

Incentive Guidelines

ERDF Innovation Actions
Grant Scheme
(Environment)



MALTAENTERPRISE



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Contents

1.	Introduction	2
1.1	Scope	2
1.2	Duration of the incentive	2
1.3	Competitive Calls	2
1.4	Legal Basis	2
1.5	Designated Authority	2
2.	Eligibility	3
2.1	Eligible Sectors	3
2.2	Exclusions	3
3.	Incentive Description	5
3.1	Details of Incentive	5
3.2	Eligible costs and the applicable aid intensity	5
3.3	Additional Provisions	6
4.	Evaluation and Assignment of Aid	7
4.1	Eligibility Criteria	7
4.2	Preliminary Evaluation (35%)	7
4.3	Strategic Evaluation (65%)	7
4.4	Notification of results	8
5.	Further Information	9
5.1	European Regional Development Fund (ERDF)	9
6.	State Aid Rules and Obligations	10
6.1	Applicable State Aid	10
6.2	Cumulation	10
7.	Contact Details	11

1. Introduction

1.1 Scope

Investments in environmental friendly and sustainable solutions enable business undertakings to go beyond their legal obligations. Increasingly such solutions do not only address future regulations but are also linked to economic development and growth.

This incentive seeks to help Small, and Medium-sized Enterprises (SMEs) to invest in eco-innovation solutions that support long term competitiveness and contribute to environmentally sustainable business activities by addressing:

- a. water and air quality;
- b. waste streams; and
- c. resource utilisation.

1.2 Duration of the incentive

This incentive will remain effective until 31st December 2013. Malta Enterprise may review, update and amend these Incentive Guidelines.

1.3 Competitive Calls

The incentive will be administered through a series of competitive calls. Malta Enterprise will issue public calls for interested enterprises to submit applications under this incentive. Applications will be reviewed and eligible applications will be evaluated and ranked. Grants will be awarded to the top ranking applicants in accordance to the available budgets.

1.4 Legal Basis

Malta Enterprise is enabled to issue and publish official Incentive Guidelines in terms of Article 8(3)(a) of the Malta Enterprise Act, Chapter 463 of the Laws of Malta.

The Enterprise Support Incentives Regulations SL 463.04 (Malta Enterprise Act, Chapter 463 of the Laws of Malta) provides the legal basis of this incentive.

1.5 Designated Authority

This incentive is administered by Malta Enterprise.


2. Eligibility

2.1 Eligible Sectors

Small, and Medium-sized Enterprises (SMEs) are eligible for assistance under this incentive.

2.2 Exclusions

- a. **Public entities defined as: “Ministries, Departments, Entities, Authorities, Public Commissions Public Sector Foundations and similar organisations that carry out a public or regulatory function which does not involve the carrying out of an economic activity, whether or not such organisations are established by law” are not eligible under this scheme. Nevertheless commercial undertakings carrying out exclusively an economic activity in direct competition with third parties and in which Government has a controlling interest, are eligible under this scheme.**
- b. Assistance under this scheme will NOT be provided to undertakings engaged in:
 - i. The primary production of agricultural products:
 - Products listed in Annex 1 of the EC Treaty.
 - Products falling under CN codes 4502, 4503 and 4504 (cork products).
 - Products intended to imitate or substitute milk and milk products as referred to in Council Regulation No 1234/2007 of 22 October 2007.
 - ii. the fisheries and aquaculture sector;
 - iii. wholesale and retail trade; repair of motor vehicles and motorcycles (NACE Section G);
 - iv. tourism activities:
 - Hotels and restaurants (NACE 55 and 56).
 - Travel agency activities, Tour operator activities, other reservation services and related activities (NACE 79).
 - Creative, arts and entertainment activities (NACE 90).
 - Libraries, archives, museums and other cultural activities (NACE 91).
 - Sports activities, and amusement and recreation activities (NACE 93).
 - v. the coal industry;
 - vi. the steel industry;
 - vii. the gaming industry;
 - viii. shipbuilding;
 - ix. financial and insurance activities (NACE Section K);
 - x. the synthetic fibres sector.

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- c. Applicants, who have previously dropped out of any ERDF aid scheme administered by Malta Enterprise after their application was approved, must provide a justification of their reason for doing so; failure to do this may disqualify the application.
 - d. Assistance under the scheme cannot be granted to undertakings in difficulty in line with Commission Regulation (EC) No. 800/2008 of 6th August 2008 declaring certain categories of aid compatible with the common market in application of Articles 87 and 88 of the Treaty (General Block Exemption Regulation).
 - e. Assistance under the scheme cannot be granted to projects addressing legal environmental compliance.

3. Incentive Description

3.1 Details of Incentive

This incentive will provide cash grants for part-financing costs incurred by SMEs in relation to the acquisition of equipment and related services necessary for the implementation of eco-innovation projects.

The project should be based on investments directly linked to achieving the following environmental objectives:

- a. reduction of gaseous emissions and dust particles which contribute to air pollution;
- b. better utilisation of water resources;
- c. reduction of waste streams through reduced utilisation, reutilisation and recycling of materials and components;
- d. processing of waste for recycling;
- e. substitution of toxic and poorly degradable substances.

3.2 Eligible costs and the applicable aid intensity

The aid intensity for projects supported under this incentive is set at fifty percent of the eligible costs incurred in relation to the items of expenditure mentioned below. Projects benefiting from this incentive should be completed within 24 months. For an application to be considered for co-funding, the project value (based on eligible expenses) must be at least Euro 20,000. The resultant minimum and maximum grant values are provided below.

Enterprise Size	Co-financing rate	Maximum grant	Minimum grant based on a project value of Euro 20,000
SMEs	50%	Euro 150,000	Euro 10,000
SMEs active in the Road Transport Sector	50%	Euro 100,000	Euro 10,000

Eligible costs that may be part-financed through this incentive are:

(A) Plant, Machinery and Equipment

Costs in plant machinery and equipment incurred to achieve and monitor specific environmental objectives. These costs may include:

- a. engineering services required to modify existing plant, machinery and equipment so as to achieve the established environmental results;
- b. acquisition of new machinery and equipment required to achieve the established environmental results.

(B) Certification

The costs of services incurred directly for the attainment of the following environmental certifications:

- a. EMAS (EU Eco-Management and Audit Scheme);
- b. ISO 14001;
- c. Eco-Label; and
- d. other environmental certifications recognized by the Malta Competition and Consumer Affairs Authority (MCCAA).

3.3 Additional Provisions

The following additional provisions shall apply to any costs that may be supported through this incentive:

- a. All assets including 'intangible assets' must be included in the Capital Assets Register.
- b. Investments in second hand equipment are not eligible.
- c. Costs related to the generation of energy through renewable energy sources and energy saving measures are not eligible.
- d. Costs related to activities leading to compliance with environmental legislation are not eligible.
- e. Costs incurred for replacing or reconditioning of existing equipment are not considered eligible.
- f. All funding will be based on reimbursement of eligible costs.
- g. All funding must be on costs incurred by the applicant after the aid is granted.
- h. All services must be subcontracted and must not be of a continuous or periodic nature, nor relate to the enterprise's usual operating expenditure, such as routine tax consultancy services, regular legal services, or advertising.
- i. For each cost item, applicants shall submit:
 - i. a copy of the standard Request for Quotations (RFQ) that was sent to the suppliers whose quotations are being attached to the application. The RFQ should list the specification such as: size; quantity; material; colour; dimension; speed; features; etc.).
 - ii. at least three comparable quotes from three independent suppliers. Quotes submitted for the same cost item must be from suppliers which are related neither to each other nor to the applicant.
- j. Successful applicants shall be required to issue a public Request for Proposal (RFP) to select the eventual supplier of any single development or action that is valued at € 130,000 or more (excluding VAT).
- k. Part financing and grant values will be calculated on the cheapest quotation presented for each cost item.
- l. Suppliers shall not be related to the applicants/beneficiaries.
- m. Approved projects shall be based and operational in Malta since the objective of the European Regional Development Fund (ERDF) through which these schemes are funded, is to support projects that assist in the development of the Maltese economy.

4. Evaluation and Assignment of Aid

All applications will be assessed by Malta Enterprise on the following criteria:

4.1 Eligibility Criteria

For an application to be eligible for evaluation the following conditions must be met:

- a. The application should be complete. That is:
 - i. all fields on the form must be filled in with the relevant details;
 - ii. all requested annexes must be attached to the application form.
- b. The application fits with the focus area(s) of the aid scheme as defined in Section 3 (Incentive Description).
- c. The applicant has honoured / rectified any obligations or conditions set by Malta Enterprise with respect to previous granted support.
- d. The application/applicant must be within State aid parameters as outlined in Section 6 (State Aid Rules and Obligations). All aid under this incentive must be in line with the de minimis rules.
- e. The applicant must comply with the laws pertaining to the intervention(s) being proposed for funding.
- f. The applicant must be in-line with the criteria in Section 2 (Eligibility).

Applications that do not comply with any one of the above conditions will be rejected.

4.2 Preliminary Evaluation (35%)

- a. Risk Appraisal: Risk will be assessed on the number of years the enterprise has been established, the duration of the project, the value of the project in relation to the financial resources of the applicant, any preparatory work the applicant may have carried out together with the applicant's capacity to implement the project. The riskier the project in line with the above conditions, the lower the score.
- b. Extent of need for support: Applications will be assessed in terms of the applicants' need for support which will be determined on the size of the enterprise and whether it forms part of a network or is a start-up. The smaller the undertaking, the higher the score. Additional points will be given to start-up undertakings and to those undertakings that form part of a relevant network.
- c. Holistic nature of project: Projects comprising more than one eligible cost as outlined in Section 3 (Incentive Description) will be awarded higher marks.

4.3 Strategic Evaluation (65%)

- a. Thematic priorities 55%: How will the project contribute to national priorities and to the scheme objective. Projects will be evaluated against the following criteria:
 - i. Project Impact - The expected impact that the project will have on the markets / industries in which the enterprise is active will be assessed (for example, operations in a saturated market segment will attract a lower score). Consideration will be given to the potential future growth of the enterprise, potential cost efficiency and potential cost reductions which are expected as well as the degree of networking initiated through the project.
 - ii. Innovation – This innovative nature of the project with regards to the potential to develop new products, processes and services will be assessed.

- iii. Operational Programme I Indicators¹ – The degree to which the project increases investment in environmentally-friendly technologies.
- iv. Employment - The project will be assessed on its potential to ensure job retention & create new employment in the future. The nature and skills of this potential employment will also be taken into consideration.
- b. Horizontal priorities 10%: Projects must contribute to the attainment of the horizontal priority/cross-cutting themes of Environmental Sustainability and Equal Opportunities:
 - i. Environmental Sustainability – Applicants would need to prove that the project addresses issues such as carbon neutrality and climate change, water, waste, air quality and nature protection.
 - ii. Equal Opportunities – Applicants would need to prove that the project addresses issues such as the involvement of disadvantaged groups in the project; increased female participation, ensuring accessibility for all and family friendly measures.

4.4 Notification of results

Successful applicants will be notified in writing of the outcome of their application. Once a project is approved, a Grant Agreement will be issued.

¹ Operational Programme I - Investing in Competitiveness for a Better Quality of Life, Cohesion Policy 2007-2013 – Section 4.1 - Priority Axis 1 - Enhancing Knowledge & Innovation <http://www.ppcd.gov.mt/op1?l=1>

5. Further Information

5.1 European Regional Development Fund (ERDF)

Malta Enterprise is responsible for the implementation of a grant scheme for enterprises, which will be operating under Malta's Operational Programme I Cohesion Policy 2007 – 2013.

These Incentive Guidelines are based on the rules specified in the following documentation:

- a. Malta's National Strategic Reference Framework Document, its Operational Programmes and any other implementation guidelines provided by the Managing Authority which may be updated from time to time. These are available on the website of the Managing Authority for Structural Funds [<http://www.ppcd.gov.mt>].
- b. European Commission Regulations on Structural Funds. These apply to all projects benefiting under Structural Funds and are legally binding in all Member States. The Malta Enterprise Grant Schemes will be co-financed under the European Regional Development Fund (ERDF) and the legislative guidelines which apply directly to this scheme include:
 - i. Regulation (EC) No. 1083/2006 laying down the general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund.
[<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:210:0025:0078:EN:PDF>]
 - ii. Regulation (EC) No. 1080/2006 on the European Regional Development Fund.
[<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:210:0001:0011:EN:PDF>]
 - iii. Regulation (EC) No. 1828/2006 of 8 December 2006 setting out rules for the implementation of Council Regulation (EC) No. 1083/2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and of Regulation (EC) No. 1080/2006 of the European Parliament and of the Council on the European Regional Development Fund.
[<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2007:045:0003:0115:EN:PDF>]

6. State Aid Rules and Obligations

6.1 Applicable State Aid

These Incentive Guidelines are in line with Commission Regulation (EC) No 1998/2006 of 15 December 2006 on the application of Articles 87 and 88 of the Treaty to de minimis aid, Official Journal L379 of 28.12.2006.

[http://eur-lex.europa.eu/LexUriServ/site/en/oj/2006/l_379/l_37920061228en00050010.pdf]

In terms of this State Aid regulation, an enterprise may receive a total amount of aid up to €200,000 over a rolling three fiscal year period. This maximum threshold includes all de minimis aid granted to the beneficiary including that received from any entity other than Malta Enterprise.

The beneficiary will have to repay with interest any de minimis aid in excess of the €200,000 threshold.

6.1.1 De minimis Aid

This incentive is governed by the de minimis regulations and therefore the incentive will not apply to the following:

- a. Aid granted to undertakings active in the fishery and aquaculture sectors as covered by Council Regulation (EC) No. 104/2000;
- b. Aid granted to undertakings active in the primary production of agricultural products as listed in Annex 1 to the Treaty;
- c. Aid granted to undertakings active in the processing and marketing of agricultural products as listed in Annex 1 to the Treaty, in the following cases:
 - i. When 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. When 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;
- f. Aid granted to undertakings in difficulty.

6.2 Cumulation

Aid granted under this incentive may only be cumulated with other aid under any other incentive, or with other Community funding, in relation to the same item of expenditure as long as such cumulation does not exceed the gross aid intensity fixed by these Incentive Guidelines.

In terms of the de minimis regulation quoted above, assistance shall not be cumulated with State Aid in respect of the same eligible costs if such cumulation would result in an aid intensity exceeding that fixed in the specific circumstances of each case by a block exemption regulation or decision adopted by the European Commission.

7. Contact Details

Further information on the scheme, as well as information and guidance on the filling in of the application form may be obtained by contacting Malta Enterprise during office hours.

Postal Address: Malta Enterprise
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The official Incentive Guidelines are published at <http://support.maltaenterprise.com/>

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Operational Programme I – Cohesion Policy 2007-2013
Investing in Competitiveness for a Better Quality of Life
Aid Scheme part-financed by the European Union
European Regional Development Fund (ERDF)
Co-financing: EU Funds, National Funds, and Private Funds
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