



EUROPEAN COMMISSION
DIRECTORATE-GENERAL JUSTICE

CALL FOR PROPOSALS

JUST/2014/SPOB/OG/NETW

ESTABLISHMENT OF THREE-YEAR FRAMEWORK PARTNERSHIP AGREEMENTS WITH EU-LEVEL NETWORKS & OPERATING GRANTS FOR 2015

FREQUENTLY ASKED QUESTIONS (FAQs)

You may find below a list of the most frequently asked questions in relation to this call for proposals.

Please note that the present document aims to complement and clarify the Call for proposals and does not replace it. In the event that there are discrepancies between this document and the Call for proposals, the Call for proposals prevails.

The responses provided in this document are designed to assist applicants and any advice contained therein is without prejudice to any decision of the evaluation committee.

Eligibility criteria

Q: I would like to ask what kind of networks are eligible for this call, namely if they have to be formal with e.g. secretariat or statute? Could they also be informal? Is it possible to establish such networks from the organisations that have been cooperating together in the project for several years? Is it possible to set up this network during the action plan?

A: The networks eligible for this call must be established networks working together in an existing structure. It is not possible to establish formally the network now, in order to apply for this call.

The applicant must fulfil all eligibility criteria defined in section 4.2.2. of the call.

The call aims to fund formal networks (as defined under 4.2.2.a). The network itself must be already formally established.

Often the networks are established as a separate legal entity. In this case the legal entity of the network must be the applicant (see criterion 4.2.2.a: *The applicant must be an established legal entity, which is either a formal network with own legal personality...*).

In some cases the network is formally set up by its members and the choice is not to establish a new legal entity, but to formally appoint one of the members as a joint secretariat or officially appointed coordinator. In such case it is the organisation acting as the joint secretariat or the officially appointed coordinator, which should apply (see criterion 4.2.2.a: *The applicant must be an established legal entity, which ... represents (as a joint secretariat or officially appointed coordinator) an established formal network*).

In any case, only the legal entities specified above may submit an application in the name of the network, the member organisations are not eligible to apply (see criterion 4.2.2.a: *Only this legal entity may submit an application, the member organisations are not eligible to apply.*)

Q: I have a question regarding the term 'formal network' in the above-mentioned call for proposals. I understand that I can't ask questions about the eligibility of an organisation, so I will try to be both specific and vague. An organisation X is an independent organisation registered in an eligible country. X is mandated to act as a secretariat/coordinator of the common activities of the network of organisations in 14 eligible countries by means of 14 declarations, all of which clearly state the aims and activities of the network and the mandate of the organisation X to represent it. Is organisation X then eligible to apply for the above-mentioned call? My question is related to the fact that organisation X's statutes do not mention the network, neither is there one document signed by 14 organisations but rather 14 separate documents (with the same text) signed by each organisation. I hope my question is clear.

A: This call for proposals is open to established formal networks (see 4.2.2.a), which meet the eligibility criteria set out in the call. Such a network must have identified in a common document (i.e. endorsed by its members) its aims, missions and activities and must be able to provide the information required by Annex 5 (see p. 30 of the call).

Maximum amount of the grant

Q: Is there a limit to the grant in terms of amount? We understand that the maximum co-financing is 80%.

A: There is no ceiling for the upper amount of the grant.

However, we would advise you to consult the indicative budget available in 2015 for each policy area (section 5.1 of the call) and take into account that for these amounts there will be competition between a number of applications in each policy area.

In defining the amount of your grant you should also take into account the financial capacity of your organisation (e.g. its capacity to ensure the 20% co-financing).

Costs of members of the network

Q: Our network is formally established with its own legal personality and will be submitting the application. We have universities and research institutes as members who will be listed as partners in the application.

A: Please note that under this call it is not possible to include partners. The application is submitted by the applicant and all costs (including staff costs) must be incurred by this applicant.

Under section 1.5 of the Application, you are requested to indicate the members of your network. This is needed in order to verify the eligibility of your application. But these organisations will not be co-beneficiaries in the grant (should you be selected). The Grant Agreement will only be signed with your organisation and only this organisation will have to include all costs in its accounts.

Q: A question relating to paragraph 6.3 of your Call for proposals: what is to be understood, in the context of the co-financing principle, by “own resources of the applicant”? I take it that this includes membership duties levied on the members of the *association*. Does it also include the members’ direct payment of their flights, or train tickets, for the purpose of coming to the venue of the *association’s* annual congress? Technically, these payments do not pass through the association’s treasury, but they should be recognized as functionally equivalent to “own resources of the applicant”.

Costs:

When you prepare the budget, you are requested to be specific in the description of the cost items that you want to have covered by the grant (i.e. under headings A, B, C, D, E). You can include under these headings only costs which will be paid by the beneficiary. Such payment must go through the beneficiary's accounts.

If some costs – as those you describe – are paid by the members directly and the payment does not pass through the accounting of the beneficiary, then these are not costs for the operating grant; they cannot appear in the list of costs of the grant.

Income:

After you have included all your costs in the budget, the income should match your total costs (Annex 8):

- you are asked to give details for heading I, should you know such details at this point in time;
- the grant requested from the EU budget cannot exceed 80% of the total costs;
- the remaining income must be covered by K. No details are required for K when you prepare the Budget.

Clarifications on the Guide for Operating Grants

Q: I have a question relating to the reimbursement of costs for travel and subsistence of representatives of members of our Network from UK and DK. In our view there are two situations to be distinguished:

1. Costs for travel and subsistence for participation by representatives of Members of the Network from DK/UK in activities of the Network (project meetings/seminars etc). Are these eligible under the agreement?
2. Costs for travel and subsistence of the (elected) legal representative (President or Board Member) of the network to the office/headquarters of the network (located in an eligible country) and to events in the EU for representation of the network. Are these eligible under the agreement?

Activities taking place outside an eligible country

As stated in the Guide, costs must normally relate to activities taking place in an eligible country. Any costs relating to activities undertaken outside of the eligible countries will normally be considered as out of scope of the funding programme and thus as non-eligible, as the funding programmes of DG JUSTICE concern internal EU policies. Only where the Beneficiary can adequately justify that these activities are vital for the implementation of its annual work programme and maximise its European added value, and where they contribute to achieving the objectives of the funding programme, could such costs be accepted as eligible (subject to prior explicit approval by the Commission).

For activities taking place in UK or DK, which are not eligible countries for the Justice Programme, the same principle applies. However, the fact that UK and DK have to apply Union law in a particular field may be a part of possible justification for certain activities such as workshops taking place in these countries, provided that these do not target only or predominantly UK/DK citizens or organisations. The acceptability of such justification would be examined on a case-by-case basis and it would a priori not be taken into consideration with regard to administrative/coordination meetings (including board meetings and similar events), except for highly exceptional circumstances.

Please note that the costs for activities taking place outside the eligible countries shall in no case represent a substantial part of the budget.

Costs relating to UK/DK members

When the network incurs costs for activities which also cover its UK or DK members (e.g. organising a conference for its members, paying for travel and subsistence of participants, paying for catering), such costs would normally be considered as eligible, provided all the other cost eligibility criteria are fulfilled. In many cases (catering services, rental costs for conference venues etc.), it would not be possible to identify the costs corresponding to a particular member anyway, and even if this was possible, such a

distinction would be inappropriate in view of the European nature of the network's activities.

Reminder: all costs must be incurred by the beneficiary, costs incurred by the member organisations, regardless of their country of establishment, are not eligible costs in the framework of an operating grant.

Costs related to staff located in the UK or DK

Should a network employ staff living in the UK or in DK, the staff costs would normally be considered as eligible. Regarding travel costs for all staff located at a significant distance from the headquarters/registered office of the beneficiary organisation, a distinction should be made between elected representatives of the beneficiary organisation (e.g. President of the network, for whom the travel costs and subsistence allowances corresponding to necessary travel to the headquarters could be considered as eligible), and other staff (for whom it would have to be proven by the beneficiary organisation that the sum of staff costs and travel & subsistence costs represents the most cost-effective option for a particular staff profile). In practice, it would be difficult to justify from a cost efficiency point of view why an organisation should employ an accountant living in another Member State, with travels to headquarters generating additional costs, when a local accountant could also be employed. This rule has a general application (it also applies to delocalised staff in eligible Member States) and would apply equally to staff living in ineligible Member States or third countries.

Q: On p. 56 of the Guide for Operating Grants, section “*subcontracting tasks forming part of the co-financed activities*”, you refer to section V.1.6.1 for the condition of subcontracting. Unfortunately, I don't find this section neither in the call for proposals nor in the Guide for applicant.

A: We apologise for the typo. Please read there V.1.4.1.

Q: I have noticed that in paragraph 7.2.1.3 of the *Guide for Framework partners for 2015 - version September 2014* it is indicated that the costs should refer to activities as indicated in **Annex 1**, part 2. I wonder if here it should really read **Annex 7** (activities to be co-financed in 2015) part 2?

A: We apologise for the typo. Please read Annex 7.

Clarifications on Annex 1

Q: Could you please clarify for that purpose whether Annex 1 of the application (Strategic plan for 2015-2017) should contain information of all the future activities of the network, or only of those we will ask for co-funding (the so called operating activities)?

A: You should include in Annex 1 only the activities for which you're asking co-financing.

The same applies for Annex 7.

Clarifications on other documents

Q: I cannot find the additional worksheet on "Staff costs calculation" mentioned in 2.3 (top of p. 45) of the Guide for Operating Grants to Framework partners in the Annex 8-Budget Form for 2015.

A: This document is requested only from beneficiaries (applicants awarded a grant) and has to be submitted only at the time of the final report, once the activities have been finalised.

It is not requested at the application stage.