



**CALL FOR PROPOSALS CONCERNING PROJECTS OF COMMON INTEREST UNDER THE
CONNECTING EUROPE FACILITY IN THE FIELD OF
TRANS-EUROPEAN TELECOMMUNICATION NETWORKS**

CEF TELECOM CALLS 2020

CEF-TC-2020-2: Business Registers Interconnection System (BRIS)

1. BACKGROUND AND RATIONALE

The general context for this call for proposals is defined in section 3.12 of the 2019-2020 Connecting Europe Facility (CEF) Telecom Work Programme¹ as published on the call page on the Innovation and Networks Executive Agency (INEA) website.² The background and rationale for this call for proposals are defined in section 3.12.1 of the 2019-2020 Work Programme.

As required by the BRIS Directive 2012/17, BRIS successfully connects the business registers of 27 participating countries (25 Member States, Norway and the United Kingdom, until the end of the transition period), allowing citizens, entrepreneurs and companies to obtain data on more than 20 million companies. Work is in progress for those Member States not yet connected. BRIS enables connected business registers to exchange information on cross-border branches and cross-border mergers of companies.

Directive 2019/1151³ requires the European Central Platform of BRIS to develop new functionalities, including the interconnection of registers storing information on disqualified directors via the European Central Platform (ECP), new sets of messages to be exchanged by business registers, and new data to be shared for free by the business registers with the public through the Portal. A first set of new functionalities is scheduled to go live by 1 August 2021, and a second set of functionalities by 1 August 2023.

Furthermore, Directive 2015/849⁴, as amended by the 5th Anti-money Laundering Directive (AMLD) in May 2018, requires the European Central Platform of BRIS to

¹ Commission Implementing Decision C(2020)1078 of 28 February 2020 amending a Multi-Annual Work Programme 2019 and 2020 for financial assistance in the field of Connecting Europe Facility (CEF) Telecommunications sector

² <https://ec.europa.eu/inea/en/connecting-europe-facility/cef-telecom/apply-funding/2020-bris>

³ Directive (EU) 2019/1151 of the European Parliament and of the Council of 20 June 2019 amending Directive (EU) 2017/1132 as regards the use of digital tools and processes in company law: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32019L1151>

⁴ Directive 2015/849/EU of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No

interconnect the central registers of the beneficial ownership information for legal entities and legal arrangements put in place by Member States at national level. Member States had to set up such domestic central registers containing beneficial ownership information on companies and legal entities established on their territory by 10 January 2020, and on trusts or similar arrangements by 10 March 2020, respectively. The AMLD obligates the EU and the Member States that these national beneficial ownership registers be interconnected, via the European Central Platform, by the Beneficial Ownership Registers Interconnection System (BORIS), and that the connection of the Member States' central registers to the platform be set up in accordance with the technical specifications and procedures established in the context of BRIS. Necessary adaptations, stemming from the particular features of the beneficial ownership registers, have to be ensured through specific implementing acts. According to the AMLD, the interconnection of the beneficial ownership registers has to go live by 10 March 2021.

2. PRIORITIES & OBJECTIVES

2.1 Priority outcomes

The priorities of this call for proposals are defined in section 3.12.2.2 of the 2019-2020 Work Programme.

Applicants who already received CEF funding under previous CEF Telecom BRIS calls and who plan to apply again under this call must clearly explain in **section 1 and 2.1** of the application form part D of their proposal how their proposed Action will build on and/or differ from the Action(s) funded under the previous call(s).

All proposed actions must foresee, by the end of the action, to pass a mandatory conformance testing as determined by the Commission service responsible for the Core Service Platform.

Under this call, proposals will be funded that address **one or both** of the generic services below:

1. Implementation or upgrade of the Business Registers Interconnection System (BRIS)

Applicants **should address at least one of the activities** below:

- a. Support either the implementation or the upgrade of business registers by integrating the latest data model and standard messages coming from the European Central Platform of the BRIS DSI and required by the new functionalities introduced by Directive 2019/1151⁵. These may include the new exchange of information between business registers on opening a closure of cross-border branches, new exchange of information between business registers

648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32015L0849>

⁵ Directive (EU) 2019/1151 of the European Parliament and of the Council of 20 June 2019 amending Directive (EU) 2017/1132 as regards the use of digital tools and processes in company law: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32019L1151>

on changes to documents and information of companies, and additional information and documents available free of charge. The technical specifications for this new set of functionalities will be available on the BRIS Collaborative Space⁶.

- b. Deploy IT software that would allow business registers to convert documents and information submitted or filed by a company or a branch into machine-readable document/structured data using leading formats and standards, and to transfer such machine readable/structured data through BRIS.

All proposed actions must provide for communication activities to promote BRIS, targeting companies, entrepreneurs, professionals and citizens through public information campaigns, including social media.

The integration of the Automated Translation Building Block into national business registers is highly encouraged under this call. This is expected to help provide or receive through BRIS the translation of documents into at least one official EU language.

Please note that, for the purpose of document delivery, applicants are required to either directly deploy the eDelivery Building Block, if not yet deployed, or use eDelivery through a service provider. Support will be given to activities aiming to:

- a. Deploy eDelivery Access Point(s) (AP). The operation of these Access Point(s) may also be supported for up to one year. An AP is an implementation of the CEF eDelivery AS4 Profile.
- b. Deploy Service Metadata Publisher(s) (SMP) if this is required in the technical specifications for interconnection of the registers under the BRIS DSI. The operation of these Service Metadata Publisher(s) may also be supported for up to one year. The SMP is an implementation of the CEF eDelivery SMP profile on top of the OASIS SMP technical specifications.
- c. Upgrade data exchange solutions (such as Commercial Off-the-Shelf - COTS, Open-Source Software - OSS, and other) to support and duly comply with the CEF eDelivery standards, e.g. adding or configuring functionality to the data exchange solution to support the CEF eDelivery standards (encryption algorithm, four-corner model support, support of dynamic discovery, etc.). This activity may include interoperability testing with other vendors.

The level of funding requested for eDelivery should be proportionate to the scope of the BRIS DSI objectives.

2. Implementation of the Beneficial Ownership Registers Interconnection System (BORIS)

Applicants **should address at least one of the activities** below:

⁶ <https://webgate.ec.europa.eu/fpfis/wikis/display/BRISCOLLAB/BRIS+Collaborative+Space>

- a. Support the implementation of central registers storing information on beneficial ownership by integrating the data model and the standard messages coming from the European Central Platform of the BRIS DSI. As the beneficial ownership interconnection is still under development, the deployment or update, if already deployed, of eDelivery access points is necessary for information and document transmission in the context of the interconnection of beneficial ownership registers.
- b. Deploy IT software and/or develop organisational capacities supporting the electronic authentication and authorisation of obliged entities or competent authorities to access the EU-wide beneficial ownership registers interconnection system (BORIS), in line with the standard solution to be agreed in the context of the interconnection project.
- c. Enable national payment service providers used in the context of central national beneficial ownership registers in the Member States to support the distributed payment solution model to be established in the context of the EU-wide interconnection of beneficial ownership registers.

All proposed actions must foresee communication activities to promote BORIS, targeting companies, entrepreneurs, professionals and citizens through public information campaigns, including social media.

2.2 Results expected from the financial assistance

The benefits and expected outcomes of this call for proposals are defined in section 3.12.2.3 of the 2019-2020 Work Programme.

The **implementation or upgrade of the BRIS** is expected to help increase confidence in the Single Market through transparency and improve the performance of public administrations while cooperating on procedures related to cross-border mergers and branches. On the one hand, consumers, entrepreneurs, companies, creditors and other business partners will be able to obtain reliable company information in their own language, experiencing therefore a safer business environment that provides, through the BRIS DSI, and a higher degree of legal certainty as to the information in the EU business registers. On the other hand, European business registers will be able to exchange in a secure and reliable way relevant information on cross-border mergers and branches.

The **implementation of BORIS** is expected to help increase the accessibility and availability of beneficial ownership information of corporate and other legal entities, as well as of trusts and other types of legal arrangements. On the one hand, increased transparency of the beneficial ownership information will enhance public scrutiny, thereby contributing to preventing the misuse of legal entities and legal arrangements for the purposes of money laundering or terrorist financing. On the other hand, timely and efficient availability of information, in particular for obliged entities and competent authorities, enhances the ability to combat these offences.

Other specific expected benefits are: improved quality of data in domestic business registers with cross-border coherency; digital implementation of cross-border processes; increased transparency and easier cross-border access to information on companies; increased possibilities for cross-border activities for companies; facilitation of increased cross-border competition; facilitation of cooperation and communication between registers; support of the once-only principle.

3. TIMETABLE

Date of publication of call for proposals	Tuesday 30 June 2020
Deadline for the submission of proposals	Thursday 5 November 2020 (17:00.00 Brussels time)
Evaluation of proposals	November 2020 – January 2021 (indicative)
Consultation of the CEF Committee	March – April 2021 (indicative)
Adoption of the Selection Decision	April 2021 (indicative)
Preparation and signature of grant agreements	Between May and August 2021 (indicative)

4. BUDGET AVAILABLE

The total budget earmarked for the co-financing of projects under this call for proposals is estimated at €2 million.

The Commission reserves the right not to distribute all the funds available.

The Commission reserves the right to award a grant of less than the amount requested by the applicant.

5. ADMISSIBILITY REQUIREMENTS

In order to be admissible, proposals must be:

- Submitted electronically in the TENtec Information System eSubmission module.⁷ In this respect, proposals or part(s) of proposals submitted by email or in hard copy shall not be admissible.
- Submitted by the deadline for submission of proposals (see sections 3. "Timetable" and 14.2. "Submission process").
- Complete (i.e. application forms (A, B, C and D) are uploaded in the TENtec eSubmission module).
- Duly signed by the applicant(s).

⁷ The TENtec eSubmission module is part of the TENtec Information System used to manage CEF actions during their entire lifecycle and enables the electronic submission of proposals under the CEF calls. The link to TENtec is available under the "Application Forms" section of the call webpage: <https://ec.europa.eu/inea/en/connecting-europe-facility/cef-telecom/apply-funding/2020-bris>

Failure to comply with any of these requirements will lead to the rejection of the application.

6. ELIGIBILITY CRITERIA

6.1 Eligible applicants

In accordance with the 2019–2020 Work Programme and pursuant to Article 9 of the CEF Regulation,⁸ only those proposals submitted by the following types of applicants are eligible:

- One or more Member State(s);
- With the agreement of the Member State(s) or EEA country(ies) concerned, international organisations, Joint Undertakings,⁹ or public or private undertakings or bodies established in Member States.

In order to be eligible, a proposal must be submitted by a Business register as referred to in Directive 2009/101/EC¹⁰ or by a business register and/or central register storing information on beneficial ownership as referred to in the amendment to Directive 2015/849/EU¹¹, based in one or more Member States and/or EEA countries participating in the CEF Telecom programme.

EEA countries

In accordance with section 5.3.1 of the 2019–2020 Work Programme, European Free Trade Association (EFTA) countries which are members of the European Economic Area (EEA) may participate¹² in the call for proposals, even when not explicitly mentioned in the Work Programme text, with the same rights, obligations and requirements as EU Member States. At the time of call publication, these conditions apply to Norway and Iceland only.¹³



For UK applicants: Please be aware that following the entry into force of the EU-UK Withdrawal Agreement¹⁴ on 1 February 2020 and in particular Articles 127(6), 137 and

⁸ Regulation (EU) No 1316/2013 of the European Parliament and of the Council of 11 December 2013 establishing the Connecting Europe Facility, amending Regulation (EU) No 913/2010 and repealing Regulations (EC) No 680/2007 and (EC) No 67/2010 Text with EEA relevance, see <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32013R1316>

⁹ For the purposes of this call, a Joint Undertaking means a joint undertaking established by the EU for the efficient execution of EU research, technological development and demonstration programmes, as referred to in Article 187 of the Treaty on the Functioning of the European Union, see <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A12012E%2FTXT>

¹⁰ Directive on coordination of safeguards which, for the protection of the interests of members and third parties, are required by Member States of companies within the meaning of the second paragraph of Article 48 of the Treaty, with a view to making such safeguards equivalent, see <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32009L0101>

¹¹ Directive on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC, see <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32015L0849>

¹² According to article 7.2 of Regulation (EU) No 283/2014 of the European Parliament and of the Council of 11 March 2014 on guidelines for trans-European networks in the area of telecommunications infrastructures and repealing Decision No 1336/97/EC.

¹³ For the purposes of this call, Liechtenstein is considered a third country.

¹⁴ Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community.

138, the references to natural or legal persons residing or established in a Member State of the European Union are to be understood as including natural or legal persons residing or established in the United Kingdom. UK applicants are therefore eligible to participate under this call.

Third countries and third country entities

Where necessary to achieve the objectives of a given project of common interest and where duly motivated, third countries and entities established in third countries may participate in actions contributing to the projects of common interest. They may not receive funding under the CEF Regulation, except where it is indispensable to achieve the objectives of a given project of common interest.

Acceding states and candidate countries benefiting from a pre-accession strategy may also participate in the sector of the CEF covering telecommunications infrastructure in accordance with agreements signed with the EU. As at the time of call publication no such agreements have been signed, the same conditions as for third countries apply to acceding states and candidate countries.

Third countries and entities established in third countries may only participate as part of a consortium with applicants from EU/EEA countries. The application must contain the agreement of the Member State concerned by the proposed Action and a declaration from the European partner involved in the proposal on why the participation of the third country applicant is indispensable. Applicants that are entities established in a third country must also provide proof of the support of the third country authorities concerned by the action.

Applicants without legal personality

Proposals may be submitted by entities which do not have legal personality under the applicable national law, provided that their representatives have the capacity to undertake legal obligations on their behalf and offer a guarantee for the protection of the EU's financial interests equivalent to that offered by legal persons.

Natural persons

Proposals submitted by natural persons are not eligible.

Affiliated entities

Applicants may designate affiliated entities within the meaning of Article 187 of the Financial Regulation¹⁵, for the purpose of supporting the implementation of the action submitted for funding. Such affiliated entities must comply with the eligibility criteria for applicants.

Member State agreement

Any applicant that cannot provide the agreement of the EU Member State or EEA country concerned will not be eligible.

6.2 Eligible actions

¹⁵ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32018R1046>

In line with Article 7 of the CEF Regulation, only actions contributing to "projects of common interest" as identified in the Telecom Guidelines¹⁶ shall be eligible for support through EU financial aid in the form of grants.

Please note that failure to comply with any of the eligibility criteria indicated above will lead to the rejection of the application.

Implementation period

The Action may not start before the date of submission of the application.¹⁷

Indicative duration

The indicative duration of an Action proposed under this call is 18 months.

7 EXCLUSION CRITERIA

7.1 Exclusion

An applicant shall be excluded from participating in call for proposals procedures where:

- (a) the applicant is bankrupt, subject to insolvency or winding-up procedures, where its assets are being administered by a liquidator or by a court, where it is in an arrangement with creditors, where its business activities are suspended, or where it is in any analogous situation arising from a similar procedure provided for under national laws or regulations;
- (b) it has been established by a final judgment or a final administrative decision that the applicant is in breach of its obligations relating to the payment of taxes or social security contributions in accordance with the applicable law;
- (c) it has been established by a final judgment or a final administrative decision that the applicant is guilty of grave professional misconduct by having violated applicable laws or regulations or ethical standards of the profession to which the applicant belongs, or by having engaged in any wrongful intent or gross negligence, including, in particular, any of the following:
 - (i) fraudulently or negligently misrepresenting information required for the verification of the absence of grounds for exclusion or the fulfilment of eligibility or selection criteria or in the performance of a contract, a grant agreement or a grant decision;
 - (ii) entering into agreement with other applicants with the aim of distorting competition;
 - (iii) violating intellectual property rights;
 - (iv) attempting to influence the decision-making process of the Commission/Agency during the award procedure;
 - (v) attempting to obtain confidential information that may confer upon it undue advantages in the award procedure;

¹⁶ Regulation (EU) No 283/2014 of the European Parliament and of the Council of 11 March 2014 on guidelines for trans-European networks in the area of telecommunications infrastructure and repealing Decision No 1336/97/EC (Text with EEA relevance) See specifically Article 4 and the Annex for more information. See <http://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:32014R0283>

¹⁷ The date when the proposal was last submitted in the TENtec eSubmission module will be considered as the submission date of the proposal.

- (d) it has been established by a final judgment that the applicant is guilty of any of the following:
 - (i) fraud, within the meaning of Article 3 of Directive (EU) 2017/1371 of the European Parliament and of the Council and Article 1 of the Convention on the protection of the European Communities' financial interests, drawn up by the Council Act of 26 July 1995;
 - (ii) corruption, as defined in Article 4(2) of Directive (EU) 2017/1371 or Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, drawn up by the Council Act of 26 May 1997, or conduct referred to in Article 2(1) of Council Framework Decision 2003/568/JHA, or corruption as defined in the applicable law;
 - (iii) conduct related to a criminal organisation, as referred to in Article 2 of Council Framework Decision 2008/841/JHA;
 - (iv) money laundering or terrorist financing, within the meaning of Article 1(3), (4) and (5) of Directive (EU) 2015/849 of the European Parliament and of the Council;
 - (v) terrorist offences or offences linked to terrorist activities, as defined in Articles 1 and 3 of Council Framework Decision 2002/475/JHA, respectively, or inciting, aiding, abetting or attempting to commit such offences, as referred to in Article 4 of that Decision;
 - (vi) child labour or other offences concerning trafficking in human beings as referred to in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council;
- (e) the applicant has shown significant deficiencies in complying with main obligations in the performance of a contract, a grant agreement or a grant decision financed by the Union's budget, which has led to its early termination or to the application of liquidated damages or other contractual penalties, or which has been discovered following checks, audits or investigations by an authorising officer, OLAF or the Court of Auditors;
- (f) it has been established by a final judgment or final administrative decision that the applicant has committed an irregularity within the meaning of Article 1(2) of Council Regulation (EC, Euratom) No 2988/95;
- (g) it has been established by a final judgement or final administrative decision that the applicant has created an entity in a different jurisdiction with the intent to circumvent fiscal, social or any other legal obligations of mandatory application in the jurisdiction of its registered office, central administration or principal place of business;
- (h) it has been established by a final judgement or final administrative decision that an entity has been created with the intent referred to in point (g);
- (i) for the situations referred to in points (c) to (h) above, the applicant is subject to:
 - (i) facts established in the context of audits or investigations carried out by European Public Prosecutor's Office after its establishment, the Court of Auditors, the European Anti-Fraud Office or the internal auditor, or any other check, audit or control performed under the responsibility of an authorising officer of an EU institution, of a European office or of an EU agency or body;
 - (ii) non-final judgments or non-final administrative decisions which may include disciplinary measures taken by the competent supervisory body responsible for the verification of the application of standards of professional ethics;

- (iii) facts referred to in decisions of persons or entities being entrusted with EU budget implementation tasks;
- (iv) information transmitted by Member States implementing Union funds;
- (v) decisions of the Commission relating to the infringement of the Union's competition law or of a national competent authority relating to the infringement of Union or national competition law; or
- (vi) decisions of exclusion by an authorising officer of an EU institution, of a European office or of an EU agency or body.

7.2 Remedial measures

If an applicant/affiliated entity declares one of the situations of exclusion listed above (see section 7.1), it must indicate the measures it has taken to remedy the exclusion situation, thus demonstrating its reliability. This may include e.g. technical, organisational and personnel measures to correct the conduct and prevent further occurrence, compensation of damage or payment of fines or of any taxes or social security contributions. The relevant documentary evidence which illustrates the remedial measures taken must be provided in annex to the declaration. This does not apply for situations referred in point (d) of section 7.1.

7.3 Rejection from the call for proposals

The authorising officer shall not award a grant to an applicant who:

- (a) is in an exclusion situation established in accordance with section 7.1; or
- (b) has misrepresented the information required as a condition for participating in the procedure or has failed to supply that information; or
- (c) was previously involved in the preparation of documents used in the award procedure where this entails a breach of the principle of equal treatment, including distortion of competition, that cannot be remedied otherwise.

The same exclusion criteria apply to affiliated entities. Applicants and their affiliated entities, if applicable, must certify that they are not in one of the situations listed above.

Administrative sanctions (exclusion) may be imposed on applicants, or affiliated entities where applicable, if any of the declarations or information provided as a condition for participating in this procedure prove to be false.

7.4 Supporting documents

Applicants and affiliated entities must provide a declaration on their honour certifying that they are not in one of the situations referred to in Articles 136(1) and 141 of the Financial Regulation, by filling in application form Part B1 (for applicants) or B2 (for affiliated entities) accompanying the call for proposals and available at under the "Application Forms" section of the call webpage: <https://ec.europa.eu/inea/en/connecting-europe-facility/cef-telecom/apply-funding/2020-bris>.

8. SELECTION CRITERIA

The selection criteria are referred to in Annex 2 of the Work Programme. The financial and operational capacity of applicants and designated affiliated entities will be assessed as specified below.

The requirement to demonstrate financial and operational capacity also applies to designated affiliated entities **only where**, according to the proposal, the affiliated entity(ies) will be the only one(s) implementing the proposed Action.

Exceptions: The requirement for applicants to demonstrate their financial and operational capacity **does not** apply to Member States, public sector undertakings or bodies established in the EU/EEA countries (Norway and Iceland), third countries, international organisations, European Economic Interest Groupings (EEIG)¹⁸ in which at least one member is a public sector body, and Joint Undertakings.

Applicants should register in the [Participant Register](#) and provide a Participant Identification Code (PIC, 9-digit number), serving as the unique identifier of their organisation. More information is available in the guidance on "Rules on Legal Entity Validation, LEAR appointment and Financial Capacity Assessment"¹⁹ and in the instructions indicated in the Application Form Part B template.

8.1 Financial capacity

Applicants must have stable and sufficient sources of funding to maintain their activity throughout the duration of the grant and to participate in its funding. The applicants' financial capacity will be assessed on the basis of the supporting documents requested by the Commission services:

- a) Low value grants (\leq EUR 60 000):
 - a declaration on their honour.
- b) Grants $>$ EUR 60 000:
 - a declaration on their honour, and
 - the profit and loss account as well as the balance sheet for the last 2 financial years for which the accounts were closed;
 - for newly created entities: the business plan might replace the above documents;
- c) Grants for an action $>$ EUR 750 000:
 - (i) the information and supporting documents mentioned in point b) above, and
 - (ii) **an audit report** produced by an approved external auditor certifying the accounts for the last 2 financial years available, where such an audit report is available or whenever a statutory report is required by law.
If the audit report is not available AND a statutory report is not required by law, a self-declaration signed by the applicant's authorised representative certifying the validity of its accounts for the last 2 financial years available must be provided.

¹⁸ Established in line with Council Regulation (EEC) No 2137/85 of 25 July 1985 – the European Economic Interest Grouping, see <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=URISERV%3A126015>

¹⁹ http://ec.europa.eu/research/participants/data/ref/h2020/grants_manual/lev/h2020-rules-lev-lear-fvc_en.pdf

In the event of an application grouping several applicants (consortium), the above thresholds apply to each applicant.

More comprehensive information on the documents to submit can be found at:

http://ec.europa.eu/research/participants/data/ref/h2020/grants_manual/lev/h2020-rules-lev-lear-fvc_en.pdf

In the event that the beneficiary's financial capacity is not satisfactory, the pre-financing payment may be subject to the receipt of a financial guarantee for up to the same amount as the pre-financing payment to be made.

8.2 Operational capacity

Applicants must have the professional competencies and appropriate qualifications necessary to complete the proposed Action for which the grant is sought. To assess this capacity, applicants must provide the following documents:

- description of the profiles of the people primarily responsible for managing and implementing the Action (e.g. accompanied by a *curriculum vitae*);
- the organisation's activity reports for at least the last year;
- a list of previous actions and activities carried out in equivalent actions in related fields

If compliant with the above-mentioned requirements, information submitted by applicants who have benefited from CEF Telecom support since 2014 may be taken into account in the evaluation of their operational capacity.

9. AWARD CRITERIA

Proposals will be evaluated against the following award criteria, which are defined in Annex 2 of the 2019–2020 Work Programme. These three criteria are **Relevance**, **Quality and efficiency of the implementation** and **Impact and sustainability** and are described below:

Relevance

- Alignment with the objectives and activities required for the deployment of the Digital Service Infrastructure described in Chapter 3 of the Work Programme and priorities set in section 2 of the call text.
- Alignment and synergies with EU long-term policy objectives, relevant policies, strategies and activities at European and national level.

Quality and efficiency of the implementation

- Maturity of the proposed solution (e.g. in terms of contribution towards interoperability, connectivity, sustainable deployment, operation, upgrading of trans-European digital service infrastructures, use of common building blocks, coordination at European level) and/or integration with existing components of the DSI.

- Coherence and effectiveness of the work plan, including appropriateness of the allocation of tasks and resources.
- Quality and relevant experience of the individual participants and, if more than one beneficiary, of the consortium as a whole (including complementarity, balance).
- Extent to which the proposal demonstrates support from national authorities, industry and NGOs (when relevant).
- Appropriate attention to security, privacy, inclusiveness and accessibility (when relevant).

Impact and sustainability

- Quality of the approach to facilitate wider deployment and take-up of the proposed Actions.
- Capability to survive, develop and scale up without European Union funding after the end of the project with a view to achieving long-term sustainability, where appropriate through funding sources other than CEF.

A score will be applied to each of the three award criteria on a scale from 0 (insufficient) to 5 (excellent). The threshold for individual criteria is 3. The overall threshold, applying to the sum of the three individual scores, is 10. Only proposals with a score on or above these thresholds (individual and overall) may be recommended for funding.

Ranking list

At the end of the evaluation by independent experts, all evaluated proposals will be ranked, according to the scores obtained for each of the award criteria as indicated above.

If necessary, a priority order for proposals which have obtained the same score within a ranked list will be determined. The following approach will be applied successively for every group of *ex aequo* proposals²⁰ requiring prioritisation, starting with the highest scored group, and continuing in descending order:

- i. Proposals submitted by organisations established in an eligible country which is not otherwise covered by more highly-ranked proposals, will be considered to have the highest priority (geographical coverage).
- ii. Proposals identified under (i), if any, will be prioritised according to the scores they have been awarded for the Relevance criterion. When these scores are equal, priority will be based on scores for the Impact and Sustainability criterion.

If a distinction still cannot be made, further prioritisation may be done by considering how to enhance the quality of the project portfolio through synergies between proposals, or other factors related to the objectives of the call or to the CEF Work Programme in general. These factors will be documented in the evaluation report.

10. LEGAL COMMITMENTS

In the event of a grant awarded by the Commission, the applicant(s) will be invited by INEA to sign a grant agreement drawn up in euro and detailing the conditions and level

²⁰ Proposals with the same overall score

of CEF funding, as well as the information on the procedure to formalise the agreement of the parties. The standard model grant agreement, available on the call page, is not negotiable and will be signed in English.

Submitting an application implies the acceptance of the terms and conditions of the model grant agreement. Applicants are recommended to carefully read this document and its annexes before submitting an application.

A coordinator must be designated for multi-beneficiary Actions. The coordinator will be the contact point for INEA and will have, *inter alia*, the responsibility for receiving the payment(s) and coordinating the reporting exercise(s). It is strongly recommended that beneficiaries sign an internal cooperation agreement regarding their operation and coordination, including all internal aspects related to the management of the beneficiaries and the implementation of the Action.

Two copies of the original agreement must be signed first by the beneficiary in case of mono-beneficiary grants or the coordinator on behalf of the consortium and returned to INEA immediately.

In accordance with Article 23 of the CEF Regulation, only Actions in conformity with EU law, in particular in the area of public procurement, and which are in line with the relevant EU policies in the area of telecommunications infrastructure shall be financed.

11. FINANCIAL PROVISIONS

11.1 Forms of the grant

11.1.1 Reimbursement of costs actually incurred²¹

The grant will be defined by applying a maximum co-financing rate of 75% to the eligible costs and which are:

- (a) actually incurred and declared by the beneficiary and its affiliated entities.
- (b) a flat rate of 7 % of the eligible direct costs ('reimbursement of flat-rate costs') for the following categories of costs: indirect costs minus subcontracting costs within the meaning of Article II.10 and costs of financial support to third parties within the meaning of Article II.11 ("reimbursement of flat-rate costs").

For details on eligibility of costs, please refer to section 11.2.

11.2 Eligible costs

Eligible costs are costs actually incurred by the beneficiary of a grant, which meet all the criteria laid down in Article 186 of the Financial Regulation.

²¹ Notwithstanding the form of grant, personnel costs may be declared on the basis of average costs calculated in accordance with the beneficiary's usual costs accounting practices, in compliance with the conditions laid down in Commission Implementing Decision C(2016)478 on the reimbursement of personnel costs of beneficiaries of the Connecting Europe Facility.

The beneficiary's internal accounting and auditing procedures must permit direct reconciliation of the costs and revenue declared in respect of the action with the corresponding accounting statements and supporting documents.

The same criteria apply to the costs incurred by designated affiliated entities and implementing bodies.

Applicants' attention is drawn to points (3) to (8) of Article 8 of the CEF Regulation concerning the eligibility of costs. The full costs of purchase of equipment and infrastructure which are treated as capital expenditure are eligible under this call.

Costs may be eligible at the earliest from the date on which an application is submitted²².

VAT

In line with the first subparagraph of Article 8(7) of the CEF Regulation and Article 186(4) (c) of the Financial Regulation, VAT paid by beneficiaries of grants awarded following this call for proposals is eligible except:

- deductible VAT (VAT paid by the beneficiary for the implementation of taxed activities or exempt activities with right of deduction);
- VAT paid for the implementation of activities engaged in as a public authority by the beneficiary where it is a Member State, regional or local government authority of a Member State or another body governed by public law of a Member State.

Financial support to third parties

The applications may not envisage provision of financial support to third parties.

Detailed information on eligible and ineligible costs is included in Article II.19 of the model grant agreement, which is available on the call webpage.

11.3 Reporting and payment arrangements

Actions will be eligible to receive a pre-financing of up to 60% of the maximum grant amount awarded that will be made within 30 days after the last party signs the grant agreement. No interim payment will be made.

In the event that the beneficiary's financial capacity is not satisfactory, the pre-financing payment may be subject to the receipt of a financial guarantee for up to the same amount as the pre-financing payment to be made.

The financial guarantee, in euro, must be provided by an approved bank or financial institution established in one of the EU Member States. When the beneficiary is established in a third country, INEA may agree that a bank or financial institution established in that third country may provide the guarantee if the bank or financial institution is considered to offer equivalent security and characteristics as those offered by a bank or financial institution established in a Member State. Amounts blocked in bank accounts will not be accepted as financial guarantees.

²² The date when the proposal was last submitted in the TENtec eSubmission module will be considered as the submission date of the proposal.

The guarantee may be replaced by a joint or several guarantees provided by third parties or by a joint guarantee of the beneficiaries of an action that are parties to the same grant agreement. The guarantee will be released when the pre-financing is cleared against the interim payment, if applicable, and/or the balance of payment(s) made, in accordance with the conditions laid down in the grant agreement.

The final amount of the grant to be awarded to the beneficiary is established after completion of the Action, upon approval of the request for payment including, where applicable, the supporting documents as described in the model grant agreement.

11.4 Other financial conditions

a) Non-cumulative award

An Action may only receive one grant from the EU budget.

To ensure this, applicants must indicate in the application the sources and amounts of EU funding received or applied for the same Action or part of the Action, as well as any other funding received or applied for the same Action.

In this respect, any proposed Action or part(s) thereof that receives or has received EU funding under the CEF or other EU Programmes (e.g. European Structural and Investment Funds (ESIF), Horizon 2020, etc.) will not be funded under this call.

b) Non- retroactivity

No grant may be awarded retrospectively for Actions already completed.

A grant may be awarded for an Action which has already begun only where the applicant can demonstrate in the grant application the need to start the Action before the grant agreement is signed.

In such cases, costs eligible for financing may not have been incurred prior to the date of submission of the grant application.

c) No-profit

In accordance with Article 192 of the Financial Regulation, grants shall not have the purpose or effect of producing a profit within the framework of the Action. Where a profit is made, INEA will be entitled to recover the percentage of the profit corresponding to the EU contribution to the eligible costs actually incurred by the beneficiary to carry out the Action.

12. PUBLICITY

12.1 By the beneficiary

Beneficiaries must clearly acknowledge the European Union's contribution in all publications or in conjunction with activities for which the grant is used.

In this respect, beneficiaries are required to give prominence to the name and emblem of the European Commission and the reference to the CEF Programme on all their publications, posters, programmes and other products realised under the co-financed project.

12.2 By the Commission

All information relating to grants awarded in the course of a financial year shall be published on an internet site of the European Union institutions no later than the 30 June of the year following the financial year in which the grants were awarded.

13. PROCESSING OF PERSONAL DATA

The reply to any call for proposals involves the recording and processing of personal data (such as name, address and CV). Such data will be processed pursuant to Regulation (EU) 2018/1725²³ 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. Unless indicated otherwise, the questions and any personal data requested that are required to evaluate the application in accordance with the call for proposal will be processed solely for that purpose by INEA.

Personal data may be registered in the Early Detection and Exclusion System by the Commission, should the beneficiary be in one of the situations mentioned in Articles 136 and 141 of the Financial Regulation. For more information see the Privacy Statement on: <https://ec.europa.eu/inea/en/connecting-europe-facility/cef-telecom/apply-funding/2020-bris>.

14. PROCEDURE FOR THE SUBMISSION OF PROPOSALS

Proposals must be submitted by the deadline set out under section 3.

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 to correct clerical mistakes, the Commission may contact the applicant during the evaluation process.

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

All practical information on this call for proposals and the evaluation process is detailed in the Guide for Applicants. It is available, together with the application forms, model grant agreement, the 2019–2020 Work Programme, and other relevant documents on the call webpage: <https://ec.europa.eu/inea/en/connecting-europe-facility/cef-telecom/apply-funding/2020-bris>.

Applicants are requested to carefully read all call-related documents, including the detailed instructions given in the Guide for Applicants on how to complete their

²³ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 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, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39–98).

applications and other guidance documents and information, in particular the Frequently Asked Questions (FAQ).

14.1 Application forms

Proposals must be submitted using the application forms provided on the call webpage at the link above. Applicants are strongly encouraged to submit their applications in English.

Proposals must be signed by the applicant(s) or its duly authorized representative and must be perfectly legible so that there can be no doubt as to words and figures.

The applicant(s) specified in application form part A will automatically be considered as the beneficiary(ies) if the proposal is selected for funding. If applicants designate affiliated entities within the meaning of Article 187 of the Financial Regulation to support the implementation of the submitted Action, information on these affiliated entities must be encoded in application form part A, and any relevant supporting documents must be provided.

For multi-applicant proposals, a coordinating applicant must be designated.

14.2 Submission process

Proposals must be submitted electronically using the TENtec eSubmission module, accessible via the following link:

<https://ec.europa.eu/inea/en/connecting-europe-facility/cef-telecom/apply-funding/2020-bris>

before the call deadline: **5 November 2020 at 17:00.00 Brussels time** (*see also section 5 on Admissibility requirements*).

Application form part A is automatically generated by the eSubmission module. Application form parts B, C and D must be downloaded from the call webpage at the link above and duly completed. Once final, these must be uploaded into the TENtec eSubmission module. The same applies to any other annexes or supporting documents accompanying the proposal.

Applicants' attention is drawn to the fact that for application form part A, only the information encoded in the TENtec eSubmission module will be taken into account for the evaluation (notwithstanding the requirement to upload signed versions of application forms part A2.2 and A2.3). For the other forms and documents, only the last version uploaded in the TENtec eSubmission module will be taken into account for the evaluation.

Any parts of the application that require signatures of applicants or relevant authorities must be scanned and uploaded into the TENtec eSubmission module. Applicants must be able to provide the original documents and send them to the INEA services upon request.

Advanced electronic signatures based on a qualified certificate²⁴ as defined by the eIDAS Regulation²⁵ and which comply with the signature formats specified in Commission Implementing Decision 2015/1506 will be accepted. If a document is e-signed, a printable version of the document must be uploaded in the TENtec eSubmission module.

15. INFORMATION FOR APPLICANTS

Further information or clarifications on the call for proposals will be published on the call webpage. Please refer to all of the following documents, available on the call webpage, when preparing the application:

- 2019–2020 Work Programme
- CEF Regulation
- Telecom Guidelines
- Application form (Parts A, B, C and D)
- Guide for Applicants
- FAQs published on the call page
- Model grant agreement
- Checklist of documents to be provided
- EU Financial Regulation
- Commission Decision on the reimbursement of personnel costs

Applicants are recommended to consult the webpage and the INEA website/Twitter feed (@inea_eu) regularly until the deadline for submission of proposals.

Questions related to this call must be addressed to the call helpdesk:
INEA-CEF-Telecom-Calls@ec.europa.eu.

The answers to submitted questions will be published in a FAQ list accessible via the call webpage, to ensure equal treatment of all potential applicants. Questions related to the call should be submitted at the latest by **15 October 2020** to ensure sufficient time for the last update of the FAQs by **29 October 2020**. However, individual technical questions related to TENtec eSubmission module will be treated until the call deadline.

Questions which are specific to a particular proposal and for which the answer would provide a comparative advantage to the applicant will not be answered.

Please note that proposals must not be sent to the helpdesk e-mail address.

²⁴ For a list of trusted certificate providers please see <https://ec.europa.eu/digital-single-market/en/eu-trusted-lists-trust-service-providers>

²⁵ Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC, see http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv%3AOJ.L_.2014.257.01.0073.01.ENG