



## **Single Market Programme (SMP Consumers)**

### **Call for proposals**

*Call for proposals for action grants to provide financial contributions to ADR Bodies  
and RAD Qualified Entities.*

(SMP-CONS-2024-ADR-RAD)

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## EUROPEAN INNOVATION COUNCIL AND SMEs EXECUTIVE AGENCY (EISMEA)

EISMEA.I – Innovation ecosystems, SMP/Entrepreneurship and Consumers  
**EISMEA.I.03 –SMP/ Consumers**

### CALL FOR PROPOSALS

#### TABLE OF CONTENTS

0. Introduction .....	4
1. Background.....	5
2. Objectives — Themes and priorities — Activities that can be funded — Expected impact .....	6
SMP-CONS-2024-ADR-RAD — Topic 1 Call for proposals for action grants to provide financial contributions to ADR Bodies and RAD Qualified Entities .....	6
Objectives .....	6
Themes and priorities (scope) .....	7
Activities that can be funded (scope).....	7
Expected impact.....	7
3. Available budget.....	8
4. Timetable and deadlines .....	8
5. Admissibility and documents .....	8
6. Eligibility .....	9
Eligible participants (eligible countries).....	9
Consortium composition .....	12
Eligible activities.....	12
Geographic location (target countries).....	12
Duration .....	12
7. Financial and operational capacity and exclusion.....	12
Financial capacity .....	12
Operational capacity .....	13
Exclusion .....	14
8. Evaluation and award procedure .....	14
9. Award criteria.....	15
10. Legal and financial set-up of the Grant Agreements.....	16
Starting date and project duration .....	16
Milestones and deliverables.....	17
Form of grant, funding rate and maximum grant amount.....	17
Budget categories and cost eligibility rules.....	17
Reporting and payment arrangements.....	18
Prefinancing guarantees .....	19

Certificates .....	19
Liability regime for recoveries .....	19
Provisions concerning the project implementation .....	19
Other specificities .....	20
Non-compliance and breach of contract .....	21
11. How to submit an application.....	21
12. Help .....	21
13. Important .....	22

## 0. Introduction

This is a call for proposals for EU **action grants** in the field of Consumer protection under the Consumer strand of the **Single Market Programme (SMP Consumers)**.

The regulatory framework for this EU Funding Programme is set out in:

- Regulation 2018/1046 ([EU Financial Regulation](#))
- The basic act ([SMP Regulation 2021/690<sup>1</sup>](#)).

The call is launched in accordance with the 2023-2024 SMP Work Programme<sup>2</sup> and will be managed by the **European Innovation Council and SMEs Executive Agency (EISMEA)** ('Agency').

The call covers the following **topic**:

### **SMP-CONS-2024-ADR-RAD - Call for proposals for action grants to provide financial contributions to ADR Bodies and RAD Qualified Entities.**

- **'ADR bodies'** are bodies designated by the EU Member States pursuant to the ADR Directive 2013/11/EU or established in countries with which the EU has signed a Single Market Programme Agreement covering the Consumer pillar and for which the competent national authority confirms in writing the *mutatis mutandis* conformity with the quality criteria set out in the ADR Directive 2013/11/EU.
- **RAD 'Qualified Entities'** are designated by the EU Member States pursuant to Article 4 of the Representative Actions Directive (EU) 2020/1828 or entities established in countries with which the EU has signed a Single Market Programme Agreement covering the Consumer pillar and for which the competent national authority confirms in writing the *mutatis mutandis* compliance with Article 4 of the Representative Actions Directive (EU) 2020/1828.

We invite you to read the **call documentation** on the Funding & Tenders Portal Topic page carefully, and in particular this Call Document, the Model Grant Agreement, the

<sup>1</sup> [Regulation \(EU\) 2021/690 of the European Parliament and of the Council of 28 April 2021 establishing a programme for the internal market, competitiveness of enterprises, including small and medium-sized enterprises, the area of plants, animals, food and feed, and European statistics \(Single Market Programme - SMP\) and repealing Regulations \(EU\) No 99/2013, \(EU\) No 1287/2013, \(EU\) No 254/2014 and \(EU\) No 652/2014 \(Text with EEA relevance\) \(OJ L 153, 3.5.2021, p. 1–47\).](#)

<sup>2</sup> Annex 3 to [Commission Implementing Decision C\(2023\)1119 final](#) of 22/02/2023 on the financing of the Programme for the internal market, competitiveness of enterprises, including small and medium-sized enterprises, the area of plants, animals, food and feed, and European statistics and the adoption of the work programme for 2023-2024.

[EU Funding & Tenders Portal Online Manual](#) and the [EU Grants AGA – Annotated Grant Agreement](#).

These documents provide clarifications and answers to questions you may have when preparing your application:

- the [Call Document](#) outlines the:
  - background, objectives, scope, activities that can be funded and the expected results (sections 1 and 2)
  - timetable and available budget (sections 3 and 4)
  - admissibility and eligibility conditions (including mandatory documents; sections 5 and 6)
  - criteria for financial and operational capacity and exclusion (section 7)
  - evaluation and award procedure (section 8)
  - award criteria (section 9)
  - legal and financial set-up of the Grant Agreements (section 10)
  - how to submit an application (section 11)
- the [Online Manual](#) outlines the:
  - procedures to register and submit proposals online via the EU Funding & Tenders Portal ('Portal')
  - recommendations for the preparation of the application
- the [AGA – Annotated Grant Agreement](#) contains:
  - detailed annotations on all the provisions in the Grant Agreement you will have to sign in order to obtain the grant (*including cost eligibility, payment schedule, accessory obligations, etc*).

You are also encouraged to visit the [Funding & Tenders Portal - Projects and Results](#) to consult the list of projects funded previously.

## 1. Background

The consumer **Alternative Dispute Resolution** (ADR)<sup>3</sup> and consumer **Representative Actions**<sup>4</sup> are equally important tools helping European consumers to enforce their rights towards infringing traders. The Commission objective, as announced in the 2020 New Consumer Agenda<sup>5</sup> is to support the good functioning of these tools that should complement each other.

As concerns **Alternative Dispute Resolution bodies**, in view of the ongoing review of the current ADR Directive, it is evident that there is a need to:

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<sup>3</sup> [Directive 2013/11/EU of the European Parliament and of the Council of 21 May 2013 on alternative dispute resolution for consumer disputes and amending Regulation \(EC\) No 2006/2004 and Directive 2009/22/EC \(Directive on consumer ADR\)](#) (europa.eu)

<sup>4</sup> [Directive 2020/1828 - EN - EUR-Lex \(europa.eu\)](#), [Representative Actions Directive - European Commission \(europa.eu\)](#)

<sup>5</sup> [EUR-Lex - 52020DC0696 - EN - EUR-Lex \(europa.eu\)](#)

- raise consumers' and traders' awareness on ADR systems,
- invest more in digitalisation to improve communication among parties, case-handling and consistency of ADR outcomes,
- facilitate the handling of cross-border ADR disputes, and bundled ADR disputes,
- improve access to ADR in view of more effective national ADR infrastructure and safeguards to vulnerable consumers.

The Single Market will be stronger if consumers and traders are aware of the advantages, and they trust ADR being a robust out-of-court dispute resolution mechanism to resolve both national and cross-border disputes. The objective of the present call for proposals is to support the development of the ADR landscape in the EU, to make it fit for the digital markets and cost-effective.

The **Representative Actions for the protection of the collective interests of consumers** have been introduced into the EU legal order by Directive (EU) 2020/1828 adopted in November 2020.<sup>6</sup> The national measures transposing the Directive should have been applied by the Member States as from 25 June 2023. The Directive aims at efficient procedural solutions in mass harm situations where large groups of consumers are concerned by the same or similar illegal practice(s) by traders. It allows qualified entities, such as consumer organisations or public bodies, as designated by the EU Member States, pursuant to Article 4 of the Directive (hereinafter 'qualified entities'), to bring legal actions on behalf of groups of consumers. The representative actions aim at stopping trader's illegal practices and providing consumers with relevant remedies. However, the representative actions may be a challenge for the qualified entities. To bring specific actions, they must dispose of relevant resources, expertise, and tools. They must identify mass harm situations, prepare legal and economic analysis of trader's behaviour, identify possible injunctive measures and remedies, quantify consumers' damage, and finally face possibly complex and long litigation on behalf of hundreds, thousands or even millions of consumers concerned. They also need to efficiently communicate with consumers about intended, ongoing and closed actions. In view of the above, the good functioning of representative actions in the EU depends on the qualified entities capacity to exercise their role as foreseen by the Directive<sup>7</sup>. The objective of the present call for proposals is to support the capacity building of the qualified entities so that they efficiently exercise the role conferred to them by the Representative Actions Directive.<sup>8</sup>

## **2. Objectives – Themes and priorities – Activities that can be funded – Expected impact**

### **SMP-CONS-2024-ADR-RAD - Call for proposals for action grants to provide financial contributions to ADR Bodies and RAD Qualified Entities.**

#### Objectives

The objective of this Call for proposals is to facilitate consumers' access to effective and efficient alternative dispute resolution bodies compliant with Directive 2013/11/EU and to build the capacity of *qualified entities* to efficiently protect consumers' collective interests pursuant to Directive (EU)2020/1828.

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<sup>8</sup> Member States had to transpose the Directive by 25 December 2022. The national transposing measures should have been applied by the Member States as from 25 June 2023. Up to date of publication of this call for proposals 18 Member States (DE, DK, CY, EL, IE IT, FI, HR, HU, NL, MT, LT, LV, PT, RO, SE, SI and SK) have notified to the Commission full transposition of the Directive, 5 (BE, BG, CZ, ES, FR ) notified partial transposition, whereas 4 (AT, EE, LU, PL) have not notified any measures.

It aims to support concrete improvements in the following areas:

- Awareness-raising on ADR and/or representative actions.
- Protection of vulnerable consumers.
- Networking of *Alternative Dispute Resolution entities* and/or *Qualified Entities* at national and EU-wide levels.
- Capacity building, expertise of staff.
- Use of transparent and innovative digital tools, efficient case handling and good governance.

### Themes and priorities (scope)

'*Qualified entities*' applying under this call for proposals have to use EC-REACT<sup>9</sup> for cooperation, to discuss and share the results of the actions financed under this call with some or all other *qualified entities*.

Actions by *qualified entities* should be conceived in a way to promote the future re-use of results by other already designated or future *qualified entities*.

Applicants who already received funding under previous calls, including of the Consumer Programme (2018, 2019, 2020 Work Programmes) and the Consumer pillar of the Single Market Programme (2021, 2022 and 2023 Work Programmes), and which plan to apply again under this call for proposals must clearly explain in their proposal how their proposed Action will build on and differ from the Action(s) funded under the previous call(s).

### Activities that can be funded (scope)

A wide range of activities are eligible provided that they can be linked to the expected results mentioned above. Such activities may include for instance (**non-exhaustive list**):

- Awareness raising campaigns, communication activities and translations.
- Creating and supporting of networks among ADR entities and/or Qualified Entities.
- Development/procurement of case handling tools.
- Accounting tools and services.
- Trainings for staff.
- Study visits to other *ADR entities* or *Qualified Entities*.
- Organisation of seminars to exchange best practices.
- Statistical analysis of consumers' complaints.
- Studies or trainings (including via procurement) on identifying mass harm situations, providing relevant legal and economic analyses in the context of representative actions and quantifying consumers' damage.

### Expected impact

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<sup>9</sup> 'EC-REACT'-[Representative Actions Collaboration Tool \(europa.eu\)](https://ec.europa.eu/representative-actions-collaboration-tool/) - is a secure and restricted electronic platform for information exchange across the EU on the representative actions as set up by [Representative Actions Directive \(EU\) 2020/1828](https://eur-lex.europa.eu/eli/dir/2020/1828/oj). The platform is developed, managed and hosted by the European Commission services, pursuant to Article [14\(3\)](#) of the Representative Actions Directive. Only representatives of European Commission services, EU Member States' authorities and public bodies, members of their judiciary and representatives of the designated 'qualified entities' as foreseen by Article 4 of Directive (EU)2020/1828 may be granted access to 'EC-REACT'. On exceptional basis academia and organisations participating in EU funded projects may be granted access too. The *Qualified entities* benefit from its secured Workspace therein to cooperate, exchange, and disseminate their best practices and experience as foreseen by Art. 20(4) of the Directive in a fully secured and confidential manner.

This call for proposals has a **wide scope**. It is expected that results will impact in concrete improvements within the following areas:

- To **raise awareness** among consumers and traders and increase consumer trust in ADR and Representative Actions.
- To support **cooperation** among ADR and/or *Qualified Entities* at national, regional and EU levels.
- To increase **accessibility** of ADR, Representative Actions and *Qualified Entities* to consumers, including in a cross-border context.
- To improve **operational capacity and expertise** of ADR in resolving consumer disputes and *Qualified Entities* in bringing representative actions.

### 3. Available budget

The available call budget is **EUR 1 000 000**. This budget might be increased by maximum 20%.

We reserve the right not to award all available funds or to redistribute them between the call priorities, depending on the proposals received and the results of the evaluation.

### 4. Timetable and deadlines

Timetable and deadlines (indicative)	
Call opening:	26 March 2024
<u>Deadline for submission:</u>	<u>6 June 2024 – 17:00:00 CET</u> <u>(Brussels time)</u>
Evaluation:	June – July 2024
Information on evaluation results:	August 2024
GA signature:	August - November 2024

### 5. Admissibility and documents

Proposals must be submitted before the **call deadline** (see *timetable section 4*).

Proposals must be submitted **electronically** via the Funding & Tenders Portal Electronic Submission System (accessible via the Topic page in the [Search Funding & Tenders](#) section). Paper submissions are NOT possible.

Proposals (including annexes and supporting documents) must be submitted using the forms provided *inside* the Submission System (⚠ NOT the documents available on the Topic page — they are only for information).

Proposals must be **complete** and contain all the requested information and all required annexes and supporting documents:

- Application Form Part A — contains administrative information about the participants (future coordinator, beneficiaries and affiliated entities) and the summarised budget for the project (*to be filled in directly online*)



- Application Form Part B — contains the technical description of the project (*to be downloaded from the Portal Submission System, completed and then assembled and re-uploaded*)
- **mandatory annexes and supporting documents** (*templates available to be downloaded from the Portal Submission System, completed, assembled and re-uploaded*):
  - detailed budget table (*mandatory excel template available in the Submission System*)
  - proof of designation as RAD qualified entity, if applicable.


Please note that the amounts entered into the summarised budget table (filled in directly online) must correspond to the amounts calculated in the detailed budget table. In case of discrepancies, the amounts in the online summarised budget table will prevail.

At proposal submission, you will have to confirm that you have the **mandate to act** for all applicants. Moreover you will have to confirm that the information in the application is correct and complete and that the participants comply with the conditions for receiving EU funding (especially eligibility, financial and operational capacity, exclusion, etc). Before signing the grant, each beneficiary and affiliated entity will have to confirm this again by signing a declaration of honour (DoH). Proposals without full support will be rejected.

Your application must be **readable, accessible and printable**.

Proposals are limited to **maximum 70 pages** (Part B). Evaluators will not consider any additional pages.

You may be asked at a later stage for further documents (*for legal entity validation, financial capacity check, bank account validation, etc*).

 For more information about the submission process (including IT aspects), consult the [Online Manual](#).

## 6. Eligibility

Applications will only be considered eligible if their content corresponds wholly (or at least in part) to the topic description for which they are submitted.

### Eligible participants (eligible countries)

In order to be eligible, the applicants (beneficiaries and affiliated entities) must:

- be legal entities (public or private bodies)
- and*
- be established in one of the eligible countries, i.e.:
  - EU Member States (including overseas countries and territories (OCTs))
  - non-EU countries:
    - listed EEA countries and countries associated to the Single Market Programme or countries which are in ongoing negotiations for an association agreement and where the agreement enters into force before grant signature ([list of participating countries](#))

*and*

- (a) be, **on the date of the submission of the proposal, an *Alternative Dispute Resolution (ADR) entity notified to the European Commission*** pursuant to Article 20(2) of [Directive 2013/11/EU on consumer ADR](#). Applicants are advised to verify their status by consulting the public list of ADR entities registered on the European [ODR platform](#), and to contact their national competent authorities in case they are not listed in the platform or their details are incorrect

or,

- (b) be, **on the date of the submission of the proposal, a *Qualified Entity designated by the EU Member State in advance to specific representative actions pursuant to Article 4 of Representative Actions Directive (EU)2020/1828***. Applicants must present the proof of their designation as Qualified Entity issued by the competent national authority or public body pursuant to the national legislation transposing Directive (EU) 2020/1828 in the country of their designation

or,

- (c) bodies established in countries associated to the Single Market Programme, covering the Consumer pillar and for which the competent national authority confirms in writing the *mutatis mutandis* conformity with the quality criteria set out in the ADR Directive 2013/11/EU

or,

- (d) entities established in countries associated to the Single Market Programme, covering the Consumer pillar and for which the competent national authority confirms in writing the *mutatis mutandis* designation in compliance with Article 4 of the Representative Actions Directive (EU) 2020/1828

or,

- (e) exceptionally, and only in EU Member States where ad hoc designation is allowed, entities which comply with the criteria set out in the national legislation transposing Article 4, paragraph 6, of the Representative Actions Directive (EU) 2020/1828, for being designated on ad hoc basis. Applicants must present the proof of their compliance with these criteria issued by the competent national authority or public body.

Beneficiaries and affiliated entities must register in the [Participant Register](#) — before submitting the proposal — and will have to be validated by the Central Validation Service (REA Validation). For the validation, they will be requested to upload documents showing legal status, origin and in case of Qualified Entities designated pursuant to Directive (EU) 2020/1828, the proof of their designation.

Other entities may participate in other consortium roles, such as associated partners, subcontractors, third parties giving in-kind contributions, etc (*see section 13*).

### Specific cases

Natural persons — Natural persons are NOT eligible (with the exception of self-employed persons, i.e. sole traders, where the company does not have legal personality separate from that of the natural person).

International organisations — International organisations are not eligible. The rules on eligible countries do not apply to them.

Entities without legal personality — Entities which do not have legal personality under their national law may exceptionally participate, provided that their representatives have the capacity to undertake legal obligations on their behalf, and offer guarantees for the protection of the EU financial interests equivalent to that offered by legal persons<sup>10</sup>.

EU bodies — EU bodies (with the exception of the European Commission Joint Research Centre) can NOT be part of the consortium.

Associations and interest groupings — Entities composed of members may participate as 'sole beneficiaries' or 'beneficiaries without legal personality'<sup>11</sup>. ⚠ Please note that if the action will be implemented by the members, they should also participate (either as beneficiaries or as affiliated entities, otherwise their costs will NOT be eligible).

Countries currently negotiating association agreements — Beneficiaries from countries with ongoing negotiations (*see list of participating countries above*) may participate in the call and can sign grants if the negotiations are concluded before grant signature and if the association covers the call (i.e. is retroactive and covers both the part of the programme and the year when the call was launched).

EU restrictive measures — Special rules apply for certain entities (*e.g. entities subject to [EU restrictive measures](#) under Article 29 of the Treaty on the European Union (TEU) and Article 215 of the Treaty on the Functioning of the EU (TFEU)<sup>12</sup> and entities covered by Commission Guidelines No [2013/C 205/05](#)<sup>13</sup>*). Such entities are not eligible to participate in any capacity, including as beneficiaries, affiliated entities, associated partners, subcontractors or recipients of financial support to third parties (if any).

Following the [Council Implementing Decision \(EU\) 2022/2506](#), as of 16 December 2022, no legal commitments (including the grant agreement itself as well as subcontracts, purchase contracts, financial support to third parties etc.) can be signed with Hungarian public interest trusts established under Hungarian Act IX of 2021 or any entity they maintain. Affected entities may continue to apply to calls for proposals. However, in case the Council measures are not lifted, such entities are not eligible to participate in any funded role (beneficiaries, affiliated entities, subcontractors, recipients of financial support to third parties).

In this case, co-applicants will be invited to remove or replace that entity and/or to change its status into associated partner]. Tasks and budget may be redistributed accordingly.

 For more information, see [Rules for Legal Entity Validation, LEAR Appointment and Financial Capacity Assessment](#).

### [Consortium composition](#)

<sup>10</sup> See Article 197(2)(c) EU Financial Regulation [2018/1046](#).

<sup>11</sup> For the definitions, see Articles 187(2) and 197(2)(c) EU Financial Regulation [2018/1046](#).

<sup>12</sup> Please note that the EU Official Journal contains the official list and, in case of conflict, its content prevails over that of the [EU Sanctions Map](#).

<sup>13</sup> Commission guidelines No [2013/C 205/05](#) on the eligibility of Israeli entities and their activities in the territories occupied by Israel since June 1967 for grants, prizes and financial instruments funded by the EU from 2014 onwards (OJ C 205 of 19.07.2013, pp. 9-11).

Proposals may be submitted by a single applicant as well as by a consortium.

In case of a multi-beneficiary grant - Consortium composition: each of the beneficiary entities within the consortium has to be eligible as per the conditions above. Entities can originate from the same or different eligible countries.

Applicants may submit more than one application. Applicants who submit multiple applications must clearly explain how each proposal differs from the other(s).

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BUT: if there are proposals for *very similar* projects, only one application will be accepted and evaluated; the applicants will be asked to withdraw the other or the applicant/application will be rejected.

### Eligible activities

Eligible activities are the ones set out in section 2 above.

Projects should take into account the results of projects supported by other EU funding programmes of the same bidding organisation. The complementarities must be described in the project proposals (Part B of the Application Form).

Projects must comply with EU policy interests and priorities (*such as environment, social, security, industrial and trade policy, etc*).

Financial support to third parties is not allowed.

### Geographic location (target countries)

Proposals must relate to activities taking place in the eligible countries (*see above*).

### Duration

The maximum duration of the action is **24 months**.

## **7. Financial and operational capacity and exclusion**

### Financial capacity

Applicants must have **stable and sufficient resources** to successfully implement the projects and contribute their share. Organisations participating in several projects must have sufficient capacity to implement all these projects.

The financial capacity check will be carried out on the basis of the documents you will be requested to upload in the [Participant Register](#) during grant preparation (*e.g. profit and loss account and balance sheet, business plan, audit report produced by an approved external auditor, certifying the accounts for the last closed financial year, etc*). The analysis will be based on neutral financial indicators, but will also take into account other aspects, such as dependency on EU funding and deficit and revenue in previous years.

The check will normally be done for all beneficiaries, except:

- public bodies (entities established as public body under national law, including local, regional or national authorities) or international organisations

- if the individual requested grant amount is not more than EUR 60 000.

If needed, it may also be done for affiliated entities.

If we consider that your financial capacity is not satisfactory, we may require:

- further information
  - an enhanced financial responsibility regime, i.e. joint and several responsibility for all beneficiaries or joint and several liability of affiliated entities (*see below, section 10*)
  - prefinancing paid in instalments
  - (one or more) prefinancing guarantees (*see below, section 10*)
- or
- propose no prefinancing
  - request that you are replaced or, if needed, reject the entire proposal.

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 For more information, see [Rules for Legal Entity Validation, LEAR Appointment and Financial Capacity Assessment](#).

### Operational capacity

Applicants must have the **know-how, qualifications** and **resources** to successfully implement the projects and contribute their share (including sufficient experience in projects of comparable size and nature).

This capacity will be assessed together with the 'Quality' award criterion on the basis of the competence and experience of the applicants and their project teams, including operational resources (human, technical and other) or, exceptionally, the measures proposed to obtain it by the time the task implementation starts.

If the evaluation of the award criterion is positive, the applicants are considered to have sufficient operational capacity.

The fact that the applicant has been designated by a Member States as an certified *ADR entity* or as a *Qualified Entity* is sufficient to demonstrate this.

For other bodies, this capacity will be assessed on the basis of the competence and experience of the applicants and their project teams, including operational resources (human, technical and other) or, exceptionally, the measures proposed to obtain it by the time the task implementation starts.

Applicants will have to show their operational capacity via the following information:

- general profiles (qualifications and experiences) of the staff responsible for managing and implementing the project
- description of the consortium participants.

Additional supporting documents may be requested, if needed to confirm the operational capacity of any applicant.

### Exclusion

Applicants which are subject to an **EU exclusion decision** or in one of the following **exclusion situations** that bar them from receiving EU funding can NOT participate<sup>14</sup>:

- bankruptcy, winding up, affairs administered by the courts, arrangement with creditors, suspended business activities or other similar procedures (including procedures for persons with unlimited liability for the applicant's debts)
- in breach of social security or tax obligations (including if done by persons with unlimited liability for the applicant's debts)
- guilty of grave professional misconduct<sup>15</sup> (including if done by persons having powers of representation, decision-making or control, beneficial owners or persons who are essential for the award/implementation of the grant)
- committed fraud, corruption, links to a criminal organisation, money laundering, terrorism-related crimes (including terrorism financing), child labour or human trafficking (including if done by persons having powers of representation, decision-making or control, beneficial owners or persons who are essential for the award/implementation of the grant)
- shown significant deficiencies in complying with main obligations under an EU procurement contract, grant agreement, prize, expert contract, or similar (including if done by persons having powers of representation, decision-making or control, beneficial owners or persons who are essential for the award/implementation of the grant)
- guilty of irregularities within the meaning of Article 1(2) of Regulation No [2988/95](#) (including if done by persons having powers of representation, decision-making or control, beneficial owners or persons who are essential for the award/implementation of the grant)
- created under a different jurisdiction with the intent to circumvent fiscal, social or other legal obligations in the country of origin or created another entity with this purpose (including if done by persons having powers of representation, decision-making or control, beneficial owners or persons who are essential for the award/implementation of the grant).

Applicants will also be refused if it turns out that<sup>16</sup>:

- during the award procedure they misrepresented information required as a condition for participating or failed to supply that information
- they were previously involved in the preparation of the call and this entails a distortion of competition that cannot be remedied otherwise (conflict of interest).

## 8. Evaluation and award procedure

The proposals will have to follow the **standard submission and evaluation procedure** (one-stage submission + one-step evaluation).

An **evaluation committee** will assess all applications. Proposals will first be checked for formal requirements (admissibility, and eligibility, *see sections 5 and 6*). Proposals found admissible and eligible will be evaluated against the operational capacity and award criteria (*see sections 7 and 9*) and then ranked according to their scores.

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<sup>14</sup> See Articles 136 and 141 of EU Financial Regulation [2018/1046](#).

<sup>15</sup> Professional misconduct includes: violation of ethical standards of the profession, wrongful conduct with impact on professional credibility, false declarations/misrepresentation of information, participation in a cartel or other agreement distorting competition, violation of IPR, attempting to influence decision-making processes or obtain confidential information from public authorities to gain advantage.


<sup>16</sup> See Article 141 EU Financial Regulation [2018/1046](#).

For proposals with the same score a **priority order** will be determined according to the following approach:

Successively for every group of *ex aequo* proposals, starting with the highest scored group, and continuing in descending order:

- 1) Projects focusing on a theme or priority that is not otherwise covered by higher ranked projects will be considered to have the highest priority.
- 2) The *ex aequo* proposals within the same topic will be prioritised according to the scores they have been awarded for the award criterion 'Relevance'. When these scores are equal, priority will be based on their scores for the criterion 'Impact'. When these scores are equal, priority will be based on their scores for the criterion 'Quality'.
- 3) If this does not allow to determine the priority, a further prioritisation can be done by considering the overall project portfolio and the creation of positive synergies between projects, or other factors related to the objectives of the call. These factors will be documented in the panel report.
- 4) After that, the remainder of the available call budget will be used to fund projects across the different themes or priorities in order to ensure a balanced spread of the geographical and thematic coverage and while respecting to the maximum possible extent the order of merit based on the evaluation of the award criteria.

All proposals will be informed about the evaluation result (**evaluation result letter**). Successful proposals will be invited for grant preparation; the other ones will be put on the reserve list or rejected.

 No commitment for funding — Invitation to grant preparation does NOT constitute a formal commitment for funding. We will still need to make various legal checks before grant award: *legal entity validation, financial capacity, exclusion check, etc.*

**Grant preparation** will involve a dialogue in order to fine-tune technical or financial aspects of the project and may require extra information from your side. It may also include adjustments to the proposal to address recommendations of the evaluation committee or other concerns. Compliance will be a pre-condition for signing the grant.

If you believe that the evaluation procedure was flawed, you can submit a **complaint** (following the deadlines and procedures set out in the evaluation result letter). Please note that notifications which have not been opened within 10 days after sending are considered to have been accessed and that deadlines will be counted from opening/access (see also [Funding & Tenders Portal Terms and Conditions](#)). Please also be aware that for complaints submitted electronically, there may be character limitations.

## 9. Award criteria

The **award criteria** for this call are as follows:

- **Relevance (40 points):** clarity and consistency of the project in relation to the objective and expected results described at point 2. .
- **Quality:**
  - **Project design and implementation (30 points):** links between the identified problems, needs and solutions proposed (logical frame concept), methodology for implementing the project (concept , management procedures, timetable, risks and risk management),



feasibility of the project within the proposed time frame, cost effectiveness (sufficient/appropriate budget for proper implementation)

- **Project team and cooperation arrangements (10 points):** quality of project teams, appropriate procedures and problem-solving mechanisms for cooperating within project teams in case of a consortium.
- **Impact (20 points):** ambition and expected long-term impact of results on target groups/general public, possibility of re-use by other similar bodies, appropriate dissemination strategy, sustainability of results after EU funding ends.

Award criteria	Minimum pass score	Maximum score
Relevance	24	40
Quality – Project design and implementation	18	30
Quality – Project team and cooperation arrangements	6	10
Impact	12	20
<b>Overall (pass) scores</b>	<b>60</b>	<b>100</b>

Maximum points: 100 points.

Individual thresholds per criterion: 24/40, 18/30, 6/10 and 12/20 points.

Overall threshold: 60 points.

Proposals that pass the individual thresholds AND the overall threshold will be considered for funding – within the limits of the available call budget. Other proposals will be rejected.

## 10. Legal and financial set-up of the Grant Agreements

If you pass evaluation, your project will be invited for grant preparation, where you will be asked to prepare the Grant Agreement together with the EU Project Officer.

This Grant Agreement will set the framework for your grant and its terms and conditions, in particular concerning deliverables, reporting and payments.

The Model Grant Agreement that will be used (and all other relevant templates and guidance documents) can be found on [Portal Reference Documents](#).

### Starting date and project duration

The project starting date and duration will be fixed in the Grant Agreement (*Data Sheet, point 1*). Normally the starting date will be after grant signature. A Retroactive starting date can be granted exceptionally for duly justified reasons – but never earlier than the proposal submission date.

Project duration: see section 6 above



### Milestones and deliverables

The milestones and deliverables for each project will be managed through the Portal Grant Management System and will be reflected in Annex 1 of the Grant Agreement.

The following deliverables are mandatory for *RAD Qualified Entity* applicants:

Progress meetings: individual or group, in person or online meetings will be organised by EISMEA in cooperation with DG JUST to discuss with participating *Qualified Entities* the progress of actions at least every 6 months throughout the duration of the actions.

### Form of grant, funding rate and maximum grant amount

The grant parameters (*maximum grant amount, funding rate, total eligible costs, etc*) will be fixed in the Grant Agreement (*Data Sheet, point 3 and art 5*).

Project budget(maximum grant amount): *see section 6 above*.

The grant will be a budget-based mixed actual cost grant (actual costs, with unit cost and flat-rate elements). This means that it will reimburse ONLY certain types of costs (eligible costs) and costs that were *actually* incurred for your project (NOT the *budgeted* costs). For unit costs and flat-rates, you can charge the amounts calculated as explained in the Grant Agreement (*see art 6 and Annex 2 and 2a*).

The costs will be reimbursed at the funding rate fixed in the Grant Agreement (**75%**).

Grants may NOT produce a profit (i.e. surplus of revenues + EU grant over costs). For-profit organisations must declare their revenues and, if there is a profit, we will deduct it from the final grant amount (*see art 22.3*).

Moreover, please be aware that the final grant amount may be reduced in case of non-compliance with the Grant Agreement (*e.g. improper implementation, breach of obligations, etc*).

### Budget categories and cost eligibility rules

The budget categories and cost eligibility rules are fixed in the Grant Agreement (*Data Sheet, point 3, art 6 and Annex 2*).

*Budget categories for this call:*

- A. Personnel costs
  - A.1 Employees, A.2 Natural persons under direct contract, A.3 Seconded persons
  - A.4 SME owners and natural person beneficiaries
- B. Subcontracting costs
- C. Purchase costs
  - C.1 Travel and subsistence
  - C.2 Equipment
  - C.3 Other goods, works and services
- E. Indirect costs

*Specific cost eligibility conditions for this call:*

- personnel costs:
  - SME owner/natural person unit cost<sup>17</sup>: Yes
- travel and subsistence unit cost<sup>18</sup>: Yes
- equipment costs: depreciation
- other cost categories:
  - costs for financial support to third parties: not allowed
- indirect cost flat-rate: 7% of the eligible direct costs (categories A-D, except volunteers costs, and exempted specific cost categories, if any)
- VAT: non-deductible VAT is eligible (but please note that since 2013 VAT paid by beneficiaries that are public bodies acting as public authority is NOT eligible)
- other:
  - in-kind contributions for free are allowed, but cost-neutral, i.e. they cannot be declared as cost
  - project websites: communication costs for presenting the project on the participants' websites or social media accounts are eligible; costs for *separate* project websites are not eligible
  - other ineligible costs: No

### Reporting and payment arrangements

The reporting and payment arrangements are fixed in the Grant Agreement (*Data Sheet, point 4 and art 21 and 22*).


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After grant signature, you will normally receive a **prefinancing** to start working on the project (float of normally **70%** of the maximum grant amount; exceptionally less or no prefinancing). The prefinancing will be paid 30 days from entry into force/10 days before starting date/financial guarantee (if required) – whichever is the latest.

There will be no **interim payments**.

**Payment of the balance:** At the end of the project, we will calculate your final grant amount. If the total of earlier payments is higher than the final grant amount, we will ask you (your coordinator) to pay back the difference (recovery).

All payments will be made to the coordinator.

 Please be aware that payments will be automatically lowered if one of your consortium members has outstanding debts towards the EU (granting authority or other EU bodies). Such debts will be offset by us – in line with the conditions set out in the Grant Agreement (see art 22).

Please note that you are responsible for keeping written records on all the work done and the costs declared.

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<sup>17</sup> Commission [Decision](#) of 20 October 2020 authorising the use of unit costs for the personnel costs of the owners of small and medium-sized enterprises and beneficiaries that are natural persons not receiving a salary for the work carried out by themselves under an action or work programme (C(2020)7715).

<sup>18</sup> Commission [Decision](#) of 12 January 2021 authorising the use of unit costs for travel, accommodation and subsistence costs under an action or work programme under the 2021-2027 multi-annual financial framework (C(2021)35).

### Prefinancing guarantees

If a prefinancing guarantee is required, it will be fixed in the Grant Agreement (*Data Sheet, point 4*). The amount will be set during grant preparation and it will normally be equal or lower than the prefinancing for your grant.

The guarantee should be in euro and issued by an approved bank/financial institution established in an EU Member State. If you are established in a non-EU country and would like to provide a guarantee from a bank/financial institution in your country, please contact us (this may be exceptionally accepted, if it offers equivalent security).

Amounts blocked in bank accounts will NOT be accepted as financial guarantees.

Prefinancing guarantees are formally NOT linked to individual consortium members, which means that you are free to organise how to provide the guarantee amount (*by one or several beneficiaries, for the overall amount or several guarantees for partial amounts, by the beneficiary concerned or by another beneficiary, etc*). It is however important that the requested amount is covered and that the guarantee(s) are sent to us in time to make the prefinancing (scanned copy via Portal AND original by post).

If agreed with us, the bank guarantee may be replaced by a guarantee from a third party.

The guarantee will be released at the end of the grant, in accordance with the conditions laid down in the Grant Agreement.

### Certificates

Depending on the type of action, size of grant amount and type of beneficiaries, you may be requested to submit different certificates. The types, schedules and thresholds for each certificate are fixed in the Grant Agreement (*Data Sheet, point 4 and art 24*).

### Liability regime for recoveries

The liability regime for recoveries will be fixed in the Grant Agreement (*Data Sheet point 4.4 and art 22*).

For beneficiaries, it is one of the following:

- limited joint and several liability with individual ceilings — *each beneficiary up to their maximum grant amount*
  - unconditional joint and several liability — *each beneficiary up to the maximum grant amount for the action*
- or
- individual financial responsibility — *each beneficiary only for their own debts*.

In addition, the granting authority may require joint and several liability of affiliated entities (with their beneficiary).

### Provisions concerning the project implementation

IPR rules: *see Model Grant Agreement (art 16 and Annex 5)*:

- rights of use on results: Yes
- access rights to ensure continuity and interoperability obligations: Yes

Communication, dissemination and visibility of funding: *see Model Grant Agreement (art 17 and Annex 5)*:

- communication and dissemination plan: No
- additional communication and dissemination activities: Yes

Specific rules for carrying out the action: *see Model Grant Agreement (art 18 and Annex 5)*: n/a

#### Other specificities

n/a

#### Non-compliance and breach of contract

The Grant Agreement (chapter 5) provides for the measures we may take in case of breach of contract (and other non-compliance issues).



For more information, see [AGA – Annotated Grant Agreement](#).

### **11. How to submit an application**

All proposals must be submitted directly online via the Funding & Tenders Portal Electronic Submission System. Paper applications are NOT accepted.

Submission is a 2-step process:

#### **a) create a user account and register your organisation**

To use the Submission System (the only way to apply), all participants need to [create an EULogin user account](#).

Once you have an EULogin account, you can [register your organisation](#) in the Participant Register. When your registration is finalised, you will receive a 9-digit participant identification code (PIC).

#### **b) submit the proposal**

Access the Electronic Submission System via the Topic page in the [Search Funding & Tenders](#) section (or, for calls sent by invitation to submit a proposal, through the link provided in the invitation letter).

Submit your proposal in 3 parts, as follows:

- Part A includes administrative information about the applicant organisations (future coordinator, beneficiaries, affiliated entities and associated partners) and the summarised budget for the proposal. Fill it in directly online
- Part B (description of the action) covers the technical content of the proposal. Download the mandatory word template from the Submission System, fill it in and upload it as a PDF file
- Annexes (*see section 5*). Upload them as PDF file (single or multiple depending on the slots; the budget table can be uploaded as Excel file).

The proposal must keep to the **page limits** (*see section 5*); excess pages will be disregarded.

Documents must be uploaded to the **right category** in the Submission System otherwise the proposal might be considered incomplete and thus inadmissible.

The proposal must be submitted **before the call deadline** (see section 4). After this deadline, the system is closed and proposals can no longer be submitted.

Once the proposal is submitted, you will receive a **confirmation e-mail** (with date and time of your application). If you do not receive this confirmation e-mail, it means your proposal has NOT been submitted. If you believe this is due to a fault in the Submission System, you should immediately file a complaint via the [IT Helpdesk webform](#), explaining the circumstances and attaching a copy of the proposal (and, if possible, screenshots to show what happened).

Details on processes and procedures are described in the [Online Manual](#). The Online Manual also contains the links to FAQs and detailed instructions regarding the Portal Electronic Exchange System.

## 12. Help

As far as possible, ***please try to find the answers you need yourself***, in this and the other documentation (we have limited resources for handling direct enquiries):

- [Online Manual](#)
- FAQs on the Topic page
- [Portal FAQ](#) (for general questions).

Please also consult the Topic page regularly, since we will use it to publish call updates. (For invitations, we will contact you directly in case of a call update).

### Contact

For individual questions on the Portal Submission System, please contact the [IT Helpdesk](#).

Non-IT related questions should be sent before **30 May 2024 – 17:00:00 CET (Brussels)** to the following email address: [EISMEA-CONS-grants@ec.europa.eu](mailto:EISMEA-CONS-grants@ec.europa.eu).

Please indicate clearly the reference of the call and topic to which your question relates (see cover page).

## 13. Important



### IMPORTANT

- **Don't wait until the end** — Complete your application sufficiently in advance of the deadline to avoid any last minute **technical problems**. Problems due to last minute submissions (*e.g. congestion, etc*) will be entirely at your risk. Call deadlines can NOT be extended.
- **Consult** the Portal Topic page regularly. We will use it to publish updates and additional information on the call (call and topic updates).
- **Funding & Tenders Portal Electronic Exchange System** — By submitting the application, all participants **accept** to use the electronic exchange system in accordance with the [Portal Terms & Conditions](#).
- **Registration** — Before submitting the application, all beneficiaries, affiliated entities and associated partners must be registered in the [Participant Register](#). The participant identification code (PIC) (one per participant) is mandatory for the Application Form.
- **Consortium roles** - When setting up your consortium, you should think of organisations that help you reach objectives and solve problems.

The roles should be attributed according to the level of participation in the project. Main participants should participate as **beneficiaries** or **affiliated entities**; other entities can participate as associated partners, subcontractors, third parties giving in-kind contributions. **Associated partners** and third parties giving in-kind contributions should bear their own costs (they will not become formal recipients of EU funding). **Subcontracting** should normally constitute a limited part and must be performed by third parties (not by one of the beneficiaries/affiliated entities). Subcontracting going beyond 30% of the total eligible costs must be justified in the application.

- **Coordinator** — In multi-beneficiary grants, the beneficiaries participate as consortium (group of beneficiaries). They will have to choose a coordinator, who will take care of the project management and coordination and will represent the consortium towards the granting authority. In mono-beneficiary grants, the single beneficiary will automatically be coordinator.
- **Affiliated entities** — Applicants may participate with affiliated entities (i.e. entities linked to a beneficiary which participate in the action with similar rights and obligations as the beneficiaries, but do not sign the grant and therefore do not become beneficiaries themselves). They will get a part of the grant money and must therefore comply with all the call conditions and be validated (just like beneficiaries); but they do not count towards the minimum eligibility criteria for consortium composition (if any).
- **Associated partners** — Applicants may participate with associated partners (i.e. partner organisations which participate in the action but without the right to get grant money). They participate without funding and therefore do not need to be validated.
- **Consortium agreement** — For practical and legal reasons it is recommended to set up internal arrangements that allow you to deal with exceptional or unforeseen circumstances (in all cases, even if not mandatory under the Grant Agreement). The consortium agreement also gives you the possibility to redistribute the grant money according to your own consortium-internal principles and parameters (for instance, one beneficiary can reattribute its grant money to another beneficiary). The consortium agreement thus allows you to customise the EU grant to the needs inside your consortium and can also help to protect you in case of disputes.

- **Balanced project budget** — Grant applications must ensure a balanced project budget and sufficient other resources to implement the project successfully (*e.g. own contributions, income generated by the action, financial contributions from third parties, etc*). You may be requested to lower your estimated costs, if they are ineligible (including excessive).
- **Completed/ongoing projects** — Proposals for projects that have already been completed will be rejected; proposals for projects that have already started will be assessed on a case-by-case basis (in this case, no costs can be reimbursed for activities that took place before the project starting date/proposal submission).
- **No-profit rule** — Grants may NOT give a profit (i.e. surplus of revenues + EU grant over costs). This will be checked by us at the end of the project.
- **No cumulation of funding/no double funding** — It is strictly prohibited to cumulate funding from the EU budget (except under 'EU Synergies actions'). Outside such Synergies actions, any given action may receive only ONE grant from the EU budget and cost items may under NO circumstances be declared under two EU grants. If you would like to nonetheless benefit from different EU funding opportunities, projects must be designed as different actions, clearly delineated and separated for each grant (without overlaps).
- **Combination with EU operating grants** — Combination with EU operating grants is possible, if the project remains outside the operating grant work programme and you make sure that cost items are clearly separated in your accounting and NOT declared twice (see [AGA – Annotated Grant Agreement, art 6.2.E](#)).
- **Multiple proposals** — Applicants may submit more than one application. Applicants who submit multiple applications must clearly explain how each proposal differs from the other(s).  
  
BUT: if there are proposals for *very similar* projects, only one application will be accepted and evaluated; the applicants will be asked to withdraw the other or the application/applicant will be rejected.
- **Resubmission** — Proposals may be changed and re-submitted until the deadline for submission.
- **Rejection** — By submitting the application, all applicants accept the call conditions set out in this Call Document (and the documents it refers to). Proposals that do not comply with all the call conditions will be **rejected**. This applies also to applicants: All applicants need to fulfil the criteria; if any one of them doesn't, they must be replaced or the entire proposal will be rejected.
- **Cancellation** — There may be circumstances which may require the cancellation of the call. In this case, you will be informed via a call or topic update. Please note that cancellations are without entitlement to compensation.
- **Language** — You can submit your proposal in any official EU language (project abstract/summary should however always be in English). For reasons of efficiency, we strongly advise you to use English for the entire application. If you need the call documentation in another official EU language, please submit a request within 10 days after call publication (for the contact information, see *section 12*).

- **Transparency** — In accordance with Article 38 of the [EU Financial Regulation](#), information about EU grants awarded is published each year on the [Europa website](#).

This includes:

- beneficiary names
- beneficiary addresses
- the purpose for which the grant was awarded
- the maximum amount awarded.

The publication can exceptionally be waived (on reasoned and duly substantiated request), if there is a risk that the disclosure could jeopardise your rights and freedoms under the EU Charter of Fundamental Rights or harm your commercial interests.

- **Data protection** — The submission of a proposal under this call involves the collection, use and processing of personal data. This data will be processed in accordance with the applicable legal framework. It will be processed solely for the purpose of evaluating your proposal, subsequent management of your grant and, if needed, programme monitoring, evaluation and communication. Details are explained in the [Funding & Tenders Portal Privacy Statement](#).