



# Call for proposals

## **“Business Development and Innovation” Programme Norwegian Financial Mechanism 2014–2021**

Publication date: 10<sup>th</sup> of January 2022

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## § 1. Call for proposals

1. **The Polish Agency for Enterprise Development (PARP)**, as the Programme Operator responsible for the “Business Development and Innovation” Programme, is hereby publishing a Call for Proposals under the Blue Growth grant scheme.
2. Applications may be submitted between **1st of February 2022** and **31st of March 2022** at 16:00 on Polish local time the last day of the call.
3. The Programme implementation basis are specified in Annex 1 to the Call for proposals.
4. The terms and abbreviations used in the Call for Proposals are explained in Annex 2 to the Call for proposals.

## § 2. Programme objectives

The Programme contributes to the overall objectives of the Norwegian Financial Mechanism 2014–2021, *incl.* reducing economic and social disparities in the European Economic Area and **strengthening bilateral relations between Poland and Norway**. The Programme aims at **increasing added value** and **improving sustainable, innovation-based growth of Polish small and medium enterprises**. The Programme seeks to stimulate and enhance economic cooperation between Polish small and medium enterprises and Norwegian entities.

## § 3. Scheme objectives

1. The **blue growth** scheme is aimed to increase the competitiveness of enterprises pursuing their activities on inland or sea waters or their immediate surrounding by taking actions leading to **implementation of innovative processes, products, services or solutions** in the enterprise, which contribute to the development of enterprise’s economic activity, particularly to an income, profit or employment increase. Projects under this scheme may simultaneously contribute to pollution reduction in the sea or inland waters or their immediate surrounding. Eligible activities leading to implementation may consist of development, application or commercialisation of innovative processes, products, services or solutions.
2. Project objectives have to be expressed using indicators to be determined and justified in the application. Indicators set for the projects have to contribute to the achievement of target values of the Programme indicators as determined in Annex 3 to the Call for proposals.

## § 4. Budget and grant amounts

1. The allocated support for this Call for proposals amounts to **EUR 9,350,000**.
2. Respective minimum and maximum value of grant is **EUR 200,000** and **EUR 2,000,000**.

3. The support is granted in EUR. The National Bank of Poland's average exchange rate as of the publication date of the Call for proposals, which amounts to **4,5377 PLN**, is used to determine the amount of the support granted in EUR.

## **§ 5. Applicant's eligibility**

1. Only **micro, small or medium-sized enterprises** established in the Republic of Poland, as confirmed by an entry in the appropriate register, who jointly fulfil the following requirements may apply for a grant:
  - 1) enterprises that have closed at least one fiscal year that lasted at least **12 months**<sup>1</sup>; and
  - 2) enterprises that in at least one closed fiscal year that lasted for at least 12 months, within 3 years preceding the year of application, have reached sales revenues<sup>2</sup> worth at least the equivalent of **EUR 20,000**;
2. Conditions and exclusions concerning the Applicant are determined in Annex 4 and 5 to the Call for proposals.
3. The National Bank of Poland's average exchange rate as of the publication date of the Call for proposals, which amounts to **4,5377 PLN**, is used to convert sales revenues referred to in § 5 (1) (2) into EUR.

## **§ 6. Partnership projects**

1. A project may be implemented in partnership with private or public entities established in Norway subject to the Norwegian law. Conditions and exclusions concerning the project partner are determined in Annex 5 to the Call for proposals.
2. Prior to submitting an application, the Applicant shall conclude a draft condition Partnership Agreement with partner(s). A Partnership Agreement Template is included in Annex 6 to the Call for proposals. The partnership agreement shall be confirmed prior to signing the grant contract.
3. The Applicant shall choose a project partner, applying the best business practices to achieve the best results in relation to the costs incurred ensuring the highest ethical

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<sup>1</sup> Fiscal year – it means (according to Accounting Act) a calendar year or another period lasting 12 consecutive full calendar months, also used for tax purposes. The financial year or its amendments are specified in the statute or contract on the basis of which the entity was created. If the entity started operating in the second half of the adopted fiscal year, then the accounting books and financial statements for that period may be combined with the accounting books and financial statements for the following year. In the event of a change in the fiscal year, the first fiscal year after the change should be longer than 12 consecutive months.

<sup>2</sup> Sales revenue – net revenues from the sale of products, goods and materials. The number must be the same as provided in the Financial tables attached to the Application (Table B - Profit and loss account without project, line: Net sales revenue).

standards, as well as the avoidance of conflict of any interests. The Procurement Guidelines shall not apply to the selection of a project partner.

4. The Applicant and partner(s) share the same economic and social objectives, which are to be achieved through the implementation of a project.
5. The project partner contribution to the project could be limited to delivery of the services, works or goods by the project partner.
6. Partnerships project can **obtain additional points** in accordance with the project selection criteria.

## § 7. Eligible expenditure

1. Eligible expenditure is the expenditure **incurred by the Applicant (Beneficiary)**, including for the costs of delivery of the services, works or goods provided by a partner under the project, directly linked to the project and indispensable to achieving its results, allocated to:
  - 1) realisation of the initial investment by purchasing:
    - a) **new** tangible assets,
    - b) construction work and materials,
    - c) intangible assets in the form of patents, licenses, know-how and other intellectual property rights, if they collectively meet the following conditions:
      - they will be used only in the enterprise of the recipient entrepreneur,
      - they will be subject to depreciation pursuant to accounting provisions,
      - they will be purchased from third parties unrelated to the entrepreneur under market conditions,
      - they will constitute the assets of the recipient entrepreneur and will remain connected to the project for which support was granted for at least 5 years as of the day of project completion,

up to EUR 50 million;
  - 2) consultancy services provided by external consultants, other than continuous or periodic services linked to usual operational activity of the entrepreneur, such as routine tax consultancy services, regular legal services or advertising;
  - 3) experimental development including:
    - a) costs of remuneration including non-remuneration labour costs, such as social and health insurance contributions, incurred due to the employment of individuals for the project implementation in so far as such remuneration is directly related to its implementation,
    - b) costs of equipment or devices to the extent that and over the period they are used for project implementation, whereas if the equipment and devices are not used for project implementation over the whole period of their utilisation, eligible costs include only depreciation costs corresponding to the period of project implementation, calculated under accounting provisions,
    - c) costs of research carried out under an agreement, knowledge and patents purchased or used under a license provided by external entities at arm's length

- and advisory services and equivalent services, employed solely for the purpose of project implementation,
- d) general costs and other operational costs, including costs of materials, consumables and similar products, incurred directly as a result of project implementation,
- 4) innovation support services of labelling, testing or certification;
  - 5) costs of foreign business travels to the extent and in line with the rates determined in the provisions on receivables due to an employee employed in a state or local-government budgetary unit for their foreign business travel;
  - 6) covering additional costs of investment essential to achieving a higher level of environmental protection than the level required by the EU standards in force or not yet in force, or increasing the level of environmental protection if there are no EU standards in that area;
  - 7) covering additional costs of investment essential to achieve a higher level of energy efficiency;
  - 8) covering additional costs of investment in equipment essential for an installation to function as a high-efficiency cogeneration system or additional costs of investment in modernising the installation to achieve higher efficiency;
  - 9) covering additional costs of investment directly related to production or generation of renewable energy essential to promote production or generation of energy from renewable sources;
  - 10) covering additional costs of investment essential for an improved or more efficient – relative to using a conventional process – recycling activity or re-use of waste;
  - 11) covering planning costs and costs of investment related to construction, replacement or modernisation of port infrastructure or access infrastructure in sea or inland ports as well as costs of dredging;
  - 12) setting a performance guarantee on a project contract.
2. Eligible expenditure shall include expenditure incurred by the Applicant (Beneficiary) as from the day indicated by PARP as the day of publishing on the website the list of projects recommended for granting support, which includes the Applicant's (Beneficiary's) project until the end date of the expenditure eligibility period as determined in the project contract, but no later than by 30 April 2024.
  3. In case of projects covered by state aid, all project expenditure will be ineligible if the work under the project is started before the day of application submission or on that day.
  4. Should the Applicant begin project implementation before the project contract conclusion date, they do it at their own risk.

## **§ 8 Ineligible expenditure**

The following expenditure shall not be considered eligible:

- 1) incurred before the start of the expenditure eligibility period;
- 2) allocated to the purchase of used tangible assets;

- 3) purchase of perpetual usufruct of land or the title of property ownership;
- 4) not meeting the conditions set out for the allocation of public aid;
- 5) interest on debt, debt servicing and charges for late payment;
- 6) fees for financial transactions and other purely financial costs;
- 7) provisions for losses or potential future liabilities;
- 8) losses due to exchange rate differences;
- 9) recoverable VAT;
- 10) costs covered from other sources;
- 11) fines, penalties and costs of court proceedings;
- 12) unnecessary or unreasonable expenditure.

## **§ 9. Procurement under the project**

The Applicant (Beneficiary) shall prepare and conduct the procurement procedure pursuant to the NMF Regulations (particularly Article 8.15) and the Procurement Guidelines.

## **§ 10. State aid and *de minimis* aid**

1. State aid and *de minimis* aid are provided under the Call for proposals.
2. State aid allocated to:
  - 1) realisation of the initial investment in the meaning of Article 2 (49) of Regulation No 651/2014, is a regional investment aid and is provided in accordance with Article 14 (1)–(4) and (6)–(11) of Regulation No 651/2014;
  - 2) consultancy services provided by external consultants is an aid for consultancy in favour of SMEs and is provided in accordance with Article 18 of Regulation No 651/2014;
  - 3) experimental development is an aid for research and development projects and is provided in accordance with Article 25 of Regulation No 651/2014;
  - 4) innovation support services is an innovation aid for SMEs and is provided in accordance with Article 28 of Regulation No 651/2014;
  - 5) the implementation of an investment enabling to increase the level of environmental protection resulting from its activities, including by going beyond the applicable Union standards, is an investment aid enabling undertakings to go beyond Union standards for environmental protection or to increase the level of environmental protection in the absence of Union standards and is provided in accordance with Article 36 of Regulation No 651/2014;
  - 6) the implementation of an investment enabling to increase the level of environmental protection by complying with Union standards which are not yet in force, is an investment aid for early adaptation to future Union standards and is provided in accordance with Article 37 of Regulation No 651/2014;
  - 7) the implementation of an investment enabling undertakings to achieve higher level of energy efficiency in their activity is an investment aid for energy efficiency measures and is provided in accordance with Article 38 of Regulation No 651/2014;

- 8) the implementation of an investment in newly installed or refurbished cogeneration units or conversion of an existing power generation unit into a cogeneration unit, is an investment aid for high-efficiency cogeneration and is provided in accordance with Article 40 of Regulation No 651/2014;
  - 9) the implementation of an investment in new installations for production of energy from renewable sources is an investment aid for the promotion of energy from renewable sources and is provided in accordance with Article 41 of Regulation No 651/2014;
  - 10) the implementation of an investment in the field of recycling and re-utilisation of waste generated by other undertakings is an investment aid for waste recycling and re-utilisation and is provided in accordance with Article 47 of Regulation No 651/2014;
  - 11) planning and implementation of investments in port infrastructure or access infrastructure in seaports or inland ports as well as investments related to dredging in seaports or inland ports is an aid for maritime ports and is provided in accordance with Article 56b of Regulation No 651/2014, or is aid for inland ports provided in accordance with Article 56c of Regulation No 651/2014.
3. Aid for expenditure defined in § 7 (1) (5) and (12) is a *de minimis* aid and it is provided in accordance with Regulation (EU) No 1407/2013.
  4. *De minimis* aid may be granted if the gross value of this aid together with the value of another *de minimis* aid received by one enterprise within the meaning of Article 2 (2) of the Regulation (EC) No 1407/2013, in a given fiscal year, and in two preceding fiscal years, does not exceed EUR 200,000, and in the case of an enterprise pursuing activity in the sector of road cargo transport – EUR 100,000 and when other conditions defined in separate provisions of law are complied with.

## § 11. Aid intensity

1. The maximum intensity of regional investment aid is determined in accordance with § 3 and § 4 of the Regulation of the Council of Ministers of 14 December 2021 on the establishment of the regional aid map for the years 2021-2027 (Polish Journal of Law item 2422).
2. The maximum aid intensity for consultancy in favour of SMEs amounts to 50% of eligible expenditure.
3. The maximum aid intensity for research and development projects amounts to:
  - a) 35% of eligible expenditure for medium entrepreneurs;
  - b) 45% of eligible expenditure for micro and small entrepreneurs.
4. The maximum aid intensity in favour of SMEs for promoting innovation amounts to 50% of eligible expenditure.
5. The maximum aid intensity for environmental protection is defined based on Article 36 (6)–(8), Article 37 (4) and (5), Article 38 (4)–(6), Article 40 (5) and (6), Article 41 (7)–(9) or Article 47 (8) and (9) of Regulation No 651/2014 respectively.



6. The maximum aid intensity for planning and implementation of investments in port infrastructures or infrastructure granting access in seaports or inland ports as well as investments related to dredging in seaports or inland ports amounts to 80% of eligible expenditure.
7. The maximum *de minimis* aid intensity for expenditure identified in § 7 (1) (5) and (12) amounts to 100% of eligible expenditure.

## § 12. Language of applications

1. The application should be made:
  - 1) in the case of non-partnership projects – in Polish ;
  - 2) in the case of partnership projects – in Polish and English. In the case of discrepancies, the Polish language version shall prevail.
2. Attachments prepared according to the templates set out in Annex 7-8 shall be in Polish.
3. In the case of partnership projects, the Partnership Agreement shall be prepared according to the template set out in Annex 6 bilingually, in Polish and English.

## § 13. Co-financing

1. The Applicant (Beneficiary) shall secure the full financing of the project (i.e. be able to carry out the project, ensure its financial liquidity, with the grant taken into account).
2. The Beneficiary shall provide or obtain the remaining co-financing in the form of cash (external sources *e.g.* loans, credits are also accepted). Before signing project contract the applicant will be obliged to deliver credit, loan or lease loan contract.
3. In-kind contribution is not accepted as co-financing.

## § 14. Rules of submitting and withdrawing applications

1. The application shall be submitted in an electronic version only *via* the Application Generator available on the website [en.parp.gov.pl/norway-grants](http://en.parp.gov.pl/norway-grants). Any other forms of electronic or paper visualisation of the contents of the application do not constitute an application and will not be assessed. All required fields in the application form have to be filled in.
2. The Applicant is obliged to attach to their application:
  - 1) financial tables in line with the template in Annex 7;
  - 2) a calculation of the costs of the investment in the case of applying for aid for environmental protection, in line with the template in Annex 8;
  - 3) a draft Partnership Agreement in the case of partnership projects, in line with the template in Annex 6.
3. The applicant shall disclose any consultant involved in the preparation of the project application.
4. The communication with the applicant is conducted through the Application Generator and the **Applicant's e-mail**, subject to § 14 (10).

5. Submission of the application will be possible only for an Applicant who will declare in the Application Generator that:
  - 1) She/he read the Call for proposals and accepted the rules thereof;
  - 2) She/he are aware of the consequences of not complying with the form of communication referred to in § 14 (4)
6. The date and time generated by the Application Generator after pressing the “Submit” button are the date and time of the submission of the application recorded by the PARP server.
7. Under the call, the Applicant may submit only **one application**.
8. The Applicant has the possibility to withdraw the application. In such a case, the Applicant shall withdraw the application in the Application Generator and attach a scan of the letter concerning the withdrawal of the application signed in accordance with the rules of Applicant’s representation. The date of application withdrawal is the date of registration by the Application Generator.
9. In the Application Generator, the Applicant shall upload electronic versions of the attachments. The size of a single attachment should not exceed 15 MB.
10. In the case of technical problems with uploading attachments in the Application Generator identified by the Applicant, the Applicant shall report problems via the form available in the Application Generator. The PARP, taking into account the technical problems’ notification, may indicate paper or electronic form on a data medium (e.g. CD or DVD) as an eligible form of submitting the attachments. The information in this scope is sent to the Applicant’s e-mail address indicated by the Applicant in the technical problems’ notification.
11. Submission of the attachments in a manner referred to in § 14 (10) has to take place within 2 working days from the date of submitting the application in the Application Generator.
12. If any technical problems related to the functioning of the Application Generator are identified, the Applicant:
  - 1) should report the technical problems through a form available in the Application Generator;
  - 2) in case of a failure of the form – is required to contact the PARP via the contact form on the PARP website,  
otherwise the technical problems’ notification will not be examined.
13. The PARP sends all correspondence on the technical problems’ notification, including the result of considering the notification, to the e-mail address indicated by the Applicant in the notification. The Applicant shall be required to indicate an e-mail address to ensure effective communication.
14. The technical problems’ notification will be accepted only if the problems related to defective functioning of the Application Generator do not lie with the Applicant.
15. In the case of long-term technical problems preventing the submission of applications using the Application Generator, it is necessary to follow the messages published on the website.

16. The application is deemed submitted if it complies with the following conditions:
- 1) it was submitted within the time limit referred to in § 1 (2);
  - 2) it was submitted in accordance with the rules set out in this section.

### **§ 15. Administrative and eligibility criteria verification and clerical errors – the manner of complementing or correcting them**

1. In the first step of the verification of administrative end eligibility criteria, it will be verified that the Applicant is not an entity that has been excluded under Article 207 of the Public Finance Act, nor under Article 6b(3)(3)(c) of the PARP Act and it will be verified that the Applicant has not already received a grant under the Programme.
2. If the criterion described above is not complied with, the application **is not to be verified further**. In such a case, the procedure defined in § 15 (5) does not apply.
3. In the second step of the verification of administrative end eligibility criteria, it will be, in accordance with Annex 4 to the Call for proposals, verified whether:
  - 1) the Applicant has submitted only one application under this call;
  - 2) the Applicant qualifies for receiving support within a given scheme in accordance with § 5;
  - 3) the application is complete in accordance with § 14 (1 –2);
  - 4) the application has been drawn up in relevant languages in accordance with § 12.
4. Should it be concluded that the criterion defined in § 15 (3)(1) is not complied with, the PARP will request the Applicant to withdraw the other applications. The PARP notifies the request to withdraw the applications in the Application Generator to the **Applicant's e-mail**. The Applicant should withdraw the other applications (application) within 7 days from the day after receiving PARP's request. In the case that the other applications (application) are not withdrawn, the application that has been submitted first one will be the application assessed. The other applications **will not be verified further** and the procedure defined in § 15 (5) does not apply to them.
5. If the application contains:
  - 1) shortcomings related to eligibility of applicant, completion of application or language, the administrative end eligibility criteria referred to in § 15 (3)(2)–(4), the PARP will requests the Applicant to correct them. In such a case, the PARP will send the applicant a request to correct shortcomings identified in the Application Generator to the Applicant's e-mail. The Applicant should correct the shortcomings related to administrative end eligibility criteria within 7 days from the day of the PARP's notification of the request;
  - 2) In case of clerical errors, the PARP may either correct them without the necessity to request the Applicant to correct them (in such a case, the PARP corrects the error *ex officio* and notifies the Applicant using the **Applicant's e-mail**) or request the Applicant to correct these errors in the mode referred to in point 1.

6. The PARP defines the scope of the necessary amendments and indicates clerical errors to be corrected. The Applicant is required to complement or correct the application only to the extent indicated in the request.
7. Having completed or corrected the application in accordance with the request, the Applicant is obliged to send the changes by clicking on the “Send” button in the Application Generator. Should the Applicant not send the changes in the manner described above, they will be automatically saved and sent in the Application Generator on the day when the time limit indicated in the request referred to in § 15 (5) expires.
8. In order to determine whether the application has been completed or corrected within the time limit, the following elements are decisive:
  - 1) the submission date the new version of the application in the Application Generator or the date of uploading attachments in the Application Generator (the date is generated by the system: after sending by clicking on the “Send” button in the Application Generator, or automatically, if the changes are not sent by the day when the time limit indicated in the request referred to in § 15 (5) expires);
  - or
  - 2) the postage date of the document in a Polish post office of the operator appointed within the meaning of the Act of 23 November 2012 – Postal Law (Polish Journal of Laws of 2020 item 1041) (*i.e.* in a post office of Poczta Polska) or at the post office of the operator providing postal universal services in other countries of the European Union, the Swiss Confederation or as part of the services of the Free Trade Agreement (EFTA) - party to the agreement on the European Economic Area or the date on the stamp of the receipt of a document delivered to the PARP, if in relation to the occurrence of circumstances defined in § 14 (10) it is not possible to file the attachments in the Application Generator.
9. It is permissible to complement or correct the application **once**, to the extent indicated by the PARP in the request.
10. If the Applicant does not complement or correct the application within the time limit or to the extent specified in the request or if the Applicant makes modifications to the application other than those indicated in the request or does not comply with an administrative end eligibility criteria defined in § 15 (3) (2–4), the application **will be verified negatively**.
11. If the verification is negative or the application will be not verified further, the PARP notifies the Applicant in writing of the conclusion of the assessment of their application and of its result together with a justification.

## **§ 16. Appeal procedure in terms of administrative end eligibility criteria**

1. If the verification is negative or the application will be not verified further, the Applicant has the right to submit an appeal.
2. The appeal shall be submitted to the NFP through the PARP within 14 days from the day of delivery of the information referred to in § 15 (11) on principles determined in chapter 5 of the Project Selection Procedure Guidelines.

3. For examination of the appeal, the provisions of chapter 5 of the Project Selection Procedure Guidelines shall apply.

### **§ 17. Rules of assessment of the compliance with the project selection criteria**

1. The applications that have met administrative and eligibility criteria are subject to an assessment of compliance with the project selection criteria.
2. The projects are assessed on the basis of the project selection criteria referred to in Annex 5 to the Call for proposals, according to the information contained in the application and explanations referred to in § 17 (9) (if the Applicant was requested to submit them).
3. The assessment of compliance with the project selection criteria is a two-stage evaluation and consists in granting points for each criterion. Granting 0 points means that a given criterion has not been met.
4. Only those applications that have met the required criteria in the first stage of the assessment can qualify to the second stage of the assessment of compliance with the project selection criteria. The number of points required in the first stage of the assessment is 2 points.
5. In the second stage of the assessment, the application may receive more than 1 point in a given criterion. A higher number of points for a given criterion means a greater degree of compliance with a given criterion. The required minimum and maximum score for a given criterion is determined in Annex 5 to the Call for proposals.
6. The assessment of the project is carried out by at least one PARP employee and by at least one external expert.
7. In the case of partnership projects, the eligibility assessment of the project partner as well as of the quality of the partnership is carried out by the Programme Partner.
8. The PARP may request the Applicant to **correct or complete** the application in the scope covered by the assessment of compliance with the project selection criteria. It is possible to correct or complete the application **once for a given criterion**.
9. The PARP may request the Applicant to submit **explanations** if it is necessary for the assessment of compliance with the project selection criteria.
10. The PARP sends the request to correct or complete the application or to submit explanations in the Application Generator to the Applicant's e-mail, indicating the deadline for correcting or completing the application or submitting explanations equal to 7 working days from the day after the day of the request notification (the day of receiving the request by the Applicant does not affect the running of the deadline).
11. In order to check whether the Applicant met the deadline, the rules referred to in § 15 (8) shall apply respectively.
12. The explanations sent within the time limit indicated in the request shall become part of the application.
13. Should the Applicant not correct or complete their application, or should they not submit explanations within the set deadline, the assessment of the application is conducted based on the application submitted.

14. The authenticity of the statements and data contained in the application may be verified during the assessment of the project as well as before and after the conclusion of the project contract.
15. The Applicant is entitled to access the documents related to the assessment of their application, provided that the personal data of persons carrying out the assessment are not subject to disclosure.
16. After the conclusion of the assessment of compliance with the criteria of project selection, the PARP prepares ranking list of the assessed projects in accordance with the number of points received during the assessment.

### **§ 18. Principles of determining the result of the assessment of compliance with the project selection criteria**

1. The PARP establishes the Selection Committee (SC). The SC consists of a Chairman, a Secretary and at least three members. The Chairman and the Secretary are PARP's representatives and they shall not have the right to vote. The members of the SC are appointed by PARP and shall have the right to vote. The SC gathers on sessions. Representatives of the NFP, of the Ministry of Foreign Affairs of Norway, as well as of the Programme Partner may participate in the sessions of the SC as observers.
2. The PARP provides the SC with ranking lists of the assessed projects.
3. The SC prepares and provides to the PARP:
  - 1) a list of projects recommended to be awarded;
  - 2) a list of projects recommended to be rejected;
  - 3) a reserve list of projects, which may be awarded if there are available funds in the budget.
4. The PARP makes the final award decision by approving the lists referred to in § 18 (3). A project may be selected for support and placed on the list of projects recommended to be awarded if:
  - 1) it has met administrative end eligibility criteria;
  - 2) it has met the required project selection criteria in the first stage of the assessment;
  - 3) it has met project selection criteria in the second stage of the assessment and received the required amount of points, *i.e.* gained at least 14 points, provided that for each of the criteria 1–7 it received at least 1 point;
  - 4) the call for proposals budget makes it possible for the project to be selected for support.
5. The PARP shall publish on the website the lists of projects recommended to be granted support and immediately notifies the Applicants in written form on the conclusion of the assessment and its result.
6. The information on refusal of granting the support to the project is not open to an appeal.

## § 19. Project contract

1. Together with information on selecting the project for support, the PARP shall request the Applicant in writing to provide the documents required for the conclusion of the project contract, set out in Annex 9 to the Call for proposals.
2. The Applicant shall provide documents required for the conclusion of the project contract within 7 days from the day the request is delivered. Should the applicant fail to provide complete, as to their form and content, documents within this time limit, PARP may refuse to sign the project contract.
3. Prior to the conclusion of the project contract, the PARP shall verify whether the Applicant may receive the support. In particular, the PARP shall:
  - 1) apply to the Minister of Finance for the information whether the Applicant is not an entity that has been excluded under Article 207 of the Public Finance Act;
  - 2) verify, based on the Applicant's statement referred to in point 1 of Annex 9 to the Call for proposals, whether the conditions defined in the following acts have not been met:
    - a) Article 211 of the Act of 30 June 2005 on public finance (Polish Journal of Law No 249, item 2104, as amended);
    - b) Article 6b (3) points (1)–(3)(a) and (b) and point (4) of the PARP Act;
  - 3) verify, on the basis of the statement, the SME status of the Applicant;
  - 4) confirm that the Applicant has not infringed to a substantial degree the contract concluded with the PARP in relation to Article 6b (3) (3) (c) of the PARP Act;
  - 5) verify the possibility of providing state aid or *de minimis* aid, in particular:
    - a) the Applicant's statement that the Applicant is not obliged to return the state aid as a result of a decision of the European Commission declaring this aid granted by the Republic of Poland illegal and incompatible with the internal market;
    - b) the documents referred to in points (7), (8) and (10) (if applicable) of Annex 9 to the Call for proposals, submitted by the Applicant, concerning the difficulty within the meaning of Article 2 (18) of Regulation No 651/2014;
    - c) the statement in terms of the permissible cap on *de minimis* aid referred to in point (9) of Annex 9 to the Call for proposals as well as based on the data included in the SHRIMP application referred to in Article 2 (18) of the Act of 30 April 2004 on the procedural issues concerning public aid (Polish Journal of Law of 2021 item 743).
  - 6) verify that the Applicant has not already received a grant under the Programme.
4. The PARP checks the completeness and correctness of the documents provided by the Applicant at PARP's request referred to in § 19 (1).
5. The project contract will be concluded if:
  - 1) the project has been included in the list of projects recommended to be granted support;
  - 2) the Applicant has provided all documents required for the conclusion of the contract;

- 3) there are no contraindications to conclude the project contract as may result from the verification of the documents;
- 4) the project meets the administrative end eligibility criteria and the criteria based on which it has been selected for the support.
- 5) the budget of the call for proposals allows the conclusion of the contract
6. The PARP may refuse to grant the support pursuant to Article 6b (4)–(4c) of the PARP Act.
7. The Applicant who has been refused to be granted support does not re-acquire the right to be granted support at the moment of cessation of the obstacle preventing the Applicant from the conclusion of the project contract.
8. The template for the project contract is included in Annex 10 to the Call for proposals.
9. The beneficiary shall be obliged to establish a performance bond for the obligations resulting from the project contract in a form and on conditions defined in the said contract. The instruction for receiving and returning the collateral are published on the website.
10. The PARP reserves the right to entrust the activities regarding the verification of the SME status and the difficulty of the Applicant to a third party.

## **§ 20. Grant payment**

1. The grants will be paid in PLN. The maximum amount of the grants paid to the beneficiary in PLN cannot exceed the equivalent of the amount of the support granted in the project contract in EUR.
2. The payment amount will be converted into EUR using the exchange rate applicable on the day of payment of the monthly European Commission's exchange rate of EUR published on the Inforeuro website ([ec.europa.eu/budg/inforeuro/index#!/convertor](http://ec.europa.eu/budg/inforeuro/index#!/convertor)). The risk of foreign exchange differences shall be incurred by the Beneficiary.
3. The grants will be paid in the form of an advance payments, interim payments (in the form of pre-financing payments or reimbursement) and the final payment based on payment claims submitted by the Beneficiary and accepted by the PARP.
4. The total amount of the grant paid out in the form of an advance payment and interim payments cannot exceed 90% of the co-financing.
5. Total amount of the advance and interim payment(s) released in pre-financing instalments cannot exceed 40% of the grant.
6. Interim payment in the form of pre-financing can be paid provided that at least 70% of the previous pre-financing (advance and interim) instalment(s) has been settled.
7. The advance is paid provided that the collateral in form of a bank guarantee or an insurance guarantee is established and provided in the amount equal to the advance resulting from the Payment Schedule (total of advance or pre-financing instalments).
8. The final payment is made provided that: the full material and financial scope of the project has been implemented, the aims of the project, including indicators, subject to § 4 (3), § 6 (3) and § 17 (7) of project contract template, have been met, the final



payment claim, including final project report, has been submitted and approved by PARP.

## **§ 21. Clarifications concerning the call**

1. The reference to the answers to the questions concerning the project selection procedure and the submission of applications for support under the call (FAQ) can be found on: [faq.parp.gov.pl](http://faq.parp.gov.pl).
2. Potential questions can be sent via the contact form available on the website up to 7 days before the deadline for the submission of applications set out in § 1 (2).
3. Explanations concerning the call are also provided by the PARP Information Centre, responding to questions sent to the e-mail address: [info@parp.gov.pl](mailto:info@parp.gov.pl) and by phone at the numbers + 48 22 574 07 07 or 0 801 332 202. Normally explanations will be sent in 5 working days.
4. Answers to all questions are provided on an individual basis. Answers consisting in explaining the procedures or their interpretation are additionally included in the FAQ, reference to which can be found on the website.

## **§ 22. Final provisions**

1. The PARP reserves the right to modify the Call for proposals.
2. In case of any change to the Call for proposals, the PARP shall publish on the website the updated content of the Call for proposals and the date from which the change shall apply. PARP provides access to the previous versions of the Call for proposals on the website.
3. The PARP reserves the right to cancel the call, in particular if significant changes in the provisions of law affecting the conditions of the call be introduced or force majeure events occur.
4. In its IT system, the PARP will store applications that:
  - 1) were not submitted in accordance with the Call for proposals until the day when the period of 12 months after the end-date of the call for applications expired. After this time limit, the applications will be permanently deleted;
  - 2) have not been considered or have been assessed negatively and in relation to which an appeal has not been brought, as well as paper versions of submitted documents or media carriers (e.g. CD or DVD) until the day when the 5-year period from the day of adoption of the final report for the Programme expires.
5. Reporting on irregularities in accordance with rules described here:  
<https://www.eog.gov.pl/strony/zapoznaj-sie-z-funduszami/zasady-zglaszania-nieprawidlowosci/>

## **§ 23. List of Annexes**

Annex 1: Program implementation basis

Annex 2: Definitions and abbreviations

Annex 3: Programme indicators

Annex 4: Administrative and eligibility criteria

Annex 5: Project selection criteria

Annex 6: Conditional Partnership Agreement template

Annex 7: Financial tables template

Annex 8: Template for the calculation of additional costs of the investment (aid for the environment)

Annex 9: List of documents required for the conclusion of the project contract

Annex 10: Project contract template