

CALL FOR PROPOSALS – DG ENTR No 18/G/ENT/IMA/11/6073

SEMINARS ON THE RAPID AND EFFICIENT ENFORCEMENT OF OUTSTANDING CLAIMS BY SMALL AND MEDIUM-SIZED UNDERTAKINGS OPERATING ACROSS BORDERS

1. OBJECTIVES AND DESCRIPTION

The specific objective of this call for proposals is to obtain and select proposals for actions that would be financially supported by the European Commission. These actions consist of the organisation of seminars throughout Europe, e.g. via the networks of chambers of commerce and industry or other non-profit facilities engaged in business promotion.

The seminars should provide SMEs with information on credit management, claims management and the available legal instruments, especially for commercial transactions across borders within the EU, i.e. the sales of products and services to businesses and public authorities established in other Member States.

The target audience of the seminars should be SMEs engaging, or consider engaging, in commercial transactions with businesses and public authorities established in other Member States.

These seminars should take place in the Member States in their official languages, on one or more of the following subjects:

A) Credit management in practice for cross-border transactions within the EU

This should cover the following items:

- Understanding credit management: the effect of overdue debt on profit, the importance of cash flow, how credit management contributes to profit;
- Systems of credit management: some basic tips for improving your accountancy system;
- Managing credit risk: gathering the right information, assessing the credit risk, credit reports, credit ratings/limits, signposts to failure, grading customers, determining risks, day-to-day risk assessment;
- Logic of the early call: early phone calls are less confrontational and more likely to be successful. What do you say when you call a debtor two days after the account is due?
- Educating customers to your terms and improving future payments: contract terms, guarantees, retention of title, credit insurance, credit policy, terms and procedures, warning signs.

- Strategies for successful collection: different approaches for different customer types, negotiation and persuasive skills, overcoming excuses and objections, negotiation deadlocks.

B) Legal action for the enforcement of outstanding claims in intra-EU trade

This should cover the following items:

- Proof of debt: the contract with the debtor, terms and conditions, invoices etc. This part of the seminar should recommend enterprises to clearly state in writing their terms and conditions of trade and their credit policy. Enterprises should be advised to seek legal advice before finalizing their commercial documents to ensure their internal consistency and to cover all the key issues. The commercial terms should be included in all offers, estimates, contracts, purchase orders, and related documentation. The importance of the law applicable to contractual obligations (inter alia Regulation (EC) No 593/2008) should be stressed.
- Letter before action: how to claim interest and compensation charges in a gentle way, without offending the customer. Specific attention should be given to cross-border issues (applicable law, language issues, etc).
- Using a debt collection agency: the seminar should explain the advantages and disadvantages. It should give an overview of the legal context in which debt collection agencies operate.
- Going to court: national and European procedures, alternative dispute resolution mechanisms. This part should relate to the European small claims procedure (Regulation (EC) No 861/2007), the European order for payment procedure (Regulation (EC) No 1896/2006), the European Enforcement Order for uncontested claims (Regulation (EC) No 805/2004) and other existing European instruments.

2. ELIGIBLE APPLICANTS

Applicants must be established in one of the 27 countries of the European Union.

3. BUDGET AND PROJECT DURATION

The total budget earmarked for the cofinancing of projects amounts to €850,000. Financial assistance from the Commission cannot exceed 75% of the total eligible costs. The maximum grant will be €100,000 per project (i.e. each project may contain a maximum of 4 seminars with a co-financing ceiling of €25,000 per seminar).

Activities must start between 1st November 2011 and 1st May 2012.

4. DEADLINE

Applications must be sent to the Commission no later than 30 September 2011.

5. FURTHER INFORMATION

The full text of the call for proposals and the application forms are available on the following website: <http://ec.europa.eu/enterprise/funding/index.htm>

Applications must comply with the requirements set out in the full text and be submitted using the form provided.