

## **Guidelines for applications submitted for projects under External Borders Fund under the multi-annual programme 2007 – 2013.**

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### **Annual Programme 2010**

The aim of these guidelines is to direct applicants in the filling of the application form for the funding under the External Borders Fund 2007 - 2013. The guidelines serve to summarise Council Decision No. 574/2007/EC. Further information can be obtained from the Programme Implementation Directorate, Ministry for Justice and Home Affairs Tel: 2295 7160/ 125/ 351 or by email [margaret.fenech@gov.mt](mailto:margaret.fenech@gov.mt) and copied to [michelle.mizzi@gov.mt](mailto:michelle.mizzi@gov.mt) and [john.h.vella@gov.mt](mailto:john.h.vella@gov.mt). The total amount of funds available for 2010 is **8,991,668.00 Euros**. **Only a maximum of 75% of the total cost of the project can be co-financed.** Complete applications are to be submitted by **14<sup>th</sup> September 2009 at 12.00hrs.**

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#### **Abbreviations**

FB – Final Beneficiary  
MS – Member State  
TCNs – Third Country Nationals  
VAT – Value Added Tax

### **1. Basic Information**

#### **1.1 Name of Project**

Title of project should be indicative of what the project aims to achieve e.g. “Strengthening of surveillance capacity at the maritime borders”. Length of the title should not exceed 20 words.

#### **1.2 Entity applying for funding and contact details**

Submit the details of entity applying for project. Public or private entities with a role in border control and visa/consular affairs are eligible to apply.

Prospective applicants should specify their legal status and attach the statute or articles of association together with the audited accounts of the last financial year.

### **2. Priorities of the Fund**

In this section the Applicant should indicate which of the Priorities of the Fund the project is targeting.

- (a) **Priority 1** Support for the further gradual establishment of the **common integrated border management system** as regards the checks on persons at and the surveillance of the **external borders**.
- (b) **Priority 2:** Support for the development and implementation of the national components of a **European Surveillance System** for the external borders and of a permanent **European Patrol Network** at the southern maritime borders of the EU Member States.
- (c) **Priority 3:** Support for the issuing of visas and the tackling of illegal immigration, including the detection of false or falsified documents by enhancing the activities organised by the consular and other services of the Member States in third countries.

- (d) **Priority 4:** Support for the establishment of **IT systems** required for implementation of the Community legal instruments in the field of external borders and visas.
- (e) **Priority 5:** Support for the effective and efficient application of the relevant Community legal instruments in the **field of external borders and visas** in particular the Schengen Borders Code and the European Code on Visas.

### 3. Objectives and Actions

#### 3.1 Overall Project Objective

Specify the general aim of the project. The project should contribute to one or more of the Fund's general objectives, as outlined in Article 3 of the legislation and summarized hereunder:

- efficient organization of control, including surveillance and checks at external borders;
- efficient management of flows of persons at the external borders, ensuring a high level of protection, while allowing for smooth crossing of borders in conformity with the Schengen acquis and the principles of respectful treatment and dignity;
- uniform application by border guards of Community law on the crossing of external borders;
- Improvement of the management of activities organized by consular and other services of member States in third countries as regards the flows of third-country nationals in the territory of the Member States and the cooperation of member states in this regard.

#### 3.2 Project Description

Describe in some detail (not more than 200 words) what the project will be doing.

**3.3 Actions.** The applicant should state what action/s his/ her project will be taking. Actions allowed under this funding are listed under Art.5 of Council Decision 574/2007/EC. A summary is found below:

- a. border crossing infrastructure and related buildings;
- b. infrastructure, buildings and systems required for surveillance between border crossing points and protection against illegal crossing of the external borders;
- c. equipment for the operation of SIS, VIS, the European Image Archiving System (FADO) and other European and national systems;
- d. means of transport, specially equipped with electronic equipment for the surveillance of borders;
- e. equipment for real time exchange of information between relevant authorities;
- f. ICT systems;
- g. programmes for the secondment and exchange of staff such as border guards, immigration officers, and consular officers;
- h. training and education of staff of the relevant authorities, including language training;
- i. investments in the development, testing and installment of state-of-the-art technology;
- j. studies and pilot projects implementing recommendation, operational standards and best practices, resulting from the operational cooperation between member states in the field
- k. studies and pilot projects designed to stimulate innovation, exchanges of experience and improve the quality of the management of Member States' activities in third countries as regards the flow of migrants into their territory and cooperation in this regard.

### 3.4 Project Purpose

The Applicant has to describe what he/she will do to achieve the overall project objective. The project purposes should be measurable e.g. Enhancing of equipment utilized for surveillance.

**Avoid:**

- *Using the word “not” instead say what you want to achieve*
- *What you are not able to influence or change e.g. established government policy, political situation in foreign country etc.*

### 4. Budget Breakdown

#### Eligible Direct Costs

In order to be eligible, expenditure must:

- Must be within the scope and the objectives of the Fund
- Must be essential for the carrying out of the activities covered by the project
- Must be foreseen in the project’s forward budget
- Must be in form of financial (cash) transactions,
- Must be justified by official invoices.
- Must be identifiable and verifiable
- Costs have to be incurred in the territory of the Member States, with the exception of surveillance of external borders.

Furthermore, projects supported by the Fund must be of a non-profit making nature and shall be co-financed by public or private sources and shall not be financed by other sources covered by the Community budget.

#### Eligible Direct Costs

(Specific costs directly linked to the implementation of the project and foreseen in the estimated overall budget of the project)

	Cost Category	Eligible Costs	Requirements for Claims
A.	<b>Staff Costs</b>	Costs of staff are only eligible for persons that have a key role in the project, such as project managers and other staff operationally involved in the project. Functions, number of staff and names have to be indicated in Annex 1 of the budget application. Costs are based on the actual salaries and comprising social security charges and other statutory costs included in the remuneration. Costs of an official seconded to a project is eligible, even if not on the payroll of the final beneficiary but on the Ministry or the administration of origin. Supporting staff costs are not eligible as Direct Costs.	Filled in ‘ <b>Declaration on Staff Costs</b> ’, <b>time sheets</b> and <b>payslips</b> .
B.	<b>Travel &amp; Subsistence Costs</b>	Staff costs are eligible on the basis of the actual costs incurred and only for the staff whose costs are eligible as defined in Point A. Reimbursement rates must be based on	Beneficiary has to provide

		<p>the cheapest public transport. Daily subsistence shall be eligible on the basis of real costs or per diem.</p> <p>When staff costs of permanent officials is charged under 'costs covered by assigned income' category, their travel costs must be charged under this category.</p> <p>Travel costs for officials can be charged under direct cost in 2 cases:</p> <ol style="list-style-type: none"> <li>when staff cost of permanent officials is eligible as direct cost;</li> <li>when staff costs of permanent officials is not charged to the project but participate in the project activities. In this case attendance lists should be kept.</li> </ol>	<p>as supporting evidence:</p> <ul style="list-style-type: none"> <li>- The <b>invitation</b> of the seminar/training conference from the hosting agency.</li> <li>- The <b>agenda</b> of the seminar/training/conference.</li> <li>- Relevant <b>boarding passes</b></li> <li>- <b>Travel agency invoices</b> and other supporting documents Including receipts in case of reimbursement of real costs)</li> </ul>
<b>C.</b>	<b>Equipment</b>	<p>Equipment must be related directly to the realization of the project and having the technical characteristics necessary for the project. Costs incurred are co-financed on a full cost basis. Costs incurred have to be in accordance with national procurement rules (LN 177 of 2005).</p> <p>Equipment has to remain in use for the same objectives pursued by the project for a minimum duration of three years or more for ICT equipment, five years or more for operating equipment and ten years for helicopters, vessels and light aircraft.</p> <p>Expenditure in relation to renting and leasing of equipment is eligible for co-financing for the purpose and duration of the project implementation.</p>	<p>The <b>invoices and receipts</b> in relation to the purchase, renting or leasing of equipment must be produced to support the claim.</p>
<b>D.</b>	<b>Real Estate</b>	<p>This cost is eligible when it is necessary for the implementation of the project and clearly linked with its objectives. The full costs are eligible; however the following conditions have to be followed:</p> <ol style="list-style-type: none"> <li>A certificate is obtained from an independent qualified valuer.</li> <li>To be eligible, no community grant could have been granted in relation to the same real estate and the building must be used solely and exclusively for the stated purpose for at least 10 years.</li> </ol> <p>Rental of real estate is eligible where there is a clear link with the objective of the project and shall be used for the implementation of the project.</p> <p>Office space of the final beneficiary used for specific tasks directly linked to the project may be considered as a cost. However a detailed justification indicating the percentage of use and supporting documents should be provided.</p>	<p>The <b>invoices and receipts</b> in relation to the carrying out of works must be produced to support the claim.</p>
<b>E.</b>	<b>Consumables, Supplies &amp; General Services</b>	<p>Eligible if identifiable and directly necessary for the implementation of the project, <b>excluding</b> office supplies and all kinds of small administrative consumables, supplies and general services such as telephone, internet and postage.</p>	<p>The <b>invoices and receipts</b> in relation to the expenditure must be produced to support the claim.</p>
<b>F.</b>	<b>Subcontracting</b>	<p>Subcontracting should not exceed <b>40%</b> of the eligible direct costs.</p>	<p>The <b>invoices and receipts</b> and a <b>copy of the agreement</b> with the</p>

			subcontractor must be provided.
<b>G.</b>	<b>Expert Fees</b>	Legal consultancy fees, notarial fees and costs of technical and financial experts if they are directly linked to the project and necessary for its preparation and implementation.	The <b>invoices/receipts</b> must be produced to support the claim.
<b>H.</b>	<b>Costs deriving directly from requirements linked to EU co-financing</b>	Costs necessary for meeting the requirements linked to EU co-financing, such as publicity, transparency, evaluation of the project, external audit, bank guarantees, translation costs etc.	The <b>invoices/receipts</b> of these measures must be produced to support the expenditure carried out.
<b>I.</b>	<b>Eligible Indirect Costs (Overheads)</b>	<p>Indirect Costs relate to categories of expenditure that are not identifiable as specific costs directly linked to the project. The fixed percentage of indirect costs in relation to the total amount of eligible direct costs must not exceed <b>5%</b>.</p> <p>Indirect Costs have to be foreseen in the forward budget and the exact percentage of indirect costs fixed when submitting the application.</p> <p>The percentage dedicated for indirect costs shall cover the following costs in particular:</p> <ul style="list-style-type: none"> <li>- Staff costs that are ineligible as direct costs;</li> <li>- Administration and management expenses;</li> <li>- Bank fees and charges;</li> <li>- Depreciation of real estate and maintenance costs (when linked to the day to day administrative operations);</li> <li>- All costs linked to the project but excluded from "Eligible Direct Costs".</li> </ul>	The <b>invoices/receipts</b> of any expenditure must be produced to support the claim.
<b>J.</b>	<b>Specific Expenses In Relation To Target Groups</b>	These consist of costs incurred by the beneficiaries for the target groups.	Information about target groups to show that they are eligible for assistance must be kept. Additionally, information about persons receiving assistance must be kept.
<b>X.</b>	<b>Costs covered by assigned income (not eligible as direct or indirect staff costs)</b>	<p>In duly substantiated cases, co-financing of the project as regards the contribution from the beneficiary and the partners in the project may be made up in part of contributions in terms of work carried out by permanent officials employed by these bodies and involved in the project. Such contributions shall not exceed <b>50%</b> of the total contribution given by the final beneficiary. The following rules shall apply:</p> <ul style="list-style-type: none"> <li>- Tasks of public officials are specifically linked to the implementation of the project and do not arise from the statutory responsibilities of the public authority.</li> <li>- Public officials are seconded by a duly documented decision.</li> <li>- The value of these contributions can be audited and may not exceed the costs actually borne and duly supported by accounting documents of the public authority.</li> </ul>	Filled in <b>time sheets</b> and <b>payslips</b> .

## **Ineligible Expenditure**

- a. **VAT** – Public entities are not eligible for VAT.  
NGO's and non-profit organizations will be eligible only if they can provide an official tax certificate stating that the entity cannot recover VAT.
- b. **Costs covered by Assigned Income** – In cases where the contributions from the final beneficiary is made up in part of contributions in terms of work carried out, these costs are not eligible as direct or indirect staff costs.
- c. **Other** - Fines, Financial Penalties & Litigation Costs;  
- Entertainment Expenses.

## **5. Disbursement Table**

A quarterly forecast of the expenditure to be carried out must be indicated in the table. This is highly important in order for the Responsible Authority to plan availability of funds.

## **6. Project Administration**

List the people who will be directly involved in the management of the project. The project leader is the person who will heading the management of the project and will have final responsibility of its overall progress.

In section 6.2.1 you are required to specify the organisational structure of the people directly involved in the management of the project. In section 6.2.2, kindly explain how this will fit within the current organisational structure i.e. explain whether the structure of the people managing the project will require any major changes within the current structure, the current role of the people involved, what structure of responsibility it will follow etc.

## **7. Involvement of any other organizations**

Explain how other organizations, if at all, will be involved in the project e.g. will they be involved in the management of the project, how much of the share will they take, what would be the role of the different organizations involved etc. The entity from where the project leader is appointed will be the representative organization and will have the ultimate responsibility for the co-ordination of the project.

## **8. Procurement**

Divide the actions you intend to take in the project into tenders/direct calls (if required).

## **9. Time Scale**

Specify the activities that will be required to complete the project. In the part where the quarters are given, specify the quantity of time required to carry out these activities. A sample is given below:

Activities	2010				2011				2012	
	Qrt1	Qrt2	Qrt3	Qrt4	Qrt1	Qrt2	Qrt3	Qrt4	Qrt1	Qrt2
Prepare implementation plans	—									
Prepare procurement documents		—								
Publish documents			—							
Procure material					—					
Start actual implementation								—		

### 10. Results (Performance Indicators)

Performance indicators are utilised to specify the different results that are planned to be achieved through the implementation of the project.

Results should be measurable and restricted by a specific time frame.

It is imperative that the indicators given here are realistic. These indicators are binding and will be used to measure the success of your project, whether the implementation of the project is within the stated time schedule and if there are any necessary amendments that need to be made to the project in order to reach its full objectives.

**Output Indicators:** These are utilised to indicate what the funds will be spent on, for e.g. Purchase of one helicopter

**Result Indicators:** These describe the direct effects created through the implementation of the project e.g. carrying out of 10 surveillance activities in one month

**Impact Indicators:** These describe the net effects that are caused beyond the direct and planned effects of the project e.g. strengthening of air – surveillance fleet for the next ten years.

### 11. Sustainability of the Project

Explain how, after the completion of the project, the benefits will continue to be reaped e.g. How will the purchased equipment continue to be of benefit for the surveillance of the maritime borders after the end of the project.

### 12. Readiness

Explain at what stage the preparations for the project are e.g. is the management structure already in place, is the project manager already employed, in the case real estate is being purchased, has it already been identified?

### 13. Conditionality

Write any circumstances that might condition the successful implementation and completion of the project e.g. unavailability of local funds, overloaded staff that might find it difficult to cope with the additional work entailed through this project.

Any risks, even if not within the control of the project, which might influence the successful completion of the project should also be listed.

### 14. Checklist of Attachments

Tick provided boxes to indicate which supporting documents (mentioned elsewhere in the application form) are being attached.

#### Annex 1

Please follow the table in the Annex.

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## **Project Selection Process**

Every project submitted within the time-frame indicated in the advert will be checked for completeness, and in case of irregularities will be referred back to the applicants. (No applications will be considered after the closing date).

The projects will be adjudicated by a Project Selection Committee, according to the following Evaluation Ranking Criteria:

- (a) **CAPACITY** – Expertise & role (in organization) of the staff; sufficiency of the staff managing the project; experience in managing projects co-funded by the EU;
- (b) **RELEVANCE** – To the needs and constraints of Malta; to the Priorities of the Fund;
- (c) **READINESS** – Preparedness of the project; need for any permits, studies etc;
- (d) **EFFICIENCY & EFFECTIVENESS** - Budget, cost effectiveness, time-frames of actions to be undertaken;
- (e) **INDICATORS** – Realistic, reachable, clarity and measurability.

The decision whether the project is approved or not will be communicated in a written format. The Project Selection Committee will reserve the right to interview individual applicants to seek further clarifications during the selection process.

The Grant Agreement will be signed after the Responsible Authority receives final confirmation by the Commission.