



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

CEF TELECOM CALLS 2016

CEF-TC-2016-2: European e-Justice Portal

1. CALL CONTEXT

The general context for this call for proposals is defined in Section 2.1 of the 2016 CEF Telecom work programme¹ as published on the call page on the Innovation and Networks Executive Agency (INEA) website².

2. BACKGROUND AND RATIONALE

The background and rationale for this call for proposals are defined in Section 3.12.1 of the 2016 work programme.

3. PRIORITIES

The priority outcomes of this call for proposals are defined in Section 3.12.2.2 of the 2016 work programme, namely to encourage the interconnectivity (development, deployment, testing and

¹ Commission Implementing Decision C(2016)1225 of 3 March 2016

² <https://ec.europa.eu/inea/en/connecting-europe-facility/cef-telecom/apply-funding/2016-cef-telecom-call-ejustice-cef-tc-2016-2>



operation) of generic services in EU Member States which will allow the modules of the e-Justice Portal to serve a greater audience and thus better fulfil their public function.

The following generic services and activities are covered under this call:

3.1 Interconnection of Insolvency Registers:

- Implementation of the agreed web service specification necessary for communication with the Core Service Platform.

Only applications submitted by national public administrations or other competent bodies responsible for or operating insolvency, business or commercial registers will be funded. Applicants must demonstrate in their proposal the responsibility for or competence in operating insolvency, business or commercial registers (e.g. by providing supporting documents such as government act, legal basis, etc.).

3.2 Find a lawyer / Find a notary:

- Implementation at the national level by national bar associations, national law societies and national notary associations of the agreed web service specification necessary for communication with the Core Service Platform.
- In countries where legal professionals are not centralised at the national level and instead distributed at the national level, implementation of the technical and organisational work required towards defining a common set of supported search criteria, data sets and establishment of a single interconnection access point for the European e-Justice Portal

Applications which aim at full national coverage will receive higher priority during the evaluation than those offering partial coverage, unless there is a clear commitment that the system would be open to non-participating national bodies in the future, which should be explained and demonstrated in the application.

Only applications submitted by national bar associations and law societies (Find a Lawyer), national notary associations (Find a Notary) will be funded. Where these professions are not centralised, applications submitted by regional bar associations and law societies or notary associations will be supported, provided the conditions above are respected.

3.3 European Case Law Identifier (ECLI):

- Adoption and implementation of the ECLI standard on national level
- Provision of national case law to the Core Service Platform, to allow users to search for and find case law decisions featuring an ECLI identifier and metadata.

Applications which aim at the full national adoption of the ECLI standard and the establishment of an interconnection to the ECLI search engine of the European e-Justice Portal will receive

higher priority during the evaluation than those offering partial adoption (for example limited to the judicial decisions of a Supreme Court, or to prospective adoption of the ECLI standard).

Only applications submitted by national, European and international case law publishers or providers will be supported. Applicants must demonstrate competence in this domain in the proposal (e.g. by providing supporting documents such as statutes, annual reports, etc.).

3.4 Access to e-CODEX:

The Access to e-CODEX package has been created to support Member States exclusively for joining two of the e-CODEX judicial workflows - the European Order for Payment (EOP) and the European Small Claims (ESC) procedure - as parties able to receive claims from users of the European e-Justice Portal.

Priority will be given to the applications that, in addition to receiving claims, also propose to support sending back communication and decisions from the national court(s) via e-CODEX to the users of the European e-Justice Portal.

Activities funded in this area will include:

- Those related to the deployment, adaptation, configuration, testing and operation of the e-CODEX connector (or of other existing third party software that can fulfil the same role with minimal adaptation) required for fulfilling the tasks mandated by the e-CODEX communication standard as described in the e-CODEX specifications such as generation of the necessary evidence of reception, signature validation, message packaging and other relevant tasks;
- Per judicial workflow, the tasks required for connecting to e-CODEX, including:
 - Connection of the national case management infrastructure to the eDelivery platform or establishment of workflows around the stand-alone connector,
 - Generation of XML files for all forms mandated by the judicial procedure, compliant with the e-CODEX XSDs as described in the e-CODEX specifications,
 - Generation of PDF files for all forms mandated by the judicial procedure using the templates of the respective European regulations,
 - End-to-end testing.
- In addition, if the deployment of eDelivery is included in the proposal, the specific objective of this activity is to:
 - a. deploy AS4-compliant access points³ and/or to operate AS4-compliant access points for one year;

³ An AS4-compliant access point is defined as an implementation of the e-SENS AS4 Profile, a profile of the ebMS3 and AS4 OASIS Standards. For more details see <http://wiki.ds.unipi.gr/display/ESENS/PR++AS4>

- b. upgrade data exchange solutions (Commercial Off-the-Shelf (COTS), Open-Source Software (OSS) or others) to support, and therefore fully comply with CEF eDelivery standards.

Where eDelivery is not deployed as a part of proposal, application must demonstrate the use of eDelivery services through a service provider.

Applicants are encouraged to bundle all e-CODEX requests as a single application if possible. The connection will be considered achieved if and only if, for the judicial workflow(s) included in the proposal, the users of the e-Justice Portal can send to one or more courts in the Member State applying for funding any form linked to the judicial workflow that is meant to be sent from the claimant to the court, receiving evidence of reception. If this is included in its application, the applicant must also supply proof of its ability to return all forms meant to be sent from the court to the claimant. The transmission is to be done using the technologies and standards described above or those which are compatible. This will be verified using the test plans defined by the e-CODEX project.

At the minimum, both a TEST and a PRODUCTION system must be set up by the applicant. For both systems, functional, non-functional and system integration tests must be successfully carried out before the connection is considered achieved:

- Gateway-to-gateway tests and connector-to-connector tests between the applicant and the European Commission
- Compliance to e-CODEX XSD definitions: for the judicial workflow(s) the applicant commits to implementing, correct and complete encoding/decoding of the relevant forms defined for the use case(s). The XML specification to be used is defined in the e-CODEX project for the concerned forms⁴
- Business tests of the application – receiving: receiving a document from the European e-Justice Portal and successfully processing it in the national application
- (*Optional, if the applicant commits to operating as a sending side*) Business tests of the application – sending: producing a document with the national application and sending it to the European e-Justice Portal

Only applications submitted by public administrations of EU Member States will be funded.

3.5 *European Court Database:*

- Adaptation and/or extension of national databases to implement a mechanism for the automatic import of relevant data (e.g. court details, competences, etc.) to the European Court Database.

Only applications submitted by public administrations will be funded.

⁴ <http://www.e-codex.eu/about-the-project/technical-solution/xml-schemas.html>

Funding, which will cover up to three types of activities in each of the above-mentioned generic services, may include:

- *Hook-up*: all activities linked to the development of specific connection software, modifications and adaptations of existing information systems for the purposes of the hook-up (ex. installation and configuration of hardware and software infrastructure, required adaptations in existing software solutions and data sources, deployment of the generic service, local and integration testing, project management, etc.)

In duly justified and substantiated cases, proposals which aim to substantially increase the scope and/or the added value of an *in situ* generic service may also be considered as hook-up activities.

- *Operation*: costs such as hosting, acquisition of certificates or software licenses, technical support, etc.
- *Maintenance*: any activity required for maintaining the specific connection software and associated configuration in good working order, including adaptive maintenance (changing the software to work in a changing infrastructure), corrective maintenance (resolving bugs) and evolutive maintenance (changing the software to adapt to evolving requirements such as changes in the Core Platform or in the national service).

Where only parts of one of the generic services indicated above are not yet implemented, a provision for their implementation can be included in the application as long as a clear distinction between the existing and still to be implemented parts is made.

Separate applications should be submitted if the applicant(s) seek(s) to implement multiple types of generic services. However, implementations of the same generic service (e.g., Interconnection of Insolvency Registers) by different applicants or by the same applicant in different instances can and should be grouped as much as possible in a single application.

Actions which are explicitly excluded from the scope of the call include:

- e-Justice actions that do not have a clear and direct link to the European e-Justice Portal modules as listed in section 3.12.1 of the work programme
- Generic services that are already operational before the launch of this call
- e-CODEX judicial workflows other than the European Order for Payment (EOP) and European Small Claims (ESC) or other uses of e-CODEX technology (see 3.4 above).

4. RESULTS EXPECTED FROM THE FINANCIAL ASSISTANCE

The benefits and expected outcomes of this call for proposals are defined in Section 3.12.2.4 of the 2016 work programme. In relation to the generic services, this includes:

4.1 *Interconnection of Insolvency Registers:*

- Improving the provision of relevant and timely information to creditors and courts involved and preventing the opening of parallel insolvency proceedings.
- Allowing certain Member States to expediently comply with the requirements of the EU Regulation on insolvency proceeding
- Interconnecting Member State insolvency registers via the European e-Justice Portal

4.2 *Find a lawyer / Find a notary:*

- Facilitating access to justice in particular in a cross-border context
- Extending and completing coverage in terms of Member State participation
- Providing a comprehensive EU-wide search engine for finding members of these two legal professions across Europe

4.3 *European Case Law Identifier (ECLI):*

Implementing technical solutions allowing access to national case law at the national and European levels in compliance with the ECLI standard.

4.4 *Access to e-CODEX:*

Enlarging the Member State coverage where electronic use of the European Order for Payment and the European Small Claims cross-border legal instruments is possible, and thus enabling courts to receive electronic submissions of claims from citizens, business and legal practitioners across the EU.

4.5 *European Court Database:*

Enabling a smoother and enhanced process of Member State data provision to the Database, resulting in more up-to-date and accurate information.

5. **BUDGET**

The indicative amount to be allocated on the basis of this call for proposals to projects of common interest in the field of trans-European telecommunications for European e-Justice Portal generic services is €2 million.

6. TIMETABLE

Date of publication of call for proposal	12 May 2016
Deadline for the submission of proposals	15 September 2016 (17:00.00 Brussels time)
Evaluation of proposals	September-December 2016 (indicative)
Consultation of the CEF Committee	January 2017 (indicative)
Adoption of the Selection Decision	February 2017 (indicative)
Preparation and signature of grant agreements	As of February 2017 (indicative)

7. ADMISSIBILITY REQUIREMENTS

A proposal **will not be evaluated** if at least one of the following situations occurs:

- It is not submitted electronically in the TENtec Information System eSubmission module⁵.
- It is not submitted by the deadline for submission of proposals (*see sections 6 'Timetable' and 13.2 'Submission of proposals'*).
- The proposal is incomplete, i.e. any part of the application form (A, B, C or D) is missing.
- The proposal is not duly signed by the applicant(s).

8. ELIGIBILITY CRITERIA

8.1 Eligible applicants

In accordance with the 2016 work programme and pursuant to Article 9 of the CEF Regulation⁶, only those proposals submitted by one of the following types of applicants are eligible:

- One or more Member States;
- With the agreement of the Member States or EEA countries concerned, international organisations, joint undertakings, or public or private undertakings or bodies established in Member States.

⁵ 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/2016-cef-telecom-call-ejustice-cef-tc-2016-2>

⁶ 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.

In accordance with section 4.3.1 of the work programme, European Free Trade Association (EFTA) countries which are members of the European Economic Area (EEA) may participate⁷ in the call for proposals, even when not explicitly mentioned, with the same rights, obligations and requirements as EU Member States. At the moment of the publication of this call, these conditions apply to Norway and Iceland only.⁸

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 the publication of this call 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.

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 guarantee for the protection of the EU's financial interests equivalent to that offered by legal persons.

Proposals submitted by natural persons are not eligible.

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

Applicants may designate affiliated entities within the meaning of Article 122(2)(b) of the Financial Regulation⁹, for the purpose of supporting the implementation of the action submitted for funding. Such affiliated entities must comply with the eligibility criteria for applicants.

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

⁷ 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.

⁸ For the purposes of this call, Liechtenstein is considered a third country.

⁹ Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council 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

Exclusion criteria

The exclusion criteria are defined in Annex 2 of the 2016 work programme. Applicants must certify that they are not in any of the situations listed below:

- i. 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;
- ii. 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;
- iii. 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;
- iv. 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 contracting authority or those of the country where the contract is to be performed;
- v. 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 illegal activity is detrimental to the Union's financial interests;
- vi. they are subject to a financial or administrative penalty referred to in Article 109(1) of the Financial Regulation;
- vii. they are subject to a conflict of interests;
- viii. they are guilty of misrepresenting the information required by the contracting authority as a condition of participation in the procurement procedure or have failed to supply that information.

Proposals failing to meet the above criteria will not be further evaluated.

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

8.2 Eligible actions

Only actions which can be identified as "projects of common interest" as defined in the Telecom Guidelines¹⁰ may receive EU financial assistance.

¹⁰ 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.

9. SELECTION CRITERIA

The operational and financial capacity of applicants and designated affiliated entities will be assessed as specified below.

9.1 Financial capacity

Applicants must have stable and sufficient sources of funding to maintain their activity throughout the period during which the action is being carried out and to participate in its funding.

Applicants' financial capacity will be assessed on the basis of the following supporting documents to be submitted with the application:

- Low value grants (\leq €60,000):
 - a declaration on their honour.

- Grants \geq €60,000:
 - the completed Financial Capacity Check form;
 - the profit and loss account, the balance sheet for the last financial year for which the accounts were closed;
 - for newly created entities and/or applicants that do not have financial data available for the last financial year, the applicant must provide a letter of support from a third party (another company such as the parent company or from another applicant in the same proposal). The letter of support must also be accompanied by the Financial Capacity Check form completed by the party providing support, including the relevant annexes (financial statements for the last year) and showing a 'satisfactory' or 'good' ratio analysis.

- Grants \geq €750,000:
 - the completed Financial Capacity Check form
 - the profit and loss account, the balance sheet for the last financial year for which the accounts were closed;
 - an audit report produced by an approved external auditor certifying the accounts for the last financial year available
 - for newly created entities and/or applicants that do not have certified financial data available for the last financial year, the applicant must provide a letter of support from a third party (another company such as the parent company or from another applicant in the same proposal). The letter of support must also be accompanied by the Financial Capacity Check form completed by the party providing support, including the relevant annexes (financial statements for the last year) and showing a 'satisfactory' or 'good' ratio analysis.

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

The requirement for applicants to demonstrate their financial capacity **does not** apply to Member

States, public bodies established in the EU/EEA countries (Norway and Iceland), third countries, international organisations, European Economic Interest Groupings (EEIG)¹¹ which are at least 50% owned by public body(ies), joint undertakings which qualify as public bodies established in the EU/EEA countries and affiliated entities unless the applicant relies fully on them for implementing the action.

9.2 Operational capacity

Applicants must have the operational and technical competencies and capacities required to complete the proposed action for which the grant is awarded. They must provide the appropriate documents attesting to that capacity (e.g. organisation activity reports, proof of experience in carrying out equivalent actions in related fields). Information submitted by applicants who benefited from CEF Telecom support as from 2014 may be taken into account in the evaluation of these applicants' operational capacity.

The requirement to demonstrate operational capacity **does not** apply to Member States, public bodies established in the EU/EEA countries (Norway and Iceland), third countries, international organisations, European Economic Interest Groupings (EEIG) which are at least 50% owned by public body(ies), joint undertakings which qualify as public bodies established in the EU/EEA countries and affiliated entities unless the applicant relies fully on them for implementing the action.

10. AWARD CRITERIA

The award criteria are defined in Annex 2 of the 2016 work programme.

The proposals will be evaluated on the basis of the following three criteria **Relevance, Quality and efficiency of the implementation** and **Impact** as 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 3 of the call text.
- Alignment and synergies with 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

¹¹ Established in line with Council Regulation (EEC)° No 2137/85 of 25 July 1985

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.

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* proposals¹² 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. The proposals identified under (i), if any, will themselves 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, a 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 CEF in general. These factors will be documented.

¹² Proposals with the same overall score

11. COMPLIANCE WITH EU LAW

In accordance with Article 23 of the CEF Regulation, only actions in conformity with EU law and which are in line with the relevant EU policies in the area of telecommunications infrastructure will be financed.

12. FINANCIAL PROVISIONS

12.1 General principles

12.1.1 Other sources of financing

Pursuant to Article 129 of the Financial Regulation, no EU financial aid will be awarded to actions receiving funds from other sources of EU financing. Under no circumstances will the same costs be financed twice by the EU budget.

12.1.2 Non-profit principle

In accordance with Article 125 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, the Commission shall 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 action¹³.

12.1.3 Non-retroactivity

Pursuant to Article 130 of the Financial Regulation, no grants may be awarded retrospectively for actions already completed. A grant may be awarded for an action which has already begun provided that the applicant(s) can demonstrate the need for starting the action prior to the signature of the grant agreement.

12.2 Funding form

Grants to be awarded further to this call for proposals will take the form of reimbursement of a specified proportion of the eligible costs actually incurred.

12.2.1 Co-funding rates

The maximum co-financing rates of EU financial assistance to be granted under this call for proposals will not exceed 75% of the eligible costs of the action.

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

¹³ In the meaning of Article 125 of the Financial Regulation, profit is defined as a surplus of the receipts over the eligible costs incurred by the beneficiary, when the request is made for payment of the balance.

12.2.2 Eligible costs

Eligible costs are costs actually incurred by the beneficiary of a grant which meet all the criteria laid down in Article 126(2) of the Financial Regulation. They may take a form of direct costs, (those specific costs that are directly linked to the implementation of the action and can therefore be attributed directly to it) and indirect costs (those costs which are not specific costs directly linked to the implementation of the action and can therefore not be attributed directly to it). The same criteria apply to the costs incurred by affiliated entities and implementing bodies.

Costs may be eligible at the earliest from the date on which an application is submitted. The maximum duration of an action proposed under this call is 24 months.

The 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.

Indirect costs are eligible for flat rate funding fixed at 7% of total direct eligible costs (minus subcontracting costs).

In line with the first subparagraph of Article 8(7) of the CEF Regulation and Article 126(3)(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. Considering that beneficiaries that are public bodies of Member States are expected to carry out activities as public authorities (to exercise prerogatives of public powers), VAT paid by beneficiaries that are public bodies established in Member States is, in principle, ineligible.

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

12.3 Payment arrangements

Actions will be eligible to receive a pre-financing of 50% 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, should 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.

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.

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.

13. PROCEDURE FOR SUBMISSION OF PROPOSALS

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 2016 work programme, and other relevant documents on the call webpage accessible via the following link: <https://ec.europa.eu/inea/en/connecting-europe-facility/cef-telecom/apply-funding/2016-cef-telecom-call-ejustice-cef-tc-2016-2>.

Applicants are requested to carefully read all call-related documents, including the instructions given in the Guide for Applicants.

13.1 Application forms

Proposals must be submitted using the application forms provided on the call webpage at the link above.

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 the 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 122 of the Financial Regulation to support the implementation of the submitted action, the information on these affiliated entities must be encoded in the application form part A, and any relevant supporting documents must be provided.

13.2 Submission of proposals

Applicants are strongly encouraged to submit their applications in English.

Proposals must be submitted electronically using the TENtec eSubmission module. The electronic submission of all parts of the proposal must be completed at the latest by **Thursday, 15 September 2016 at 17:00.00 Brussels time** (*see also section 7 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 filled in. Once final, these must be uploaded into the TENtec eSubmission module. The same applies to any other annexes or supporting documents accompanying the proposal.

Any parts of the application form 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 Commission/Agency services upon request.

Advanced e-signatures supported by qualified certificates¹⁴ in the meaning of the electronic signatures Directive (1999/93/EC)¹⁵ shall be accepted.

Consult the Guide for Applicants for more information on how to complete the application.

14. COMMUNICATION ON THE CALL FOR PROPOSALS

Further information or clarifications on this call for proposals will be published on the call webpage at the following link: <https://ec.europa.eu/inea/en/connecting-europe-facility/cef-telecom/apply-funding/2016-cef-telecom-call-ejustice-cef-tc-2016-2>.

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

¹⁴ For a list of trusted certificate providers please see https://ec.europa.eu/information_society/policy/esignature/trusted-list/

¹⁵ <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A31999L0093>

Any other specific questions related to this call may 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 1 September 2016 to ensure sufficient time for the last update of the FAQs by 8 September 2016.

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.

However, individual technical questions related to TENtec eSubmission module will be treated until the call deadline.

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

15. PROCESSING OF PERSONAL DATA

An applicant's reply to the grant application involves the recording and processing of personal data (such as name, address and CV), which 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, applicant's replies to the questions in this form and any personal data requested are required to assess an applicant's grant application in accordance with the specifications of the call for proposals and will be processed solely for that purpose by INEA as data controller for this purpose. An applicant may, upon request, have his/her personal data sent to him/her and rectify any inaccurate or incomplete particulars. Should an applicant have any queries concerning the processing of his/her personal data, please address them to the entity acting as data controller within INEA.

The data subjects have the right of recourse at any time to INEA's Data Protection Officer (INEA-DPO@ec.europa.eu) or in case of conflict with the Controller or data protection officer concerning the processing of his/her personal data, an applicant has the right to submit a complaint at any time directly to the European Data Protection Supervisor (www.edps.europa.eu).

Details concerning the processing of an applicant's personal data are available in the privacy statement on the call webpage: <https://ec.europa.eu/inea/en/connecting-europe-facility/cef-telecom/apply-funding/2016-cef-telecom-call-ejustice-cef-tc-2016-2>.

Personal data included in the application (name, title, organisation, contact information) may be shared with the concerned Member States' representatives in the CEF Coordination Committee on

a need to know basis in view of their role in the approval of proposals selected for funding as well as responsibilities under the CEF Regulation.

An applicant's personal data (name, given name if natural person, address, legal form, registration number and name and given name of the persons with powers of representation, decision-making or control, if legal person) may be registered in the Early Warning System (EWS) only or both in the EWS and Central Exclusion Database (CED) by the Accounting Officer of the Commission, should the applicant be in one of the situations mentioned in:

- Commission Decision 2014/792/EU of 13 November 2014 on the Early Warning System to be used by the authorising officers of the Commission and by the executive agencies (OJ 2014 L 329 of 14 November, p.68) (for more information see http://ec.europa.eu/budget/explained/management/protecting/protect_en.cfm), or
- the Commission Regulation 2008/1302 of 17.12.2008 on the Central Exclusion Database (OJ L 344, 20.12.2008, p. 12) (for more information see the Privacy Statement on http://ec.europa.eu/budget/library/sound_fin_mgt/privacy_statement_ced_en.pdf).

Applicants are informed that, to ensure that the EU's financial interests are protected, their personal data may be communicated to internal audit services, the European Commission, the European Court of Auditors, the body specialising in financial irregularities (Financial Irregularities Panel) or the European Anti-Fraud Office (OLAF).

The data of applicants in any of the situations referred to in Articles 106(1), 107 and 109(2)(a) of the Financial Regulation may be included in a central exclusion database and communicated to designated persons in the Commission, the other institutions, agencies, authorities and bodies referred to in Article 108(1) and (2) of the Financial Regulation. This also applies to those with powers of representation, decision-making power or powers of control in respect of such applicants. Following a request to the Commission's Accounting Officer, anyone registered in the database is entitled to be informed of the data recorded about them.

16. IMPORTANT DOCUMENTS

Please refer to all of the following documents, available on the call webpage, when preparing the application:

- 2016 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
- Proposal checklist