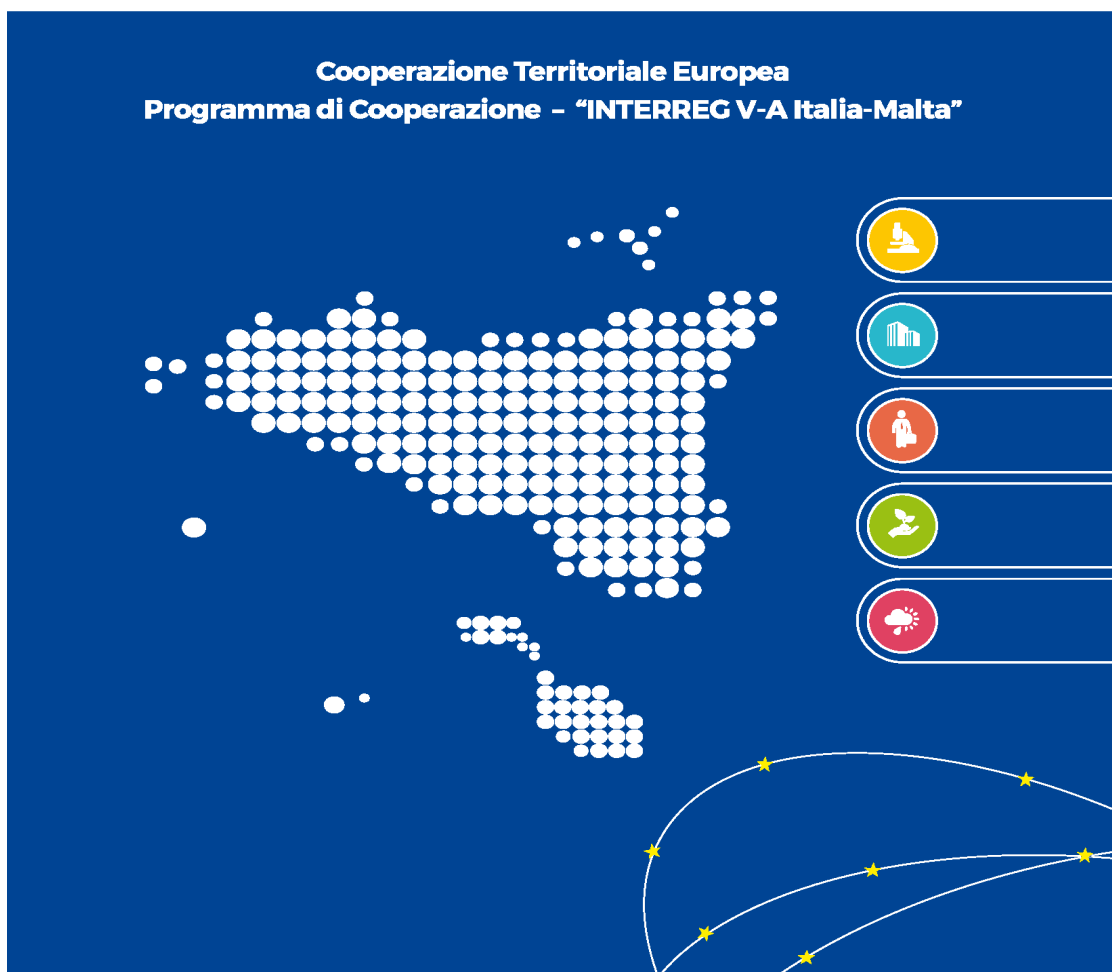


Public Notice 3/2022
Capitalization of the results of cooperation projects financed under the
INTERREG V A –Italy-Malta Programme
Priority axis I, II, III



Approved by the Monitoring Committee on 12 July 2022

Art. - 1 Legal basis

- Commission Implementing Regulation (EU) 2021/439 of 3 March 2021 amending Implementing Regulation (EU) No 215/2014 as regards the addition of a new thematic objective to the nomenclature of the categories of intervention for the ERDF, the ESF and the Cohesion Fund under the Investment for growth and jobs goal
- Commission Implementing Regulation (EU) 2021/438 of 3 March 2021 amending Implementing Regulation (EU) No 184/2014 as regards the addition of a new thematic objective to the nomenclature of the categories of intervention under the European territorial cooperation goal
- Commission Implementing Regulation (EU) 2021/435 of 3 March 2021 amending Commission Implementing Regulation (EU) No 288/2014 as regards changes to the models for operational Programmes under the Investment for growth and jobs goal and under the European Territorial Cooperation goal to provide assistance under the thematic objective 'Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy'
- Regulation (EU) 2020/1542 of the European Parliament and of the Council of 21 October 2020 amending Regulation (EU) No 1303/2013 as regards the adjustment of annual pre-financing for the years 2021 to 2023
- Regulation (EU) 2020/558 of the European Parliament and of the Council of 23 April 2020 amending Regulations (EU) No 1301/2013 and (EU) No 1303/2013 as regards specific measures to provide exceptional flexibility for the use of the European Structural and Investments Funds in response to the COVID-19 outbreak
- Commission Regulation (EU) 2020/972 of 2 July 2020 amending Regulation (EU) No 1407/2013 as regards its prolongation and amending Regulation (EU) No 651/2014 as regards its prolongation and relevant adjustments (Text with EEA relevance)
- Regulation (EU) 2020/460 of the European Parliament and of the Council of 30 March 2020 amending Regulations (EU) No 1301/2013, (EU) No 1303/2013 and (EU) No 508/2014 as regards specific measures to mobilise investments in the healthcare systems of Member States and in other sectors of their economies in response to the COVID-19 outbreak (Coronavirus Response Investment Initiative)
- Regulation (EU) No. 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No. 1083/2006;
- Regulation (EU) No. 1301/2013 of the European Parliament and of the Council of 17 December 2013 on the European Regional Development Fund and on specific provisions concerning the "Investment for growth and jobs goal" and repealing Regulation (EC) No 1080/2006;
- Regulation (EU) No. 1299/2013 of the European Parliament and of the Council of 17 December 2013 on specific provisions for the support from the European Regional Development Fund to the European territorial co-operation goal (ETC) to support co-operation between neighbouring regions to promote integrated regional development between neighbouring regions with land and sea borders in two or more Member States or between neighbouring regions in at least one Member State and a third country on the

external borders of the Union other than those affected by the Programmes under the external financing instruments of the Union;

- Commission Delegated Regulation (EU) No. 240/2014 of 7 January 2014 on the European code of conduct on partnership in the framework of the European Structural and Investment Funds;
- Commission Regulation (EU) No. 1407/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid published in the OJUE L 352 on 24 December 2013;
- Commission Delegated Regulation (EU) No. 481/2014 of 4 March 2014 supplementing Regulation (EU) No. 1299/2013 of the European Parliament and of the Council with regard to specific rules on eligibility of expenditure for co-operation Programmes – articles 1-7;
- Commission Regulation (EU) No. 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty, published in the OJUE L 187/1 on 26 June 2014;
- Regulation (EU, EURATOM) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No. 1296/2013, (EU) No. 1301/2013, (EU) No. 1303/2013, (EU) No. 1304/2013, (EU) No. 1309/2013, (EU) No. 1316/2013, (EU) No. 223/2014, (EU) No. 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, EURATOM) No 966/2012;
- Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC Text with EEA relevance, published in the OJUE L 94/65 on 28 March 2014;
- Commission Regulation (EU) No. 1407/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid, published in the OJUE L 352/1 on 24 December 2013;
- Decision of the European Commission C (2015) no. 7046 of 12 October 2015, with which the “INTERREG VA Italy Malta Cross-Border Co-operation Programme 2014-2020” was approved for the European structural intervention of the European Regional Development Fund (ERDF) within the framework of the co-operation objective European territory in Italy and Malta (CCI: 2014TC16RFCB037);
- Decision of the European Commission C (2021) 1351 final of 23 February 2021 with which the requested modifications of the “INTERREG VA Italy Malta Cross-Border Co-operation Programme 2014-2020” was approved.
- INTERREG V-A Italy-Malta Co-operation Programme and in particular the articulation of the Axes with regard to financial allocations and physical advances as reported in the performance framework of the Priority Axes I, II and III;
- Resolution of the Government Council no. 246 of 5 July 2018 which definitively approves the Managing and Certification Authorities of the INTERREG V-A Italy-Malta Co-operation Programme;
- DDG n. 740/SV VI DRP of 10 December 2019 approving the “Manual for Expenditure and First Level Control Reporting - INTERREG V-A Italy Malta” and its annexes;
- DDG. no. 741/SV VI DRP of 10 December 2019 approving the “The functions and procedures in place for the Managing Authority and the Certifying Authority” (DMCS)”;
- DDG no. 346/A VII DRP of 11/07/28 approving the control Trails concerning Axes I, II, III and IV of the INTERREG V-A Italy Malta Programme;

- Law no. 241/1990 that establishes the general rules on administrative action, published in the Official Gazette of 18 August 1990 no. 192, coordinated and last updated by Legislative Decree of 16 June 2017, no. 104;
- Legislative Decree 18 April 2016 no. 50 (so-called “Procurement Code 2016”) as amended, in G.U. (Official Gazette) no. 91 of 19/04/2016 s.o. no. 10, in force since 19/04/2016 which abrogated Legislative Decree no. 163 of 12 April 2006;
- CIPE Resolution no. 8, dated 28/1/2015, "Partnership agreement for the programming of the European Structural and Investment Funds 2014 – 2020" of acknowledgment, pursuant to the provisions of point 2 of the CIPE resolution no. 18/2014, of the Partnership Agreement approved on 29 October 2014 by the European Commission and concerning the programming of the European Structural and Investment Funds for the period 2014-2020, published in GURI General Series no. 94 of 23 April 2015;
- CIPE Resolution no. 10 of 28/1/2015 laying down the “definition of the national public co-financing criteria of the European Programmes for the 2014-2020 programming period and related monitoring. Programming of the complementary interventions referred to in Article 1, paragraph 242 of Law no. 147/2013 provided for in the 2014-2020 Partnership Agreement”, published in GURI General Series no. 111 of May 15, 2015;
- Presidential Decree no 22 of 5 February 2018 - Regulation containing the criteria on the eligibility of expenditure for Programmes co-financed by the European Structural and Investment Funds (ESIF) for the programming period 2016/2014, published in the G.U.R.I. no. 71 of March 26, 2018;

Art. 2 – Definitions

AA	Audit Authority
Adc	Certifying Authority
MA	Managing Authority
Aid	Any measure that meets all the criteria set out in Article 107(1) of the Treaty;
AF	Application Form
MNCA	Maltese National Coordination Authority
PA	Partnership Agreement
ExC	Executive Committee
MC	Monitoring Committee
EC	European Commission
CIPE	Inter-ministerial Committee for Economic Planning
NC	National Contribution
CP	Contact Point
ETC	European Territorial Cooperation
ERDF	European Regional Development Fund
IAID	Internal Audit and Investigations Department
IGRUE	Inspectorate General for Relations with the European Union
VAT	Value Added Tax
KETs	Key Enabling Technologies
LP	Lead Partner
MFIN	Ministry for Finance
SO	Specific Objective
Organisation for Research	An entity (e.g. universities or research institutes, technology transfer agencies,

and dissemination of knowledge	innovation intermediaries, research-oriented real or virtual collaborative entities), irrespective of its legal status (established under private or public law) or source of financing, the main purpose of which is to carry out independent fundamental research activities, industrial research or experimental development or to ensure the broad dissemination of the results of these activities through the teaching, publication or transfer of knowledge. If this entity also carries out economic activities, the financing, costs and revenues of these economic activities must be accounted for separately. Enterprises that are able to exercise decisive influence on this entity, for example as shareholders or partners, cannot enjoy any preferential access to the results generated;
TO	Thematic Objective
CP	Cooperation Programme
IP	Investment Priorities
SME	Small and Medium Enterprises: any entity that carries out an economic activity, regardless of its legal form (Reg. No 651/2014, Annex I)
PP	Project partners
AIR	Annual Implementation Report
R&D	Research and Development
Aid scheme	means any act on the basis of which, without further implementing measures being required, individual aid awards may be made to undertakings defined within the act in a general and abstract manner and any act on the basis of which aid which is not linked to a specific project may be granted to one or several undertakings for an indefinite period of time and/or for an indefinite amount
RIS3	Malta's Research and Innovation Strategy
JS	Joint Secretariat
SI	Information System
SRI3	Regional Strategy for Innovation and Smart Specialization
Targeted call	Public notice aimed at acquiring timely, concrete project proposals in line with the "eligible action" and the "project purposes" envisaged by this notice;
New and innovative technologies	New and untested technologies compared to the state of the art in the relevant sector, which entail a risk of technological or industrial failure and do not consist of optimization or upgrading of an existing technology
EU	European Union
WP	Work Package

Art. 3 – Subject and financial allocations of the public notice

This public notice is addressed exclusively to projects already financed by the INTERREG V-A Italy-Malta Programme that have completed the activities and/or achieved the expected results.

The objective of this procedure is to acquire punctual, concrete and immediately feasible project proposals - based on Axes I, II and III (specific objectives 1.1, 2.1, 2.2, 3.1 and 3.2) of the INTERREG VA Italy–Malta Programme - that capitalize on the results achieved from the program in the 2014-2020 programming cycle. Through the capitalisation of results, the INTERREG V-A Italy-Malta Programme aims to:

- 1. Obtain additional results compared to those already achieved(ready-to-use)**
- 2. Generate more impact by extending or replicating the experience (scaling up)**
- 3. Integrating results into policies and Programmes (mainstreaming & embedding)**

The "key" and "common" factor to the three modes of capitalisation listed above is to ensure that the results are not only transferred, but also reused by other specific actors and that there is, therefore, a gradual improvement of policies.

Each of the three modes of capitalisation presupposes an increasing level of 'intensity' understood as complexity resulting from the maturity reached by existing partnerships and projects funded by the Interreg V-A Italy-Malta Programme in the 2014-2020 cycle. The choice to pursue one method of capitalization instead of another does not represent a reward criterion but must be the result of a timely analysis of the results that each partnership has achieved and a vision of future prospects also in terms of 2021-2027 programming.

On the basis of the savings in expenditure currently available and deriving from the operations financed, the resources that can be used for this public notice are equal to **Euro 2.911.192** consisting of the Community public co-financing of the European Regional Development Fund (ERDF), equal to 85%. and the National contribution (CN) is 15%.

For the Italian public partners and bodies governed by public law, the NC is placed under the responsibility of the "*Fondo di Rotazione ex L. no. 183/1987*" and is guaranteed by the Ministry of Economy and Finance - *Ispettore Generale per I Rapporti con l'Unione Europea* (IGRUE) as a result of CIPE Resolution No. 10 of 28 January 2015.

For Italian private partners, the NC is to be guaranteed through funds from the partner itself or by other public body/ies.

For the Maltese public partners, the NC follows the provisions set forth in [MFIN Circular no. 5/2014](#). For private Maltese partners and bodies governed by public law, the NC is to be guaranteed through funds from the partner itself or by other public body/ies, should this be so endorsed.

The financial resources (ERDF and NC) made available by this Public notice for the selection of co-operation projects, are provided exclusively on a reimbursement basis for expenses actually incurred by the beneficiaries and considered eligible, in accordance with the Commission Delegated Regulation (EU) No. 481/2014 of 4 March 2014, by the competent bodies of the Programme.

Therefore, it is being understood that, even though in line with the provisions of paragraph 9.2 of the Programme Implementation Manual, an advance of resources is foreseen, each beneficiary

(Lead Partner and Partner) will have to ensure – after the approval of the project proposal – the necessary resources for the launch of project activities.

Any delay on the part of the MA on the provision of the advance payment cannot in any way be attributed by the beneficiaries (Lead Partner and Partner) of the project towards justifying the delay or failure to achieve both the spending targets and the results and outputs identified in the Work packages stipulated by the Grant Agreement and the Partner Agreement.

Based on the needs of the Programme to achieve the result indicators for each thematic objective, the following are listed for each Axis and specific objective: ERDF resources allocated for this public notice:

- **Priority Axis I:** Euro **801.961** (ERDF) for Investment Priority 1.b - Specific Objective 1.1;
- **Priority Axis II:** Euro **340.529** (ERDF) for Investment Priority 3.a - Specific Objective 2.1 and for Investment Priority 8.e - Specific Objective 2.2;
- **Priority Axis III:** Euro **1.768.702** (ERDF) for Investment Priority 6.d - Specific Objective 3.1 and for Investment Priority 5.b - Specific Objective 3.2.

Art. 4 – Areas affected by the Programme

The eligible area of the co-operation Programme concerns the NUTS III territories referred to in the European Commission Implementing Decision of 16/06/2014. More specifically, the territory affected by the Programme is:

For Italy

Sicily - NUTS 3 areas: Palermo, Trapani, Caltanissetta, Agrigento, Ragusa, Syracuse, Enna, Catania and Messina.

For Malta

Malta, Gozo and Comino.

In duly justified cases, the Programme may finance the implementation of operations or part of operations even outside the eligible areas of the Programme in accordance with the provisions of art. 20 of Regulation (EU) no. 1299/2013 (the total amount allocated to operations outside the eligible area must not exceed 20% of the ERDF resources dedicated to the project).

Art. 5 – Characteristics of capitalization projects

Each capitalization project must contribute directly to the achievement of the specific objective of the chosen Investment Priority and therefore the results of the project must be linked to the result indicator of the Program. The mechanism of correlation of the internal coherence of the project with the Programme will mean that the outputs envisaged by the project will have to contribute to the achievement of the outputs of the Programme.

The internal coherence of the project will be demonstrated through the provision of a package of actions - timely, concrete and immediately feasible - logically and coherently connected to one another in order to allow the full achievement of the output indicators of the Programme.

These actions will be implemented by a partnership composed of partner beneficiaries and a lead beneficiary; the latter will represent the entire partnership vis-à-vis the MA and the other Programme authorities.

The project partnership will carry out the actions of capitalization of the results in compliance with the provisions contained in the following art. 6., failure to this will automatically result in the project proposal being inadmissible.

In general, each cooperation project should ensure:

- 1) The capitalization character of the proposed actions (transfer and reuse) and the impact in the medium-long term;
- 2) The cross-border dimension and character of the capitalized actions;
- 3) The contribution to the achievement of the objectives and results of the Programme;
- 4) The achievement of concrete and lasting results, additional to the original project;
- 5) The coherence of the partnership, the relevance and competences of the partners in relation to the objectives of the project;
- 6) The relevance of the financial plan and the coherence of the budget with the capitalization objectives;
- 7) A financial allocation (ERDF+CN) between a minimum of € 150,000 and a maximum of € 1,000,000;
- 8) Maximum duration of 9 months.

Art. 6 – Actions eligible for each capitalization mode

As a general principle, not all deliverables/outputs/results of the projects carried out are destined to be capitalised for various reasons such as: added value that is too specific and/or limited compared to what has been developed elsewhere; administrative barriers that have made it difficult to achieve the objectives of the funded projects; limited interest on the part of *policy makers, stakeholders or end-users*.

The effectiveness and success of the capitalization process, regardless of the modality that the proposer intends to pursue, depend largely on the clear identification of what is intended to be capitalized (*targeted*) and the involvement of potential re-users (takers).

➤ **Mode 1 - Obtain additional results compared to those already achieved (ready-to-use)**

This mode presupposes the identification of results within the projects implemented under the Interreg VA Italy-Malta Programme in the 2014-2020, that have significant and highly replicable outputs to be reused/ enhanced as well as the conditions of such replicability. In this regard, exemplary but non-exhaustive actions can be traced back to:

- Upgrading and/or upscaling of equipment already implemented by INTERREG V-A Italy-Malta projects covering a larger cross-border area
- Transfer and reuse of equipment already invested in by INTERREG V-A Italy-Malta projects for purposes not initially envisaged
- Transfer and reuse of equipment already invested in by INTERREG V-A Italy-Malta projects for the benefit of stakeholders not initially involved

The actions proposed through this method of capitalization will have to support the reuse / enhancement of the results obtained by the projects in such a way as to increase their value over time and to enhance what the original project has used the resources for.

➤ **Mode 2 - Generate more impact by extending or replicating the experience (scaling up)**

This modality presupposes to enhance and expand the effects of the outputs produced in the context of projects financed by the Interreg V-A Italy-Malta Programme in the 2014-2020 cycle through the integration, replication, transfer and reuse of the results achieved.

Integration will take place on the basis of "clusters" at the level of each thematic objective of the operations already financed in order to ensure synergies for the generation of quality and integrated results. The integration and complementarity pursued will also be consistent with the aims of the WestMed initiative.

Reference TO	Area of interest of the Programme	Thematic pole	Objectives of the West Med strategy	Italy-Malta Projects
Thematic objective 6: - Preserving and protecting the environment and promoting resource efficiency	Environmental protection	Protection of the natural heritage	Goal 1 — A safer and more secure maritime space <ul style="list-style-type: none"> Priority 2 – Maritime safety and response to marine pollution rescue Goal 3 — Improved maritime governance <ul style="list-style-type: none"> Priority 9 – Biodiversity and marine habitat conservation 	Harmony, Simaseed, AMPPA, Corallo, Fast, SeaMarvel, Senhar, Bioblu
Thematic objective 5: - Promoting climate change adaptation, risk prevention and management	Safety of the territory and the sea	Mitigation and risk management	Goal 1 — A safer and more secure maritime space <ul style="list-style-type: none"> Priority 1 – Coastguard functions cooperation (training, capacity building, search and rescue) Priority 2 – Coastguard functions cooperation (training, capacity building, search and rescue) Goal 3 — Improved maritime governance <ul style="list-style-type: none"> Priority 7 – Maritime Spatial Planning/Integrated Coastal Zone Management including land-sea interaction Priority 8 – Marine and maritime knowledge (data gaps, data analysis and sharing) 	Calypso South, News, Simit Tharsy, Bess, i-WaveNet, Gifluid
Thematic Objective 1: - Strengthening research, technological development and innovation	Cultural heritage	Blue Growth and Smart Growth	Goal 2 — A smart and resilient blue economy <ul style="list-style-type: none"> Priority 3 – Strategic research and innovation 	Bythos, Microwatts, I-Access, I.T.A.M.A., Mediwarn, Natiflife
	Quality of life and health of citizens			
Thematic Objective 3: - Promoting the competitiveness of SMEs	Competitiveness of the cross-border area	Economic Growth and Human Capital	Goal 2 — A smart and resilient blue economy <ul style="list-style-type: none"> Priority 4 – Maritime cluster development Priority 5 – Skill development and circulation 	ENISIE, JobMach2020, I Know, MEN, Move On, CrossWork
-Promoting sustainable and quality employment				

Reference TO	Area of interest of the Programme	Thematic pole	Objectives of the West Med strategy	Italy-Malta Projects
and supporting labour mobility				

In this regard, exemplary but non-exhaustive actions can be traced back to:

- System actions integrating the results of two or more cluster projects for new purposes or to increase the value of results achieved ;
- Feasibility studies for the integration of good practices of two or more projects of a cluster and the subsequent replicability in the perspective of 21-27 (transfer and reuse of knowledge and results);
- Creation of communities of decision-makers (policy makers), stakeholders (stakeholders), end users (end-users) aggregated around common themes able to promote the inclusion of the results achieved in national / regional policies

The actions proposed through this mode of capitalization should aim to identify the so-called "transfer potential" or define the transposition conditions based on transfer methodologies or plans, considering the extent to which a solution can be decontextualized and adapted in a different context.

➤ **Mode 3 – Mainstreaming & embedding results**

This modality presupposes the promotion of dialogue of project beneficiaries with other ETC Programmes and mainstream Programmes to integrate the results in the regional policies and contribute to/embed the appropriate WestMED sea-basin strategy (<https://www.westmed-initiative.eu/>) priorities, on the basis of the identified potential use areas and the identified *takers*, i.e. possible actors who may be interested in re-use and relaunching the results obtained.

In this regard, exemplary but non-exhaustive actions can be traced back to:

- Integration of technological systems already implemented by INTERREG V-A Italy-Malta projects with other existing systems in the Mediterranean area and/or with existing European infrastructures;
- Feasibility studies on the extension of technological systems already implemented by INTERREG V-A Italy-Malta projects on the entire regional/national territory;
- Integration of policies and/or technological systems already implemented by INTERREG V-A Italy-Malta projects with other initiatives carried out by ETC Programmes;
- embedding and valorisation of the results in the WestMED community, also through exchange with the Maltese and Italian WestMED National hubs.

The actions proposed through this mode of capitalization must aim to connect beneficiaries of the projects and potential *takers* (re-users) of results also involving *policy takers* who deal with these issues at regional / national level.

Art. 7 – Categories of eligible beneficiaries and State aid

This notice is addressed to the beneficiaries who make up the partnerships of the projects already financed by the INTERREG V-A Italy-Malta Programme and who intend to activate an operation for capitalization actions.

On the basis of the way in which the project proposal is developed (mode 1, 2, 3 referred to in Article 6 above) **the existing partnership** will be entitled to propose a project to capitalise on the results **involving all or only part of the beneficiaries** involved so far.

The existing partnership will also be able to determine the entry of **new potential beneficiaries** provided that it is clearly demonstrable:

1. the consistency of the new potential beneficiary with the proposed capitalization actions;
2. the capacity of the new potential beneficiary to be immediately operational within an existing partnership and to immediately start the activities envisaged;
3. the expenditure capacity of the new potential beneficiary under the project financed by the INTERREG V-A Italy-Malta Programme;

The new potential beneficiaries must in all cases have a **legal status** among those listed below:

- Public bodies:
 - "Contracting authorities" within the meaning of Article 2 (1) (1) of Directive 2014/24/EC of the European Parliament and of the Council
- Bodies governed by public law within the meaning of Article 2(1)(1) of Directive 2014/24/EC of the European Parliament and of the Council
- Private bodies provided that they have legal personality.

All potential beneficiaries of capitalisation projects (lead and partner) must have their **head and/or operational headquarters**, including administrative competence, in the eligible territory (i. e Sicily and Malta).

With reference to the project actions that have an impact on market competition and therefore fall within the State aid framework, it should be noted that for this notice the reference legislation is that related to the de minimis scheme in line with the provisions of Commission Regulation (EU) No. 1407/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid.

Art. 8 – Selection criteria

Cooperation projects shall be selected in accordance with the criteria and selection criteria set out in Annex 1 to this Public Notice.

On the basis of the conditions of eligibility for financing envisaged by the selection criteria, each project proposal will be determined as either eligible for financing; or eligible for financing under condition/s; or admissible but not eligible for financing; or rejected not eligible.

With reference to the 'condition' related to the project proposal" eligible *under condition/s*", it should be noted that such 'condition/s' may concern the possible reshaping of budgets, of activities or parts thereof, of output and/or result indicators, etc. These will be specified in the evaluation grids for each project proposal. The eventual presentation of the re-modelled project proposal, in line with the conditions, will again be subject to evaluation.

With reference to the 'condition' related to the project proposal "*admissible but not eligible for financing*", it is to be noted that this refers to the lack of sufficient financial resources at Programme Level for the realization of the project.

With reference to the condition of the project proposal "*rejected not eligible*", it is to be noted that this refers to the minimum score below which no financing will be granted to the proposal, since the latter would be deemed not suitable.

In the event that the project does not obtain the minimum score of 60 in the following strategic evaluation criteria, it will be considered immediately rejected:

- 1.1 - Eligibility for capitalization (minimum required score 20)
- 1.2 - Capitalization effectiveness (minimum required score 20)
- 1.3 - Size and cross-border character of capitalization actions (minimum required score 20)

Art. 9 – Selection procedure

The selection procedure for the identification and approval of cooperation projects is divided into the following phases:

PHASE 1 - verification of formal admissibility requirements

The Joint Secretariat receives the project proposals after the deadline set by this Public Notice and initiates the verification of the existence of *the "eligibility requirements"* provided for in the selection criteria. The JS then submits, to the Executive Committee, a list with the details of the project proposals considered:

- (a) *eligible for the next evaluation phase*
- b) *eligible after completion of the documentation, according to the specific cases defined in the Notice*
- (c) *ineligible for the evaluation phase by providing the necessary reasons*

The Executive Committee verifies and approves the list with the relative detail of the eligibility of the project proposals sent by the JS and gives mandate to the Managing Authority (MA) to communicate to each lead beneficiary the results of the admissibility check.

Potential lead beneficiaries, no later than 7 calendar days after receipt of the results of the admissibility check may submit to the MA, where appropriate, counter-claims against the DECISIONS of the ExC. Such counter-claims must be made in a precise, concise manner and present arguments closely related to the reasons that led to the inadmissibility of the project proposal for the next evaluation phase.

The Executive Committee examines within 10 calendar days any counter-claims, preparing the relative outcomes and gives a mandate to the MA to respond to each potential lead beneficiary. The Executive Committee shall, where appropriate, draw up the list with the related detail of eligibility of the project proposals for the next evaluation phase.

Duration of Phase 1: 30 calendar days

PHASE 2 – qualitative evaluation (strategic assessment)

The Joint Secretariat carries out the "strategic assessment" of the project proposals deemed eligible according to the "selection criteria" and then submits to the Executive Committee a ranking proposal with the list of proposals divided by Priority Axis and Investment Priority.

The Executive Committee verifies the ranking proposal of the Joint Secretariat, and prepares the final ranking containing the list of project proposals divided by Priority Axis and Investment Priority under one of the financing eligibility conditions:

- (a) project eligible for funding*
- (b) project eligible for financing under conditions*
- (c) project eligible but not financed due to lack of financial resources*
- (d) rejected project not accepted*

The Executive Committee instructs the MA to notify the potential lead beneficiaries the results of the evaluation. The potential lead beneficiaries no later than 7 calendar days after receiving the results of the qualitative assessment may submit to the MA, where appropriate, counter-claims against the decisions of the ExC. These counter-claims must be made in a precise, concise manner and present arguments strictly related to the reasons that led to a negative score of the project proposal, determining its non-financing and / or rejection.

The Executive Committee examines within 10 calendar days any counter-claims preparing the relative outcomes and gives mandate the MA to respond to each potential lead beneficiary. The Executive Committee shall, where appropriate, draw up the list with the related detail of eligibility for funding of the project proposals.

In the event that the members of the Executive Committee deem it appropriate, these counter-claims may be transmitted to the Monitoring Committee for the consequent determinations.

The Executive Committee proposes and transmits to the Monitoring Committee the results of the selection. This will include the ranking of operations containing the list of project proposals, divided by Priority Axis and by Investment Priority and including one of the conditions (per project) listed above for eligibility for funding.

Duration of Phase 2: 40 calendar days

PHASE 3 – admission to funding

The Monitoring Committee, once received from the MA the results of the selection, including the ranking of the operations carried out by the Executive Committee, decides on the eligibility for financing of the project proposals divided by Priority Axis and by Investment Priority on the basis of the conditions listed in Phase 2 – letters a) to d).

Duration of Phase 3: 15 calendar days

PHASE 4 – publication of rankings and start of activities

Having received the results of the decision by the MC, the MA, takes note of this with a special decree to ratify the final ranking and notifies each lead beneficiary while requesting the commencement date of the projects. Subsequently, it establishes the modalities and the timing for the signing of the Subsidy Contract, duly accompanied by the Partnership Agreement.

Duration of Phase 4: 10 calendar days

The final rankings (Priority Axes I, II and III) will be valid for 24 months from the time of publication.

The MC will be able to allocate additional resources, within those available in the Programme, for the possible financing of further project proposals at the request of the Member States occupying a favourable position in the ranking, according to the minimum admissibility score defined in the notice.

Art. 10 – Eligible expenses

With regards to the eligible expenses, please refer to the expenses identified in paragraph 9.4 of the “Programme Implementation Manual”, in compliance with the applicable legislation in force (Delegated Regulation (EU) 481/2014). In line with the objectives of this Notice, each project for capitalization actions referred to in the working methods identified in the previous art. 6 will have to take into account the following specifications for eligible expenditure:

- **Staff costs** – amount calculated on a flat-rate basis equal to 15% of the direct costs other than the staff costs of this operation (Art. 19 Reg 1299/2013), namely, "travel and accommodation costs", "External expertise and services costs " and "Equipment expenditure ".
- **Office and administrative expenditure** – amount calculated on the basis of a flat rate of 10% of staff costs (Art. 68 para 1 letter b Reg (EU) n. 1303/2013).
- **Travel and accommodation costs** – amount calculated on the basis of the actual costs documented for the purposes of the project and whose total amount may not exceed the maximum percentage of 2% of the total cost of the project.
- **External expertise and services costs** - amount calculated on the basis of the actual costs documented for the purposes of the project and for the first level controls (referred to in Article 125(4)(a) of regulation (EU) n. 1303/2013).
- **Equipment expenditure** - amount calculated on the basis of the real costs documented for the purposes of the project.

Art. 11 – Documentation and methods for presenting project proposals

The submission of the project proposals must be made by the potential project lead partner, in electronic mode (via e-mail to dipartimento.programmazione@certmail.regione.sicilia.it). The e-mail should read in object: **INTERREG V-A Italia Malta - Avviso Pubblico 3/2022 - Azioni di capitalizzazione dei risultati dei progetti di cooperazione finanziati dal programma.**

The application pack for participation in this notice consists of the following documents:

1. **Application form:** form (**Annex 1.a**) and budget (**Annex n. 1.b Axes I, II and III**).
2. **Letter of intent and co-financing leader/ partner (Annex A)** duly signed and stamped by the legal representative of the lead/project partners of the project proposal.
3. **Copy (front and back) of a valid identity document** belonging to the legal representative of the lead beneficiary and each project partner
4. **Formal administrative act** (Decree, Decision, Resolution, formal letter, etc.) which approves the project proposal, highlighting the total budgetary amount for the implementation of the project activities of the whole partnership. This letter/administrative act should be endorsed by the legal representative of the lead partner.

5. **Any permits or authorizations** that confirm the readiness of the implementation of the proposed actions.

In case of participation of a private body and/or a "body governed by public law" (public equivalent entities) in line with the indications of paragraph 9.6.4 of the Programme Implementation Manual, it shall be necessary to also attach the following documentation:

6. **Statute of the entity** (certified copy).
7. **Last two approved balance sheets** of the entity.

All beneficiaries must also complete and attach:

8. **State aid declaration (Annex C)**. Only in the event of a "Yes" answer to one or more questions, the potential beneficiary is required to also complete the following section **ANNEX C – Section 1 DE MINIMIS DECLARATION**.

The Managing Authority will verify the aid through the Registro Nazionale Aiuti (RNA) to verify for each company the possible granting of previous "de minimis" aid in the current financial year and in the two previous years.

In case the National Contribution (NC) for covering 15 % of the budget share of the private partner was guaranteed by another subject and not by the private partner themselves, the partner in question should also present the following document: **Letter of co-financing in favour of the private partner (Annex B)** duly signed and stamped by the legal representative of the subject which is ensuring the NC of the private partner.

The documentation listed above must be sent **no later than the 12th of September 2022** to the e-mail address dipartimento.programmazione@certmail.regione.sicilia.it with all the attached documentation duly dated and signed by the respective legal representatives of the potential beneficiaries. Italian beneficiaries will sign the documentation through a digital signature

Art. 12 – Protection of personal data and information on their treatment

The data acquired through this public notice, necessary for the preliminary investigation and evaluation of the project proposals, are processed by the Programme Management Authority (Presidency of the Sicilian Region - Regional Planning Department, P.zza Sturzo, 36 - 90100 Palermo) pursuant to art. 13 of Regulation (EU) 2016/679. For this purpose it is brought to the attention of potential beneficiaries that the processing of personal data supplied by them, or otherwise acquired for this purpose, by the Managing Authority of the Programme (Presidency of the Sicilian Region – Regional Planning Department) is aimed solely at the completion of the *de quo* procedure of this notice and will take place at Area VII of the Department by authorized personnel, with the use of computerized procedures also, in ways and within the limits necessary to pursue the aforementioned purposes. The data will be stored in compliance with the conservation of administrative documentation. The Data Controller and person in charge of data processing is Dr. Federico Amedeo Lasco – General Manager of the Planning Department, with headquarters in P.zza Sturzo, 36 – 90139 Palermo (certmail: dipartimento.programmazione@certmail.regione.sicilia.it - email: dipartimento.programmazione@regione.sicilia.it; telephone 091/7070032).

The provision of data is mandatory and the refusal to provide the same will make it impossible to fulfil the conditions inherent in the procedure. Personal data, with the exception of those which reveal the state of health, may be disseminated. Pursuant to the current provisions, the data will be

disseminated, through publication, in the forms provided for by the relevant regulations, in compliance with the principles of relevance and non-excess. Personal data may be disclosed to other public and private subjects when this is required by law or Regulation. In the context of the procedure, only sensitive and judicial data that are indispensable for carrying out institutional activities will be processed. In some cases, the interested parties have the right to obtain from the Data Controller, access to personal data and carry out corrections or cancellations of the same or limit or oppose the processing of data that concerns them (Articles 15 *et seq.* of the Regulation).

Pursuant to art. 115 and of Annex XII of Regulation (EU) no. 1303/2013, the list of beneficiaries admitted to financing under the Programme, the reference to the approved projects and the amount of funds allocated are published on the Programme's website www.italiamalta.eu.

Art. 13 – Contacts

Responsible for the procedure of this public procedure is _____ - Head of _____ within the Sicilian Region Regional Planning Department e-mail: _____ tel.: (+39) 091 7070____ – 7070____

The contacts of the Authorities:

AUTORITA' DI GESTIONE

Presidenza della Regione Siciliana
Dipartimento Regionale della Programmazione
P.za Sturzo, 36 – 90139 Palermo
Telephone: (+39) 091.7070013/032
Fax: (+39) 091.7070273
Email: dipartimento.programmazione@regione.sicilia.it
Website: www.italiamalta.eu

MALTESE NATIONAL COORDINATING AUTHORITY

Office of the Prime Minister
Funds and Programmes Division
The Oaks Business Centre,
Triq Farsons, Hamrun HMR 1321, Malta
Telephone: +356 2555 2634
Email: territorialcoop.fpd@gov.mt
Website: www.eufunds.gov.mt ; eufundsmalta.gov.mt

Art. 14 – Competent jurisdiction

For any disputes arising from the application of this procedure, jurisdiction belongs to the ordinary magistrate of the Court of Palermo.

Art. 15 – Applicable rules and reference

All the provisions referred to in this public notice and in the Programme Implementation Manual apply to these proceedings and to the implementation phase of the project. For anything not expressly provided for in this public notice, reference should be made to current applicable Community, national and regional legislation.

Art. 16 – Annexes

This public notice for the submission of cooperation projects under priority axes I, II, III of the INTERREG V – A Italy-Malta Programme, on the basis of the decisions taken by the MC, is accompanied by the following documents which form an integral part of the public notice:

- Annex 1 – Selection criteria of the operations - Public Notice n. 03/2022

- Annex 1.a – Application Form "template" for the presentation of project proposals
- Annex 1. b – Application Form "budget" for the presentation of project proposals
- Annex A - Letter of intent and co-financing lead partner/partner
- Annex B - Letter of co-financing in favour of the private partner
- Annex C - State Aid Declaration and related section 1
- Annex D - Implementation Manual of INTERREG V-A Italy-Malta Programme