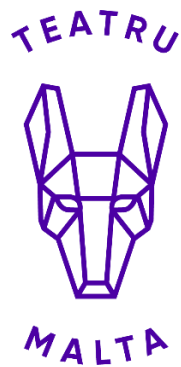


# Theatre Company Programme

**Guidelines and Regulations 2023**



**in collaboration with**



ISSUED: AUGUST 2023

## ALLOCATIONS

<b>SESSION BUDGET</b>	<b>MAXIMUM ELIGIBLE AMOUNT PER PROGRAMME</b>
EUR 200,000	EUR 100,000 This total amount will be granted over a period of three consecutive years. Subject to the availability of government funds.

<b>CO-FUNDING</b>	<b>DISBURSEMENT SCHEDULE</b>
The programme may cover up to 80% of total programme costs	<p>€35,000 applicable to the 1st year as pre-financing and upon signing of contract.</p> <p>€30,000 applicable to the 2nd year payment upon approval of progress report 2024 and action plan for the year 2025.</p> <p>€30,000 applicable to the 3rd year payment upon approval of progress report 2025 and action plan for the year 2026.</p> <p>€5,000 applicable to the 3rd year payment upon approval of final report for the year 2026</p>

## TIMEFRAMES

<b>DEADLINE</b>	<b>RESULTS</b>	<b>ELIGIBLE TIMEFRAME</b>
25th September 2023	15th November 2023	1st January 2024 – 31st December 2026

## 1. Introduction

The Theatre Company Programme is one of Arts Council Malta's multi-annual funding schemes to invest in the structural development of Malta's cultural and creative sectors by supporting ensemble-based theatre companies active for at least the past three years to improve their artistic output and development by securing a space, in line with ACM's Strategy2025.

The successful applicants of the programme will by consequence become associate companies of Teatru Malta. The programme fulfils Strategy2025 by aiming to:

- Nurture creative potential and supporting its development by encouraging co-creation, collaboration, and experimentation;
- Invest in artistic excellence by encouraging levels of creative risk, experimentation, and active engagement of communities while supporting quality programmes as well as identifying talent and encouraging its development;
- Promote and support diversity, inclusivity, and community development – enabling collaborative arts programmes, knowledge development, and dissemination of good practice;

The objective of the programme is to support beneficiaries with the procurement of a space that can be used for programme rehearsals, possibly community cultural activities, training and development initiatives in order to make the case for their costs. The scheme aims to facilitate more financial and strategic flexibility, security, collaborations, innovative audience engagement, skills development and logistical service acquisition of ensemble-based theatre companies active for at least the past three years, whether they operate on a small, medium or large scale.

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. Thus, the Theatre Company Programme supports ensemble-based theatre companies active for at least the past three years in:

1. **Improving Programming and Production Activity:** The Theatre Company Programme aims to support ensemble-based theatre companies that have been active for at least the past three years. One of the key objectives is to assist these companies in enhancing their programming and production activity by providing them with a contracted space for a duration of three years. This dedicated space serves as a foundation for their artistic endeavours and enables them to create and showcase their work effectively.
2. **Encouraging Creative Risks and New Work Development:** The Theatre Company Programme recognizes the importance of taking creative risks and encourages participating companies to develop new work through experimentation and collaboration. The proposed space should offer a supportive environment for artists to push boundaries, explore innovative ideas, and create unique theatrical experiences. This emphasis on creative risk-taking fosters artistic growth and contributes to the development of diverse and impactful theatre productions. Within the new work developed, the beneficiaries need to establish a significant collaboration or co-production with Teatru Malta which should be produced within the three-year period.
3. **Exploratory Research Programmes:** The Theatre Company Programme acknowledges the significance of research in theatrical practices. The space should provide an opportunity for the company to engage in exploratory research programmes that allow them to test

new work, delve into unexplored territories, and refine their artistic vision. This research-oriented approach empowers theatre companies to expand their creative horizons, develop methodologies, and contribute to the evolution of the performing arts.

4. **Mentorship Initiatives:** As part of the Theatre Company Programme, established theatre companies are asked to mentor young theatre troupes, ensembles, or companies. This mentorship aspect strengthens the artistic community by fostering collaboration, sharing knowledge, and nurturing emerging talent. The experienced companies act as guides, providing guidance, support, and valuable insights to the mentees, thereby contributing to the growth and sustainability of the overall theatre ecosystem.

## 2. Definitions

### Applicant

- An applicant must be an ensemble-based theatre company active for at least the past three years (Refer to section 3 of these guidelines and regulations). Applicants cannot be employees of Arts Council Malta or involved in the management of the *Theatre Company Programme*.

### Application

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

### 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 programme 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.

### Creative practitioners

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

### Eligibility

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

### Ensemble-based theatre company

- Group of actors, musicians, and/or dancers who have worked together regularly for the past three years.

### 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.

#### 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 programme, e.g. track records, portfolios, artistic CVs, official correspondence confirming rental of space, permits, or other (refer to section 5.1).

#### Maximum funding:

- There is a ceiling amount of €100,000 per programme to be disbursed during the period of three consecutive years. Amounts awarded will be decided on a case-by-case basis, depending on the programme.

#### 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, KorMalta, 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.

#### 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. When 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.

#### Young/new theatre troupe/ensemble/company

- Recently formed theatre troupe or company, with a limited production history and working with emerging artists, ideally with an innovative approach, and who are actively seeking collaborations to establish their artistic identity.

## 3. Eligibility

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

**Maximum eligible timeframe to implement the programme: 3 Years (2024-2026).**

### 3.1. Who can apply?

The grant is open to undertakings for which assistance will be granted in line with the *de minimis* regulation (kindly refer to Section 9 of these guidelines for additional information). Applicants must be ensemble-based theatre companies active for at least the past three years. Furthermore, applicants must qualify as one of the following:

- Entities registered with the Malta Business Registry (including companies, partnerships, foundations, and organisations/associations);
- Voluntary organisations enrolled with the Commissioner for Voluntary Organisations.

### 3.2. Who cannot apply?

The following are not eligible to apply for the Theatre Company Programme:

- 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.
- Applicants who own or rent a premises that is already used for rehearsals or for performance.
- 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 €100,000 per programme, for the duration of three consecutive years, whichever is the lowest). The remaining 20% of the total programme cost cannot be covered through other funding programmes managed by Arts Council Malta.

- Rental of exclusive rehearsal and performance spaces;
- Implementation of health and safety measures;
- Provision of security services;
- Equipment hire/purchase (considered if necessary);
- Insurance coverage;
- Fees for programme-related expenses (service providers, mentors, legal, participation/enrolment);
- Venue management fees (administration, coordination, development);
- Research and development expenses;
- Indirect costs (up to 5% of total) such as utilities, cleaning, communication, stationery;
- Subscriptions to digital platforms or relevant digital services.

For more information about presenting your budget, 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 programme 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;
- 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;
- Retroactive costs;
- Subsistence, catering, and hospitality.

### 3.5. What applications are not eligible?

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

- Activities which are not related to culture, the arts, and the creative industries;
- Activities whose objective is fundraising or political propaganda;
- Applications submitted after noon (12:00) of the respective day of deadline;
- Applications submitted by public entities with or without a line vote;
- Applications submitted by applicants who own or rent a premises that is already used for rehearsals or for performance;
- Costs for traditional activities and festivities;
- 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;
- Applications for primarily formal/informal educational activities and/or drama schools
- 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;
- Programmes whose duration does not fall within the eligible timeframe.

Any other activity which may be developed outside the scope of the *Theatre Company Programme* is not eligible for support.

Applicants can 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: Artistic Vision and the Space (35 marks)

This criterion evaluates the concept and intended use of the space, looking for innovative ideas, experimental approaches, potential community engagement and potential sustainability, and legacy of the space. It considers how the space will be utilized to develop new work, collaborate with other artists, and contribute to the growth of the local theatre scene.

Questions for the application:

- a. Provide a strategic plan for the space during the years covered by the programme. This should include your vision, its goals, and the artistic programme related to the space.
- b. Describe how you will be utilizing the space to develop new work foster artistic experimentation and create impactful theatrical experiences.



- c. How do you plan to collaborate with other artists or engage the local community in your use of the space? Please elaborate on how you plan to mentor the proposed young theatre troupe/ensemble/company

**Applications must score a minimum of 20 marks in criterion 1 to be considered for funding.**

## 4.2. Criterion 2: The Space (35 marks)

The suitability of the proposed space for the theatre company's needs, including its availability, accessibility, and adequacy for rehearsals and performances is assessed under this criterion. It evaluates how well the space aligns with the company's artistic vision and the potential for fostering creative exploration.

Questions for the application:

- a. Describe the proposed space and its suitability for rehearsals and performances. Why was this space identified?
- b. How does the chosen space align with your theatre company's artistic vision and creative goals?
- c. What measures have you taken to ensure the accessibility and inclusivity of the space for performers and audience members?
- d. Is the space available for medium to long-term investment? Does the space have the potential to make a significant impact on our cultural ecosystem?

## 4.3. Criterion 3: Management of Funds (15 marks)

This criterion considers the level of commitment and preparation prior to the proposal as well as the proposed plan to deliver and achieve aims and targets. It assesses the company's ability to effectively manage the allocated funds, including financial accountability, transparent reporting, and responsible resource allocation. It looks for a well-structured plan to ensure the sustainable and efficient use of the fund's resources.

Questions for the application:

- a. Are there any necessary permits, and other legal, ethical, and administrative matters to be addressed?
- b. 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).
- c. What strategies will you implement to maximize the impact of the programme and ensure its long-term sustainability?

#### 4.4. Criterion 4: Budget (15 marks)

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

Questions for the application:

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

## 5. Submitting the application

Follow these steps to apply:

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 should be receiving an automatic acknowledgement by the system. If you do not receive such a notification, contact us on [applyforfunds@artscouncil.mt](mailto:applyforfunds@artscouncil.mt).

In case of difficulty or if you would like to consult us regarding this fund, you can call us on 2334 7230, Monday to Friday between 09:00 and 16:00, or email us on [fundinfo@artscouncil.mt](mailto: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 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 programme title, short programme 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);
- Track record of the proposed young theatre troupe/ensemble/company;
- Track record of the applicant ensemble-based theatre company;
- An architectural plan of the proposed space *tale quale*;
- Existing site plan of the space;
- A proposed drawing/3D rendering of the space;
- If applicable, proof of the organisation's/company's legal registration;
- If applicable, a most recent Good Standard Certificate of Registration. This document is renewed annually by the Malta Business Registry and is proof of compliance;
- Letters of intent from collaborators;
- If applicable, insurance policy document;
- If applicable, the space rental agreement or a declaration form, signed by the legal representative of the space;
- When relevant, acceptance letter by institution, platform, or venue.

## 6. Evaluation process

This scheme is competitive and will be evaluated by a panel of sectorial experts according to the established criteria.

As specified above, each criterion is allocated a number of specific marks. In order to be considered for funding, programmes have to obtain an average of at least 60 marks.

Nevertheless, the evaluation session and funding decisions depend on the quality of the submitted proposals and on the availability of the funds. Therefore, obtaining 60 marks or more does not automatically mean that you will be awarded the funds. The evaluation board may decide not to allocate the total funds available for a particular call if the proposed programmes do not reach the required level in terms of the programme criteria.

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

## 6.1. Shortlisting

The evaluation board will meet during an initial evaluation in which all the eligible applications will be discussed. All applications will be given a score, and those scoring 60 marks and higher will be shortlisted. The shortlisted applications will attend an online pitching session. The pitching session is compulsory; a maximum of three participants may attend the pitching session.

It is solely at the evaluators' discretion to invite any applicant scoring less than 60 marks to attend a pitching session.

All applications, including those that are not shortlisted, will receive the official result notification together with a copy of the feedback form on the result date as indicated in page 2 of this document.

## 6.2. Pitching

The aim of the online pitching session is to create an opportunity for applicants to make a case for their applications to the evaluators. The programme applications would already have been reviewed by the evaluators and the programme manager before the pitching session.

During the online session, the applicant has the opportunity to present comments, latest insights, and additions to the already submitted description. The pitch can be presented in a variety of formats, including, but not limited to, visual aids, powerpoint presentations, audio, etc. that should not be longer than ten (10) minutes. During the pitch, applicants are expected to explain the space and artistic vision and communicate how the programme will be implemented. This ten-minute pitch will be followed by a Q&A session with the panel of evaluators.

## 6.3. 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 evaluation form, indicating the reasons and marks leading to the evaluation board's decision, according to the programme criteria.

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

If you have any difficulties concerning your results, you should email us on [fundinfo@artscouncil.mt](mailto: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 administrators, managers, and evaluators of this programme will be considered confidential, both during and after the evaluation process. Provisions on data protection and confidentiality for successful programmes will be included in the grant agreement.

## 7. Programme implementation and monitoring

A contract specifying the conditions of the programme will be signed.

The pre-financing payment consisting of 100% of the amount allocated by the Evaluation Board for the year 2024 will be processed after the signing of the contract.

The amount allocated for the year 2025 will be processed upon the submission and approval of the progress report for the year 2024, including certified accounts and VAT invoices and the year 2025 Action Plan.

The amount allocated for the year 2026 will be processed upon the submission and approval of the progress report for the year 2025, including certified accounts and VAT invoices and the year 2026 Action Plan.

The final payment will be disbursed after the submission and approval of the final report for the year 2026 including certified accounts and VAT invoices.

The beneficiaries must use the Council's logo on all related material and specify that the programme was supported by the grant as follows: **Supported by Arts Council Malta in collaboration with Teatru 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 programme 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 programme 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 Arts Council Malta and Teatru Malta representatives for monitoring purposes, both during the implementation of the programme 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 each year you will be required to submit a detailed report highlighting the work carried out and the programme achievements, by not later than six (6) weeks after your programme has concluded. Arts Council Malta will provide a template for your reports. If relevant, together with this report, beneficiaries must submit copies of any relevant marketing, publicity, or information material developed for the funded programme. 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.

At the end of year 1 and year 2, you will be required to submit an action plan for the following year's programme. You will also be required to present an updated budget together with all

supporting documents. Arts Council Malta retains the right to make use of submitted programme 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

Filing a complaint will not affect your chances of receiving support from Arts Council Malta in the future. All complaints will be treated with confidentiality.

### 8.1. Grounds for complaints

Applicants can make a complaint regarding procedural anomalies and irregularities during the submission and evaluation process in terms of the procedures stipulated in these guidelines and regulations. Complaints cannot be made concerning:

- The Arts Council's or the government's policies and procedures;
- The merits of the application in terms of the criteria stipulated in these guidelines and regulations.

Only applicants may file complaints concerning their programme.

### 8.2. Filing a complaint

Complaints must be made in writing and must be as clear as possible. The complaint must state the grounds and the reasons for the complaint, providing a detailed explanation and justification supported by relevant documentation or testimonials as to why the complainant deems that irregularities were committed in the procedure/s stipulated in these guidelines and regulations or in standard good governance rules and regulations governing the public sector. The decision at the end of the complaint process will be final. Complaints need to be made 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.

In case you are not satisfied with the reply, Arts Council Malta will convene a board that will discuss your complaint further. If you approach our complaints procedure, then you are accepting that we can use information about your programme to address the complaint. The decision of the board is final.

## **9. 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:
  - i. 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;
  - ii. where the aid is conditional on being partly or entirely passed on to primary producers;
- d) 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;
- e) aid contingent upon the use of domestic over imported goods.

The total amount of de minimis aid granted to a single undertaking will 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 will be maintained for 10 years from the date on which the last individual aid is granted under the scheme.

## **Need advice?**

Arts Council Malta offers pre-submission consultation services to help secure support for your programme. We are there every step of the way. We can help you determine whether the core concept and profile of your programme are in line with the targeted support mechanism and provide feedback on the way you plan to present your programme. To make the best of our services, plan ahead and get in touch with us at least four weeks before the submission deadline.

You are welcome to call us on 2334 7230 on weekdays between 09:00 and 16:00, or to send us an email on [fundinfo@artscouncil.mt](mailto:fundinfo@artscouncil.mt).

**Guidelines updated on 18th July 2023**