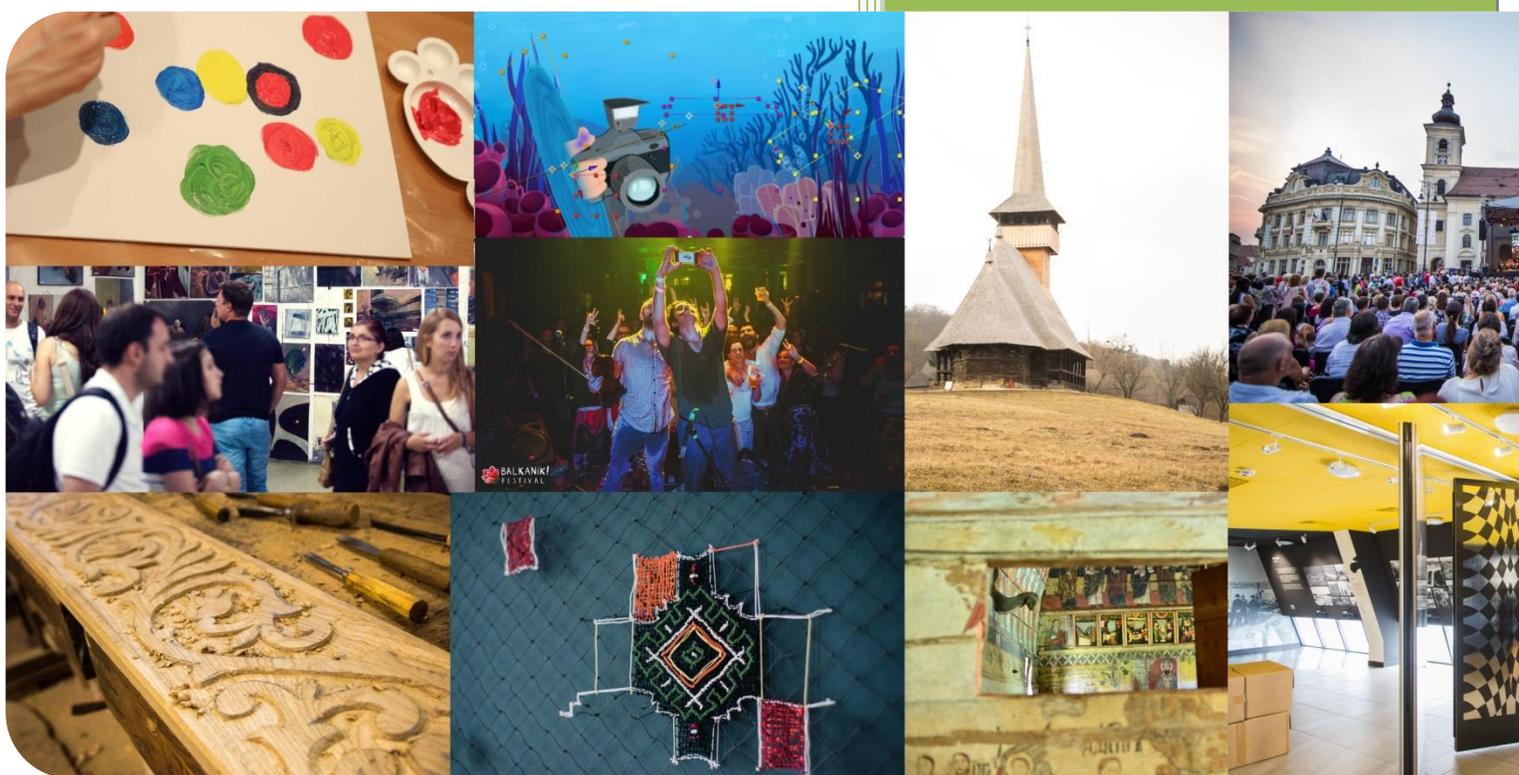


RO- CULTURE

APPLICANT GUIDE



*Innovative cultural
exhibitions of restored
objects supported*

EEA GRANTS
2014 – 2021

Bucharest, 2019

EEA GRANTS 2014 - 2021

RO-CULTURE



APPLICANT GUIDE

CALL 2 - Innovative cultural exhibitions of restored objects supported

Submission of projects: 04.02.2019 – 03.05.2019, 23:59

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This document is a guideline for submitting a project for receiving a grant under the RO-CULTURE Programme.

1. General information on EAA GRANTS

The RO-CULTURE Programme is an integral part of the European Economic Area (EEA) Financial Mechanism 2014-2021.

The rules and principles governing the implementation of the EEA Grants are set out in the Regulation on the Implementation of the EEA Financial Mechanism 2014-2021 and its annexes.

More information on the legal framework of the EEA Financial Mechanism 2014-2021 can be found at www.eeagrants.org and www.eeagrants.ro.

2. General information on RO-CULTURE PROGRAMME

The RO-CULTURE Programme is implemented in Romania by the Ministry of Culture and National Identity, as Programme Operator, in partnership with the Norwegian Directorate for Cultural Heritage and Arts Council Norway, as Programme Partners from the donor states.

The Programme was approved through the Programme Agreement concluded between the EEA Financial Mechanism Committee and the Ministry of European Funds, as National Focal Point, on 05.06.2018.

The Programme will focus on the role that culture and cultural heritage plays in local and regional development, with emphasis on employment, cultural entrepreneurship and public development.

The budget of the Programme is 29,015,294 Euro, out of which 24,663,000 Euro is external non-reimbursable financing and 4,352,294 Euro comes from the state budget (national co-financing). In addition, an amount of 250,000 Euro are allocated to the Programme from the fund for bilateral relations.

3. Institutional framework and legal framework

3.1 Institutional framework

The institutional framework of the RO-CULTURE Programme is in line with the provisions of the Regulation on the Implementation of the EEA Financial Mechanism 2014-2021 and GEO no. 34/2017.

3.2 Legal framework

This call for proposals is governed, inter alia, by the following legal acts and regulations, as subsequently amended and supplemented:

- Protocol 38c to the EEA Agreement on the EEA Financial Mechanism 2014-2021 (hereinafter referred to as the "EEAFM");
- Regulation on the Implementation of the EEA Financial Mechanism 2014-2021 (hereinafter referred to as the "Regulation"), approved by the EEA Financial Mechanism Committee in accordance with art. 10.5 of the Protocol 38c to EEA Agreement on 8 September 2016;
- The Memorandum of Understanding between Iceland, the Principality of Liechtenstein, the Kingdom of Norway (hereinafter referred to as the "donor states") and the Government of Romania regarding the implementation of the EEA Financial Mechanism 2014-2021, published in the Official Journal of Romania no. 838 of 21.10.2016 through the Order of the Minister of European Funds no. 2102 of 19.10.2016;
- Guidelines approved by the EEA Financial Mechanism Committee in accordance with the provisions of art. 1.5 paragraph (1) letter d) of the Regulation;
- The Programme Agreement, concluded on 05.06.2018 between the EEA Financial Mechanism Committee (hereinafter referred to as "CMF") and the National Focal Point (hereinafter referred to as the "NFP") for the implementation of the "RO-CULTURE" Programme;
- The Programme Implementation Agreement, concluded on 05.06.2018 between the NFP and the Ministry of Culture and National Identity (hereinafter MCIN), as Programme Operator;
- Government Emergency Ordinance (GEO) no. 34/2017 regarding the financial management of the non-reimbursable external funds related to the EEA Financial Mechanism 2014-2021 and the Norwegian Financial Mechanism 2014-2021, approved by Law no. 206/2017 and the Methodological Norms for the application of its provisions, approved through the Order of the Minister of Public Finance and of the Minister of Regional Development, Public Administration and European Funds no. 2840/31.10.2017;
- Order of the Minister of Culture and National Identity no. 2324/26.05.2017 on the designation of the PMU as Programme Operator for the PA14 "Cultural entrepreneurship, cultural heritage and cultural exchange" implemented through the EEA Financial Mechanism 2014-2021, hereinafter referred to as "RO-CULTURE Programme";
- Order of the Minister of Culture and National Identity no. 2678/29.08.2018 on the application of lump sums for travel and subsistence allowance financed under RO-CULTURE Programme.

The above-mentioned legal framework is not exhaustive and will be supplemented with the provisions of European and national legislation, including, but not limited to environmental, public procurement and state aid rules.

4. Objectives and horizontal principles

4.1 Objectives of the EEA Financial Mechanism 2014-2021

The RO-CULTURE Programme will contribute to the achievement of the EEA Financial Mechanism 2014-2021 objectives, namely:

- reducing economic and social disparities in the European Economic Area;
- strengthening bilateral relations between donor states and Romania.

4.2 Objectives of the RO-CULTURE Programme

The overall objective of the RO-CULTURE Programme is to strengthen economic and social development through cultural cooperation, cultural entrepreneurship and cultural heritage management.

4.3 Specific information for this call for proposals

This call for proposals will contribute to the achievement of the following outcomes and outputs:

Number	Programme results	Indicator
Outcome 1	Cultural heritage management enhanced	25% increase of the annual number of visitors to supported cultural heritage sites and/or cultural activities 70 jobs created ¹
Output 1.2	Innovative cultural exhibitions of restored objects supported	8 new exhibitions displaying restored objects 160 objects restored, listed as heritage ² and made accessible to the public 16 professional staff trained on the job ³
Bilateral outcome	Enhanced collaboration between Beneficiary and	

¹Jobs created refer to new positions generated by the project, paid from the approved budget, regardless of their duration. The project may support jobs for individuals who are already employed in the entity at the time the project was submitted and who will be involved in project implementation.

During project implementation, the indicator will be monitored disaggregated by gender, age, Roma.

²The indicator also refers to cultural objects listed as cultural heritage. In the case of cultural objects for which the classification procedure has not been launched, the indicator shall be quantified from the date of submission of the classification file in accordance with the applicable legislation. In either case, the conservation/ restoration of cultural objects and making them accessible to the public are mandatory.

³Staff trained on the job refers to acquiring competences/ abilities and/or improving existing ones of the project team members, through formal or non-formal education, such as job shadowing, mentoring, etc. Beneficiaries must have at least Level 3 education according to the European Qualifications Framework (secondary education).

During project implementation, the indicator will be monitored disaggregated by gender, Roma.

<i>Donor States entities involved in the Programme</i>		
<i>Bilateral output 1</i>	<i>International cultural cooperation in the field of cultural heritage supported</i>	7 projects involving cooperation with a donor project partner in the field of cultural heritage ⁴

At least 30% of the total non-reimbursement financial support related to selected projects within this call for proposals will be allocated to projects implemented in partnership with at least one entity from the Donor States.

In order to develop successful projects, it is recommended to consult the Programme Agreement available at: http://www.eeagrants.ro/acorduri-de-program/-/asset_publisher/Fi9hiYblo7aS/document/id/630170.

5. Definitions

For the purposes of this call for proposals, the following terms are defined as follows:

- **partnership agreement** - a document signed between the project promoter and the project partner/-s, including provisions on the roles and responsibilities of the parties, the rights and obligations of the parties for the implementation of the project, a detailed budget and provisions on payments;
- **economic activity** - supply of goods and services on a market;
- **cultural entrepreneurship** - means of enhancing the economic and social valences of cultural activities and their impact;
- **call for proposals** - a competitive method of submitting, evaluating and selecting projects that contribute to the objectives of the RO-CULTURE Programme and that comply with the provisions of the Applicant Guide;
- **contemporary art** - all original forms of artistic expression created by contemporary authors;
- **advance payment** - the first payment installment granted to the promoter by the Programme Operator, within the limit set in the project contract, in order to cover the estimated justifiable expenses of the project up to the first pre-financing payment;
- **eligible expenditure** - expenditure incurred by project promoters and their partners, as appropriate, for projects approved under this call for proposals, which may be financed according to the rules on eligibility of expenditure set out in the Regulation, the Applicant's Guide and the project contract;
- **co-financing/ own contribution** - the total amount corresponding to the eligible expenditures provided by the project promoters and project partners, if the case, for the project implementation, according to the project contract;
- **hard measure** - execution of intervention works to existing constructions for which it is compulsory to obtain a building permit according to the law/ complex construction works (except for those foreseen at art. 11 of Law no. 50/1991);
- **project contract** - an agreement between the Programme Operator and the project promoter regulating the implementation of a particular project;

⁴ During project implementation, the indicator will be monitored disaggregated by Donor State.

- **project application dossier** - all documents relating to a project submitted under this call for proposals, containing the application form, binding documents and other supporting documents;
- **double funding** – funding the costs that have already been covered/ reimbursed from the EEA Financial Mechanism or other public funds/ external grants or funding the same activities from several sources;
- **evaluation** - a systematic, objective and independent assessment of the design, implementation and/or results achieved in Programmes and projects with the aim of determining the relevance, coherence and consistency effectiveness, efficiency, impacts and sustainability of the financial contribution;
- **applicant's guide** - document containing the information necessary for the applicant to prepare and implement the project;
- **innovation** - implementing a new or significantly improved product (goods or services) or a process, a new marketing method or a new organizational method in business practices, in the organization of the workplace or in an external relationship. Innovation can be at the enterprise level, at the sector level, at national or international level. Innovation also involves the use of already developed/ available solutions/ technologies/ products on the market and their adjustment to one's needs;
- **public institution** - a generic term including the Parliament, the Presidential Administration, the ministries, the other specialized bodies of the public administration, other public authorities, the autonomous public institutions and the institutions subordinated to them, regardless of the way they are financed, as defined in art. 2 par. (1) point 30 of Law no. 500/2002 on public finances and art. 2 par. (1) point 39 of the Law no. 273/2006 on local public finances;
- **monitoring** - observation of Programme and project implementation to ensure that agreed procedures are followed, to verify progress towards agreed outcomes and outputs and to identify potential problems in a timely manner so as to allow for corrective action;
- **non-governmental organisation** - a non-profit voluntary organisation established as a legal entity, according to the provisions of GO no. 26/2000 or of the applicable legislation in the country of origin, having a non-commercial purpose, independent of local, regional and central government, public entities, political parties and commercial organisations. Religious institutions and political parties are not considered NGOs;
- **project partner** - a legal entity actively involved in, and effectively contributing to the implementation of a project. It shares with the Project promoter a common cultural, economic or social goal which is to be realised through the implementation of that project;
- **pre-financing** - payment installment granted to the promoter by the Programme Operator on the basis of the financial estimates of the eligible expenses for the interim reporting periods;
- **project** - an economically indivisible series of works fulfilling a precise technical function and with clearly identifiable aims related to the Programme under which it falls.

- **project in partnership with Donor States** - project implemented in close cooperation with a project partner whose main location is in one of the donor states;
- **project promoter** - a legal entity having the responsibility for initiating, preparing and implementing a project;
- **applicant** - public or private legal entity, established in Romania, which complies with the eligibility criteria of RO-CULTURE Programme and submits a project application dossier under a call for proposals. For projects implemented in partnership, acts as coordinator and represents the partners in the relationship with the PO, signing the project contract;
- **project grant** - the amount awarded under the project contract, consisting of the amount financed through the EEA Financial Mechanism and the national co-financing;
- **Donor States** - Iceland, Liechtenstein and Norway.

6. Financial Allocation

6.1 Total financial allocation

The total amount allocated to this call for projects is 1,285,000 Euro, consisting of:

- 1,092,250 Euro (85%) - contribution of the EEA Financial Mechanism 2014-2021;
- 192,750 Euro (15%) - national co-financing.

6.2 Financial allocation on projects

Minimum size of project grant	Maximum size of project grant	Maximum project grant rate
50,000 Euro	130,000 Euro	100% of the total eligible expenditure of the project

Co-financing/ own contribution (if any) can only be provided in cash.

In order to check compliance with the maximum size of the project grant, the applicant will use the InforEuro exchange rate from the launching month of the call for proposals.

7. Eligibility

7.1 Applicant's eligibility

An **eligible applicant** for this call for proposals shall be the **entity** that fulfills **cumulatively** the following criteria:

- a. is a legal entity established in Romania;
- b. is a public cultural institution (museum, theatre, opera, operetta, philharmonic, library, archive, cultural center, etc.);

c. when applying for funding, is the owner **or** has another right in rem over the cultural objects to be preserved/ restored, classified (if the case), listed as heritage and made accessible to the public within the project;

d. if the applicant has a right in rem, other than the ownership, over the cultural objects envisaged within the project, the following conditions are fulfilled cumulatively:

- ✓ the applicant's right is valid from the moment the project is submitted, during the entire implementation period of the project and for a period of at least 5 years after the approval of the final report by the Programme Operator;
- ✓ the applicant has obtained the owner's consent regarding the preservation/ restoration, listing as heritage (if applicable) and accessibility of the cultural objects throughout the project implementation period and for a period of at least 5 years after the approval of the final report by the Programme Operator **OR** the right to preserve/ restore, list as heritage and make accessible to the public the cultural objects results unequivocally from the documents on the basis of which the right was acquired;

e. [*in case of projects including works for which the legislation does not require a building permit*] has ownership **or** has another right in rem **or** or a right of use based on a rental or free loan contract over the space envisaged by the project. If case the applicant has a right in rem other than ownership or has a right of use under, the right is valid from the moment the project is submitted, during the whole project implementation period and for a period of at least 5 years after the approval of the final report by the Programme Operator and the applicant has obtained the owner's consent to carry out the works, to make the restored cultural objects accessible to the public **and** to use the space for the purpose of the project, the moment the project is submitted, for the whole project implementation period and for a period of at least 5 years from the approval of the final report of the project by the Operator Programme **OR** the right to carry out the works and to use of space for the purpose of the project during the aforementioned period results unequivocally from the documents on the basis of which the right was acquired;

g. does not fall in any of the following situations:

1. the applicant is bankrupt or is the subject of insolvency or winding-up proceedings, is having its affairs administered by the courts, is subject to preventive conciliation, ad hoc mandate or other arrangement with creditors, has suspended its business activities, is the subject of proceedings concerning those matters, or is in any analogous situation arising from a similar procedure under European or national legislation or regulations;
2. the applicant has not fulfilled its obligations relating to the payment of social security contributions, taxes and fees to the local or state budgets in accordance with the legal provisions in force and does not benefit, according to the law, from their deferment or other facilities for their payment, including, where appropriate, any interest or penalties for late payment or fines. This condition does not apply when the amount of the net payment obligations is less than 1/12 of the total liabilities due to the state budget in the last 12 months or the value of the payment obligations is less than 1/6 of the total liabilities due to the budget local in the last quarter;

3. the applicant or its legal representative has been the subject of a judgment which has the force of *res judicata* for fraud, corruption, involvement in a criminal organisation, money laundering, terrorist financing terrorist offences or offences linked to terrorist activities, child exploitation or other forms of trafficking in human beings or any other illegal activity affecting the financial interests of the European Union or the international public donors, including final convictions in cases relating to the obtaining and use of non-reimbursable funds (European and/or international public donors) and the corresponding national public funds;
4. the applicant or its legal representative has been convicted by a final judgment (*res judicata*) for an offence concerning their professional conduct;
5. the applicant or its legal representative has been the subject of a judgment or administrative decisions that are final (*res judicata*) in respect of grave professional misconduct, because they have violated the laws, regulations or ethical standards of the profession to which the applicant belongs or because they are guilty of any abusive conduct affecting their professional credibility when this behavior betrays a fraudulent intent or serious negligence;
6. the applicant or its legal representative has attempted, either directly or through interference, to obtain confidential information or to influence the Programme Operator's evaluators during the process of evaluating applications for funding under this call for proposals or other calls for projects under the RO-CULTURE Programme;
7. the applicant or its legal representative provided false information to the Programme Operator, fails to provide or is unable to provide the requested information/ supporting documents for the selection of the project for funding;
8. the applicant or its legal representative is in any situation of conflict of interest, defined in accordance with applicable national/ European legal provisions, which may arise in connection with this call for proposals (a conflict of interest may arise in particular as a result of economic interests, political or national affinities, family or emotional ties, or any other relevant connection or any other common interest);
9. the applicant or its legal representative informed with delay the Programme Operator of any situation that would constitute a conflict of interest or could give rise to a conflict of interest.

h. is not a religious institution or political party;

i. is directly responsible for project initiation, preparation, implementation and sustainability, together with project partners (if applicable);

j. has sufficient and stable sources of financing and professional skills and qualifications required to implement the project and ensure its sustainability;

k. has the resources necessary to ensure its own co-financing/ contribution from the eligible project costs, if any;

- l. has the necessary resources to finance all ineligible costs (including related costs) related to the project and to cover any financial corrections resulting from the implementation of the project, if any;
- m. has not received and does not receive financial support from public funds / non-reimbursable external funds for the implementation of the project submitted under this call for proposals (identity of objectives, results, activities, etc.) or of project activities;
- n. undertakes to inform the Programme Operator immediately when the project/ activities in the project is/are approved for financing from other public funds/ non-reimbursable funds after its submission under this call for proposals.

The applicant will not be awarded the grant if the information provided in the project application does not correspond to the supporting documents submitted in the pre-contracting and contracting phases.

7.2 Eligibility of project partners

The project can be implemented in partnership with one or more entities from Romania and/or Donor States.

Partners must be able to carry out relevant activities within the project. The applicant must describe in the application form the added value of the involvement of each party in the project implementation

The partnership cannot constitute a disguised award of a public procurement contract, i.e. it must not restrict competition on the goods or services market by entering into a partnership with a potential service provider and should not affect the effective use of public funds in terms of costs involved.

7.2.1 Eligible project partners

The eligible **project partner** is the **entity** that fulfills **cumulatively** the following criteria:

- a. is a legal entity established in the state of origin in accordance with the applicable law;
- b. falls into one of the following categories:

A. Project partners from Romania:

- non-governmental organization, which:
 - is a NGO according to the definition provided in section 5 of this Guide **and**
 - is established on the basis of Government Ordinance no. 26/2000 on associations and foundations, as subsequently amended and supplemented **and**
 - has been established for at least 2 years (related to the launch date of the call for proposals) **and**
 - its activity, according to its legal documents, is, *inter alia*, in the cultural and creative sectors, as defined in EU Regulation no. 1295/2013;
- a trading company that:
 - is established on the basis of Law no. 31/1990 on trading companies (republished), as subsequently amended and supplemented **and**

- is considered a SME (micro, small or medium enterprise, as defined by the EC Recommendation no.2003/361/CE) **and**
 - has been established for at least 2 years (related to the launch date of the call for proposals) **and**
 - its activity, according to its legal documents, is, *inter alia*, in the cultural and creative sectors, as defined in EU Regulation no. 1295/2013;
- cooperative company, which:
 - is established on the basis of Law no. 1/2005 on the organization and functioning of the cooperative (republished), as subsequently amended and supplemented **and**
 - is considered a SME (micro, small or medium enterprise, as defined by the EC Recommendation no.2003/361/CE) **and**
 - has been established for at least 2 years (related to the launch date of the call for proposals) **and**
 - its activity, according to its legal documents, is, *inter alia*, in the cultural and creative sectors, as defined in EU Regulation no. 1295/2013;
- public cultural institution (museum, theatre, opera, operetta, philharmonic, library, archive, cultural center, etc.);
- research institution;
- education institution.

B. Project partners from Donor States:

- any public or private entity, commercial or non-commercial, as well as non-governmental organisations, as defined in Section 5 of this Guide, established as a legal entity in one of the Donor States.

c. does not fall in any of the following situations:

1. the partner is bankrupt or is the subject of insolvency or winding-up proceedings, is having its affairs administered by the courts, is subject to preventive conciliation, ad hoc mandate or other arrangement with creditors, has suspended its business activities, is the subject of proceedings concerning those matters, or is in any analogous situation arising from a similar procedure under European or national legislation or regulations;
2. the partner has not fulfilled its obligations relating to the payment of social security contributions, taxes and fees to the local or state budgets in accordance with the legal provisions in force and does not benefit, according to the law, from their deferment or other facilities for their payment, including, where appropriate, any interest or penalties for late payment or fines. This condition does not apply when the amount of the net payment obligations is less than 1/12 of the total liabilities due to the state budget in the last 12 months or the value of the payment obligations is less than 1/6 of the total liabilities due to the budget local in the last quarter;
3. the partner or its legal representative has been subject of a judgment which has the force of *res judicata* for fraud, corruption, involvement in a criminal organisation, money laundering, terrorist financing terrorist offences or offences linked to terrorist activities, child exploitation or other forms of

trafficking in human beings or any other illegal activity affecting the financial interests of the European Union or the international public donors, including final convictions in cases relating to the obtaining and use of non-reimbursable funds (European and/or international public donors) and the corresponding national public funds;

4. the partner or its legal representative has been convicted by a final judgment (*res judicata*) for an offence concerning their professional conduct;
 5. the partner or its legal representative has been subject of a judgment or administrative decisions that are final (*res judicata*) in respect of grave professional misconduct because they have violated the laws, regulations or ethical standards of the profession to which the applicant belongs or because they are guilty of any abusive conduct affecting their professional credibility when this behavior betrays a fraudulent intent or serious negligence;
 6. the partner or its legal representative has attempted, either directly or through interference, to obtain confidential information or to influence the Programme Operator's evaluators during the process of evaluating applications for funding under this call for proposals or other calls for projects under the RO-CULTURE Programme;
 7. the partner or its legal representative has provided false information to the Programme Operator, fails to provide or is unable to provide the requested information/ supporting documents for the selection of the project for funding;
 8. the partner or its legal representative is in any situation of conflict of interest, defined in accordance with applicable national/ European provisions, which may arise in connection with this call for proposals (a conflict of interest may arise in particular as a result of economic interests, political or national affinities, family or emotional ties, or any other relevant connection or any other common interest);
 9. the partner or its legal representative informed with delay the Programme Operator of any situation that would constitute a conflict of interest or could give rise to a conflict of interest.
- d. is actively involved in and contributes to project implementation;
- e. has sufficient and stable sources of financing, as well as the professional skills and qualifications required to carry out its responsibilities under the project (including in the sustainability period, if applicable);
- f. has the necessary resources to provide its own contribution to the eligible project costs, if any;
- g. has the necessary resources to finance ineligible costs (including associated costs) related to the activities carried out and to cover any financial corrections resulting from their implementation, if any;
- h. did not and does not benefit from or receive financial support from public funds/ non-reimbursable external funds for the implementation of the project submitted under this call for proposals (same objectives, results, activities, etc.) or project activities;

i. undertakes to inform the Programme Operator immediately when the project/ project activities is/are approved for financing from other public funds/ non-reimbursable external funds after its submission under this call for proposals.

Religious institutions and political parties are not eligible partners regardless of their legal statute.

An entity may participate as partner in an unlimited number of projects within this call.

7.2.2 Partner selection

The selection of a private entity partner from Romania and/or the Donor States will comply with the provisions of GEO nr. 34/2017 and of Order of the Minister of Public Finance no. 2840/31.10.2017, respectively:

- For private project partners from Romania shall:
 - Make public the intention to establish a partnership with private entities in order to implement a project financed under the RO-CULTURE Programme, via national media channels or via the internet;
 - State in the public notice the main activities of the project and the minimum conditions for the partners to fulfill;
 - Prove that the selected partners are amongst the private entities that responded to the public notice (a selection report or an equivalent document);
- For private project partners from Donor States shall:
 - Provide evidence that partners have been selected from organizations with activities consistent with the specific objectives of the project.

Partnerships with entities from Donor States is encouraged.

7.2.3 Partnership Agreement

If a project is implemented in partnership with one or more entities, it is mandatory to conclude a **Partnership Agreement between the project promoter (applicant) and the partner entity (-ies)** respecting the template provided by the Programme Operator.

The Partnership Agreement must contain the following information:

- a) the roles and responsibilities of the parties;
- b) provisions on the financial agreements between parties, including, but not limited to, provisions related to the expenditure allocated to the project partner in the project budget;
- c) provisions on the method of calculating the overheads and their maximum amount;
- d) rules on the exchange rate taken into account for expenditures and its reimbursement;
- e) provisions on audits on the project partners;

- f) a detailed budget;
- g) provisions on dispute resolution.

The project application dossier will include a partnership letter of intent respecting the template attached to this Guide.

The Partnership agreement will be submitted to the Programme Operator in the contracting phase.

The partnership letter of intent and the Partnership agreement will be concluded in English if at least one of the parties is an entity from the Donor States.

7.3 Eligibility of the project / activities

7.3.1 Types of eligible projects

In order to be funded under this call for proposals, projects must contribute to the achievement of the EEA Financial Mechanism and RO-CULTURE Programme objectives as well as to the achievement of the dedicated Programme Indicators.

The relevance of the project will be evaluated in the technical and financial evaluation phase.

To be eligible, the project must result in the following minimum target values for Programme Indicators:

Number	Programme Results	Indicator
Outcome 1	Cultural heritage management enhanced	<i>25% increase of the annual number of visitors to supported cultural heritage sites and/or cultural activities</i> <i>2 jobs created</i>
Output 1.2	<i>Innovative cultural exhibitions of restored objects supported</i>	<i>1 new exhibition displaying restored objects</i> <i>1 object restored, listed as heritage and made accessible to the public</i> <i>2 professional staff trained on the job</i>

* Attention! Please see the explanations provided in the footnotes in section 4.3.

The baseline value of the results-associated indicators, mentioned in the application form, must be “0”, except for the indicator “Percentage of increase of the annual number of visitors to supported cultural heritage sites and/or cultural activities”, whose baseline value will be established by the applicant.

For the cultural objects which will be listed as heritage (if the case) and preserved/restored, the applicant will submit a scientific justification to support the need for restoration, protection, conservation, valorization and the potential of the objects to be listed as cultural heritage (if the case), by filling in the specific fields from the document *Summarizing table on the legal status and scientific justification regarding the need for restoration, protection, conservation, valorization and the potential of the objects to be listed as cultural heritage (if the case)*, respecting the template attached to this Guide.

7.3.2 Location of projects/ activities

All activities of a project must be carried out in Romania or in the Donor States. However, if there is an adequate justification convergent to the Programme objectives, exceptions are allowed for activities involving know-how exchange, training, study visits, attendance at seminars/ conferences/ exhibitions or other similar events that may take place in other beneficiary countries (referred to as in Article 6 of Protocol 38c).

7.3.3 Types of eligible activities

The following categories of activities are considered eligible:

- research activities on preserved/ restored cultural objects, including expertise and laboratory analysis;
- elaboration and submission for approval of the documentation for listing the cultural objects as heritage;
- preservation, restoration, protection and valorization of cultural objects;
- training/ professional development activities of project team members through formal and non-formal training activities (job shadowing, mentorship, etc.), study visits, etc.;
- setting up (including refurbishing works without a building permit⁵) innovative exhibitions, permanent or temporary, of the preserved/ restored cultural objects by using new technologies;
- organizing cultural programmes related to the preserved/ restored cultural objects;
- making specific presentations within specialized scientific events (communication sessions, colloquia, etc.);
- scientific valorization of preserved/ restored cultural objects, for example through scientific publications (articles, studies, research, etc.);
- audience development activities and increasing the number of participants to cultural activities.

The above-mentioned types of activities are not limitative but merely exemplary. Activities other than the above may be considered eligible if the applicant provides the need to carry them out for the purpose of project implementation, respecting the Programme's objectives and results.

The maximum number of activities is 5.

The activity **Project management, monitoring and control** is predefined in the application form and it envisages the project management and implementation measures, including internal monitoring and evaluation measures.

Cumulative requirements regarding the building and - to have an open real estate register;
- are free of all encumbrances and easements that could affect project implementation,

⁵ Categories of works foreseen at art. 11 of Law no. 50/1991.

corresponding land envisaged by works:

- are not subject of any litigation regarding the ownership or any other right invoked by the applicant to implement the project, pending trial in court,
- are not subject of claims under special or common laws.

7.3.4 Ineligible projects/ activities

Under this call for proposals, are not eligible the projects/ activities that:

- aim at carrying out economic activity (as defined in Section 5 of this Guide) by the project promoter and/or partners subject to the State aid rules⁶;
- aim, exclusively or essentially, at academic research, conferences and other singular events, infrastructure, individual sponsorship for participation to workshops, seminars, conferences and congresses;
- aim at obtaining individual scholarships or training;
- envisage/ include refinancing operations (e.g. use of grant to be awarded to other organizations or individuals/ legal entities as grants or loans);
- focus on the purchase of equipment;
- envisage the implementation of an annual programme of current activities (the application form must be drawn up for a specific project as a set of well-defined and correlated activities leading to concrete results within a well-defined timeframe);
- have as objective the improving of Roma situation or exclusively provide activities dedicated to Roma minority;
- are already funded under the EEA Financial Mechanism or by other donors;
- include a hard measure, as defined in Section 5 of this Guide / include complex construction works (for which a building permit is required);
- include the restoration of complex structures such as buildings (e.g. houses in open-air museums);
- do not comply with the minimum target values for the Programme Indicators, detailed in section 7.3.1 of this Guide.

Submission of a project application dossier under this call shall not aim at ensuring co-financing for another project.

7.3.6 Project Duration

The project duration is between **6 months and 24 months**, starting with the date of

The period of eligibility of expenditure covers the entire project implementation period.

⁶ The project promoter (the applicant) will ensure that during the project implementation and sustainability periods, no economic activity falling within the scope of the State aid rules is carried out, whether the activity is implemented by the project promoter or the partners, if the case. However, if there are any revenue-generating activities, the project promoter (the applicant) will report to the Programme Operator without delay and ensure that they do not exceed operational costs and will be used to ensure project implementation/ sustainability.

7.4 Eligibility of expenditure

7.4.1 General principles on eligibility of expenditure

Eligible expenditures of projects are those actually incurred within the project, which meet the following criteria:

- a) they are incurred between the first and final dates of eligibility of a project as specified in the project contract;
- b) they are connected with the subject of the project contract and they are indicated in the detailed budget of the project;
- c) they are proportionate and necessary for the implementation of the project;
- d) they must be used for the sole purpose of achieving the objective(s) of the project and its expected outcome(s), in a manner consistent with the principles of economy, efficiency and effectiveness;
- e) they are identifiable and verifiable, in particular through being recorded in the accounting records of the project promoter and/or project partner and determined according to the applicable accounting standards of the country where the Project promoter and/or project partner is established and according to generally accepted accounting principles;
- f) they comply with the requirements of applicable tax and social legislation.

Expenditures are considered to have been incurred when the cost has been invoiced, paid and the subject matter delivered (in case of goods) or performed (in case of services and works). Exceptionally, costs in respect of which an invoice has been issued in the final month of eligibility are also deemed to be incurred within the dates of eligibility if the costs are paid within 30 days of the final date for eligibility.

Overheads and depreciation of equipment are considered to have been incurred when they are recorded on the accounts of the Project promoter and/or project partner.

Eligibility of costs incurred by partners comply with the same rules that apply to the costs incurred by the applicant/ project promoter.

7.4.2 Procurement

Applicable national and European Union law on public procurement shall be complied with at any level in the implementation of projects funded under the RO-CULTURE Programme.

The national legislation applicable to project promoters and Romanian partners is represented, *inter alia*, by Law no. 98/2016 on public procurement and of the Order of the Minister of European Funds no. 1284/2016 *regarding the approval of the Competitive Procedure Applicable to Private Applicants/ Beneficiaries for the Award of Supply Contracts, Services or Works Funded by European Funds*.

Procurement carried out by foreign partners will comply with the applicable law on public procurement in the country of origin and with 8.15 of the EEA Regulation.

7.4.3 Eligible expenditure

Under this Call for Proposals, the following categories of expenditure are eligible:

a) **Project management costs**, including:

- costs of project management staff assigned to the project, comprising actual salaries plus social security charges and other statutory costs included in the remuneration, provided that this corresponds to the Project promoter's and project partner's usual policy on remuneration;
- travel and subsistence allowances for management staff;
- costs of consultancy and expertise related to project management;
- fees for experts on project management;
- costs with depreciation of tangible and intangible assets related to project management;
- costs of translation and interpreting services;
- costs of audit services (project promoter);
- costs of consumables and inventory items related to project management.

Project management costs will not exceed 30% of the total amount of direct eligible expenditure.

b) **Costs related to the preservation, restoration, listing as heritage and research of cultural objects**, including but not limited to:

- costs of project staff assigned to the project, comprising actual salaries plus social security charges and other statutory costs included in the remuneration, provided that this corresponds to the Project promoter's and project partner's usual policy on remuneration;
- travel and subsistence allowances for staff;
- fees for experts;
- costs of tangible and intangible assets;
- costs of services;
- costs of consumables and inventory items;
- costs with depreciation of tangible and intangible assets;
- other costs.

c) **Costs related to the organization of exhibition/ cultural programmes/ scientific valorisation of restored cultural objects**, including but not limited to:

- costs of project staff assigned to the project, comprising actual salaries plus social security charges and other statutory costs included in the remuneration, provided that this corresponds to the Project promoter's and project partner's usual policy on remuneration;
- travel and subsistence allowances for staff;
- fees for experts;
- costs of tangible and intangible assets;
- costs of services;
- costs of consumables and inventory items;

- costs with depreciation of tangible and intangible assets;
- costs of refurbishing works related to the exhibition space that do not require a building permit;
- costs with travelling exhibitions of restored objects;
- other expenses.

d) **Information and publicity costs** arising from visual identity requirements, including, but not limited to:

- costs of design, processing and printing of visibility materials;
- costs of website development and maintenance, according to communication plan;
- costs for organizing promotion events;
- costs for purchasing billboards/ plaques;
- other information and publicity costs arising from visual identity requirements.

e) **Costs related to formal and non-formal training**, including, but not limited to:

- costs of formal and non-formal training;
- travel costs related to formal and non-formal training;
- fees for experts involved in formal and non-formal training.

f) **Costs of Donor States partners** related to activities carried out by Donor States entities according to the Partnership Agreement and respecting the type of costs applicable to project partners.

g) **Overheads** related to utilities: electricity, heating, water, sanitation, sewage, natural gas; telephone, fax, postal services, delivery and communication networks; costs of salaries for administrative staff (janitor, guardian) or contract-based administrative services (security, cleaning); rent.

Overheads are those eligible costs that cannot be identified by the Project promoter and/or the project partner as being directly attributed to the project but which can be identified and justified by its accounting system as being incurred in direct relation with the eligible direct costs attributed to the project. They may not include any eligible direct costs.

Overheads represent a flat rate of maximum 15% of the direct eligible costs of own staff⁷.

h) **Contingency**, which relate to costs that could not be identified during project preparation (e.g. legislative changes, natural disasters, etc.). **Contingency represent a flat rate of maximum 5% of the total eligible direct costs of the project.**

Travel costs will be budgeted and disbursed only as lump sums. The real cost method is not applicable.

When **tangible/ intangible assets** are purchased, only the depreciation rate corresponding to the project duration and the rate of actual use for the purposes of the project may be considered eligible expenditure. **By exception**, if the asset is an integral

⁷ When calculating overheads, the Project Promoter will take into account only the direct eligible costs of its own staff involved in the project.

and necessary component for achieving the outcomes of the project, its entire purchase price⁸ may be eligible. In this situation, the Project promoter has the obligation to:

- ✓ keep the asset in its ownership for a period of at least 5 years following the completion of the project and continue to use it for the benefit of the overall objectives of the project for the same period;
- ✓ keep the asset properly insured against losses such as fire, theft or other normal insurable incidents, both during project implementation and for at least 5 years following the completion of the project;
- ✓ sets aside appropriate resources for the maintenance of the asset for at least 5 years following the completion of the project.

Only the costs of purchasing and depreciation for new assets are eligible.

Where **refurbishing works are envisaged** (for which a building permit is not required), the Project promoter shall have the following obligations:

- ✓ the space cannot be sold, rented or mortgaged for five years following the completion of the project;
- ✓ the space is operational and will be used exclusively for the benefit of the project objectives throughout the project sustainability period as outlined in section 13 of this Guide.

RULES APPLICABLE TO PROJECT PARTNERS

For the project partners, only the following types of expenditure will be eligible, regardless of the category of expenditure:

- **costs of project staff assigned to the project, comprising actual salaries plus social security charges and other statutory costs included in the remuneration, provided that this corresponds to the Project promoter's and project partner's usual policy on remuneration;**
- **travel and subsistence allowances for staff;**
- **fees for experts;**
- **costs of consumables and inventory items;**
- **rental costs (space and assets) related to organizing events/ exhibitions/ etc. – only for Donor States partners;**
- **costs of audit services* - only for Donor States partners.**

* The audit report must be drawn up according to art 8.12.4 from the EEA Regulation, as follows:

- a report by an independent auditor qualified to carry out statutory audits of accounting documents, certifying that the claimed costs are incurred in accordance with the Regulation, the national law and relevant national accounting practices;

OR

- a report issued by a competent and independent public officer recognised by the relevant national authorities as having a budget and financial control capacity over the entity incurring the costs and who has not been involved in the preparation of the

⁸ The “entire purchase price” refers to the cost paid from the project grant and/or co-finance, by excluding the fraction which is covered from other sources.

financial statements, certifying that the claimed costs are incurred in accordance with the Regulation, the relevant law and national accounting practices.

Project partners cannot include other types of expenditure in the budget. If the case, the Programme Operator will declare them ineligible!

The estimated costs will be realistic. They must be reasonable and in line with market prices.

For all types of costs included in the budget (excluding overheads), it should be taken into account that the justification of expenditure must be based on supporting documents (evidence of market prospecting, offers, similar contracts or any other supporting documents considered useful). The estimated costs must be justified in relation to activities to be carried out and their complexity.

When drafting the budget, the percentage thresholds mentioned in the *Budget Guidelines* shall not be exceeded.

The value added tax will be reflected distinctly in the budget, as follows:

- In case the Project promoter/ partner is not a VAT payer (does not recover VAT), the non-recoverable VAT is eligible under the project.
- If the Project promoter/ partner can recover VAT, it is considered as ineligible within the project;
- If VAT can be recovered only partially, only the part that cannot be recovered is eligible.

In case of change of VAT non-payer status during project implementation, the Project promoter/ partner has the obligation to notify the Programme Operator and to comply with the new method.

7.4.4 Ineligible expenditure

The following costs are not eligible:

- any expenditure incurred prior to the entry into force of the project contract for the activities envisaged in the project;
- the cost of purchasing real estate and land not built on;
- the cost of purchasing cultural objects;
- interest on debt, debt service charges and late payment penalties;
- charges for financial transactions and other purely financial costs, except costs of financial services imposed by the project contract;
- provisions for losses or potential future liabilities;
- exchange losses;
- recoverable VAT;
- costs that are covered by other sources;
- fines, penalties and costs of litigation;
- excessive or reckless expenditure;

- costs of works for which a building permit is required;
- costs for the restoration of complex structures such as buildings (e.g. houses in outdoor museums).

Ineligible costs will be fully covered by the Project promoter or project partners.

7.5 Project budget

The project budget is drafted in Lei, according to the informative template attached to this Guide. In order to check if the allowed maximum size of project grant is respected, the applicant shall take into account the InforEuro exchange rate from the month of launch of the call for proposals.

The budget must cover the total eligible costs of the project, not just the project grant. All costs will be detailed on budget lines/ in-lines, following the instructions included in the template. When drawing up the budget, the percentage thresholds shall not be exceeded.

When filling in the budget in the electronic system, the applicant will take into consideration all the information provided in the budget template annexed to this Guide, including the predefined information (unit rate, quantities, percentages etc.).

In a partnership project, no more than 40% of the total eligible project budget shall be allocated to the project partner/-s.

8. Use of the euro exchange rate

The total value of the project contracts concluded between the Programme Operator (PO) and the project promoters (PPs), subject to the project grant, is expressed in Lei and Euro, calculated at the InforEuro exchange rate valid at the date of signing the contracts.

For projects implemented in partnership with a legal entity established in one of the Donor States, there will be

e taken into consideration the InforEuro exchange rate of the month in which payments are made.

9. State aid

Under this call for proposals, projects or activities falling under the State aid rules are not funded.

10. Projects preparation and submission

In order to evaluate the project submitted for funding under this call for proposals, the applicant must prepare and submit the project application dossier in accordance with the requirements set out in this Guide.



An entity may submit as applicant **maximum two project application dossiers** within this call.

For those applicants whose projects were rejected in the administrative compliance and eligibility check phase can remedy the deficiencies communicated through the *Notification regarding the evaluation result* and can re-submit a revised version of the project, within the deadline for this call, e.g. **03.05.2019 ora 23:59**. The revised version of the project application dossier re-submitted will not be quantified as a different project.

For those applicants who do not comply, at the expiration time of submission, with the rule on the maximum number of projects, all their project application dossiers submitted under this call will be rejected.

- The applications will be submitted exclusively in electronic format, through the Programme's electronic management system, by accessing the following link: <https://emsc.ro-cultura.ro>
- The application form will be filled in online, directly in the Programme's electronic management system.
- In the evaluation process, only the information/ documents uploaded and validated in the Programme's electronic management system will be taken into consideration.
- Handwritten, postal, courier, e-mail or fax applications will not be accepted.

10.1 Procedure for submitting the project application dossier

In order to submit the project application dossier in the Programme's electronic management system, a qualified electronic signature, based on a qualified certificate, unsuspended or unrevoked at the time of electronic signing the documents, is required.

Detailed information on project submission and the use of the Programme's electronic management system can be found in the *User Manual*, available on the Programme's website www.ro-cultura.ro It also provides information on how to proceed in case of technical problems.

The user account is created on the entity's behalf, identified through the fiscal registration number/ unique registration number.

Attention! The project budget is an integral part of the application form and cannot be uploaded separately. The budget template along with the instructions, attached to this Guide, has only an informative role.

It is mandatory to fill in all sections/ fields included in the template application form. If the information requested in a section/ field of the application form is not applicable to the project, the applicant will mention “Not applicable”.

Sections/ fields of the application form and pre-defined mandatory documents, if the case, may be edited, filled in and saved along the way.

The applicant cannot make any changes to the project application dossier after the validation of the project or after the deadline as set out in this Guide, except for those sections of the application form or pre-defined binding documents whose content has been modified by the Programme Operator due to some corrigenda related to the Applicant’s Guide.

10.2 Specific requirements for electronic signature of documents



The qualified electronic signature must be assigned to the legal representative of the applicant/ partner or to an assignee to act in the name and on behalf of the applicant/ partner (if applicable) within this call for proposals.

- The application form and the mandatory pre-defined statements/ documents of the **applicant** must be filled in and electronically signed by the legal representative of the applicant/ its assignee.
- The mandatory pre-defined statements/ documents of the **partner**, if any, must be filled in and electronically signed by the legal representative of the partner/ its assignee. **By exception**, in the case of the Donor States partners, the documents may be hand-signed and afterwards uploaded (scanned version) in the Programme's electronic management system, if the legal representative of that partner doesn't have a qualified electronic signature, the conformity with the original being certified by the qualified electronic signature of the applicant's legal representative/ assignee.
- **Joint** mandatory pre-defined declarations/ documents (concluded between the applicant and the partner/-s) must be filled in and electronically signed by the legal representative of the applicant/ its assignee and each partner/ its assignee. **By exception**, in the case of the Donor States partners, the documents may be hand-signed by all the parties and afterwards uploaded (scanned version) in the Programme's electronic management system, if at least one of the legal representatives of the Donor States partners doesn't have a qualified electronic signature, the conformity with the original being certified by the qualified electronic signature of the applicant's legal representative/ assignee.
- Documents **uploaded in copy (scanned version)** into the Programme's electronic management system, other than the application form and mandatory pre-defined statements/ documents, must be electronically signed by the legal representative of the applicant/ its assignee or partner/ its assignee (if those documents belong to that partner), except for the Donor State partners' documents

on which the applicant's qualified electronic signature may be applied, if the legal representative of that partner doesn't have a qualified electronic signature. The qualified electronic signature applied on a copy of a document certifies its compliance with the original.

10.3 The content of the project application dossier

The project application dossier shall include all the forms, mandatory pre-defined documents and supporting documents submitted by an applicant in order to obtain a grant namely:

- a) **Application form**, including the project budget, completed and uploaded by the applicant in the Programme's electronic management system, as instructed in Section 10.2 of this Guide;
- b) *General documents belonging to the applicant, uploaded in the Programme's electronic management system after being electronically signed (as instructed in Section 10.2 of this Guide):*
 - **The nomination/ appointment documents of the legal representative of the applicant** (eg management contract concluded between the manager of the public cultural institution and the central or local public authority, etc.), in copy;
 - Where appropriate, **the power of attorney** for a person other than the legal representative (representation mandate) issued by the legal representative/ administrative body of the applicant to act on behalf of the applicant for application submission within this call for proposals, either in original as digitally signed document by advanced electronic signature of the applicant's legal representative or a copy.

The power of attorney shall include at least the following:

- explicit statement that the legal entity and its legal representative are not in any of the situations mentioned in section 7.1 letter f of this Guide;
- the explicit assumption that the information provided in the application is real and correct and the requested financial support is necessary for the project as described in the application;
- the rights and obligations given to the assignee to submit the application and to the electronic signing of documents (e.g. the right to manage the account of the legal entity created in the electronic management system of the Programme, the right to sign all documents related to the submission of the application/ answers to the clarification requests, etc.).

Any document signed by the assignee should fall within one of the rights/ obligations mentioned in the power of attorney.

- **Applicant's statement**, in original - a mandatory pre-defined document in the Programme's electronic management system - filled in with the data of the legal representative of the applicant/ assignee;

- **Statutory/ articles of association/ establishment** documents of the applicant (e.g. legal or administrative document of establishment and management contract for public cultural institutions, articles of association etc.), accompanied by any subsequent amendments, if any, in copy;
 - **Document certifying the tax registration** of the applicant (e.g. tax registration certificate), in copy;
 - *[In the case of projects implemented in partnership with one or more private entities]*: documents proving compliance with the selection process of private partners, in copy, respectively:
 - for partners registered in Romania:
 - ➡ **prior public notice** regarding partner selection, containing the main project activities and the minimum conditions to be met by the partners **and**
 - ➡ **proof of the publication** of the notice in national media channels or internet **and**
 - ➡ **the selection report/ equivalent document** drawn up by the applicant (proving that partners were selected from the private entities that responded to the public notice);
 - for partners registered in the donor states:
 - ➡ **proof** that partners have been selected from organizations that have areas of work consistent with the specific objectives of the project.
- c) *General documents for each partner (if any) uploaded into the Programme's electronic management system after being electronically signed (as instructed in Section 10.2 of this Guide):*
- **The nomination/ appointment documents of the legal representative of the partner** (e.g. the court decision validating the mayor's mandate/ the decision of the county council on the election of the president, extract from the special register of associations and foundations, the management contract, the confirmation of (registered) company details issued by the Register of Companies, etc.), in copy;
 - If necessary, **the power of attorney for a person** other than the legal representative (representation mandate), issued by the legal representative/ management board, to act on behalf of the legal entity within this call for proposals, either in original, as a document electronically signed by the partner's legal representative, or in copy.
- The power of attorney shall include at least the following:
- explicit statement that the legal entity and its legal representative are not in any of the situations mentioned in section 7.2.1 letter c of this Guide;
 - the explicit assumption that the information provided in the application is real and correct and the requested financial support is necessary for the project as described in the application;
 - the rights and obligations given to the assignee to submit the application and to the electronic signing of documents (e.g. the right to manage the account of the legal entity created in the electronic management system of

the Programme, the right to sign all documents related to the submission of the application/ answers to the clarification requests, etc.).

Any document signed by the assignee should fall within one of the rights/ obligations mentioned in the power of attorney.

- **Partner's statement in original (or in copy, in the case of the Donor State partners which don't have a qualified electronic signature)** – mandatory pre-defined document in the Programme's electronic management system - filled in with data of the legal representative of the partner/ its assignee;
 - **Statement on type and category of enterprise**, in original - mandatory document (in the case of companies or co-operative companies registered in Romania), pre-defined in the electronic management system of the Programme – filled in with the data of the legal representative of the partner/ assignee;
 - **Statutory/ articles of association/ establishment documents** (e.g. legal/ administrative document of establishment and operation, articles of association, etc.), according to the applicable law in the country of origin (Romania or one of the Donor States), accompanied by any subsequent changes, if any, in copy;
 - **Documents certifying the registration of a private legal entity** (registration or any other form of registration provided by law made for the purpose of obtaining legal status or recording of legally established legal persons, as applicable), according to the applicable law in the origin country, in copy
Particularly:
 - **In case of NGOs registered in Romania**, the supporting document is the registration certificate in the special register of associations and foundations with all amendments until the validation date of the project application dossier;
 - **In case of commercial or cooperative companies** registered in Romania, the supporting document is the certificate issued by the National Trade Register, with all amendments until the validation date of the project application dossier.
 - **The document certifying the tax registration** according to the legislation of the country of origin, in copy.
- d) *Joint documents (signed between applicant and partner/-s), if any, uploaded into the Programme's electronic management system after being electronically signed (as instructed in Section 10.2 of this Guide):*
- **Partnership Letter of Intent**, in Romanian (if all parties are from Romania) or in English (if at least one partner is from the Donor States), in original (or in copy, in case at least one of the partners is from the Donor States and that partner does not have a qualified electronic signature) – mandatory pre-defined document in the Programme's electronic management system, filled in with the Applicant's and each Partner's information;
- e) *Specific documents for project activities uploaded into the Programme's electronic management system after being electronically signed (as instructed in Section 10.2 of this Guide):*

- **Summarizing table on the legal status and scientific justification regarding the need for restoration, protection, conservation, valorization and the potential of the objects to be listed as cultural heritage (if the case)**, in original - mandatory pre-defined document in the Programme's electronic management system;
- **A .PDF document containing photos of each cultural object** proposed for preservation/ restoration and listing as heritage, **if the case** (relevant and clear color photo, named as the corresponding cultural object), illustrating the state of preservation of the object, in original.
- *[In case of projects involving refurbishing works to the exhibition space of the restored cultural objects, for which a building permit is not required]:*
 - ➔ **Urban planning certificate** and/ or address of the county/ local public authority/ written point of view attesting that the refurbishing works on the exhibition space foreseen in the project do not require a building permit, in copy;
 - ➔ **Certification/-s from the Land Registry** regarding the building affected by the refurbishing works and the related land, issued no more than 30 days before the date of validation of the project, in copy. The certification must show the following:
 - ❖ ownership/ other right in rem/ right of use (originated from a rental or free loan contract) of the applicant on the building affected by the refurbishing works;
 - ❖ the fact that the building and the related land:
 - ✓ are free of all encumbrances and easements that could affect project implementation,
 - ✓ are not subject of any litigation regarding the ownership or any other right invoked by the applicant to implement the project, pending trial in court,
 - ✓ are not subject of claims under special or common laws.

Temporary registration in the land register is not accepted.

- ➔ **Architectural project theme** signed by the applicant and an architect with right of signature⁹, in copy. The theme will provide information on the exhibited cultural objects, properties of the exhibition space, estimated number of visitors, estimated costs of the refurbishing works etc.;
- ➔ **Sketch/ design of the exhibition space affected by the refurbishing works**, accompanied by indications related to the refurbishing works, equipment and endowments, signed by an architect with right of signature¹⁰, in copy. The sketch/ design may be created by a scenographer or designer (e.g. for theatres) as well;
- ➔ **List of quantities for construction works** signed by an architect with right of signature¹¹, in copy.

⁹ Architect with acknowledged competencies by the Chamber of Architects in Romania

¹⁰ Architect with acknowledged competencies by the Chamber of Architects in Romania

¹¹ Architect with acknowledged competencies by the Chamber of Architects in Romania

Documents issued in other language than Romanian or English shall be accompanied by a simple translation into Romanian or English. By applying the qualified electronic signature on the simple translation of the document, the applicant/ partner certifies that the translation is correct and the translation did not change the content of the original text and/ or the meaning of certain words or phrases.

If the submitted documents do not contain sufficient information or the provided information is unclear or contradictory, additional documents may be required in the evaluation, selection and/ or pre-contracting stages.

10.4 Deadline for submission of projects

Projects may be submitted until 03.05.2019, 23:59 hours.

The project is considered to be submitted only after its validation in the Programme's electronic management system.

In order to avoid overloading the Programme's electronic management system, it is recommended to avoid filling in the application, loading the supporting documents and validating the project on the last day of submission. **The Programme Operator is not responsible for any registration/ validation errors generated by overloading the Programme's electronic management system.**

The Programme's electronic management system will not allow the submitting projects after the deadline.

11. Evaluation and selection

All projects submitted (validated) in the Programme's electronic management system will be subject to an evaluation process. In the process of evaluation and selection, the principles of good governance, transparency, equality, efficiency and zero tolerance of corruption will apply.

The project evaluation and selection process will be implemented in three stages:

- 1. Administrative compliance and eligibility check**
- 2. Technical and financial evaluation**
- 3. Selection Procedure by the Selection Committee.**

All persons involved in the evaluation process will strictly comply with the principles of confidentiality, objectivity, transparency and fair competition.

Communication related to the evaluation and selection process will be made **in writing**. Applicants will be informed of the outcome of each stage of the evaluation and selection process through the Programme's electronic management system by receiving information on the e-mail address registered at the time the account was created. The

Project promoter shall inform the partners on the development of the evaluation and selection process.

The evaluation and selection process is confidential. Individuals involved in project evaluation and selection (e.g. Programme Operator staff, evaluators, Selection Committee members, observers, etc.) do not have the right to disclose information regarding project evaluation/ selection during or after completion of the process.



Any attempt by an applicant or partner to influence the evaluation and selection process (e.g. contacting an evaluator, a member of the Selection Committee, etc.) leads to rejection of the project and exclusion from funding.



Identifying a double funding situation (e.g. following consultations with other non-reimbursable or reimbursable fund management authorities) at any stage of the evaluation and selection process leads to the exclusion of the project from funding under this call for proposals, the applicant being notified accordingly.

11.1 Administrative compliance and eligibility check

All projects submitted by the deadline provided in the section 10.4 of this Guide will be subject to administrative compliance and eligibility check.

Administrative compliance and eligibility check shall be performed on a continuous basis.

The Programme Operator shall verify at this stage the compliance with the conditions and requirements set in this Guide, in accordance with the **Administrative compliance and eligibility check grid** attached to this Guide.

It is recommended that prior to validating the application, the applicant perform an administrative compliance and eligibility check using the grid attached to this Guide. In this situation, the grid filled in by the applicant will not be uploaded into the system.

If the documents submitted by the applicant contain unclear, incomplete or contradictory information, clarifications or additional information may be requested.

No clarifications will be requested, the project being automatically rejected, if any of the following documents is missing:



- the application form;
- applicant's statement;
- partner's statement;
- statement on type and category of enterprise (for partners that are commercial or cooperative companies registered in Romania);
- partnership letter of intent;
- summarizing table on the legal status and scientific justification regarding the need for restoration, protection, conservation, valorization and the potential of the objects to be listed as cultural heritage (if the case).

Uploading documents that lack relevant content in the system is equivalent to the lack of the document.

The deadline for responding to clarification requests is 5 working days. The applicant's response will be sent through the Programme's electronic management system.

If the response to the clarification request is incomplete or is not submitted within the deadline specified in the clarification request, the project will be rejected.

The applicant bears the responsibility for ensuring the technical conditions necessary for receiving and submitting the answers to the clarification requests. In order to meet the deadlines, the applicant will ensure that provides correct and functional contact data in the dedicated section of the grant application and will periodically check the e-mail box (including the "Junk" / "Spam" directory). Any change of the contact details will be communicated to the Programme Operator in a timely manner.

In order to be admitted, after the clarification stage (if any), the project must receive a positive ("Yes") answer to all questions in the Administrative compliance and eligibility check grid, except for those questions that are not applicable ("Not applicable"). On the contrary, the project is rejected.

11.2 Technical and financial evaluation of projects

After the administrative compliance and eligibility check stage, the projects that fulfill the administrative and eligibility criteria will be assessed technically and financially by experts contracted by the Programme Operator, according to the assessment grid attached to this guide.

The main evaluation criteria are:

- **cultural and artistic quality;**
- **project relevance;**
- **implementation capacity and experience of the applicant and partners, if any;**
- **feasibility of the project;**
- **impact and sustainability of the project.**

The criteria “cultural and artistic quality”, “relevance of the project”, “implementation capacity and experience of the applicant and partners, if any” and “feasibility of the project” are eliminary and implies that the minimum score to be achieved for each criterion is:

- cultural and artistic quality – 5 pts;
- relevance of the project - 10 pts.;
- implementation capacity and experience of the applicant and partners (if applicable) - 8 pts.;
- feasibility of the project - 15 pts.;

If a project obtains 0 („zero”) points for the criterion „project impact and sustainability of the project”, it will be rejected.

Projects that do not obtain the minimum score for any of the mandatory criteria will be rejected (excluded from funding) without further evaluating the rest of the criteria.

The algorithm used in order to determine the final score is presented in the attached grid.

The project application dossier will be evaluated solely on the basis of the information provided by the applicant in the application form and the attached documents and any clarifications provided.

Evaluators may request **clarifications** regarding the content of the application form (including the project budget) or attached documents if the documents do not contain sufficient information or the information available is unclear or contradictory.

The deadline for responding to clarification requests is 5 working days. The applicant's response will be sent through the Programme's Electronic Management System.

- **If the applicant fails to respond to clarifications within the deadline indicated in the request, the evaluators will assign the minimum score to the criteria envisaged by the clarification request.**
- **Clarifications provided cannot have the effect of achieving a higher score by improving the content of the application during the evaluation process. Any additional information provided by the applicant, that improves the content of the application, will not be taken into account by the evaluators when determining the score.**

For projects that obtain the minimum score both on the eliminary criteria and the overall score:

- Depending on the content of the project application dossier and/ or the clarifications provided by the applicant during the technical and financial evaluation phase, the evaluator may propose changes to the application form, with the sole purpose of correcting formal or content-related project deficiencies that hinder its proper implementation (e.g. unclear formulation of specific objectives, setting up

inconsistencies regarding the indicators' targets with the description of project activities and budget, detection of ineligible expenditure into the project budget, correction of clerical errors etc.). Deficiencies identified will be considered when awarding the score. They can lead to a budget reduction.

If, following project evaluation (after clarification, if the case), the evaluator finds that:

- in relation to the project's activities and budget, there are no favourable premises for compliance with the minimum target values of the mandatory indicators (see section 7.3.1 of this Guide), irrespective of the values declared by the applicant in the application form, he will propose that the project be declared ineligible;
- some of the envisaged activities are not realistic and necessary for the achievement of the project results, he will propose either to exclude these activities from funding along with a corresponding budget reduction or to declare the entire project as ineligible if the exclusion of the envisaged activities affects the nature of the project and makes impossible the achievement of the mandatory results;
- the envisaged activities are ineligible, he will propose either to exclude these activities from funding along with a corresponding budget reduction or to declare the entire project as ineligible if the exclusion of the envisaged ineligible activities affects the nature of the project and makes impossible the achievement of the objectives;
- the costs are not eligible, reasonable, necessary to achieve project objectives and expected results, directly related to the implementation of project activities or fail to meet the requirements of sound financial management based on the principles of economy, efficiency and effectiveness, the costs, he will propose to be either reduced or eliminated from the project budget;
- the project budget contains mathematical errors or clerical errors (e.g. inappropriate filling of the VAT column, wrong inclusion of expenditures in the ineligible expenditure column or in the eligible expenditure categories, etc.), he will propose to correct the errors in the pre-contracting stage.

If during the technical and financial evaluation elements that lead to the ineligibility of the applicant or the partner, which were not identified in the previous evaluation stage, are identified, the project will be rejected.

Projects that score at least 70 points will be included in a ranking that will form the basis of the Selection Committee's decision.

Projects with the same score will be prioritized according to the score obtained on the following criteria in the Grid, in the following order:

1. cultural and artistic quality;
2. project relevance;
3. feasibility of the project;
4. implementation capacity and experience of the applicant and partners, if any;
5. impact and sustainability of the project.

For projects that involve refurbishing works, the Programme Operator may conduct on-the-spot visits prior to signing the project contract, whose conclusions will form the basis for the funding decision.

11.3 Selection procedure by the Selection Committee

The Selection Committee is set up at the Programme Operator level by an odd number of people with relevant expertise for this call for proposals.

The Selection Committee may decide to approve a project under condition. The conditionalities may refer to project budget reduction, providing clarifications on certain elements of the application form, consistency between project objectives, results and indicators, etc. The conditionalities must be fulfilled either by the time the project contract is signed or at a determined time established by the Selection Committee.

The Selection Committee may, in justified cases (for example, but not limited to, the need to ensure an equitable geographical distribution of grants, the impossibility of achieving Programme indicators, the identification of a case of double funding, the existence of identical projects submitted by different applicants), change the ranking.

Based on the decision of the Selection Committee, the ranking and the reserve list are established.

In duly justified cases, the Programme Operator may modify the final ranking approved by the Selection Committee.

Grants will be awarded to the projects on the basis of the final ranking (including the reserve list), within the available budget for this call for proposals.

Projects that will be included in the reserve list will be eligible for funding, within the limit of disbursed funds, in case applicants who were previously selected for funding fail to meet the criteria/ conditions/ recommendations for funding or are excluded from funding in the pre-contracting stage.

Inclusion of a project on the reserve list does not constitute a guarantee for signing the project contract at a later date.

11.4 Pre-contracting

Following the approval of the ranking and the reserve list, all applicants whose project applications dossiers have been selected for funding by the Selection Committee will be notified of the following:

- temporary selection of the application,
- recommendations or conditionalities enunciated by the evaluators/ Selection Committee and/or the Programme Operator's requests to amend the application form (including the project budget),
- submission of the amended application form, if applicable,
- submission of the following documents:
 - ➡ **The nomination/ appointment documents of the legal representative of the applicant**, in copy, in the case of a person different from the one at the time of project submissions;
 - ➡ **Updated Applicant's Statement**, in original.

If the statement is filled in/ signed by an assignee, the **power of attorney** must be submitted and to contain at least the following minimum information:

- explicit statement that the legal entity and its legal representative are not in any of the situations mentioned in section 7.1 letter f of this Guide;
 - the explicit assumption that the information provided in the application is real and correct and the requested financial support is necessary for the project as described in the application;
 - the rights and obligations given to the assignee to sign all documents related to the pre-contracting stage and the right to sign the project contract, if the case.
- ➔ **The nomination/ appointment documents of the legal representative of the partner**, in copy, in case of a person different from the one at the time of project submission;
 - ➔ **Updated Partner's statement** in original. **By exception**, in the case of the Donor States partners, the document may be hand-signed and afterwards uploaded (scanned version) in the Programme's electronic management system, the conformity with the original being certified by the qualified electronic signature of the applicant's legal representative/ assignee.

If the statement is filled in/ signed by an assignee, the **power of attorney** must be submitted and to contain at least the following minimum information:

- explicit statement that the legal entity and its legal representative are not in any of the situations mentioned in section 7.2.1 letter c of this Guide;
 - the explicit assumption that the information provided in the application is real and correct and the requested financial support is necessary for the project as described in the application;
 - the rights and obligations given to the assignee to sign the documents requested at the pre-contracting and contracting stage.
- ➔ **Certificate attesting the lack of outstanding debts to the state budget** issued by the competent public authority and, if applicable, the rescheduling of debts to the consolidated budget for the **applicant** and **each partner**, in copy;
 - ➔ **Certificate attesting the lack of outstanding debts to the local budget**, issued by the competent public authority (e.g., in case of Romanian entities, town hall/-s where the organization has its headquarters and subsidiaries), for both **applicant** and **each partner**, in copy;
 - ➔ **VAT registration certificate** (if applicable) for the **applicant** and **each partner**, in copy;
 - ➔ **Updated statement on type and category of enterprise**, in original, in case of companies or co-operative companies registered in Romania;
 - ➔ **Financial statements** (e.g. balance sheets, profit and loss account, etc.) containing information on the number of employees, turnover or total income for the last three fiscal years concluded, for **SMEs partners**, if applicable, in copy;

- **Decision for approving the project and its related expenses** issued by the competent entity and containing the total project value and the approval of all project costs (ineligible expenditure, related expenditure etc.), in copy;
- **Justification of costs included in the project budget;**
- **Documents attesting ownership/ other rights in rem** of the applicant regarding all **cultural** objects envisaged by the project, in copy;
- *If the applicant owns a right in rem other than ownership of the cultural objects envisaged by the project: **documents attesting the owner's consent** for preservation/ restoration, listing as heritage and making available to the public the cultural objects throughout the project implementation period and for a period of at least 5 years after approval of the final project report by the Programme Operator, in copy. If the owner is a private person, the consent statement must be authenticated. This obligation does not apply if the above mentioned rights result unequivocally from the documents granting the right in rem.*
- **Notice from the Ministry of Culture and National Identity or the County Directorate for Culture**, as the case may be, for works executed in buildings listed as historical monuments;
- **Documents attesting ownership/ another right in rem/ right of use** resulting from a lease or free loan contract on the building on which the works are carried out, in copy;
- **Certification/-s from the Land Registry** regarding the building affected by the refurbishing works and the related land, issued no more than 30 days before the date of validation of the project, in copy. The certification must comply with the requirements of section 10.3. letter e of this Guide;
- *If the applicant holds another right in rem than the property right or holds a right of use (resultant of a rental or free loan contract) on the building where the construction works are carried out, and the proof of the applicant's holding the right to perform intervention / construction works is not explicitly stipulated in the legal acts on the basis of which the right of use was transferred:*
 - ✓ *In case the owner of the building is a private entity: **authenticated statement** of the owner regarding his agreement for the applicant to carry out the works and use of the space for the stated purpose throughout the project implementation period and at least 5 years after the approval of the final project report by the Programme Operator, in copy;*
 - ✓ *In case the building is privately or publicly owned by the state or the local administrative units: **administrative document** (local council decision, county council decision, government decision, etc.) or the relevant legal document regarding the applicant's agreement for works and use of the space in compliance with the stated purpose of the project throughout the entire project implementation period and at least for 5 years after the approval of the final project report by the Programme Operator in copy.*

If appropriate, the Programme Operator may request other documents to prove that the eligibility conditions are met at the time of signing the project contract.

The Programme Operator reserves the right to consult the public registers/databases in order to verify the reality of the information provided by the applicant/partner in their specific declarations.

If in the pre-contracting stage, the Programme Operator:

- identifies elements that lead to the **ineligibility of the applicant or partner** which have not been identified during the previous ⇒ the project will not be contracted;
- identifies **ineligible activities** ⇒ **either** these activities will be excluded from funding **or** the entire project will be declared ineligible, if the exclusion of the proposed ineligible activities affects the nature of the project and makes it impossible to achieve its objectives;
- identifies, within the project budget, costs that are not eligible, **reasonable and necessary** in order to achieve both the project objectives and the expected outcomes, are **directly related** to the implementation of project activities or that **do not meet the requirements of sound financial management** based on the principles of economy, efficiency and effectiveness ⇒ the respective costs will be either reduced or eliminated from the project budget.
- identifies **formal or content-related project deficiencies** that hinder its proper implementation ⇒ **either** the revision of the application is requested if the necessary modifications do not lead to a substantial change of the project objectives and results **or** the project may be rejected if the necessary modifications lead to the substantive change of project objectives and results.

The deadline for submitting the requested documents in the pre-contracting stage is **10 working days**. The applicant's response will be sent through the Programme's electronic management system. In duly justified cases, the Programme Operator may extend the deadline only once.

If the applicant does not respond within the deadline or refuses to make the requested changes to the application form, including the project budget or the justifications of the applicant are not accepted the Programme Operator will exclude the project from funding.

Any decision by the Programme Operator to reject a project, taken after the approval of the ranking and the reserve list by the Selection Committee, will be communicated to the respective applicant.

11.5 Complaints

Applicants considering that they have been harmed by the results of the evaluation and selection process can file a single complaint per stage, in writing.

Complaints shall be submitted in the dedicated section of the Programme's electronic management system within **5 calendar days** from the date the results have been

communicated. If the last day of the deadline is a non-working day, the deadline is extended until the following working day. Complaints submitted after this deadline will be rejected, the result of the evaluation and selection process remaining unchanged.

The complaint shall be submitted in writing and shall include:

- a) identification data of the applicant (contestant),
- b) unique application number and project title,
- c) object of the complaint,
- d) legal and factual grounds of the complaint,
- e) special mandate for the assignee, if any.

In order to be validated, the complaint must be digitally signed with qualified electronic signature by the legal representative of the applicant/ assignee.

Complaints submitted by other persons than the legal representative and/ or the assignee shall be not considered. Complaints submitted by other natural persons or legal entities, including partners, will not be reviewed and will be rejected.

Should the complaint not provide the legal and factual grounds, as well as evidence on which it is based, it will not be subject to analysis and will therefore be rejected as unsubstantiated.

The applicant filling the complaint cannot submit additional documents in support of its case and cannot modify the content of the project application dossier.

Complaints will be solved by the Programme Operator within **30 calendar days** from the registration of the complaint in the Programme's electronic management system.

The complaint may be withdrawn, in writing, until receiving the resolution. Withdrawal makes it impossible to file a new complaint within the deadline for its submission.

The ranking list of projects will be updated considering applications for which a favorable decision was reached.

The resolution regarding the complaint is final and the applicant cannot file a new complaint for the evaluation and selection result.

11.6 Contracting

If, after the pre-contracting stage, the project meets all the requirements for receiving a grant, the Programme Operator will request the documents for the conclusion of the project contract.

The project contract sets out the terms and conditions for funding, as well as the roles and responsibilities of the parties.

In the contracting stage, the applicant will submit the following documents:

- **Project contract**, 2 originals;
- **Partnership Agreement** concluded between the applicant and all partners, in original;

- If the project contract is signed by a person other than the legal representative of the applicant: the **power of attorney** (representation mandate) issued by the legal representative/ management board, through which the person is mandated to conclude the project contract in the name of and on behalf of the legal entity, either in original, digitally signed with qualified electronic signature by the legal representative of the applicant, or in copy;
- **Financial identification form**/ Bank notification, certified by the bank/ treasury where the applicant opened a dedicated project account, in original;
- **Other documents** specified in the notification sent to the applicant to prove that the conditions for signing the project contract are met.

The project contract sent by the Programme Operator to the project promoter for signing is mandatory, the project promoter not being allowed to propose modifications, except the identification data of the project promoter or clerical errors.

The Programme Operator highly recommends that the project contract is read carefully before signing it, as it includes all the conditions for awarding the grant. The signing of the contract represents the commitment of the applicant to implement the project and achieve the objectives and results set out in the application form.

11.7 Estimated duration of the evaluation and selection process

Stage	Estimated duration
Submission of the project application dossier	3 months
Administrative compliance and eligibility check, including complaints	2 months
Technical and financial evaluation, including complaints	2 months
Project selection by the Selection Committee, including complaints	1 month
Pre-contracting (including on-the-spot visits and, if the case, complaints)	2 months
Signing of project contracts	1 month

12. Cross-cutting issues

The applicants will describe in the application form how the project contributes to and addresses the cross-cutting issues:

- ❖ **Democracy and human rights** (human dignity, freedom, democracy, equality, the rule of law and the respect for human rights, including the rights of minorities);
- ❖ **Good governance and anti-corruption;**
- ❖ **Sustainable development, long-term economic growth, social cohesion and environmental protection.**

13. Project sustainability

Sustainability of project results is fundamental in order to ensure long-term benefits. Thus, project results sustainability can include follow-up activities, long-term partnerships, sequel exhibitions etc.

The application form must include concrete measures for capitalizing the project results during the sustainability period and information on how the project results will be retrieved/ used/ replicated later by either the applicant/ partners or other entities (portability and replicability).

The minimum sustainability period of the projects is:

- 1 year after the Programme Operator's approval of the final report of the project, if the project does not include the purchase of tangible and intangible goods whose entire purchase price is covered within the project or refurbishing works;
- 5 years after the Programme Operator's approval of the final report of the project, if the project includes the purchase of tangible and intangible assets whose entire purchase price is covered within the project. The project promoter must use the tangible and intangible assets and the space subject to refurbishing works for the sole purpose of the project. The space must be operational during the entire sustainability period.

14. Payment provisions

For projects **with a duration up to 12 months (inclusive)**, the grant is awarded as follows:

- a) advance payment up to 70% when signing the project contract;
- b) pre-financing of at least 30% at the request of the project promoter and submission of a progress report accompanied by supporting documents;

For projects **with a duration of 12 to 18 months**, the funding the grant is awarded as follows:

- a) advance payment up to 50% at the signing of the project contract;
- b) pre-financing of at least 50% at the request of the project promoter and submission of a progress report accompanied by supporting documents;

For projects with a duration of **18 months or more**, the grant is awarded as follows:

- a) advance payment up to 30% at the signing of the project contract
- b) pre-financing of at least 70% at the request of the project promoter and submission of a progress report accompanied by supporting documents;

The amount of the advance payment will be determined according to the recommendations of the evaluators/ Selection Committee.

Pre-financing will be paid in one or more installments. Both advance and interim payments shall not exceed 100% of the total grant value.

Payments may be suspended if there are reasons to believe that the project is not implemented according to the provisions of the project contract.

In order to manage the grant and its own contribution (if any), the project promoter and partners from Romania have the obligation to open dedicated bankaccounts for the project at either the State Treasury or commercial banks, according to the provisions of GEO no. 34/2017 and its methodological norms.

The interim payments will be made based on an interim financial report submitted by the project promoter and approved by the Programme Operator and will be determined by spending minimum 60% of the previously received amounts.

Payments related to interim progress reports depend on the following verification stages:

- verification of incurred expenditure declared by the project promoters to ensure that these comply with the applicable legislation and procedures;
- verification on progress towards achieving outputs and outcomes and compliance with expenditures related to project activities;
- verification of eligibility, correctness and regularity of expenditure.

The project promoter shall ensure that reporting periods included in the project contract are based on appropriate forecasts. The pre-financing amounts estimated in the financial report must be based on the cash flow related to expenses foreseen to be incurred in the reporting periods.

15. Project implementation

The project promoter will ensure, along with the partners, the implementation of the project under the conditions set out in the project contract, the application form, as well as the partnership agreement and other instructions/ communications issued by the Programme Operator.

The project promoter and partners are required to comply with the legal framework of the EEA Financial Mechanism 2014-2021, as well as with the European and national legislation in all stages of the project implementation, including but not limited to environment, public procurement and state aid legislation.

Project implementation monitoring and control are carried out by the Programme Operator, as well as by other structures with control/ verification/ audit responsibilities.

16. Reporting

Project promoters will submit interim progress reports and a final report.

Interim progress reports will include at least the following:

- ➔ **physical progress regarding project implementation**, namely: implementation of activities, indicators achievement level, information on procurement procedures, implementation of the communication plan, complying with the requirements regarding the cross-cutting issues of the Programme, modification of project implementation (if any), supporting documents related to project progress, etc.;
- ➔ **financial progress regarding project implementation**, including: list of expenditures incurred during the previous reporting period, request for pre-

financing of the estimated expenses for the next reporting period, supporting financial documents, evaluation reports and/ or financial audit, if applicable, etc.

The final report will include the same information as interim progress reports. In addition, this report will include information on the achievement of project objectives and results, the approach of cross-cutting issues relevant to the project, the fulfillment of project requirements and project sustainability.

Interim progress reports and the final report must be accompanied by documents/ proofs that justify the reality, legality and regularity of expenditure (e.g. invoices and payment documents, reception records or other similar accounting documents, etc.), as well as the legality and reality of reported activities and indicators/ objectives achievement level (e.g. photos, video materials, studies, presence list, etc.).

Project promoters can contract independent audit services in order to justify the incurred expenditures. The audit report will be submitted at project completion, along with the last interim progress report and will justify both the project promoter's and Romanian partners expenditures.

Expenditures incurred by Donor States project partners will be justified through an audit report drafted in compliance with provisions of art. 8.12.4 of the EEA Regulation. **The template of the audit report is attached to this Guide.**

Failure to comply with the drafting and reporting requirements may lead to their rejection.

Reporting periods are set within each project contract and cannot cover, usually, less than 4 months. The reports will be submitted within the deadline established in the project contract, regardless of the technical or financial progress registered, in compliance with the provisions of the guidelines/ instructions issued by the Programme Operator.

If an interim financial report has not been received within 12 months from the end of the reporting period in which expenditure has been incurred by the project promoter/ partner-s, the expenditure for that period shall be declared ineligible.

17. Project monitoring

During the implementation period, the Programme Operator performs an administrative and technical monitoring, *inter alia*, by analyzing progress reports accompanied by supporting documents and on-site visits. During on-site visits, the persons nominated by the Programme Operator will check if project implementation complies with the provisions of the EEA Regulation, Programme Agreement and project contract.

Also, the Programme Operator will monitor the procurement procedures, the efficiency and effectiveness of the expenditure incurred, the level of the achievement of project objectives, results and impact.

Project promoters and their partners (where applicable) must allow immediate and full access to any information, documents, relevant persons and locations related to project activities to the representatives of the Programme Operator, National Focal Point, Audit Authority, Irregularities Authority, Certifying Authority, CMF, EFTA Board of Auditors or

any entity designated by these for the purpose of monitoring, auditing or evaluating the project, without prejudice to any limitations resulting from applicable national law.

In exceptional cases, if unclear issues occur in project implementation, the project promoter may be subject to further verification.

18. Irregularities



Any person who holds information on the existence of irregularities in project implementation may report irregularities by written notice in one of the following forms:

- through the Programme's electronic management system;
- by postal/ courier services;
- by personal submission at the Programme Operator;
- by fax, 021-2228479 or 021-2244512;
- by e-mail, at the address indicated on the Programme's website;
- by filling in the online form available at www.ro-cultura.ro.

The alerts on irregularities will contain the mandatory minimum information provided by GEO no. 66/2011, amended and supplemented, to identify the project and/or location of the project promoter, otherwise they will not be analysed and verified. Alerts on irregularities may be transmitted anonymously or signed, without them leading to unfair or discriminatory treatment of the sender.

Confidentiality regarding the identity of the person who reported a potential case of irregularity will be strictly ensured.

19. Information and communication

Project promoters should disseminate project information to a wider audience at national, regional and/or local level, including relevant stakeholders.

In this sense, the Project Communication Plan (part of the application) will be developed and implemented.



- ⇒ **The purpose of the plan is to highlight the role of the EEA Grants and to ensure the transparency and visibility of the EEA Financial Mechanism.**
- ⇒ **The implementation of the Communication Plan aims to raise awareness of the existence, objectives and impact of EEA Grants as well as cooperation with donor entities (in the case of partnership projects).**

The Communication Strategy shall include at least the following:

- a) the aims and target groups, at national, regional and local level;
- b) the strategy and content of the information and communication measures, including activities, communication tools and timeframe, having regard to the added value and impact of the EEA Grants;
- c) at least three major information activities on project progress, achievement and impact, such as a seminar or a conference with stakeholders, a press conference or press event, including a launch activity and/or a closing activity; for projects whose grant value is less than 500,000 Euro, 2 (two) information activities are sufficient.
- d) measures for making information on the project available on web, either through a dedicated website and the use of relevant social media. Each project promoter must periodically publish updated information about the project in Romanian.

All projects having a Donor States project partner shall be required to publish the information both in English and Romanian.

Online information shall include information about the project, its progress, achievements and results, cooperation with Donor States entities, photos, contact information and a clear reference to the Programme and the EEA Grants.

- e) information on the administrative departments responsible for implementation of the information and communication measures, including a contact person;
- f) an indication on how the information and communication measures will be assessed in terms of visibility and awareness of the project and the EEA Grants, their objectives and impact, as well as the role of the Donor States.

All information and communication measures must comply with the communication plan, the requirements of the Communication and Design Manual, available at www.ro-cultura.ro.

Organisers of information and communication events (conferences, seminars, fairs, exhibitions, etc.) in connection with the implementation of projects financed through the EEA Grants must explicitly promote the financial support granted by Iceland, Liechtenstein and Norway through the EEA Grants.

The project promoter must, during project implementation, install a billboard at the location/each location of the project in line with the requirements of the Communication and Design Manual if the project fulfills the following conditions:

- the non-reimbursable financial support exceeds € 50,000;
- the project consists in the financing of an equipment, infrastructure or construction.

The project promoter will replace the billboard with a permanent commemorative plaque that is visible, of significant size and in line with the Communication and Design Manual, no later than six months after completion of the project.

20. Processing of personal data



The processing of personal data will be carried out in line with the provisions of EU Regulation no. 679 of 2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC (General Data Protection Regulation).

The project promoter/ partner(s) will ensure that they have the explicit consent of the members of the target groups/ end beneficiaries regarding the processing of their personal data, including those belonging to the Roma community, if applicable.

Processing of personal data by the Programme Operator has the purpose of fulfilling the obligation to monitor and control the implementation of the project and project contract and the data can be passed by Programme Operator to other structures with control/ verification/ audit competencies within the EAA Financial Mechanism.

The Programme Operator will keep personal data as follows:

1. **three years** after the approval of the final report of the RO-CULTURE Programme by the Financial Mechanism Committee, if the project has not been funded;
2. **three years** after approval of the final report of the RO-CULTURE Programme by the Financial Mechanism Committee or **five years** after the Programme Operator approves the project's final report whichever is the latest, if the project includes construction works for which a building permit is not required and/or purchase of equipment, whichever is the latest, if the project has been funded;
3. **three years** after approval of the final report of the RO-CULTURE Programme by the Financial Mechanism Committee or **one year** after the Programme Operator approves the project's final report whichever is the latest, if the project does not include construction works and/or purchase of equipment, whichever is the latest, if the project has been funded.

For those documents or documentary evidences of carrying out activities involving the processing of personal data within the meaning of EU Regulation no. 679 of 2016, the project promoter will prove the express agreement of each affected person for data processing.

21. Additional Information

Further information on this Call for Proposals can be found on the Programme's website: www.ro-cultura.ro.



Applicants can submit questions about this call for proposals using the following contact details:

- by e-mail, at: office@ro-cultura.ro
- by fax, at 021-2228479 or 021-2244512.

Questions can be addressed at least 15 days before the deadline for projects submission. Answers to questions will be communicated by the Programme Operator at least 5 days before the deadline for submitting projects.

We recommend that applicants periodically consult the Programme's web page for up-to-date information on this call.

Questions and answers of general interest will be published on the Programme's website: www.ro-cultura.ro.

<p>Programme Operator Contact Details: Project Management Unit-Ministry of Culture and National Identity Address: 22, Unirii Blvd., Bucharest, Romania E-mail: office@ro-cultura.ro Phone / Fax: 021-2228479, 021-2244512 Website: www.ro-cultura.ro Facebook: RO-Cultura Program</p>
<p>Donor Programme Partner Contact Details: Arts Council Norway Email: EOS-kultursamarbeid@kulturradet.no Phone: +47 2104 5800 Website: www.kulturradet.no/eos-midlene</p>
<p>Donor Programme Partner Contact Details: Norwegian Directorate for Cultural Heritage E-mail: eeagrants@ra.no Website: www.ra.no/en/eeagrants</p>
<p>Contact details for Iceland Ragnhildur Zoega Senior Adviser National Cultural funding, Creative Europe, EEA grants Rannís Borgartúni 30, 105 Reykjavík Phone: +354 515 5838 E-mail: Ragnhildur.Zoega@rannis.is</p>
<p>Contact details for Liechtenstein Arno Oehri EEA Grants coordinator in the area of culture E-mail: arnooehri@eeagrants.li</p>

All potential Donor States partners are advised to contact the entities above in the application process.

22. Annexes

No.	Name
1.	Application form
2.	Project budget (part of the application form)
3.	Applicant's statement
4.	Partner's statement _RO
5.	Partner's statement _EN
6.	Statement on type and category of enterprise
7.	Partnership letter of intent_RO
8.	Partnership letter of intent _EN
9.	Summarizing table on the legal status and scientific justification regarding the need for restoration, protection, conservation, valorization and the potential of the objects to be listed as cultural heritage (if the case)
10.	Administrative compliance and eligibility check grid
11.	Technical and financial evaluation grid
12.	Pre-contracting checklist
13.	Audit report template – partners from Donor States