

Arts Support Scheme

Thematic call:

Right to Culture

Guidelines and Regulations 2023



ISSUED: SEPTEMBER 2023



ALLOCATIONS

SESSION BUDGET	MAXIMUM ELIGIBLE AMOUNT PER PROJECT
EUR 225,000	EUR 30,000

CO-FUNDING	DISBURSEMENT
The fund may cover up to 80% of total project costs	70% upon signing of grant agreement 30% following approval of final report

TIMEFRAMES

DEADLINE	RESULTS	ELIGIBLE TIMEFRAME
16th October 2023	05th December 2023	06th December 2023 – 06th June 2025



1. Introduction

This call for projects under the Arts Support Scheme. is aimed at supporting initiatives – by artists, cultural and creative practitioners and communities – whose objective is to promote and realise:

Cultural Rights

That is to say, the rights of everyone to access, participate in and enjoy culture, cultural heritage and cultural expressions.

To find out more about cultural rights and good practices, and access useful tips and tools, refer to the *Dritt għall-Kultura | Right to Culture* handbook, published by Arts Council Malta.

Right to Culture is also available in print and online free of charge, both in [Maltese](#) and [English](#).

Right to Culture is also available in audiobook format, in Maltese and English, [here](#).

Project applications submitted under this call must primarily address specific community needs, such as cultural participation, solidarity, social justice, environmental responsibility, sustainability, community development, and increased holistic well-being.

The right to culture is a cornerstone of the Arts Council Malta Strategy 2025, captured in the mantra “Care. Create. Flourish.” Arts Council Malta’s Right to Culture sensitisation campaign is an initiative aimed at helping people:

- Engage through culture and the arts
- Explore diverse narratives
- Unleash their creative expression

The Arts Support Scheme forms part of Arts Council Malta’s support portfolio, that invests in the mainstreaming of everyone’s right to access, participate in and enjoy culture, cultural heritage and cultural expression, and in the development of Malta’s cultural and creative sectors.

The Scheme enables individuals, groups, and organisations to plan, develop, be represented in, and deliver artistic projects in line with ACM’s Strategy 2025 – primarily addressing communities and creative practitioners. It pursues Strategy 2025 by actively seeking to:

- Nurture creative potential and support its development, encouraging co-creation, collaboration and experimentation;
- Invest in artistic excellence by encouraging creative risk taking, experimentation, and active engagement of communities while supporting quality projects as well as identifying talent and encouraging its development;
- Document and explore Malta’s past and present artistic and cultural communities, as well as Malta’s cultural and artistic legacy;
- Promote and support diversity, inclusiveness and community development – enabling collaborative arts projects, knowledge development and dissemination of good practice;
- Provide disadvantaged groups with accessibility to a wide range of artistic and cultural experiences and opportunities for meaningful engagement with art and culture



- Facilitate the creation of platforms for young promising talent, intergenerational engagement, as well as intercultural engagement.

In line with ACM’s overarching commitment to cultural rights, this Scheme recognises the central role of artists and cultural and creative practitioners in the creation and production of diverse artistic and cultural expressions.

The Arts Support Scheme supports artists, cultural and creative practitioners and communities to:

- Take creative risks to discover new opportunities, develop their knowledge, and develop new work through experimentation and collaboration;
- Carry out, exploratory research projects that allow them to test new work, engage, be duly represented, collaborate, and develop their ideas further.

Applications submitted may:

- Form part of the initial phase of a wider project/body of work;
- Be self-contained projects;
- Consist of a series of projects within a programme of activities.

This scheme comprises of two main areas of focus each subdivided into three types of activities. Applicants may choose to focus on one or more of these areas or types of activities within their projects:

1. Artistic practice and/or research, namely:
 - Artistic projects – including the production and programming of quality-driven creative work – which push the boundaries of engaging creative experience for the artists, cultural and creative practitioners, the relevant sectors, and the communities;
 - Research into artistic concepts, techniques, and subjects adopting innovative or untested approaches to the conception, creation and development of artistic work;
 - Production and/or research relating to Malta’s artistic communities, designed to document Malta’s cultural and artistic legacy in an open and sustainable manner.
2. Community and audience engagement, namely:
 - Artistic production and/or programming which enable and promote cultural participation, creative expression, and/or awareness and appreciation relating to the collective memory, and the cultural and artistic legacy of the community;
 - Exploration of participatory and innovative approaches to audience engagement set to deepen engagement with existing and new audiences through artistic practice and/or research;
 - Exploration of ways to improve access to the arts, and to promote inclusive participation and greater diversity within the arts.

This scheme provides support to artists, cultural and creative practitioners, and communities, throughout the development and implementation phases, and covers the time and resources needed for creative professionals, communities and their collaborators to develop their projects.



2. Definitions

Activities that fall within the cultural and creative sector:

1. Arts (literature, visual arts, music, performing arts, interdisciplinary)
2. Creative Business Services (design, architecture, cultural tourism and cultural services)
3. Heritage (crafts, traditional festivals and celebrations, cultural sites, antiques)
4. Media (publishing and printed material, audiovisuals, including film and video production, film servicing, television, video games, radio, online media)

Applicant

- An applicant may be an individual, a group or an organisation. Applicants cannot be employees of Arts Council Malta or involved in the management of the *Arts Support Scheme – Right to Culture*.

Application

- An application is a submission, inclusive of all mandatory documents and any annexes to the application form made by an eligible applicant.

Assessor

- Arts Council Malta appoints an Assessor for each call under the Scheme. The appointed Assessor may be a professional in the sector of culture and the arts.

Beneficiary

- The beneficiary is the recipient of the grant. The beneficiary is legally responsible for the implementation of the proposal supported by the Scheme. The beneficiary of the grant may not be changed throughout the duration of the funded project and until the final disbursement is issued. The disbursement of the grant may only be issued on behalf of the beneficiary. The beneficiary is responsible to ensure that any VAT invoices are issued on behalf of the beneficiary and include the beneficiary's VAT information.

Community

- A group of people who share values, customs, identities or practices.

Cooperatives

- Cooperatives must be registered with the Cooperatives Board. For more information, visit maltacooperativefederation.coop/coops/bord-tal-koperattivi.

Creative practitioners

- All artistic and creative individuals active in the cultural and creative sectors.

Cultural rights

- The rights of everyone to access, participate in and enjoy culture, cultural heritage and cultural expressions.

Diversity

- Individual differences in terms of age, gender, sexual orientation, ability, ethnicity, culture, belief, language and socio-economic background in communities, creatives and audiences.



Eligibility

- Applications will first be screened in terms of technical and artistic eligibility by the Fund administrators and managers. Proposals which are not considered eligible in terms of the set criteria shall not be processed further and shall not undergo evaluation.

Evaluation

- Applications deemed compliant and eligible are evaluated against the criteria established in these guidelines by the appointed evaluators.

Evaluation board

- Arts Council Malta appoints an Evaluation Board for each call under the Scheme. The appointed board may be composed of local or foreign professionals in the sector of culture and the arts.

Group

- A number of persons with or without legal personality may form a group. One of the persons involved must take the leading role and have the main legal responsibility for managing the project and the grant. This person must be a Maltese citizen or be in possession of a Malta residence permit or of a Maltese citizenship certificate or of a Maltese passport.

Individual

- Individuals applying for a grant must be Maltese citizens or be in possession of a Malta residence permit or of a Maltese citizenship certificate; or of a Maltese passport.

Innovation

- For the scope of the Arts Support Scheme – Right to Culture, innovation is the development of new ideas, products, or methods where they have not been used before.
 - A product innovation is the introduction of a new or a significantly improved activity.
 - A process innovation is the implementation of a new or significantly improved production process, distribution method, or support activity.

Management and administration

- Arts Council Malta is responsible for the management of this scheme. All official correspondence, including the online submission of applications or updates to awarded proposals, must be sent to the address indicated in these guidelines.

Mandatory documentation

- Any document(s) needed to support your proposal and aiding the evaluation of your project (e.g. track records, portfolios, artistic CVs, official correspondence confirming rental of space, permits or other).

Maximum funding:

- There is a ceiling amount of €30,000 per project to be allocated. Amounts awarded will be decided on a case-by-case basis, depending on the project.

Public Cultural Organisations

- Public cultural entities falling under the remit of Arts Council Malta which include Teatru Manoel, Mediterranean Conference Centre, Malta Philharmonic Orchestra, Fondazzjoni Kreattività, Pjazza Teatru Rjal, Valletta Cultural Agency, Malta International Contemporary Arts Space, Festivals Malta, Teatru Malta, Kor Malta and ŻfinMalta.



Registered entities

- An entity legally established and registered in Malta. Registered entities must be registered with the Malta Business Registry, in accordance with the Companies Act requirements in the case of a company or a partnership, and in accordance with the Civil Code in the case of a Foundation and an Organisation/Association.

Self-sustainability

- Refers directly to those projects, which may, in the short or long-term, prove to be financially sustainable; i.e. can be implemented without the need of public investment. Financial sustainability of the project may be the result of the contribution, participation or investment of third parties in the products or services being offered by the applicant(s) within the proposed project.

Single undertaking

- Includes all enterprises having at least one of the following relationships with each other:
 - a. One enterprise has a majority of the shareholders' or members' voting rights in another enterprise;
 - b. One enterprise has the right to appoint or remove a majority of the members of the administrative, management or supervisory body of another enterprise;
 - c. One enterprise has the right to exercise a dominant influence over another enterprise pursuant to a contract entered into with that enterprise or to a provision in its memorandum or articles of association;
 - d. One enterprise, which is a shareholder in or member of another enterprise, controls alone, pursuant to an agreement with other shareholders in or members of that enterprise, a majority of shareholders' or members' voting rights in that enterprise.

Enterprises having any of the relationships referred to in points (a) to (d) above through one or more other enterprises shall be considered to be a single undertaking.

Undertaking

- An undertaking is defined as an entity engaged in an economic activity within the meaning of Article 107 TFEU (i.e. any activity consisting in offering goods and services on a market), regardless of its legal status and the way in which it is financed. The classification of a particular entity as an undertaking depends entirely on the nature of its activities. The application of the State Aid rules does not depend on whether the entity is set up to generate profits. Non-profit entities can also offer goods and services on a market. Where this is not the case, non-profit entities remain outside the scope of State Aid. Furthermore, the classification of an entity as an undertaking is always relative to a specific activity. An entity that carries out both economic and non-economic activities is to be regarded as an undertaking only with regard to the former.

Voluntary organisation

- An organisation which is legally established and/or publicly registered in Malta, having a statute. Voluntary Organisations must be enrolled with the Commissioner for Voluntary Organisations in accordance with the Voluntary Organisations Act requirements (<http://www.maltacvs.org>). The applicant must be a legally authorised representative of the organisation.

3. Eligibility

Proposals will first be screened in terms of technical and artistic eligibility. Ineligible proposals in terms of the points below shall not be processed further and shall not undergo evaluation.

Maximum eligible time frame to implement the project: 18 months.

3.1 Who can apply?

This scheme supports proposals aimed at boosting artistic development, nurturing experimentation and innovation, engaging, developing audiences as well as attracting new audiences, while creating experiences based on principles of excellence. This scheme also encourages community-based projects.

The Grant is open to undertakings (for which assistance will be granted in line with the *de minimis* Regulation), as well as those applicants that do not carry out an economic activity within the meaning of Article 107 TFEU [kindly refer to Section 9 of these guidelines for additional information]. Furthermore, applicants must qualify as one of the following:

- Creative professionals/individual artists
- Entities registered with the Malta Business Registry (including companies, partnerships, foundations, and organisations/associations)
- Groups, collectives and consortia
- Registered cooperatives
- Voluntary organisations enrolled with the Commissioner for Voluntary Organisations.

3.2 Who cannot apply?

The following are not eligible to apply for the Arts Support Scheme - Right to Culture:

- Applicants/activities receiving local public funds through established Government line-votes.
- Applicants whose profile is not verified due to it being an incomplete profile for not having the below mandatory documents:
 - a copy of your Maltese ID card (including the front and back side) or your Maltese residence permit or your Maltese citizenship certificate or your Maltese passport;
 - a signed statute in the case of a voluntary organisation.
- Applicants who do not qualify under the definition of applicant for this specific scheme.
- Beneficiaries who have not honoured previous funding commitments.
- In the case of registered entities, entities who have not presented the required annual documentation to the Malta Business Registry.
- In the case of voluntary organisations, voluntary organisations which are:
 - not enrolled with the Commissioner for Voluntary Organisations;

- who have not presented their updated accounts to the Commissioner for Voluntary Organisations;
- which do not have a registered address in the Maltese Islands.

3.3 What costs can be covered?

This grant may cover up to 80% of the following costs (up to a maximum of €30,000 per project, whichever is the lowest). The remaining 20% of the total project cost cannot be covered through other funding programmes managed by Arts Council Malta.

The eligible costs are:

- Artistic fees
- Contingency, not exceeding 10% of project total
- Digitalisation
- Documentation
- Indirect costs, not exceeding 5% of the total cost (examples – servicing: electricity, water, cleaning; telephone / fax / Internet connections; postage and mailing; paper, ink / cartridge, stationery, etc.)
- Health and safety measures
- Hire/purchase of equipment (purchase of equipment will only be considered if deemed necessary to the project)
- Insurance
- Marketing/PR ad communications, not exceeding 10% of project total
- Other fees directly related to project implementation (including but not limited to: service providers, mentors, legal, participation or enrolment, linguistic fees, surtitling, etc.)
- Printed material
- Production
- Project management fees, (including but not limited to: administration, coordination, development)
- Rental of spaces
- Standard accommodation (excluding long-term rental, or part of)
- Subscriptions to virtual platforms or other digital services, where relevant
- Travel (economy class) including, but not limited to, public transport, air travel, car/vehicle rental
- Travel VISA

For more information about presenting your budget, you may like to refer to our General Budget Guidelines available on <https://www.artscouncilmalta.org/pages/funds-opportunities/schemes-2023/general-budget-guidelines/>.

3.4 What costs cannot be covered?

- Budgets exceeding 80% of the project expenditure
- Costs already covered by Public Cultural Organisations, or another public funding programme/scheme managed or co-managed by Arts Council Malta or other public agency, Government department or Ministry
- Costs which are already covered through usual operational budgets (space which is owned by the applicant or the partner/supporting organisation/individual)
- Fees for services provided by Public Cultural Organisations or other public agency, Government department or Ministry
- Funding for the creation or upholding of bursaries, prizes or scholarships
- Recoverable VAT, where applicable
- Reimbursement of salaries or part of
- Retroactive costs
- Subsistence, catering and hospitality.

3.5 What applications are not eligible?

The following activities are **not** eligible under this Fund:

- Project applications that do not primarily address cultural rights / specific community needs, such as cultural participation, solidarity, social justice, environmental responsibility, sustainability, community development, and increased holistic well-being
- Activities of an intrinsically self-sustainable nature
- Activities which are not related to culture, the arts and the creative industries
- Activities whose objective is fundraising or political propaganda
- Applications which do not conform with the evaluation process, refer to Evaluation process in Section 6
- Applications submitted after noon (12:00) of the respective day of deadline.
- Applications submitted by public entities with or without a line vote
- Expenses related to traditional activities and festivities
- Events held on a regular basis, including annual projects, annual festivals, school/annual shows, regular training programmes
- Incomplete applications. Refer to application check list in Section 5.1
- Individual modules credited as part of an educational course or research as part of established academic programmes
- Initiatives eligible under Screen Malta, TV Production and Content Fund, Annual Cultural Activities Scheme, VOPS, Għaqda Kazini tal-Banda, National Book Council, Valletta Cultural Agency, Malta Arts Scholarships or any other State-funded programme dedicated to Maltese arts/culture
- Projects that would have already taken place before the result is notified to applicant(s)
- Projects whose duration does not fall within the eligible timeframe.



Any other activity which may be developed outside the scope of the Arts Support Scheme – Right to Culture is not eligible for support.

Applicants may submit more than one application under the same call, however only one of the applications can be funded per session.

4. Evaluation

The Evaluation Board will base its decision upon the following criteria:

4.1 Criterion 1: Concept (100 marks)

This criterion reflects the concept of the proposal; the aims, objectives, and outcomes of the proposal; and the relevance of the concept.

Please maintain anonymity when filling in this criterion section.

- Please explain the main artistic idea that will be developed through this proposed activity. (20 marks)
- How is the proposed activity innovative? Please refer to the definition of ‘innovation’ in Section 2 of these Guidelines and Regulations. (20 marks)
- Please define the aims, objectives and expected outcomes of the proposed activity. (20 marks)
- How is the proposed activity relevant to your artistic development and the development of the cultural and creative sectors and of the community at large? (20 marks)
- Please explain how the proposal relates to Arts Council Malta’s long-term vision and mission? (20 marks)

4.2 Criterion 2: Audience Engagement

This criterion reflects the engagement of established audiences and of new audiences, as well as dissemination plans. ‘Engagement’ refers to the role, the nature of involvement, and the experience offered to the audience. ‘Dissemination’ refers to the methods adopted by the applicant to spread the results of the project.

Please maintain anonymity when filling in this criterion section.

- Please elaborate on the core audiences (internal and/or external) of this activity, and on how these audiences will be reached



- Please provide an outline of the marketing, PR and communications plan as applicable to the proposed activity, explaining why you opted for your chosen methods. ‘Communications plan’ also includes internal dissemination, which may not be at a public level.

4.3 Criterion 3: Project Management

This criterion reflects the level of commitment and preparation in the run-up to the proposal, as well as the proposed plan to deliver and achieve the activity’s aims and targets. This includes the main collaborator(s) involved on the activity and their track records.

- Please submit a plan for the delivery of the proposed activity. (Kindly include step-by-step time frames, methodology, workplans, respective roles and responsibilities within the project, skill sets, track record, portfolios, logistics plans, as applicable).
- Are there any necessary permits, copyright issues and other legal, ethical and administrative matters to be addressed?
- What is the degree of flexibility in the planning, given the risks and uncertainties? What are the mitigation measures envisaged in view of the identified risks? (e.g. contingency plans, risk assessments, health and safety measures, possible adjustments that may take place).
- Please explain how the proposal is relevant and challenging to your skills development and that of your main collaborators? Kindly elaborate on the applicant’s track record and on the track record of the collaborators.

4.4 Criterion 4: Budget

This criterion reflects how well-planned and realistic the presented budget plan is.

- Please provide a clear budget breakdown including expenses directly related to the proposed project. Kindly explain the rationale for the expenses of the project.

5. Submitting the application

In order to submit a project proposal:

1. Read these guidelines and regulations very carefully.
2. Check whether your proposed idea can be addressed by this scheme.
3. Press the link that will take you to the online application system.
4. Create your profile with Arts Council Malta by clicking on Register and filling in the details.
5. From the open calls section, select the online application for the scheme you intend to apply.



6. Follow the instructions step by step. Fill in all the required information from the online application including the budget and attach the supporting documentation.
7. Submit the application. You will receive an automatic acknowledgement by the system. If you do not receive such a notification, please contact us on applyforfunds@artscouncil.mt.

In case of difficulty or if you would like to consult us regarding this fund, please call us on 2334 7230 Monday to Friday between 09:00 and 16:00 or email us on fundinfo@artscouncil.mt.

It is your responsibility to present a complete application form as explained in these guidelines and regulations. If you do not present all the necessary information and documentation, your application will not be processed and evaluated.

Prior to the application deadline, Arts Council Malta representatives will not be checking your application forms. It is solely at the Arts Council Malta's discretion to request that applicants provide any missing mandatory documentation following the call deadline.

Upon the submission of the application, applicants accept that should the application be awarded funding, the name, the project title, short project description and the amount awarded can be published by Arts Council Malta.

A decision on funding will be made on the strength of the submitted information and supporting documents.

Applications handed in after 12.00 (noon) of the respective deadline cannot be accepted.

5.1 Checklist

In order to be complete, applications must be accompanied by:

- A copy of the VAT certificate of Registration
- Applicant biography/artistic CV to be included in the applicant profile
- Audiovisuals / portfolio showing the applicant's work, as relevant to the proposal
- (Audiovisuals up to 5MB may be uploaded directly in the application form. Larger files these may be provided as a link)
- If applicable, proof of the organisation's/company's legal registration.
- If applicable, a most recent Good Standing certificate of Registration. This document is renewed annually by the Malta Business Registry and is proof of compliance
- Letters of intent from collaborators
- When relevant, acceptance letter by institution, platform or venue.

6. Evaluation process

This scheme is competitive and will be evaluated by a panel of experts in relevant fields, according to established criteria.

As specified above, criterion one is allocated a total of 100 marks. The evaluation board will evaluate the proposal on the merit of criterion 1: concept and criterion 2: audience engagement, anonymously and allocate the marks accordingly. Applicants are to ensure their anonymity when filling in criteria 1 and 2. The evaluation board will provide feedback on criterion 1: concept, and criterion 2: audience engagement.

In order to be considered for assessment and funding, proposals have to obtain an average of 60 marks or more in criterion one. Proposals that do not obtain the minimum of 60 marks will not be processed further.

Proposals that obtain 60 marks will be assessed by an external assessor. The assessor will have access to all the information contained in the application and to the evaluation board's feedback. The assessor will provide feedback on the merit of criterion 3: project management and criterion 4: budget. The assessor may suggest Arts Council Malta to enrol a mentor to a specific funded project that has a strong concept and that requires a degree of development in any other aspect.

Following the assessment, the evaluation board will have access to the full content of the proposal and the assessor's feedback. The evaluator will confirm the mark or justify the change in the provisional mark.

Nevertheless, the evaluation session and funding decisions depend on the quality of the submitted proposals as well as the availability of the funds. Therefore, obtaining 60 marks or more does not automatically mean that your project proposal has been successful. The Arts Council Malta may decide not to allocate the total funds available for a particular call if the proposed proposals do not reach the required level in terms of the fund criteria.

Eligible applications will be assessed by an evaluation team and an assessor selected by the Council on the basis of their professional experience. Arts Council Malta will select evaluators and assessors on the basis of their independent and professional experience. The evaluators will present an assessment on each of the proposed projects, indicating the relevant ratings awarded.

6.1 Communication of results

On the day indicated on page 2, you will receive your result notification from Arts Council Malta. Together with the covering letter, we will also attach a copy of the feedback form, indicating the reasons and marks leading to the Evaluation Board's decision, according to the fund criteria.

The order of classification of the projects, according to the marks allocated by the evaluators, will be published online. Only the names and summaries of the successful projects will be published. In the case of projects which have not been awarded any funds, only their reference number will be published.



If you have any difficulties concerning your results, kindly email us on fundinfo@artscouncil.mt within five (5) days of receiving your funding decision.

No information on the evaluation process will be released before the official result notification. Any form of soliciting will automatically disqualify an application.

All information received by the Fund administrators, managers and evaluators will be considered confidential, both during and after the evaluation process. Provisions on data protection and confidentiality for successful projects will be included in the grant agreement.

7. Project implementation and monitoring

Please provide full documentation in support of your application, including a budget plan, within 30 days from receipt of the notification letter. We will accept a variation of up to 5% from the proposed total expense. The contingency indicated in the budget plan will support any variations from the proposed total expense. **Under no circumstances, will we be in a position to increase the grant awarded.**

Upon provision and approval of the above mandatory documentation, a contract specifying the conditions of the fund will be signed. The grant may only be awarded upon completion of the above process within the established time frame.

70% of the total amount allocated by the Evaluation Board will be processed after the signing of the contract. The remaining 30% will be disbursed after the submission of the final report by the beneficiary, following approval by the Council.

Please use the Council's logo on all related material and specify that the project was supported by the grant as follows: **Supported by Arts Council Malta**, in all marketing, PR and printed material. The grant received must be used solely for the purpose for which it was awarded, in line with the submitted proposal and the contract.

Beneficiaries must notify the Council immediately if changes affecting the nature of the project take place during implementation. Changes cannot be implemented unless approval is received. The Council reserves the right to revise or withhold the final payment if the change in the project is not considered to be in line with the initial proposal, or if the Council is not informed of the changes within a reasonable time.

Beneficiaries must make themselves available for visits and communication with the Council representatives for monitoring purposes, both during the implementation of the project as well as after its completion.

The Council also reserves the right to revise the final payment if the total expenditure is less than that estimated in the application form.



7.1 Report

At the end of your project, you will be required to submit a detailed report highlighting the work carried out, the collaborative and co-creating components and the project achievements, by not later than six (6) weeks after your project has concluded. Your report should include reflections on how collaborative work benefited the project and vice versa, including suggestions on how to strengthen/reshape engagement with audiences and communities.

Arts Council Malta will provide a template for your report. If relevant, together with this report, beneficiaries must submit copies of any relevant marketing, publicity or information material developed for the funded project. Beneficiaries will also be requested to submit evidence of the research process, which includes visual documentation (a minimum of 5, high-resolution images should be submitted), blogs and other documentation.

You will also be required to present a final updated budget together with all supporting documents.

The Council retains the right to make use of submitted project material.

The Council retains the right to recover funds in case these are not being used and/or are misused and/or are not used according to the submitted budget.

8. Complaints procedure

We want to foster and support cultural diversity, equity, and inclusion, and to ensure sustainable development and well-being. And we want to be fair. When you believe something went wrong, we want to hear about it so that we can address it and improve how we do things.

Filing a complaint will not affect your chances of receiving support from Arts Council Malta in the future. Confidentiality is really important to us. All complaints you choose to make will be treated with confidentiality.

8.1 Grounds for complaints

As an applicant, you may want to file a formal complaint regarding procedural anomalies and irregularities linked to the submission process and the evaluation process – in terms of the procedures stipulated in this funding guide.

We cannot process complaints relating to:

- The Arts Council's or Government's policies and procedures
- The merits of the application in terms of the criteria stipulated in this funding guide.



We can only process complaints filed by the applicants concerning their project.

8.2 Filing a complaint

We would need your formal complaint to be presented as clearly as possible, in writing. Please state the grounds and the reasons for your complaint, providing a detailed explanation and justification supported by relevant documentation or testimonials as to why you believe that the procedure/s stipulated in this funding guide or in standard good governance rules and regulations governing the public sector went wrong. The decision at the end of the complaint process will be final. Please address your complaint to the Director of Funding and Strategy within five (5) working days of receipt of your funding decision. You will normally receive a reply to your complaint within ten (10) working days.

If after our final response, you are still dissatisfied with the outcome, Arts Council Malta will convene a Board that will discuss your complaint further. When you approach our complaints procedure, we may need to use information about your project to address your complaint. The decision of the Board is final.

9. Applicability of State Aid rules

9.1 State Aid rules applicable for undertakings that carry out an economic activity within the meaning of Article 107 TFEU

The State Aid scheme will be implemented 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, OJ L 352/1 of 24 December 2013, as amended by 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, OJ L 215/3 of 7 July 2020.

This Regulation applies to aid granted to undertakings in all sectors, with the exception of:

- a. aid granted to undertakings active in the fishery and aquaculture sector, as covered by Council Regulation (EC) No 104/2000;
- b. aid granted to undertakings active in the primary production of agricultural products;
- c. aid granted to undertakings active in the sector of processing and marketing of agricultural products, in the following cases:
- d. where the amount of the aid is fixed on the basis of the price or quantity of such products purchased from primary producers or put on the market by the undertakings concerned;
- e. where the aid is conditional on being partly or entirely passed on to primary producers;



- f. aid to export-related activities towards third countries or Member States, namely aid directly linked to the quantities exported, to the establishment and operation of a distribution network or to other current expenditure linked to the export activity;
- g. aid contingent upon the use of domestic over imported goods.

The total amount of *de minimis* aid granted to a single undertaking shall not exceed the amount of €200,000 over any period of three consecutive fiscal years.

This period covers the fiscal year concerned as well as the previous two fiscal years. ‘Fiscal year’ means the fiscal year as used for tax purposes by the undertaking concerned.

This maximum threshold would include all State Aid granted under this aid scheme and any other State Aid measure granted under the *de minimis* rule including that received from any entity other than Arts Council Malta. Any *de minimis* aid received in excess of the established threshold will have to be recovered, with interest, from the undertaking receiving the aid.

The rules on cumulation of aid as outlined in Article 5 of the *de minimis* Regulation will be respected.

Applicants are to submit a *de minimis* declaration indicating any other *de minimis* aid received or applied for during the previous two fiscal years and the current fiscal year. This will ensure that the total amount of *de minimis* aid granted to a single undertaking under the *de minimis* rule will not exceed the applicable *de minimis* threshold over three fiscal years.

Should a successful applicant not be eligible to receive *de minimis* aid, the said applicant will be deemed ineligible and the next ranked applicant will be awarded.

In line with the *de minimis* State Aid Regulation, records regarding *de minimis* aid shall be maintained for 10 years from the date on which the last individual aid is granted under the scheme.

9.2 Applicants and applications that do not carry out an economic activity within the meaning of Article 107 TFEU

Applicants and applications that do not carry out an economic activity within the meaning of Article 107 TFEU may also apply for the scheme. The rules outlined in Section 9.1 are not applicable in the case of such applicants and applications.



Need help?

We're there every step of the way!

Our Creative Brokerage team can help you find the right support and provide feedback on the way you plan to present your application. To make the best of our services, plan ahead and get in touch with us at least four weeks before the submission deadline.

Call us: +356 2334 7230

Email us: fundinfo@artscouncil.mt

Our office is open: 09:00–16:00, Mon–Fri (Malta time)

Guidelines updated on 21st June 2023