



Education, Audiovisual and Culture Executive Agency

Creative Europe – MEDIA

**CREATIVE EUROPE
MEDIA Sub-programme
Established by Regulation N° 1295/2013 of the European Parliament and of the Council of 11
December 2013 (ref. Official Journal N°L 347 of 20 December 2013) and its corrigendum of
27/06/2014 (OJ L 189/260)**

GRANT DECISION FOR AN ACTION

Financing exclusively by lump sum contribution(s)

Decision Nr. [...] of the

Education, Audiovisual and Culture Executive Agency

**on the award of a grant to support DEVELOPMENT OF AUDIOVISUAL CONTENT -
SINGLE PROJECT within the Creative Europe Programme – MEDIA**

Project title: [...]

The **Education, Audiovisual and Culture Executive Agency** (hereinafter referred to as "the Agency"), acting under powers delegated by the European Commission (hereinafter referred to as "the Commission"),

Having regard to the Treaty on the Functioning of the European Union;

Having regard to the Regulation No EU (2013) 1295/2013 of the European Parliament and of the Council of 11/12/2013 concerning the implementation of a programme of support for the European cultural and creative sector (CREATIVE EUROPE)¹ and its corrigendum of 27/06/2014².

¹ OJ L 347 of 20.12.2013, p. 221.

² OJ L 189/260

Whereas:

- (1) Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union3 (hereinafter the «Financial Regulation») and Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union4 provide the framework for the award of Union grants;
(2) Commission Implementing Decision of 18 December 2013 establishing the "Education, Audiovisual and Culture Executive Agency"5 and repealing Decision CE(2009)336 of 20 April 20096 setting up the Education, Audiovisual and Culture Executive Agency for the management of Community action in the fields of education, audiovisual and culture in application of Council Regulation (EC) No 58/20037 provides that the Agency is responsible for the management of grants to be awarded under the Union programmes delegated to it, including Creative Europe Programme – MEDIA;
(3) Commission Decision C(2015)658 of 12 February 2015 amending Commission Decision C(2013)9189 of 18 December 2013 delegating powers to the Education, Audiovisual and Culture Executive Agency with a view to performance of tasks linked to implementation of Union Programmes in the fields of education, audiovisual and culture, comprising, in particular, implementation of appropriations entered in the general budget of the Union and the EDF allocations;
(4) On [...], the Agency has published the call for proposals EACEA 22/2018, Development of Audiovisual Content – Single Project (the "call") in order to support the Content Development of Single Projects within the framework of the Creative Europe Programme – MEDIA;
(5) Whereas this Grant Decision is the result of a call for proposals by which applicants have been informed of the model Grant Decision of the Agency and of the General Conditions. Submission of a grant application implies acceptance of the General Conditions annexed to this Grant Decision;
(6) The addressee of this Grant Decision presented a request for a grant under this call for proposals (application No [...]), wherein he declares that he has taken note of the conditions set out in the call, including the General Conditions of the model Grant Decision annexed to it, and accepts them;
(7) The application fulfils the conditions set out in the abovementioned call for proposals and has been selected;

3 OJ L 298 of 26.10.2012, p. 1.

4 OJ L 362 of 31.12.2012, p. 1.

5 OJ L 343 of 19.12.2013, p. 46

6 OJ L 101 of 21.04.2009, p. 26, as amended subsequently.

7 OJ L 11 of 16.01.2003, p. 1.

- (8) The Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities⁸ and Regulation (EU, EURATOM) No 883/2013 of the European Parliament and the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF)⁹ provide for measures for the effective protection of the Union's financial interests;
- (9) The Agency, the Commission and the European Court of Auditors may check the use made of the grant at any time during the implementation of the action and during a period of five years following the date of payment of the balance or of three years following the payment of the balance in the case the maximum amount of the grant is not more than EUR 60.000;
- (10) Whereas the Commission has taken a decision n° C (2013)9199 of 18/12/2013, authorizing the use of lump sums under the MEDIA Sub-programme within the Creative Europe Programme.

⁸ OJ L 292, 15.11.1996, p. 2-5

⁹ OJ L 136, 31.5.1999, p. 1-7

HAS DECIDED AS FOLLOWS:

ARTICLE 1 – PURPOSE OF THE GRANT

A European Union grant is awarded to:

[full official name] [ACRONYM]
[official legal status or form]
[official registration No]
[official address in full]
[VAT number],

hereinafter referred to as “the beneficiary”,

represented for the purposes of this Grant Decision by [...].

for the action entitled [...] (“the action”) as described in Annex I, under the terms and conditions set out in the present Grant Decision, the General Conditions and the other Annexes to this Grant Decision.

The action shall correspond to the statutory activities and objectives of the beneficiary.

As declared in the application submitted, the beneficiary has accepted the grant and agreed to implement the action acting on its own responsibility.

ARTICLE 2 – ENTRY INTO FORCE OF THE GRANT DECISION AND DURATION

2.1 The Grant Decision shall enter into force on the date of its notification to the beneficiary.

2.2 The action shall run as of [...] (“the starting date of the action”) and shall end on [...] at the latest.

If the project enters into production before [...], the action ends on the date of entry into production of the project (1st day of principle photography or equivalent).

ARTICLE 3 - MAXIMUM AMOUNT AND FORM OF THE GRANT

The grant shall be of a **maximum amount of EUR [...]** and shall take the form of:

- (a) Reimbursement of eligible costs: not applicable.
- (b) Unit contribution: not applicable
- (c) **A lump sum contribution of EUR [...]** (“lump sum contribution”) to cover the following categories of eligible costs:

- **Creative development of the project;**
- **Production financing research and marketing of the project;**
- **Company development staff, insurance, legal and accounting costs.**

(d) Flat-rate contribution: not applicable.

ARTICLE 4 – ADDITIONAL PROVISIONS ON REPORTING, PAYMENTS AND PAYMENT ARRANGEMENTS

4.1 Reporting periods, payments and additional supporting documents

In addition to the provisions set out in the General Conditions n° 23 and 24, the following reporting and payment arrangements shall apply:

- Upon notification of this Grant Decision, a pre-financing payment of **70%** of the maximum amount specified in Article 3, shall be paid to the beneficiary.

Payment of the balance

- Sole reporting period from [...] to the end of the period set out in Article 2.2: The balance shall be paid to the beneficiary, subject to the receipt of the documents requested in General condition n° 23.2(a) and all other accompanying documents mentioned under the section "Other supporting documents" of this Article.

Other supporting documents:

The request for payment of the balance shall be accompanied by the final technical report (Annex IV), justifying the final determination of the lump sum.

4.2 Time limit for payments

The time limit for the Agency to make payment of the balance is 60 days.

4.3 Language of requests for payments, technical reports and financial statements

All requests for payments, technical reports and financial statements shall be submitted in English, French or German.

ARTICLE 5 – BANK ACCOUNT FOR PAYMENTS

All payments shall be made to the beneficiary's bank account, denominated in euro, as indicated below:

Name of bank:

Address of branch:

Precise denomination of the account holder:

Full account number (including bank codes):

IBAN code:

ARTICLE 6 - DATA CONTROLLER AND COMMUNICATION DETAILS

6.1 Data controller

The entity acting as a data controller according to General Condition n° 6 shall be the person who is representing the Agency for the purposes of the signature of this Grant Decision.

6.2 Communication details of the Agency

Any communication addressed to the Agency shall be sent to the following address:

Education, Audiovisual and Culture Executive Agency
Unit MEDIA – Support for Development
Mrs. Jolien Willemsens, Head of Sector Development
Avenue du Bourget, 1
J-59 03/007
1049 Brussels
BELGIUM
E-mail address: EACEA-MEDIA-DEV-MONITORING@ec.europa.eu

6.3 Communication details of the beneficiary

This Grant Decision is addressed to the beneficiary:

[Full name]
[Function]
[Name of the entity]
[Full official address]
E-mail address: [complete]

Any communication from the Agency to the beneficiary shall be sent to the above mentioned address.

ARTICLE 7 – ADDITIONAL PROVISIONS ON USE OF THE RESULTS (INCLUDING INTELLECTUAL AND INDUSTRIAL PROPERTY RIGHTS)

Not applicable

ARTICLE 8 – ORDER OF PRECEDENCE AND ANNEXES

The Annex II "General Conditions" (hereinafter referred to as the "General Conditions") and the other Annexes to the present Grant Decision form an integral part of the present Grant Decision. The terms set out in this Grant Decision shall take precedence over those in the General Conditions. The terms of the General Conditions shall take precedence over the other Annexes.

ARTICLE 9 – OTHER SPECIAL CONDITIONS

9.1 - INAPPLICABILITY OF THE NO-PROFIT PRINCIPLE

By way of derogation from General Condition n° 25.3, the no-profit principle does not apply to the action.

9.2 – CONDITIONS OF CALL FOR PROPOSALS

The beneficiary shall ensure that the action complies with the eligibility criteria set out in the Call for Proposals EACEA 22/2018 and the guidelines throughout the execution of this grant decision. This obligation constitutes a "substantial obligation" within the meaning of General condition n°16.2.1, point (b) of this Decision.

9.3 – VISIBILITY OF THE EUROPEAN UNION SUPPORT

For the purpose of the application of General condition n° 7, the beneficiary shall indicate in any communication or publication about the action, including its website, that the action has received funding from the European Union. This includes a mention of the development support on onscreen credits of the final produced project when applicable. Such acknowledgment shall be worded as follows: "with the support of the Creative Europe Programme - MEDIA of the European Union" and be accompanied by the Creative Europe - MEDIA logo and the European flag. The beneficiary shall use the logos, trademarks or items created by the Agency for these purposes and include in the publications/catalogue of the action covered by this Grant Decision the text provided by the Agency.

The obligation to comply with the publicity provision set out in General Condition n° 7 constitutes a substantial obligation. Without prejudice to the right to terminate the grant, in case of failure to fulfil this obligation, the Agency may apply a 20% reduction of the grant initially provided for.

The beneficiary undertakes to supply to the Agency one copy of all audiovisual works resulting from the development of the action on the appropriate platform.

9.4 – USE OF THE RESULTS OF THE ACTION BY THE AGENCY AND/OR THE UNION

General Condition n° 8 relating to the use of the results of the action, including industrial and intellectual property rights, by the Agency and/or the Union, shall be interpreted without prejudice to the industrial and intellectual property rights owned by the beneficiary and within the limits of the activities conferred to the Agency and/or the Union.

General Condition n° 8.2 shall not apply.

9.5 – TECHNICAL AND FINANCIAL REPORTING – REQUESTS FOR PAYMENT AND SUPPORTING DOCUMENTS

For the purpose of General Condition n° 25.1(c) and the approval of the proper implementation of the corresponding tasks or part of the action as described in Annex I, the beneficiary shall provide the information and documents as stated in the Annex IV.

The requested outputs will reflect the progress made since the application stage in the two main areas of activities covered by the development action: the creative development and the financing as well as marketing research.

Upon declaration regarding the outputs listed under Annex IV, the final grant will be determined as follows:

Whereas the beneficiary delivers outputs in both categories listed below ("Creative Development" and "Financing and Marketing Research"), and that the total reaches

- at least 70% of the outputs as weighted below, 100% of the grant shall be paid;
- between 50 and 69% of the outputs as weighted below, 70% of the grant shall be paid;

Under this threshold and/or if the applicant delivers outputs in only one of the two categories below (even if in full), the beneficiary is deemed to have failed to prove the proper implementation of the corresponding tasks or part of the action, and the Agency reserves the right to terminate the Grant decision as stipulated under General Condition n° 16 and to recover the amount paid as per General condition n° 26.

OUTPUTS to be delivered (as listed under Annex IV)

Table with 2 columns: Output description and Weighting (%). It lists categories like '1. CREATIVE DEVELOPMENT' and '2. FINANCING AND MARKETING RESEARCH' with sub-items and their respective percentages.

9.6 – INTEROPERABLE STANDARD IDENTIFIER

The project must have an Interoperable standard identifier (ISAN, EIDR, etc.) by the end of the period set out in Article 2.2. This Interoperable standard identifier needs to be provided in the documents accompanying the request for payment of the balance.

For the Agency

Jolien WILLEMSSENS

Head of Sector MEDIA Development
Authorising Officer by Sub-delegation

Done at Brussels,

In duplicate in English

Annex I Description of the action

Annex II General Conditions (hereinafter referred to as “the General Conditions”):
https://eacea.ec.europa.eu/sites/eacea-site/files/ii_b_3.pdf

Annex III Estimated budget of the action

Annex IV Model final technical report

Annex V Model financial statement: not applicable

Annex VI Model terms of reference for the certificate on the financial statements and underlying accounts: not applicable

Annex VII Model terms of reference for the operational verification report: not applicable

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