



Call for proposals document CHAFEA/2018/CP/FPA/OG- EUORG

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Disclaimer

This document is aimed at informing potential applicants for Consumer Programme funding. It serves only as an example. The actual Web forms and templates, provided in the Electronic Submission System under the Participant Portal, might differ from this example. Proposals must be prepared and submitted .via the Electronic Submission System under the Participant Portal.



EUROPEAN COMMISSION
CONSUMERS, HEALTH, AGRICULTURE AND FOOD EXECUTIVE AGENCY

Consumers

**OPERATING GRANTS FOR THE FUNCTIONING
OF UNION-LEVEL CONSUMER ORGANISATIONS
REPRESENTING CONSUMER INTERESTS**

**CONCLUSION OF FRAMEWORK PARTNERSHIP AGREEMENTS
FOR A DURATION OF MAXIMUM THREE YEARS – COVERING
THE OPERATING YEARS 2019, 2020 AND 2021, UNDER THE
2014-2020 MULTIANNUAL CONSUMER PROGRAMME**

CHAFEA/2018/CP/FPA/OG-EUORG

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1. BACKGROUND AND PURPOSE OF THIS CALL

1.1. The Consumer Programme 2014-2020

On 26 February 2014, the European Parliament and the Council adopted a Regulation establishing a programme of Community action in the field of consumer policy (2014-2020)¹ (the Consumer Programme).

The general objective of the Programme is to ensure a high level of consumer protection, to empower consumers and to place the consumer at the heart of the internal market, within the framework of an overall strategy for smart, sustainable and inclusive growth.

It is intend to complement, support and monitor the policies of the member States and to contribute to protecting the health, safety and the legal and economic interests of consumers, as well as to promote their right to information, to education and to organise themselves in order to safeguard their interests, supporting the integration of such consumer interests into other policy areas.

Its specific objectives are:

- (a) Safety: to consolidate and enhance product safety
- (b) Consumer information and education and support to consumer organisations
- (c) Rights and redress: to develop and reinforce consumer rights
- (d) Enforcement: to support enforcement of consumer rights

1.2. The Commission's annual work programme for 2018

On 17 November 2017 the Commission adopted a Decision (Commission Decision C (2017)7554 of 17/11/2017)² concerning the adoption of the annual work programme in the area of consumer policy for 2018. It sets out details of the financing mechanisms and of the priority areas for actions in implementing the Consumer Programme for 2018.

1.3. Consumers, Health, Agriculture and Food Executive Agency

Consumers, Health, Agriculture and Food Executive Agency (hereafter Chafea) replaces and supersedes, from 1st January 2014 the Executive Agency for Health and Consumers (EAHC). Chafea is, inter alia, acting under powers delegated to it by the Commission, entrusted with the implementation of parts of the Consumer programme and will be in charge of this invitation and the conclusion and management of the relevant operating grant to the functioning of Union-level consumer organisations.

1.4. The present call for proposals

The call for proposals 2018 aims at concluding framework partnership agreements for a duration of maximum three years – covering the operating years 2019, 2020 and 2021.

The framework partnership agreements shall include a multi-annual work programme for the period 2019-2021. The beneficiary who has concluded a **Framework Partnership Agreement (FPA)** shall be invited to submit a simplified grant application, together

¹ Regulation (EU) No 254/2014 of the European Parliament and of the Council of 26 February 2014 on a multiannual consumer programme for the years 2014-20 and repealing Decision No 1926/2006/EC <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32014R0254&from=EN>

² Commission Decision C (2017)7554 of 17/11/2017 http://ec.europa.eu/chafea/documents/consumers/consumer-annual-work-programme-2018_en.pdf

with a detailed work programme and the corresponding budget for each operating year. Signing a FPA does not guarantee annual co-funding as the partnership does not per se constitute an obligation to award grants to the partner.

2. OBJECTIVES

This call for proposals refers in particular to Objective II of the Consumer Programme – Consumer information and education and support for consumer organisations.

The "New Deal for Consumers" package adopted on 12 March 2018 includes a Communication accompanying two proposals for Directives to, respectively, ensure better enforcement and to modernise EU consumer protection rules, in particular in light of digital developments³ and on representative actions for the protection of the collective interests of consumers and repealing the "Injunctions directive" 2009/22.⁴

The Commission's 2018 annual work programme sets out the specific priority areas for action to be implemented through this call for proposals and states that call for proposals aiming at providing financial contributions (operating grant) to the functioning of Union-level consumer organisations should be launched.⁵

According the WP 2018 of the Consumer programme:

"The priorities of the year concern, in particular, the following objectives: contribution towards the integration of consumer interests into the priority actions under the Digital Single Market, the Energy Union, financial services, the Circular Economy, collaborative economy and also enforcement and consumer rights including redress; contribution towards strengthening the representation of consumer organisations in the Member States; representing consumer interests and expressing consumers' concerns to institutions, interest groups, media and the general public; encouraging consumer organisations to take a more active stance on European issues, including social cohesion and convergence, with their various contacts and partners at both European and national level".

Under the above priorities, particular attention will be given to activities aimed at facilitating the preparedness of consumer organisations in being active in representative actions for the protection of the collective interests of consumers. Under the New Deal for Consumers, it will be possible for a qualified entity, including a consumer organisation to seek redress, such as compensation, replacement or repair, on behalf of a group of consumers that have been harmed by an illegal commercial practice.

The beneficiary(ies) will be expected to organise capacity building activities, such as training, awareness raising, networking and exchange of best practices to strengthen consumer organisations capacity to act in such a role under collective redress procedures. This may include acquiring/improving litigation skills and/or supporting networking activities for consumer associations to develop their cooperation.

³ Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Council Directive 93/13/EEC of 5 April 1993, Directive 98/6/EC of the European Parliament and of the Council, Directive 2005/29/EC of the European Parliament and of the Council and Directive 2011/83/EU of the European Parliament and of the Council as regards better enforcement and modernisation of EU consumer protection rules - COM(2018) 185 final of 11.4. 2018.

⁴ Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on representative actions for the protection of the collective interests of consumers, and repealing Directive 2009/22/EC - COM(2018) 184 final of 11.04.2018.

⁵

The awarding authority will only accept proposals for FPA which fall under the scope of the above mentioned Decision and the priorities specified in this call for proposals.

3. TIMETABLE & DEADLINE

The deadline for submission is **28th June 2018 17:00:00 (Brussels local time)**

| | Stages | Date/period |
|----|---|--------------------|
| a) | Publication of the call | 03/05/2018 |
| b) | Deadline for submitting the application | 28/06/2018 |
| c) | Evaluation period (indicative) | July 2018 |
| d) | Notification letter (results of the evaluation) | July/August 2018 |
| e) | Signature of FPA (indicative) | October 2018 |

4. ADMISSIBILITY REQUIREMENTS

Applications must be submitted via the online submission system (participant portal) before the deadline specified under point 3.

Applications must be drafted in one of the EU official languages. However, if the proposal is submitted in another language than English, an English translation should accompany the proposal, in order to facilitate assessment by the evaluators.

5. ELIGIBILITY CRITERIA

5.1. Eligible applicant

Important: the call for operating grants is open for applications by a single entity only.

Grant applications are eligible if submitted by legal persons.

The application shall state the legal status of the applicant.

Applicants must meet the eligibility criteria set out in section 2.1.1 of the 2018 annual work programme, grants may be awarded to European consumer organisations which comply with all of the following conditions:

- They are non-governmental, non-profit-making, independent of industry, commercial and business or other conflicting interests, and have as their primary objectives and activities the promotion and protection of the health, safety, economic and legal interests of consumers in the Union;
- They are mandated to represent the interests of consumers at Union level by organisations in at least half of the Member States that are representative, in accordance with national rules or practice, of consumers, and that are active at regional or national level.

Evidence to be provided:

- Statement of independence;
- Declaration of commitment of members of the European organisation confirming the mandate given to the applicant;

- Copy of the official registration certificate;
- Copy of the articles of association;
- Copy of the internal rules of the applicant organisation;
- Updated list of members of the applicant organisation.

5.2. Eligible countries

Only applications from entities established in one of the following countries are eligible:

- EU Member States;
- Article 7 of the Consumer Programme 2014-2020 states that Participation in the Programme shall be open to: the countries of the European Free Trade Association participating in the European Economic Area (EFTA/EEA countries), in accordance with the conditions established in the Agreement on the European Economic Area. Therefore, all reference in this invitation to the Member States, their representatives, authorities and bodies must be read as also referring to the EFTA/EEA countries under the applicable conditions.

• ***For British applicants:* Please be aware that eligibility criteria must be complied with for the *entire* duration of the grant. If the United Kingdom withdraws from the EU during the grant period without concluding an agreement with the EU ensuring in particular that British applicants continue to be eligible, you will cease to receive EU funding (while continuing, where possible, to participate) or be required to leave the project on the basis of Article 34.3 of the grant agreement.**

5.3. Eligible activities

Financial contributions awarded by the EU may relate to the functioning of a non-governmental, non-profit-making entities carrying on activities within the scope of the Consumer Programme. In particular the proposed activities should promote and protect both, the health and safety as well as economic and legal interests of consumers in the European Union.

The operating grants will financially support the functioning of Europe wide consumer organisations which do the advocacy work as well as carry out the concrete education and information activities of the consumer organisations to strengthen the national consumer movements. Expected result would be to have the voice of the consumer movement heard and respected both at EU and national levels. They will include: involvement and participation in public consultations to review legislation and in meetings with stakeholder groups, not only concerning the priorities set by the consumer policy itself, but also regarding the integration of representatives of national consumer interests in other EU policies; co-operation on concrete issues with EU level regulators (such as on energy), with NGOs (for example on environment), and with business associations (such as AIM brand association, Euro-commerce, Digital Europe and Eurelectric); communication and dissemination of the results of its activities; networking with and supporting the national consumer organisations.

Eligible organisations are not required to cover all the above areas, and could also be sectoral organisations, provided that the other eligibility criteria are respected.

6. EXCLUSION CRITERIA

6.1. Exclusion from participation

Applicants will be excluded from participating in the call for proposals procedure if they are in any of the following situations:

- (a) they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- (b) they or persons having powers of representation, decision making or control over them have been convicted of an offence concerning their professional conduct by a judgment of a competent authority of a Member State which has the force of res judicata;
- (c) they have been guilty of grave professional misconduct proven by any means which the contracting authority can justify including by decisions of the EIB and international organisations;
- (d) they are not in compliance with their obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the RAO or those of the country where the grant agreement is to be performed;
- (e) they or persons having powers of representation, decision making or control over them have been the subject of a judgment which has the force of res judicata for fraud, corruption, involvement in a criminal organisation, money laundering or any other illegal activity, where such an illegal activity is detrimental to the Union's financial interests;
- (f) they are currently subject to an administrative penalty referred to in Article 109(1)⁶.

6.2. Exclusion from award:

Applicants will not be granted financial assistance if, in the course of the grant award procedure, they:

- (a) are subject to a conflict of interest;
- (b) are guilty of misrepresenting the information required by the contracting authority as a condition of participation in the grant award procedure or fail to supply this information;
- (c) find themselves in one of the situations of exclusion, referred to in the above section.

⁶ Regulation (EC, Euratom) 966/2012 of 25 October 2012 on the Financial Rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 (OJ L 298, 26.10.2012, p.1).(hereafter 'Financial Regulation')

In order to demonstrate compliance with the exclusion criteria, the applicant has to check the relevant box in the electronic submission system certifying that it not in one of the situations referred to in articles 106(1) and 107 to 109 of the Financial Regulation^{7,8}. The applicant should follow the instructions in the participant portal.

7. SELECTION CRITERIA

Only proposals that meet the eligibility and exclusion criteria will be assessed on the basis of the selection criteria.

The selection criteria make it possible to assess the applicant organisation's financial and operational capacity to complete the proposed work programme.

7.1. Financial viability

The selection criteria are set out in point 2.1.1. of the Commission's annual work programme for 2018 and states " *The applicant organisations must have stable and sufficient sources of funding, as well as relevant operational resources, skills and professional experience, to carry out their proposed programme. The organisations awarded with the framework partnership agreement 2019-2021 will be selected for having the necessary operational and financial capacity.*"

Applicants must have the financial resources necessary to ensure their functioning for the 3-year duration of the Framework Partnership Agreement.

The applicant's financial viability has to be certified by ticking the relevant box in the electronic submission system, after having carried out the financial self-assessment. In case co-funding will be awarded, the financial viability of the beneficiary will be assessed, except:

- a) the EU-contribution for the beneficiary(ies) is \leq EUR 100 000;
- b) the beneficiary(ies) is/are (a) public body(ies)

The documents that will be requested when assessing the financial viability include:

- Copy of the organisation's annual accounts for the last financial year for which the accounts are closed preceding the submission of the application, including the balance sheet and the profit and loss statement
- For new created entities: submit a forecasted expenditure and revenue (total financial resources the applicant expects to be put at its disposal) for the first four years of operating after its establishment.

In addition for a beneficiary(ies) requesting an EU-contribution of \geq EUR 100 000:

- an audit report produced by an approved external auditor certifying the accounts for the last financial year available.

7.2. Operational capacity

Only applicant organisations with the relevant operational resources, skills and professional experience may be awarded a Framework Partnership Agreement.

Evidence to be provided:

- Copy of organisation's most recent annual activity report
- Brief CV and job description of the key personnel involved in the implementation of the multi-annual work programme.

The evidence has to be submitted according to the instructions in the electronic submission system and in the guide for applicants.

8. AWARD CRITERIA

Each proposal will be assessed according to the award criteria set out in point 2.1.1 of the Commission's 2018 annual work programme.

8.1. Framework Partnership Agreements (FPA) award criteria

Only proposals that meet the eligibility, exclusion and selection criteria will be eligible for the evaluation of the award criteria.

The award criteria make it possible to select multi-annual work programmes that can assure compliance with EU objectives and priorities and can guarantee proper dissemination and high visibility of the EU co-funding granted.

The multi-annual work programme presented by the applicant must fulfil the award criteria which are defined as follows:

- (1) Consistency of the multiannual work programme with the objectives of the European consumer policy;
- (2) Contribution towards the integration of consumer interests into other EU policies;
- (3) Contribution towards strengthening the representation of consumer organisations in the Member States;
- (4) Inclusion in the multiannual work programme of activities as regards representing consumer interests and expressing consumers' concerns to institutions, interest groups, media and the general public;
- (5) Description of organisation's activities as regards encouraging its members to take a more active stance on European issues with their various contact partners at both European and national level;
- (6) Guarantee of the general visibility of both the organisation and its activities;
- (7) Quality and clarity of the multiannual work programme, in particular as regards: clarity of the objectives, quality of their description and their suitability for achieving the desired results; description of the planned activities and relevant timetables;
- (8) Quality of the evaluation mechanisms and of the proposed result indicators that shall be used to make it possible to verify that the objectives of the multiannual work programme have been achieved.

A maximum of 80 points can be attributed to a FPA proposal. Proposals have to reach a minimum of 40 points to be accepted. All award criteria have the same weight (10 points).

The conclusion of a FPA does not guarantee to receive co-funding.

9. LEGAL COMMITMENTS

Following the evaluation of the applications for the FPA, Chafea will draw up a list of proposals recommended for awarding FPAs, ranked according to the total number of points awarded. The highest ranked proposals will be awarded a FPA.

To conclude the FPA, the beneficiary is invited to enter in an adaptation period via the electronic grant generations system.

This FPA must be signed electronically by the beneficiary and by Chafea.

There is not financial commitment from the side of Chafea when signing an FPA. Hence, the conclusion of a FPA does not guarantee to receive co-funding.

10. FINANCIAL PROVISIONS

The Financial Regulation and the Rules of Application are the reference documents for the implementation of the Consumer Programme.

11. DATA PROTECTION

The reply to any call for proposals involves the recording and processing of personal data (such as name, address). Such data will be processed pursuant to Regulation (EC) No 45/2001 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data. Unless indicated otherwise, the questions and any personal data requested are required to evaluate the application in accordance with the specifications of the call for proposal will be processed solely for that purpose by the Executive Agency / the Commission. Details concerning the processing of personal data are available on the privacy statement at: http://ec.europa.eu/chafea/about/data_protection.html

Personal data may be registered in the Early Detection and Exclusion System (EDES), should the beneficiary be in one of the situations mentioned in Article 106 (1) of the FR.

The EDES shall comply with Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data.

Privacy statement for the EDES database:

http://ec.europa.eu/budget/library/explained/management/protecting/privacy_statement_e_des_en.pdf

12. PROCEDURE FOR THE SUBMISSION OF PROPOSALS

Proposals for the 2019-2021 Framework Partnership Agreements must be submitted in accordance with the formal requirements and by the deadline set out under section 3. Proposals must be submitted only electronically via the Research & Innovation “Participant Portal” developed under the Horizon 2020 Research programme.

No modification to the application is allowed once the deadline for submission has elapsed. However, if there is a need to clarify certain aspects or for the correction of

clerical mistakes, the Executive Agency may contact the applicant for this purpose during the evaluation process.

Applicants will be informed in writing about the results of the selection process.

Before submitting a proposal:

- (1) Find the call:

<https://ec.europa.eu/research/participants/portal/desktop/en/opportunities>

- (2) Create an account to submit a proposal:

<http://ec.europa.eu/research/participants/portal/desktop/en/home.html>

- (3) Register all partners via the Participant Register:

<http://ec.europa.eu/research/participants/portal/desktop/en/organisations/register.html>

Information on how to access the online application tool will also be available in call section of the Chafea website:

http://ec.europa.eu/chafea/consumers/consumers_calls.html

In submitting a proposal, the applicant accepts the procedures and conditions as described in this call and in the documents to which it refers.

Contacts

For problems with the online submission tools please contact the IT helpdesk set-up for this purpose via the participant portal web-site.

For non-IT related questions please contact a at the Chafea helpdesk at:

CHAFEA-CP-CALLS@ec.europa.eu

Please note that any requests or replies do not constitute any ground to claim any expectation concerning the selection of the proposal or the award of the grant.

In all correspondence relating to this call (e.g. when requesting information), reference must be clearly made to this specific call. Once the electronic exchange system allocated a proposal ID, the applicant must use this number in all subsequent correspondence.

After the deadline for submission modifications to the application are impossible.

12.1. List of annexes and supporting documents to be submitted

This is the full list of supporting documents that applicants will need to submit via the on-line electronic submission system. These documents are mandatory and are required to assess the eligibility exclusion, selection and award criteria of the applicant organisation.

| Annex | Document | Format |
|--------------|---------------------------|-----------------|
| Part B | Work Programme 2019-2021 | Chafea template |
| Annex I. | Statement of independence | Chafea template |

| | | |
|--------------|--|-----------------|
| Annex II. | Declaration of commitment of members | Chafea template |
| Annex III. | Copy of the official registration certificate | Free format |
| Annex IV. | Copy of the articles of association | Free format |
| Annex V. | Copy of the internal rules of the applicant organisation | Free format |
| Annex VI. | Membership List | Free format |
| Annex VIII a | Annual Activity Report | Free format |
| Annex IX. | CV and job description of the key personnel | Free format |
| Annex X. | Audit report | Free format |

➤ **Annexes:**

- Guide for applicants
- [Model of Mono-beneficiary Framework Partnership Agreement for operating grants](#)
- [Model of Mono-beneficiary Specific Grant Agreement for operating grants](#)