

**2014 CALL FOR PROPOSALS FOR PROJECTS ON PREVENTION AND PREPAREDNESS IN  
CIVIL PROTECTION AND MARINE POLLUTION**

**1. Why is it necessary to publish the Model grant agreement for an action with multiple beneficiaries with the call for proposals?**

The Model grant agreement for an action with multiple beneficiaries is published within the Call in order to inform you about the rights and obligations of the parties in case your organisation signs the agreement with the Commission. If your proposal is selected for co-financing you will sign the grant agreement.

**2. Can the time invested by the project's beneficiaries be considered as eligible cost and partner's financial contribution to the project (25% of the total cost of the project)?**

The time invested in the project by staff of the Coordinator and/or Beneficiaries (partners in the project) is eligible as personnel cost, if the applicable eligibility rules are respected.

**3. Are Greenland and the Faeroe Islands eligible applicants to the Call for proposals for Disaster Prevention and Preparedness actions under the Union Civil Protection Mechanism?**

Greenland and the Faeroe islands are autonomous regions which belong to the Kingdom of Denmark.

The Faeroe Islands do not form part of the European Union and the treaties are not applicable to them.<sup>1</sup> Subsequently, entities established in the Faeroe Islands are not eligible to apply to this Call for proposals under the Union Civil Protection Mechanism.

Greenland qualifies as an Overseas Country and Territory (OCT).<sup>2</sup> Therefore, individuals from Greenland and, where applicable, the relevant public and/or private bodies and institutions established in Greenland, are eligible to apply for programmes and arrangements applicable to Denmark.<sup>3</sup> Subsequently, entities established in Greenland are eligible to apply also to this Call for proposals under the Union Civil Protection Mechanism.

**4. Does the cross border civil protection cooperation mean that the countries in a project have to share a border?**

The activities should have cross border elements, such as involvement of two or more countries. These activities should facilitate cooperation, exchange of experience and mutual assistance between countries in the field of civil protection. The word "border" is being used in the broader sense and refers to both "land" and "sea" borders. Cross border cooperation does not necessarily mean neighbouring countries.

**5. The call for proposals indicates that international organisations (such as UNDP) could apply to this call for proposal but it is not clear whether UN agencies should refer to the signed Financial and Administrative Framework Agreement (FAFA) and use the Single Form, applicable to humanitarian aid actions, to apply to the Call for proposals or alternatively, should UN agencies use the forms published with this call?**

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<sup>1</sup> Article 355(5)(a) of the Treaty on the Functioning of the European Union in the Consolidated versions of the Treaty on European Union and the Treaty on the Functioning of the European Union (OJ C 326, 26/10/2012, P. 0001–0390).

<sup>2</sup> According to Article 204 of the Treaty on the Functioning of the European Union in the Consolidated versions of the Treaty on European Union and the Treaty on the Functioning of the European Union (OJ C 326, 26/10/2012, P. 0001–0390), Greenland is covered by Part Four (Articles 198–203) of the Treaty on the Functioning of the European Union. Further on, Greenland is covered by the Decision 2007/249/EC of 19 March 2007 amending Decision 2001/822/EC on the association of the overseas countries and territories with the European Community (OJ L 109, 26/04/2007, P. 33–41).

<sup>3</sup> Article 58 of the Decision 2007/249/EC of 19 March 2007 amending Decision 2001/822/EC on the association of the overseas countries and territories with the European Community (OJ L 109, 26/04/2007, P. 33–41).

The Single Form is not applicable in the context of Civil Protection call for proposals. UN agencies should also use the forms which have been published with this call. The Grant Agreement to be signed with the UN agencies will be adjusted where needed, so as to ensure compliance with the FAFA.

- 6. The Guidance (Guide to Applicants, Call for Proposals 2014 for Prevention and Preparedness Proposals..., pg. 23) states “Branch offices of international organisations are considered as single entities”: Does this mean singularly or collectively? I.e. all international branches are considered as one legal entity together OR each branch is considered to be a separate legal entity from every other branch. Essentially, would an organisation such as Red Cross be eligible to bid with only Red Cross organisations as partners in other eligible states, or would all these Red Cross organisations be considered from one state’s partner?**

Generally speaking, ECHO interprets the above in the following manner: for the purposes of applying to the Prevention and Preparedness Call for Proposals, each branch office is considered as if it were a separate legal entity from every other branch. This then indeed enables different branches of an International Organisation to apply jointly, each being considered as an individual legal entity (on the assumption that while legally speaking each individual branch office does not have a separate legal personality, each office does hold sufficient financial and operational capacity and is able to undertake some legal obligations). It is however important to note that the national societies of the Red Cross are different in this regard and do not need to benefit from the above; namely, each Red Cross national society is in fact a legal entity in its own right. Therefore, Red Cross UK, Red Cross Austria and Red Cross Italy can constitute three different partners in a project.

**Leading on from this, how would do you define a branch organisation in this context (would it be as affiliation is defined with in the Guidance, but based internationally)?**

A branch office (could be e.g. a Regional Office or a Country Office of an International Organisation) is an office, separate from the organisation's headquarters. However, it is not a legal person in its own right and is legally dependant from the headquarters.

- 7. What percentage of the whole partner budget can be available for equipment (clothing, blankets, pc-s, tents...)?**

There is no limit or max percentage of the budget available for the equipment. Please note that purchase of equipment should not be the main purpose of a project. Equipment used in a project should be necessary for carrying out a project in order to achieve the results. Very important to know; only the portion of the equipment's depreciation, rental or lease costs corresponding to the duration of the project and the rate of actual use for the purposes of the project may be taken into account and not full price of the equipment

- 8. I have read in the administrative guide that there is a 7% flat-rate of total eligible direct costs that is eligible under indirect costs. It is my understanding that for some of the EU calls, this rate can be extended to 60% in case the partner is an SME. Would this be the case for this call?**

Regarding your question on the flat rate please note that for the Prevention and preparedness call 2014 the flat rate is 7% of the total eligible direct costs and cannot be extended to 60%.

**Article 124(4)** of the **Financial Regulation** stipulates the following:

*"The grant decision or agreement may authorise or impose, in the form of flat-rates, funding of the beneficiary's indirect costs up to a maximum of 7 % of total eligible direct costs for the*

*action, except where the beneficiary is in receipt of an operating grant financed from the budget. The 7 % ceiling may be exceeded on the basis of a reasoned decision of the Commission."*

Our template Grant Agreement with the General Conditions (Article II.19.3), stipulate the following:

*"Unless otherwise specified in the Article I.3, eligible indirect costs shall be declared on the basis of a flat rate of 7% of the total eligible direct costs."*

We restate the same in the Guide (generally and in the instructions to filling out the F form concerning the provisional budget), referring also to operating grants, in the case of which indirect cost are not eligible.

Further on according to the Financial Regulation, grant rules should take account of the specific remuneration schemes applied by small and medium-sized enterprises ('SMEs'), as defined in Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (e.g. through them being able to declare eligible personnel costs for the work carried out under an action or work programme on the basis of unit costs, if this is foreseen by way of a Commission decision).

No such special provisions were foreseen for SMEs in the field of Civil Protection (note that doing some research, I could only find the possibility of 60 % indirect cost for SMEs under the FP7, the Seventh Framework Programme for Research and Technological Development, which as such of course does not have an impact on us), not in the Decision 1313, nor in the Work Programme; I could therefore not find anything that would justify us exceeding the 7 % threshold in relation to SMEs.

**9. We are preparing a proposal that concerns cost-benefit analysis of prevention measures addressing coastal risks in relation to erosion and oil spill pollution. Should we get the A8 Form signed by the national Civil Protection Authority or the national Maritime Authority?**

If your proposal deals with marine pollution issue A8 form should be signed by the Maritime authority. If it involves both civil protection and marine pollution it makes sense that both authorities are informed and confirm it with the signature of the A8 form.

**10. If the National Civil Protection/Maritime authority is an applicant/coordinator? Does it have to submit the A8 form?**

Yes, the National Civil Protection/Maritime authority should fill in and submit the A8 form for the sake of completeness of the application. As there is no appropriate box to tick in the form for this case, it enough if the applicant adds a text/box saying that the "National Civil Protection/Maritime authority" is an applicant for this project.

**11. If a private coordinator intends to make use of one of his "normally used subcontractors" for a special topic (- as many organisations have worked with e.g. consultant enterprises over years) – and it is mentioned in Form F6 (as "already known" – see page 46) – must there still be a special tendering again or not? Or is it enough mention the direct treaty between the both.**

In terms of procurement, broadly speaking the Financial Regulation and the RAP allow the beneficiary an important room for manoeuvre when it comes to the selection of contractors; Article 209 RAP clearly states that the contract has to be awarded to tenders offering the best value for

money (or as appropriate to the lowest price) and in absence of conflict of interests, yet without imposing our own public procurement rules on beneficiaries. This is then mirrored also in Article II.9 of the model Grant agreement for an action with multiple beneficiaries (published with this call). It means that the recipient of EU funds is free to organize its procurement practices as it normally does, provided that the above principles are met. Whether this can be done without a tender is questionable. We understand the long sub-contracting relationship with one trusted entity, but how you may prove complying with the grant agreement sub-contracting criteria without announcing a tender?

**12. Could UNDP Country Office (International organization) based in FYROM (EU Candidate Country) take the role of Coordinator, responsible for application and implementation of the project under the external budget line?**

In order to benefit from funding under the external budget line, the coordinator needs to be (from) a participating state. A private/public entity registered/established in FYROM, being that FYROM is currently not a participating state; the entity could not act as a coordinator.

Legally speaking, UNDP forms part of the UN and the UN is headquartered in New York, but on a territory which enjoys extraterritoriality (meaning it is considered as international territory).

However, in line with the Guide, branch offices of international organisations are to be considered as single entities. Subsequently, for the purposes of this call, this would mean that we would consider the location of the branch office as its 'place of registration/establishment' (also on the assumption that the bulk of the work for this specific project would be carried out by the UNDP in FYROM).

I would therefore conclude that the UNDP branch office in FYROM could not act as a coordinator.

**13. The Guide for applicants for projects on prevention and preparedness 2014 foresees that IOs are eligible as applicants; however, it refers to grant contracts which do not reflect the standard contractual modalities for international organizations. I would thus appreciate your advice whether as stated in the Guide for applicants only grant agreements would be used by ECHO or this aspect could be reviewed as to take account of the existing framework agreement, i.e. the Financial and administrative framework agreement (FAFA) between the Commission and United Nations.**

The Guide reads as follows on pp. 12: "If the successful applicant is an international organisation, the grant agreement template may be adjusted where need be".

**14. If a project is co-financed from the external budget line is it possible to finance activities that take place "physically" in for example Spain or Italy (participating states) in addition to those that take place in the third countries involved, such a workshop or interviews to different publics of the (schools, citizens, etc.)?**

Yes, it is possible that the activities take place in participating states but it has to be clear that the third countries are the main ones benefiting from these activities and the results.

**15. The Form A12 is to be signed by the applicant/coordinator and beneficiaries in the same sheet, or the applicant/coordinator and each beneficiary need to submit a separate A12 form?**

The applicant/coordinator and each beneficiary fill in and sign a separate A12 form.

## **16. Are the forms A2/A3 "Declaration of honour" applicable to UN?**

We clarified in the Guide for applicants pursuant to Article 131(4) of the Financial Regulation, "Article 106(1) and Articles 107, 108 and 109 shall also apply to grant applicants. Applicants shall certify that they are not in one of the situations referred to in those Articles." Thus, all grant applicants shall certify with the declaration on the honour that they do not fall in any of the exclusion situation listed under the above articles of the Financial Regulation. The only two exceptions to this requirement foreseen under Article 131(4) of the FR are for 1) low value grants and 2) when such a certification has recently been provided in another award procedure. No further exceptions are provided for the IOs/UN therefore the UN has to submit the A28/A3 form.

## **17. Does an international organisation (IO) have to submit the form A13 " VAT declaration applicable to public entity"?**

IOs are neither bodies governed by public, nor by private law (in general they are not governed by national law). More importantly, International Organisations (due to their privileges and immunities) are normally exempt from paying taxes, including VAT. Therefore if the IO does not declare costs with VAT included, there is no need for them to fill in the A13 Declaration.

## **18. Forms A9 "Legal entity" and A10 "Financial identification" should be provided only by the coordinator or also by each beneficiary?**

Form A9 should be submitted by the applicant/coordinator and each beneficiary.  
Form A10 should be submitted only by the applicant/coordinator.

In case of international organisations both the A9 legal entity form and the A10 financial identification forms are applicable also to IOs. In terms of content, the IOs should fill in the form applicable to private entities (as it is content wise more suitable for them). These forms are however not needed if the specific IO has worked with the Commission before, in which case it is already registered as a Legal Entity in the Commission register (and there is no need to re-submit these documents, however, the IO needs to provide the evidence). For the Commission is the easiest to check whether certain legal entity is registered in the Commission register on the basis of the IBAN account number and the legal entity name of a beneficiary.

## **19. Do the international organisations have to submit the following supporting documents: Annual activity report, CVs, a copy of the resolution, balance sheet and the profit and loss account?**

In principle, all of the forms which we specifically do not say in the Guide that they are NOT applicable to IOs, should be applicable to IOs. Specifically the following documents are applicable:

- a. Annual activity report or list with description of activities carried out by the applicant in the previous year (in case annual activity report is not established)
- b. Curriculum Vitae of all relevant professional staff involved in the project
- c. A copy of the resolution, law decree or decision establishing the entity in question; or, failing that, any other official document attesting to the establishment of the entity by the national authorities.
  - i. In relation to the 'Balance sheet and the profit and loss account', it is not applicable to IOs, being that the Guide stipulates on pp. 46 that "Form F9 has to be completed by private applicants only. Applicants considered as public entities or international organisations (see chapter 6.1) do not have to complete this form."
  - ii. According to the table on pp. 32, the list of members of the management or executive board is not required for IOs

**20. The coordinator organization (and one beneficiary) works only with volunteers (registered). Can we put "0" to the "Number of employee" in the A5 Form? And how about the number to be written at the section " Number of employees in department conducting project ", if, in the project only one person will be deployed, but there will be more people who will take part in the project from the NGO, voluntarily ?**

If the coordinator works with volunteers, we propose the following → it should only list the employees (full time and/or part time) in the form A5 in response to the questions '**Number of employees**' and '**Number of employees in department conducting project**'. However, it should provide details also on the volunteers (if it works with volunteers on a regular basis), and especially details on volunteers if these will be working on the project, under the last question in form A5, *i.e.* '**Brief description of the structure and the activities of the Beneficiary**'. Further on, in the form F on Personnel, the entity should also list the volunteers and the costs that it pays for them (*e.g.* medical insurance) and that it wishes to charge to ECHO. In any case if volunteers are involved in the project and they are paid, the costs for them have to be included in the budget, either under personnel costs, subcontracting or other direct costs depending on which basis they will be involved (contracts, subcontracted,...).

In case they are not paid for the work, then this should be recorded in the Form F8 "In kind contributions"-refers to voluntary work or other services free of charge and may be accounted as a virtual cost for information purpose and is not part of the project budget.

**21. In the list of the compulsory documents, please clarify the difference between "VAT number" and "legal registration number". In Romania for example, all NGOs have a registration number provided by the Public Finance (which can be considered VAT number if the NGOs is VAT payer, but those that are not VAT payers, get their registration number from the same institution), and have a registration number given by the Law Court (which is the registration number in the Foundations and Associations National Registry). Which number we should use?**

You should provide the number that you actually have, depending on the legal system in your country. We intended to make this clear in the Guide (pp. 35 and 36) by always saying 'if applicable'. Namely, depending on how this is regulated in the respective country, the entity can:

1. have the VAT number OR the legal registration number (it should then list the one it has);
2. have one number, which is considered to be both the VAT number and the legal registration number, *e.g.* when the legal registration number is used also for VAT purposes (the same number should then be listed both under the VAT number field and under the legal registration number).
3. have the VAT number AND the legal registration number (it should then list both, if they are different).

**22. Do private entities have to submit form A13?**

The form A13 does not apply to private entities. Nevertheless the form should be submitted empty as specified on page 12 of the Guide for applicants: All forms must be returned (If a specific form is not applicable in view of the project type/ content, please mark 'not applicable' or 'N/A' on the form.)

**23. Is UNECE office that based in Geneva eligible to apply under this call?**

A UNECE office based in Geneva could not act as a coordinator in a given project (nor could it really act as a beneficiary under the external budget item, being that its seat does not fall under the states which are foreseen to be funded there (it is not a European Neighbourhood Policy country, nor an EU candidate country, nor a potential candidate country). See also question/answer No. 12.

**24. The “Guide for Applicants” states the following: “costs of the personnel of national administrations to the extent that they relate to the cost of activities which the relevant public authority would not carry out if the project concerned were not undertaken; What exactly does it mean?**

It means that you should not charge the project with the cost of the job, which is your duty as the national administration staff, your tasks, which you would perform anyway and which are not strictly assigned to the project.

**25. For example: Considering that the costs meet the criteria stated in the guide for applicants (incurred during the duration of the project, etc..) could we charge as personnel costs the real costs of the permanent staff of the university for the time devoted to this specific project, real costs for the university of one hour of the researcher multiplied by the hours devoted to the project?**

Yes you can charge as personnel costs the time/hours the staff has devoted to the project. But you have to make sure that the personnel in that case is not paid twice for the same job, by the employer and by the project.

**24.Can the funding of these costs be considered as the coordinator's or beneficiaries financial contribution to the project (25% of the total costs of the coordinator or beneficiary's budget)?**

Yes it can.

**25. The call requests that the applications must be submitted in three copies ... each bound and signed. How/where does the person authorised sign each copy of the application?**

What is meant here is that all the forms that require a signature must be signed. No need for additional signatures of the proposal copies.

**26. Can the Annual Activity Report that is to be attached, be submitted in a national language (other than English)?**

Annual activity report can be submitted in another language than English. Nevertheless I would encourage you to provide at least unofficial translation (Google translation would do) in order to make it easier for the evaluators.

**27. We are an Austrian SME. How can we calculate the SME owners and natural persons without salary registered in the accounts? In Horizon 2020 we have learned, that the salary is calculated one way and in the FP projects is done in a different way. What is the right way of calculating a salary of the SME owner for your projects?**

In the GUIDE FOR APPLICANTS, CALL FOR PROPOSALS 2014, PART 2: FORMS F, p. 43, contains useful instruction on the way of calculation of the salaries. Although it does not mention your particular situation, the principle is the same. You should calculate your daily/hourly rate based on the total number of your productive days/hours per year, taking into account your national legislation.

[http://ec.europa.eu/echo/funding/opportunities/calls/2014\\_call\\_prevprep\\_cp\\_marine\\_pol\\_en.htm](http://ec.europa.eu/echo/funding/opportunities/calls/2014_call_prevprep_cp_marine_pol_en.htm)

As written in the above mentioned guide, please remember that, should your proposal be financed by the Commission, only the actual costs will be considered as eligible costs of the project. Please note also that natural persons are not eligible to apply for the call.