, allowing for interoperability and enabling Member States to share MSP data and information, especially in a cross-border and sea basin context.
- 6. <u>Promoting ocean governance through MSP:</u> incorporating oceans' governance tools into the MSP process and in maritime spatial plans. For example by enabling stakeholder participation in governance schemes and instruments

⁷ <u>Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive) (OJ L 164, 25.6.2008, p. 19–40)</u>

(e.g. management of marine resources, protection of the environment or of the underwater cultural heritage) or by promoting cooperation with third countries in issues of common interest in a sea basin or a shared ocean space.

The above list is purely illustrative and applicants might identify other challenges that are specific to them, or to the sea basin(s) where they are located.

Applicants should identify <u>one(or maximum two)</u>, challenge(s) and build their proposal around the response(s) to such challenge(s).

At least one project per topic is expected to be funded.

Priority will be given to proposals that build on the outcome of prior MSP related projects, relevant to the objectives of the call. In this context, proposals should describe how they build on, complement and differ from finalised or ongoing research and innovation projects, including from EU programmes, where relevant. In case a proposal includes activities a particular sea basin in which a dedicated sea basin strategy or similar initiative exists⁸, priority will be given to proposals that explain how they contribute to the objectives of the relevant sea basin strategy or initiative.

Activities that can be funded

Applicants should explain in their proposal how they will implement the targeted activities below described, resulting in concrete and measurable results within the project's duration.

Projects must undertake one or more of the following main activities as part of the project implementation:

- Specific activities aimed at implementing provisions set out in articles 6, 7, 8 and 9 of the MSP Directive (notably the setting-up and adoption of maritime spatial plans);
- Specific activities aimed at implementing provisions set out in article 10 of the MSP Directive (Data use and sharing);
- Specific activities aimed at implementing provisions set out in article 11 of the MSP Directive (Cooperation among Member States);
- Specific activities aimed at implementing provisions set out in article 12 of the MSP Directive (Cooperation with third countries).

In addition, applicants should include in their project the following complementary activities/tasks to support the above core activities:

- Establishment of a Steering Committee (SC) to ensure the overall strategic steering of the project. The SC should comprise relevant representatives of the Member States where the action takes place (such as MSP competent authorities), as well as the beneficiaries involved. The Commission and EASME may participate in an observer capacity only.
- Establishment of an Advisory Committee (AC) to provide expert advice on the project's activities. The AC should be composed of a maximum of five recognised experts in MSP or in relevant fields of activity. The Commission and EASME may participate in an observer capacity only.

⁸ Sea basins strategies and other relevant sea basin information for the Atlantic, Baltic Sea, Black Sea, Mediterranean or North Sea: <u>https://ec.europa.eu/maritimeaffairs/policy/sea_basins_hr</u>

- Working procedures defining how the project and the SC will operate (assigning clear roles and responsibilities, describing the decision-making process, frequency of meetings etc.);
- An opening and closing conference.

Applicants are strongly encouraged to assign dedicated staff to the development and implementation of the proposed communication and dissemination activities. This should be appropriately reflected in the proposed budget.

The list of complementary activities is non-exhaustive. Applicants may propose additional activities, as long as the proposed complementary activity is justified and establishes a coherent link with the project objectives and the objectives of this call.

Networking with other EU projects

During the lifetime of the projects financed under this action, a number of events (no more than once per year) may be organised at EU level for the grant beneficiaries to facilitate the exchange of experience and good practices across sea basins, to foster mutual learning and to enhance the European dimension of Maritime Spatial Planning. Project beneficiaries are expected to participate in these events, which will be held in Brussels or other relevant locations.

Expected results

Applicants have to list the main results⁹ expected from the project. The expected results to be achieved by the end of the project **must be concrete, realistic and time bound and quantifiable** as far as possible.

In particular, proposals are expected to:

- Concretely contribute to the elaboration and adoption of the Maritime Spatial Plans by 2021;
- Ensure that maritime plans are coherent and coordinated across the marine region concerned;
- Create a repository of best practices and lessons learnt from the project and a list of achievements of the projects;
- Produce "policy briefs" that summarise the main results of the project and their relevance for the implementation of the MSP Directive, and include elements of "policy feedback", in particular suggestions for changes / improvements in the current EU policy instruments.

In addition, the proposals should identify specific expected results in relation to the proposed responses to the selected challenge(s). Based on the examples of challenges mentioned in the section "Themes and priorities" hereunder is reported a table illustrating what expected results could correspond to the individual challenges.

⁹ **Results**: capture more direct, short to medium term changes in a situation, which are achieved by the end of the project. E.g. Development of a vision and definition of a set of common and coherent objectives for Maritime Spatial Planning in the marine region selected or Common approaches adopted for the management of maritime activities in cross-border areas.

Example of challenge	Example of expected result	
Climate proofing of MSP	Adaptive conservation strategies to cater for spatial changes in ecosystems (e.g. migration of species)	
MSP as an enabler of the EU's "Green Deal"	Integration in the maritime spatial plans of a network of marine protected areas, even in a cross-border context, to ensure the protection and conservation of the biodiversity.	
Development of an economic sector (e.g. tourism, offshore wind energy, aquaculture) in the maritime domain	Specific spatial plan, within the overall maritime spatial plan, to develop a specific industry (e.g. offshore wind energy). This specific plan could include provisions to allow for the long term development of the sector, in particular as regards allocation of space and/or provisions for co-uses, coexistence with other sectors.	
Applying the Ecosystems Based Approach (EBA) in MSP	Establishment of an adaptive strategy to manage specific pressures (e.g. eutrophication, underwater noise) on the overall marine environment or on specific eco-systems.	
Addressing gaps and challenges in the collection and use of data in the MSP context	Preparation of a data-model for the national maritime spatial plan that could be shared in a sea-basin or even EU context in a common electronic platform.	
Promoting ocean governance through MSP	Establishment of a framework where maritime spatial planning is subject to continuous evaluation and monitoring and where clear mechanism for revisions of the plan are integrated.	

The list of expected results above is non-exhaustive and applicants may add other expected results if relevant. Applicants are free to include in their proposals other challenges (maximum two), with the corresponding results, which they deem appropriate for their specific situation.

Monitoring and evaluation of the project activities and project results

Beneficiaries will have to monitor and evaluate the progress of the project, notably in terms of realising the project objectives and reporting on the results of their project.

Applicants should select and explain which quantitative and qualitative indicators they will use for monitoring and evaluation:

- For each project result, they must define appropriate indicators for measuring achievement (including a unit of measurement, baseline value and target value).
- Beneficiaries will have to report on the project results achieved by the end of the project taking into account the EMFF project indicators provided in the Project Indicators table¹⁰. These indicators will contribute to evaluating the

¹⁰ Annex 3 to the Proposal Template (Part B)

results of the proposed project.

Proposals have to include a specific activity/task to monitor and measure the project activities and the project results with a defined budget. Information on monitoring and assessing project results has to be submitted at the time of the periodic reports.

3. Timetable & available call budget - For both topics EMFF-MSP-01-2020 and EMFF-MSP-02-2020

<u>Time-table</u>

Timing (planned)			
Call publication:	26 May 2020		
Opening of submissions:	09 June 2020		
Deadline for applications:	10 November 2020		
Evaluation:	November –December 2020		
Information on evaluation result:	February-April 2021		
Grant agreement signature:	May –June 2021		
Starting date:	June-July 2021		

<u>Call budget</u>

The available call budget is **EUR 4,000,000**.

This budget may be increased by maximum 20%.

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

EASME considers that proposals requesting a contribution in the ranges indicated below per topic would allow the specific objectives per topic to be appropriately addressed. Nonetheless, this does not preclude submission and selection of proposals requesting other amounts.

Торіс	Indicative budget	Estimated EU contribution per project and number of projects to be funded
1 — North Sea and Baltic Sea	EUR 2 500 000	EUR 2 500 000 1 proposal is expected to be funded.
2 — Outermost regions	EUR 1 500 000	EUR 1 500 000 1 proposal is expected to be funded.

The EU reserves the right not to award all available funds or to redistribute them between the call topics, depending on the applications received and the evaluation results.

4. Admissibility conditions

<u>Admissibility</u>

Applications must be submitted before the call deadline (see time-table section 3).

Applications must be submitted electronically via the Portal Electronic Submission System (accessible via the Call Topic page in the <u>Search Funding & Tenders</u> section). Paper submissions are no longer possible.

Applications (including annexes and supporting documents) must be submitted using the forms in the Electronic Submission System (not the documents available on the Call Topic page — these are only for information).

Applications must be readable, accessible and printable and contain all the requested information and all required annexes and supporting documents (see section 10).

Applications are limited to 60 pages. Evaluators will not consider any additional pages.

5. Eligibility conditions

Participants

General eligibility conditions for participants:

1. In order to be eligible for a grant, the applicants must:

- be legal entities (public or private entities or international organisations¹¹)
- be directly responsible for the preparation and management of the project with the other applicants, i.e. not acting as an intermediary
- be established in an EU Member State (including overseas countries and territories (OCTs¹²)

or

be established in a non-EU Member State as described below under <u>Specific</u> <u>eligibility conditions for this call</u> (second bullet point).

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).

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

Special rules may apply for entities from certain countries (*e.g. countries covered by Council sanctions, entities covered by Commission Guidelines No* <u>2013/C</u> 205/05¹³.

¹¹ For the definition, see Article 156 EU Financial Regulation <u>2018/1046</u>.

¹² The Overseas Countries and Territories (as per Annex II of the Treaty on the functioning of the EU) are: Anguilla (UK), Aruba (NL), Bermuda (UK), Bonaire (NL), British Antarctic Territory (UK)*, British Indian Ocean Territory (UK)*, British Virgin Islands (UK), Cayman Islands (UK), Curação (NL), Falkland Islands (UK), French Polynesia (FR), French Southern -and Antarctic Territories (FR)*, Greenland (DK), Montserrat (UK), New Caledonia and Dependencies (FR), Pitcairn (UK), Saba (NL), Saint Barthelemy (FR), Sint Eustatius (NL), Sint Maarten (NL), South Georgia and South Sandwich Islands (UK)*, Saint Helena, Ascension Island, Tristan da Cunha (UK), St. Pierre and Miquelon (FR), Turks and Caicos Islands (UK), Wallis and Futuna Islands (FR). (*) OCTs without a permanent local population. OCTs have a specific status since they are not part of the territory of a Member State but closely linked to it and not a fully independent state.

To prove eligibility, all applicants must register in the <u>Participant Register</u> — before the call deadline — and upload the necessary documents showing legal status and origin.

Linked third parties (i.e. affiliated entities¹⁴ that participate in the project with funding, but do not become beneficiaries) are allowed.

For UK applicants: Please note that following the entry into force of the EU-UK Withdrawal Agreement¹⁵ on 1 February 2020 (and in particular Articles 127(6), 137 and 138), the references to natural or legal persons residing or established in an EU Member State are to be understood as including persons residing or established in the United Kingdom. UK entities are therefore eligible to participate under this call.

Specific eligibility conditions for this call:

- Applicants must be public authorities or bodies in charge of maritime spatial planning of those coastal Member States which are responsible for MSP in the selected area. Other legal entities shall be considered eligible applicants provided that they are endorsed by the public authorities or bodies in charge of maritime spatial planning at national level in the related coastal Member States.
- If a project activity, which is to be carried out in the waters of the EU or an EU Outermost Region, also extends into neighbouring waters¹⁶ outside the territory of the Union, applicants established in the non-EU countries in whose jurisdiction these waters fall, are eligible, providing that the involvement of those applicants is necessary in view of the nature of the action and in order to achieve its objectives.
- **for EMFF-MSP-01-2020** (Topic 1): proposals must include applicants from at least two coastal Member States bordering the targeted sea basins/marine regions, i.e. the North Sea and/or the Baltic Sea.
- for EMFF-MSP-02-2020 (Topic 2): proposals must include applicants from at least one coastal Member State responsible for MSP in the concerned EU Outermost region(s).
- 2. The consortium coordinator has to be established in an EU Member State¹⁷.

3. Proposals must be submitted by a consortium of applicants. One of these applicants must act as the consortium coordinator, while the others will act as partners (members of the consortium).

Geographical scope

Proposals must relate to activities concerning the following sea basins/areas:

¹³ 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). Note that these guidelines extend to third parties receiving financial support within the meaning of

Article 204 EU Financial Regulation 2018/1046. ¹⁴ See Article 187 EU Financial Regulation 2018/1046.

¹⁵ Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community (OJ 2019 C 384 I).

¹⁶ 'Neighbouring waters' is to be understood in the geographical sense, e.g. countries with a common border of their territorial waters, contiguous zones or EEZ. They must be neighbouring waters to EU territory (i.e. not neighbouring waters to OCTs or other territories which are not part of the EU territory).

¹⁷ It has to be an entity from an EU Member State; in this case, an entity from an OCT is not valid.

- for EMFF-MSP-01-2020 (Topic 1): North Sea and Baltic Sea,
- for EMFF-MSP-02-2020 (Topic 2): the EU Outermost regions.

Activities should normally relate to the EU waters, but may extend into neighbouring waters, if this is necessary for the implementation of the project (in view of its nature and its objectives) and in particular where cross-border MSP cooperation requires third country involvement in the given sea basin.

Activities

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

Proposals should take into account, if possible, the results of projects supported by other EU funding programmes and/or initiatives.

The complementarities must be described in the project proposal (Part B of the Proposal Template).

Financial support to third parties is not allowed.

<u>Duration</u>

Depending on the scope of the project, EASME expects projects to run for a duration of 36 months.

6. Award criteria

Admissible and eligible applications will be evaluated and ranked against of the following award criteria:

Criterion	Description	
1. Relevance and added value (max. 10 points):	The following aspects will be considered to assess the relevance and added value to the extent the proposal meets the objectives and activities of the call as defined in section 2:	
	 Clarity and pertinence of the objectives, including, where relevant, the quality of proposed coordination and support measures; 	
	 Soundness of concept, and credibility of the proposed approach, including the identification of specific needs/challenges of the policy domains/sea basins/areas targeted in the call, and/or how it will address specific industrial/ economic/ social/ environmental challenges/priorities; 	
	 The extent to which the proposal describes how it differentiates itself from others and provides added value compared to the status-quo/state-of-the- art/existing solutions (e.g. technologies/approaches/practices/implementation of directives) and, where relevant, represents an uptake of results of related EU initiatives; 	
	Where appropriate, the extent to which the proposal will provide added value for the sustainable development of the blue economy and its potential actors (blue economy targeted sector(s)/customers/investors), and for the objectives of the relevant sea basin strategies or initiatives, geographical coverage and relevance of partnership (number of Member States involved, relevance of non-Member State participants, etc).	
2. Project implementation (max. 10 points):	The following aspects will be considered to assess the quality of the project implementation:	
	 Quality and effectiveness of the work plan, providing a time-efficient planning (Gantt chart or equivalent) and including extent to which the resources assigned to work packages are in line with their objectives and deliverables; 	
	 Appropriateness of the management structures and procedures, including monitoring, risk and, where relevant, innovation management; 	
	 the extent to which the partners complement each other in view of delivering the expected results, including demonstrating the real added value of the transnational approach to support the achievement of the project's objectives; 	
	 Appropriateness of the allocation of tasks, ensuring that all participants have a valid role and 	



	 adequate resources in the project to fulfil that role. The extent to which the budget is clear, consistent with the proposed activities; sufficiently detailed and justified; and represents value for money, including subcontracting.
3. Impact (max. 10 points)	 The following aspects will be considered to assess the sustainability and long-term impact of the proposal : The extent to which the outputs of the project would contribute to each of the expected impacts mentioned in the call text;
	 The extent to which the proposal describes the intended long-term impact of the results beyond the project lifetime, indicating the longer term impact on social, economic and environmental parameters¹⁸; and, where relevant, includes appropriate and concrete measures to sustain¹⁹ the project activities/results after the end of the EU funding;
	 The quality of the proposed measures to disseminate to different target audiences, exploit the project results and maximise the impact. This includes, where applicable, measures linked to intellectual property, knowledge protection and regulatory issues (management of IPR if relevant, regulatory and/or standards requirements);
	 The extent to which the proposed solutions/methodology/approach may be transferable/transferred to other areas/regions/domains, including the appropriate concrete measures to facilitate their transferability, and potential multiplying effect.

Maximum points: 30.

Individual thresholds (per award criterion): 6 points out of 10. Half points can be given.

Overall threshold: 21 points.

Highest scored proposals that pass the individual threshold AND the overall threshold will be considered for funding — within the limits of the available indicative budget per topic.

Other applications will be rejected.

The evaluation procedure is explained further in section 8.

¹⁸ E.g. turnover market share, employment creation, profit, environmental benefits, etc.

¹⁹ This part can cover different aspects of sustainability: financial, economic, institutional/structural (structures/ organisational set-up to allow the results of the action to continue), business plan, policy, etc. as indicated in the part B of the Technical Submission Form - section 5.5.

7. Other conditions

Financial capacity

All project participants must have stable and sufficient resources to successfully implement the project and contribute their share. Organisations participating in several projects must have sufficient capacity to implement several projects.

The financial capacity check will be carried out by the Commission services on the basis of the documents project participants will be requested to upload in the <u>Participant Register</u> (profit and loss account and balance sheet for the last two closed financial years/possibly the business plan for newly created entities; for applicants requesting more than EUR 750,000: audit report produced by an approved external auditor, certifying the accounts for the last closed financial year).

The analysis will take into account elements such as dependency on EU funding and deficit and revenue in previous years.

The financial capacity check will normally be made for all applicants, except:

- public bodies (entities established as public body under national law, including local, regional or national authorities) or international organisations
- if the individual requested grant amount is not more than EUR 60 000 (low-value grant).

If needed, it may also be made for linked third parties.

If the financial capacity of project participants is considered not satisfactory, the following may be required:

- further information
- an enhanced financial responsibility regime, i.e. full joint and several responsibility for all applicants (see below, section 9)
- pre-financing paid in instalments
- (one or more) pre-financing guarantees (see below, section 9)

or

- propose no pre-financing
- reject your participation or, if needed, the entire application.

• For more information, see <u>Rules on Legal Entity Validation, LEAR Appointment and</u> <u>Financial Capacity Assessment</u>.

Operational capacity

All participants must have the know-how and qualifications to successfully implement the project. This capacity will be assessed on the basis of the experience of the applicants.

Applicants will have to show this via the following information²⁰:

For each applicant, a list of 2 or 3 activities (i.e. projects, publications, products, services and/or other achievements) relevant to the topic content and connected to the subject of the proposal

²⁰ By filling in the operational capacity fiche (Annex 2 to the Proposal Template (Part B))



 Where appropriate, a description of the technical equipment, tools or facilities and patents at the disposal of the applicants.

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

Public bodies and international organisations are exempted from the operational capacity check²¹.

Exclusion

Applicants that are subject to an EU administrative sanction (i.e. exclusion or financial penalty decision)²² or in one of the following situations²³ are excluded from receiving EU grants and will automatically be rejected:

- 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 misconduct²⁴ (including if done by persons having powers of representation, decision-making or control, beneficial owners or natural 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 natural 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 or grant decision (including if done by persons having powers of representation, decision-making or control, beneficial owners or natural 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, decision-making or control, beneficial owners or natural persons who are essential for the award/implementation of the grant)
- 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 natural persons who are essential for the award/implementation of the grant).

Applicants will also be rejected if it turns out during the grant award procedure that they²⁵:

²¹ See Article 198(6) EU Financial Regulation 2018/1046

²² See Article 136(1) EU Financial Regulation 2018/1046.

²³ See Articles 136(1) and 141(1) EU Financial Regulation <u>2018/1046</u>.

²⁴ 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.

²⁵ See Article 141(1) EU Financial Regulation <u>2018/1046</u>.

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

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- Coordinator & consortium The coordinator represents the consortium towards the EU. You must have agreement of the other members and their mandate to act on their behalf and will have to confirm this in your application. Moreover, you will have to declare that the information in the proposal is correct and complete and that all participants comply with the conditions for receiving funding (especially, eligibility, financial and operational capacity, no exclusion, etc.) and have agreed to participate. Before signing the grant agreement, each participant will have to confirm this again by signing a declaration of honour (DoH). Proposals without full support will be rejected.
- **Linked third parties** Applicants may participate with linked third parties (i.e. affiliated entities) that receive funding. Linked third parties must comply with all the conditions set out in this call (just like applicants), but they do not sign the grant agreement and do not count towards the minimum eligibility criteria for consortium composition.
- **Subcontractors** Subcontracting is allowed, but subject specific rules as stated in the Article 10 of the Grant agreement.
- **Registration** All applicants must register in the <u>Participant Register</u> before the call deadline and upload the necessary documents showing legal status and origin. Linked third parties can register later (during grant preparation).
- **Completed/ongoing projects** Applications for projects that have already been completed will be rejected; applications 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 proposal submission).
- **Balanced project budget** Applicants 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*). You may be requested to lower the estimated costs, if they are ineligible (including excessive).
- **No-profit rule** Grants may NOT give a profit (i.e. surplus of receipts + EU grant over costs). This will be checked by us at the end of the projects.
- **No double funding** Any given action may receive only one grant from the EU budget. The project must therefore NOT receive any financial support under any other EU funding programme (including EU funding managed by authorities in EU Member States or other funding bodies, *e.g. Regional Funds, Agricultural Funds, EIB loans, etc.*). Cost items may NOT be declared twice under different EU actions.
- **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 the Guide for applicants for the detailed cost eligibility conditions.*
- **Multiple applications** Applicants may submit more than one application for *different* projects under the same call (and be awarded a grant for them).

Organisations may participate in several applications.

BUT: if there are several applications for the *same/very similar* project, only one application will be accepted and evaluated; the applicants will be asked to withdraw one of them (or it will be rejected).

- **Language** You can submit your proposal in any official EU language. However, for reasons of efficiency, we strongly advise you to use English. If you need the call document in another official EU language, please submit a request within 10 days after call publication (for the contact information, *see section 10*).
- Applications that do not comply with all the call conditions will be **rejected**. This applies also to applicants: all applicants need to fulfil the call criteria; any applicant that does not meet all call criteria must be replaced or the entire proposal will be rejected.

8. Evaluation & award procedure

This call is subject to the standard submission and evaluation procedure (one-stage submission + one-step evaluation).

Applications will be checked by EASME against the formal requirements (admissibility and eligibility) and evaluated by an evaluation committee (assisted by independent experts) against the selection criteria, including operational capacity and the award criteria and then listed in a ranked list according to their quality score.

Proposals that are outside the scope of the topics under which they were submitted will be marked '0' for the "Relevance and added value" criterion — with the comment 'out of scope of the call'; they will not be further evaluated.

At the end of the evaluation by independent experts, all the proposals under evaluation for the same topic will be ranked, according to the scores obtained for each of the award criteria as indicated in section 6 above.

If necessary, a priority order for proposals that have obtained the same score within the same topic will be determined within the limits of the available budget. The following approach will be applied successively for every group of ex aequo proposals requiring prioritisation, starting with the highest scored group, and continuing in descending order:

- i. The ex aequo proposals within the same topic will be prioritised according to the scores they have been awarded for the criterion "Relevance and added value". When these scores are equal, priority will be based on their scores for the criterion "Impact". When these scores are equal, priority will be based on their scores for the criterion "Project implementation".
- ii. Proposals focusing on a sea basin that is not otherwise covered by higher ranked proposals will be considered to have the highest priority (geographical coverage).

If a distinction still cannot be made, a further prioritisation can be done by considering the overall project portfolio and the creation of positive synergies between projects, or other factors related to the objectives of the call for proposals. These factors will be documented in the evaluation report.

Following the selection of proposals within each topic following the above principles, the remainder of the total indicative budget for the call for proposals will be used to fund projects across the different topics in order to ensure a balanced spread of the geographical and thematic coverage of the selected projects while respecting to the maximum possible extent the order of merit based on the evaluation of the award criteria.

Unsuccessful applications will be informed about their evaluation result (see time-table section 4).

Successful applications will be invited for grant agreement preparation.

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- **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 receiving the grant.

9. Legal & financial set-up of the grants

If your project is selected for funding, you will be asked to sign a grant agreement (available on <u>Portal Reference Documents</u>).

This grant agreement will set the framework for your grant and its terms and conditions, in particular provisions on deliverables, reporting and payments.

Starting date & project duration

The project **starting date and duration** will be fixed in your grant agreement (art. 3). Normally the starting date will be after grant agreement signature. Retroactive application can be granted exceptionally only for duly justified reasons; in such case, the earliest possible starting date is the proposal submission date.

Project duration: 36 months (extensions may be granted only exceptionally, for duly justified reasons and following the formal agreement of EASME).

Maximum grant amount, reimbursement of eligible costs & funding rate

All grant parameters (maximum grant amount, funding rate, total eligible costs etc.) will be fixed in your grant agreement (art. 5).

Project budget: See section 3 above. The grant awarded may be lower than the amount requested.

The grant will be a reimbursement of actual costs. This means that it will reimburse ONLY certain types of costs (eligible costs) and ONLY those costs you *actually* incurred for your project (NOT the *budgeted* costs).

The costs will be reimbursed at the funding rate fixed in the grant agreement (maximum 80% for Topics 1 and 2).

EU grants may NOT produce a profit. If there is a profit (i.e. surplus of receipts + EU grant over costs), we will deduct it from your final grant amount.

The final grant amount you will receive will therefore depend on a variety of criteria (actual costs incurred and project income; eligibility; compliance with all the rules under the grant agreement, etc.).

<u>Cost eligibility rules</u>

For the **cost eligibility rules**, see the model grant agreement (art. 6) and the Guide for applicants.

Specific cost eligibility rules for this call:

- 7% fixed flat-rate for indirect costs
- depreciation costs for equipment
- project activities must take place in one of the eligible countries
- financial support to third parties is not allowed
- subcontracting of action tasks is subject to special rules and must be approved by EASME (either as part of your proposal or in a periodic/final report)
- in-kind contributions against payment are allowed (in-kind contributions for free are not prohibited, but they are cost-neutral, i.e. cannot be declared as cost and will not be counted as receipts)
- VAT please note that there are new rules in place since 2013 for public entities (VAT paid by beneficiaries that are public bodies acting as public authority is NOT eligible)
- costs for the introductory meeting will be eligible as travel costs (2 persons, return ticket to Brussels, accommodation for one night) if the meeting takes place after the project starting date set out in the grant agreement.
- Cost for the networking with other EU projects meetings (no more than once per year) will be eligible as travel costs (2 persons, return ticket to Brussels/or other relevant locations, accommodation for one night).

Reporting & payment arrangements

The **reporting and payment** arrangements will be fixed in the grant agreement (art. 15 and 16).

After grant signature, EASME will provide you with a float to start working on the project (pre-financing of 40% of the maximum grant amount; exceptionally less or no pre-financing).

There will be one or more (depending on the project duration) interim payment(s) linked to a periodic report.

At the end of the project, applicants will be invited to submit a report and EASME will calculate your final grant amount. If the total of earlier payments is higher than the final grant amount, EASME will ask you (your coordinator) to pay back the difference (recovery).

<u>Deliverables</u>

Standard **deliverables** will be listed in the grant agreement (art. 14). The project-specific deliverables will be listed in Annex 1.

Pre-financing guarantee

If a pre-financing guarantee will be required, it will be fixed in the grant agreement (art 16.2). The amount will be fixed during grant preparation, and will be equal or lower than the pre-financing for your grant.

The guarantee should be in Euro and issued by an approved bank/financial institution established in an EU Member State.

If the project participants are established in a non-EU country and would like to provide a guarantee from a bank/financial institution in that country, they should

contact Commission services (this may be exceptionally accepted, if it offers equivalent security).

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

The guarantee is NOT linked to individual consortium members. You are free to organise how the guarantee amount should be provided (by one or several beneficiaries, for the overall amount or several guarantees for partial amounts). It is important that the requested amount is covered and the guarantee(s) are sent by the coordinator before the pre-financing (through the Portal) AND the original by post.

If agreed with us, the bank guarantee may be replaced by a joint and several 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.

Special provisions

IPR rules: see model grant agreement (art. 19)

Promotion & visibility of EU funding: see model grant agreement (art. 22)

Cost rejection, grant reduction, recovery, suspension & termination

The grant agreement (chapter 6) provides for the measures that may be taken in case of breach of contract (and other violations of law).

Liability regime for recoveries

The liability regime for recoveries will be set out in the grant agreement (art. 28), i.e. either:

- limited joint and several liability with individual ceilings each beneficiary up to *its* 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 its debt.

10. How to submit an application?

All applications must be submitted electronically via the Portal Electronic Submission System (accessible via the Call Topic page in the <u>Search Funding & Tenders</u> section). Paper submissions are no longer possible.

The **submission process** is explained in the <u>Online Manual</u> (together with detailed instructions for the IT tool).

Mandatory **annexes & supporting documents** (directly available in the Submission System) for this call are:

- Operational capacity fiche (annex 1 to the Proposal Template (Part B))
- EMFF Project Indicators table (annex 2 to the Proposal Template (Part B))

Other annexes

• A detailed budget table is available on the Call Topic page. You are not required to use this template to prepare your proposal, nor upload it with your

application, but you will be requested to provide it if you are selected for funding. It is therefore advisable to prepare this table in advance.

Contact

For questions on the Portal Submission System, please contact the <u>IT Helpdesk</u>.

Non-IT related questions should be sent to the following email address: <u>EASME-EMFF-</u><u>calls@ec.europa.eu</u>.

Please indicate clearly the reference of the call for proposals and the topic to which your question relates to in the subject line (see call document cover page).

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- **Consult** the Portal Call Topic page regularly. We will use it to publish updates and additional information on the call.
- **Do not wait** until the end.

Questions received later than 7 days before the call deadline cannot be answered. We strongly advise you to complete your proposal sufficiently in advance of the deadline, to avoid any last minute technical problems. Any problems due to last minute submissions (*e.g. congestion, etc.*) will be at your risk. The call deadline will NOT be extended.

- Before submitting a proposal, all applicants must be **registered** in the <u>Participant</u> <u>Register</u> and obtain a participant identification code (PIC). One PIC is required for each applicant.
- By submitting their proposal, all applicants **accept**:
 - the terms and conditions of this call (as described in this call document and the documents it refers to);
 - to use the electronic exchange system in accordance with the <u>Portal Terms &</u> <u>Conditions</u>.
- After the call deadline, the proposal is locked and can no longer be changed.
- Applicants may be contacted if there is a need to **clarify** certain aspects of your **proposal** or for the correction of clerical mistakes.
- Applicants may be asked to submit **additional documents** after the call deadline (*e.g. for the legal entity validation, LEAR appointment and financial capacity check*).
- An **introductory meeting** will possible be organised for successful applicants to discuss project management, administrative and financial aspects and reporting obligations. Participation by the coordinator (persons in charge of project coordination and financial matters) will be mandatory.
- For **transparency reasons**, information about EU grants awarded is published each year on the <u>Europa website</u>. This includes:
 - o the beneficiaries' names;
 - o the beneficiaries' addresses;
 - o the purpose for which the grant was awarded;
 - o 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 the rights and freedoms under the EU Charter of Fundamental Rights or harm your commercial interests.

- **Data privacy** The submission of an application under this call involves the collection, use and processing of personal data (such as name, address and CV). This data will be processed in accordance with Regulation (EU) No 2018/1725 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data (repealing Regulation (EC) No 45/2001 with effect from 11 December 2018). It will be processed solely for the purpose of evaluating your proposal (and subsequent management of your grant and, if needed, programme monitoring, evaluation and communication). Details are available in the <u>Portal Privacy Statement</u> (currently under revision).
- **Cancellation** There may be circumstances which may require the cancellation of the call. In this case, you will be informed via a call update. Please note that cancellations are without entitlement to compensation.