

International Trade Promotion Incentive Scheme

Incentive Guidelines



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1. Introduction

International markets present various commercial opportunities to forward-looking businesses. Undertakings willing to build capacity to compete in international markets tend to be more innovative in their product and service offering as well as in their internal processes. The International Trade Promotion Incentive Scheme (ITPIS) aims to support businesses that want to internationalise or are already exporting and wish to promote a product or service in a new or existing international market.

1.1 Duration of the Incentive Scheme

This aid scheme is valid for a three-year period which terminates on 31st December 2023. These incentive guidelines may be changed and updated regularly.

1.2 Designated Authority

This incentive scheme is administered by TradeMalta Limited, hereinafter referred to as TradeMalta.

1.3 Budget

The total budget for this incentive scheme is Euro 3 million for the duration of the scheme. The scheme has an average annual disbursement of Euro 1 million.

2. Definitions

2.1 Single Undertaking

Throughout these Incentive Guidelines, the terminology *single undertaking* shall be defined as follows:

As per Commission Regulation EU No 1407/2013 of 18 December 2013 on the application of the Treaty on the Functioning of the European Union to *de minimis* aid, 'Singling' includes, for the purposes of this Regulation, all undertakings having at least one (1) of the following relationships with each other:

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

Undertakings having any of the relationships referred to in points (a) to (d) of the first subparagraph, through one or more other undertakings, shall also be considered to be a single undertaking.¹

The same regulation states that a group of linked undertakings is considered as one single undertaking for the application of the *de minimis* rule, but those undertakings which have no relationship with each other, except for the fact that each of them has a direct link to the same public body or bodies, are not treated as being linked to each other. The specific situation of undertakings controlled by the same public body or bodies, which may have an independent power of decision, is therefore taken into account.¹

2.2 Small and Medium Sized Enterprise

An 'SME' is an undertaking which fulfils the criteria laid down in Annex I of Commission Regulation (EU) No 651/2014 of 17 June 2014, declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty (hereinafter referred to as the General block exemption Regulation).

¹ [Commission Regulation \(EU\) No 1407/2013 of 18th December 2013](#)

2.3 Large Enterprise

A 'Large enterprise' is an undertaking which fulfils the criteria laid down in Annex I of Commission Regulation (EU) No 651/2014 of 17 June 2014, declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty (hereinafter referred to as the General block exemption Regulation).

2.4 Incentive Entitlement Certificate (IEC)

For the purpose of these Incentive Guidelines, an Incentive Entitlement Certificate (IEC) refers to the official letter issued by TradeMalta describing the assistance approved and against which claims for reimbursement can be made.

2.5 Franchisor

For the purpose of these Incentive Guidelines, the term *Franchisor* is deemed to be a limited liability company incorporated under the Companies Act Chapter 386 of the Laws of Malta that fulfills all the following criteria:

- a. The *Franchisor* owns trademarks, designs and other intellectual property rights which the company intends to provide to a franchisee to run a franchise location, in return for an agreed-upon fee.
- b. The *Franchisor* has produced a franchising manual (also known as an Operations & Training Manual) that provides a prescriptive guide to potential franchisees, which controls quality, communications and other standards.

2.6 Brokerage or Networking Events

For the purpose of these Incentive Guidelines, a *Brokerage or Networking Event* is an event organised by international organisations with the scope of nurturing trade, technology transfers, developing business partnerships, facilitating business collaborations, or linking investor to business ventures such as venture capital pitching and brokerage events. Such events exclude seminars and conferences.

2.7 Trade Mission Voucher

For the purpose of these Incentive Guidelines, a Trade Mission Voucher is a document issued by TradeMalta which may be used by the beneficiary to claim reimbursement of costs related to travelling and accommodation in line with the approved terms and conditions set out for a trade mission.

2.8 Export Business Development Plan

An Export Business Development Plan is a document that provides a framework for the development of an undertaking's international business. The plan must include analysis, strategies and options relating to:

- i. products or services that are going to be exported;
- ii. target markets;
- iii. unique selling propositions of products and services in the target market;
- iv. market entry strategies;
- v. forecasted budgets;
- vi. human resources and production allocations; and
- vii. management of risks and possible mitigation measures.

For the purpose of these Incentive Guidelines, the *Export Business Development Plan* must cover a minimum period of twelve (12) months and a maximum period of thirty-six (36) months.

2.9 Trade Promotion Guidelines

Trade Promotion Guidelines refer to the Incentive Guidelines which TradeMalta administers on a regular basis and details of which are available on the TradeMalta website, www.trademalta.org.

3. Eligibility

3.1 Eligible Undertakings

This incentive is open to undertakings whose purpose is to intensify their internationalisation activities with the aim of increasing their export activity. The different actions that can be supported are defined in the separate in Section 6 of these guidelines.

The beneficiary must be an undertaking registered as one (1) of the following:

- a. An undertaking incorporated under the Companies Act Chapter 386 of the Laws of Malta being a partnership en nom collectif, en commandite or a limited liability company.
- b. Self-employed persons registered with Jobsplus.
- c. Co-operatives with the Co-operatives Board.
- d. The following table lists the indicative eligible economic sectors and activities and their respective NACE code:

NACE Code	Economic Sector
B	Mining and quarrying
C	Manufacturing
E38	Waste collection, treatment and disposal activities; materials recovery
E39	Remediation activities and other waste management services
F42	Civil engineering
F43	Specialised construction activities
J58	Publishing Activities
J59	Motion picture, video and television programme production, sound recording and music publishing activities
J62	Computer programming, consultancy and related activities
J63.1	Data processing, hosting and related activities; web portals
M71	Architectural and engineering activities; technical testing and analysis
M72	Scientific research and development
M74.3	Translation and interpretation activities
N77.4	Leasing of intellectual property and similar products, except copyrighted works (Franchise Agreements)
N82.2	Activities of call centres
P	Education
Q86	Human health activities
R90	Creative arts and entertainment activities

- e. TradeMalta reserves the right to approve assistance to undertakings that are not mentioned in the above schedule but are involved in an economic activity in which substantial added value is generated in Malta, leading to a direct economic benefit for the Maltese economy. The approval of these instances must be granted by TradeMalta's board of directors and duly documented.

4. Exclusions

No support shall be provided to:

- a. Undertakings defaulting on Value Added Tax (VAT), Income Tax and National Insurance.
- b. 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”. 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.
- c. Undertakings engaged in activities specifically excluded under the applicable State Aid regulations.
- d. Undertakings whose principal activities fall under the following NACE code sections:
 - i. Section A – Agriculture, forestry and finishing
 - ii. Section K – Financial and insurance activities
 - iii. Section L – Real estate, renting and business activities
 - iv. Section N79 – Travel agency, tour operator and other reservation service and related activities
 - v. Section R92 – Gambling and betting activities
- e. Undertakings involved in the manufacturing, trading or dealing in arms, ammunition and military equipment and hardware.

5. Maximum Aid and Applicable Aid Intensity

5.1 Maximum Aid Intensity

The total aid that may be granted to a single undertaking is limited to Euro 30,000 in any calendar year.

5.2 Aid Intensity

5.2.1 Small and Medium Sized Enterprises

- i. TradeMalta may reimburse small and medium sized enterprises up to a maximum of 50% of the eligible costs.
- ii. TradeMalta may establish lower aid intensities by economic activity and specifically exclude certain activities from benefiting from this measure. Such capping shall be based on the NACE activity of the undertaking and shall be published on TradeMalta's website.
- iii. Per Diem costs shall be reimbursed at up to 50% of the official government rate.

5.2.2 Large Enterprises

- i. TradeMalta may reimburse large enterprises up to a maximum of 40% of eligible costs.
- ii. TradeMalta may establish lower aid intensities by economic activity and specifically exclude certain activities from benefiting from this measure. Such capping shall be based on the NACE activity of the undertaking and shall be published on TradeMalta's website.
- iii. Per Diem costs shall be reimbursed at up to 40% of the official government rate.

Assistance to a single undertaking shall not exceed the amount of €200,000 over any period of three consecutive fiscal years as per 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 (the *de minimis* Regulation).

6. Supported Actions

6.1 Schedule A: Support for participation at business-to-business (B2B) international trade events & fairs (real-life and virtual events)

An eligible undertaking may be awarded support to facilitate its participation at business-to business (B2B) international trade events and fairs. Such events are intended to support the international business development function of the eligible undertaking in international market.

6.1.1 Eligible Events

- a. A B2B international trade event or fair, organised by a third party, shall be considered as an eligible event where the applicant is present as an exhibitor with a managed promotional stand, promoting the undertaking's products and services to other economic operators.
- b. The eligibility is applicable to the participation of the undertaking at both real-life and virtual/online B2B international trade events or fairs.

6.1.2 Eligible Participants

The eligible undertakings are those defined in section 3.

6.1.3 Eligible Costs

Reimbursement shall be awarded on the following costs:

- i. Rental of exhibition space and/or stand paid directly or indirectly to the event organiser².
- ii. Stand design including design and printing of backdrops, posters, banners and pop-up banners that are an integral part of the stand
- iii. Design of other marketing collateral such as presentations (for online events only)
- iv. Promotional material which is branded for the event.
- v. Subcontracted stand construction services.
- vi. Rental of display aids.
- vii. Freight expenses incurred for shipping materials and exhibits required to setup and run the exhibition space and/or stand
- viii. Interpretation services specifically procured by the undertaking during the trade event or fair.
- ix. WIFI connection paid by the undertaking at the event.
- x. Registration charges
- xi. Administration charges related to the setting up of the stand³.

² For indirect payments affected through third parties, the full payment trail must be disclosed. Any additional costs beyond the payment affected to the organiser are ineligible.

³ Costs incurred by individuals (unless self-employed) shall not be considered as eligible.

- xii. Travel and Per Diem costs covering one (1) representative (employee or director) of the undertaking required to manage the exhibition space and / or stand. The maximum applicable Per Diem shall be limited to the duration of the event. In the eventuality where the undertaking arrives after the event has commenced and / or leaves before the event ends, the per diem will be calculated on the number of days that the undertaking is present at the fair.
- xiii. Travel and Per Diem costs covering a second representative (employee or director) of the undertaking required to manage the exhibition space and / or stand when the exhibition footprint exceeds twenty-five (25) square meters.

6.1.4 Ineligible Costs

Any costs that are not listed in Section 6.1.3 will not be considered eligible.

6.1.5 Application Process

General details on the application process are provided in Section 8 of these Guidelines.

Applications for support under this schedule for real-life events should be received by TradeMalta at least three (3) months prior to the first day of the event.

Applications for support under this schedule for virtual / online events should be received by TradeMalta at least one month prior to the first day of the event.

Applications that do not include sufficient information on the event and compelling reasons on how participation should increase the potential of the undertaking to grow internationally and increase its' exports, may be rejected.

6.1.6 Claims Process

General details on the claim process are provided in Section 9 of these Guidelines.

Claims related to the support approved under this section should include:

1. Proof of participation such as evidence of the exhibitors pass or official list of exhibitors and;
2. Photographs or images of the stand indicating the location of the display aids, backdrops, posters, banners, pop-ups, etc. For virtual / online events screen shots or other related images would be applicable.
3. The complete list of claims that must be submitted for events under this schedule is available in the 'Claim Form' available at TradeMalta's website, www.trademalta.org.

6.2 Schedule B: Trade and Business Missions (real-life and virtual events)

Eligible undertakings may be supported to participate in real-life or virtual trade missions organised or endorsed by TradeMalta. Trade missions provide a structured approach to nurture collaboration and business development, providing business operators with the opportunity to develop their internationalisation potential and help entrepreneurs gain knowledge on how to operate in specific markets.

6.2.1 Eligible Events

Trade and Business Missions organised by TradeMalta as announced in relevant Expression of Interests issued by TradeMalta.

6.2.2 Eligible Participants

This support is open to eligible undertakings as defined in Section 3. Undertakings operating in other economic activities in Malta might also be considered eligible to join trade and business missions as established by TradeMalta.

6.2.3 Eligible Costs

Travel costs and Per Diem covering one (1) representative (employee or director) in an undertaking participating in the event in the case of a live event only. The maximum number of days covered by the Per Diem shall be limited to the number of full calendar days covered by the trade mission. Travel and Per Diem will be calculated in line with Section 7.1. The official event information published by TradeMalta may indicate a specific capping of fixed reimbursement for the event.

6.2.4 Application Process

General details on the application process are provided in Section 8.

Further details on the application process will be specified in the official event information published by TradeMalta. Applications are to be submitted as instructed in the expression of interest.

6.2.5 Claims Process

General details of the claim process are provided in Section 9.

TradeMalta will provide successful applicants with a 'Trade Mission Voucher' confirming the total aid that may be awarded to an undertaking.

6.3 Schedule C: Participation in Formal Networking and Brokerage events

An eligible undertaking may be awarded support to facilitate participation in a Brokerage or Networking Event organised with the scope of developing and enhancing productive economic activities. Support will only be provided if an employee or director of the applicant undertaking is present at the event.

6.3.1 Eligible Events

International B2B networking and brokerage events pre-approved as eligible by TradeMalta.

6.3.2 Eligible Participants

The eligible undertakings are those defined in section 3.

6.3.3 Eligible Costs

Reimbursement shall be awarded on the following costs:

- i. Registration costs which shall be limited to one (1) person if the registration is charged per individual participant
- ii. Travel costs and Per Diem covering one (1) representative (employee or director) of an undertaking participating in the event. The maximum number of days covered by the Per Diem shall be limited to the number of days in which the undertaking actively participates in formal networking or brokerage event. Travel and Per Diem will be calculated in line with Section 7.1.

6.3.4 Application Process

General details on the application process are provided in Section 8 of these Guidelines.

Applications for support under this schedule should be received by TradeMalta prior to the Event. Applications that are not received within the specified time-period and/or do not include sufficient information on the event and compelling reasons on how participation should increase the potential of the undertaking to grow internationally may be rejected.

6.3.5 Claims Process

General details on the claim process are provided in Section 9.

Beneficiaries will be required to provide proof of participation in the event. Such proof could, for example, be provided by submitting the official list of schedule of confirmed meetings by the organising body.

6.4 Schedule D: Market Preparedness and Development

An eligible single undertaking may be awarded support to address market preparedness and international business development capabilities to increase international revenue in a specific market. This support must be linked to an 'Export Business Development Plan' covering a minimum of twelve (12) months which must be endorsed by TradeMalta and as defined in the application form.

6.4.1 Eligible Participants

Eligible undertakings are those defined in section 3.

6.4.2 Eligible costs

i. Marketing Collateral for Products and Services⁴

Design, development, production duplication and printing of marketing material required to implement the Export Business Development Plan.

ii. Packaging and Product Information

Design and development of packing and product information for legal or regulatory purposes, or to translate packaging and product information as required for placing product in a target market.

iii. Translation Services

Translation costs of the marketing material from Maltese or English into another language, as specifically required to implement the Export Business Development Plan. Translation costs of websites and webpages for the purpose of attracting business from foreign markets are also eligible.

iv. Internet Search Engine Optimization (SEO)

Internet Search Engine Optimization (SEO) costs required to increase visibility in target markets and implementing the Export Business Development Plan.

v. Participation at International Events

Participation at conferences, fairs and similar events related to the undertaking's activity.

vi. International Travel for Business Development Purposes

Travel Costs and Per Diem subsistence covering one (1) representative (employee or director) attending pre-determined business meetings outside of Malta in target markets as identified in the Export Business Development Plan. Travel costs and Per Diem will be calculated in line with Section

⁴ Eligible marketing material refers to information brochures, handouts, audio-visual productions and electronic media. This collateral should include product and service information. Promotional merchandising is not eligible.

7.1. Per Diem may only be paid to cover the days in which the undertaking can prove participation on at least one (1) business meeting. The maximum number of days which can be covered by the Per Diem subsistence in a single trip is capped at five (5) days.

vii. Business Meetings held in Malta

Travel cost (as per section 7.1) excluding Per Diem, incurred by the undertaking in holding a business meeting in Malta.

viii. International Business Development Partner

An eligible undertaking may be awarded support to cover costs associated with the engagement of an international business development partner to carry out a business development function on behalf of the undertaking in a specific region(s) or target market(s). The international business development manager must be engaged solely for the purpose of increasing the undertaking's export turnover and must be based overseas.

The eligible costs are the following:

- a. Wages or fees covering the engagement of an international business development partner on a monthly retainer, or part-time / full-time role. The international business development partner must be based overseas.
- b. The engagement of an international business development partner is applicable to more than one market.

6.4.3 Application Process

General details on the application process are provided in Section 8 of these guidelines.

Support under this schedule is conditional to the endorsement from TradeMalta of an Export Business Development Plan. Applications should provide a schedule of actions covering a period of twelve (12) months.

6.4.4 Claim Process

General details on the claim process are provided in Section 9 of these guidelines.

Additionally, for reimbursements for the Export Development Partner the following are required

- i. A copy of the contract of employment or service agreement clearly indicating the appointment as Export Development Partner must be submitted with the claim.
- ii. Payslips or invoices covering the relevant period engaged in the project. The payslips or invoices must be countersigned by the employee or partner must be submitted with the claim.
- iii. Proof of payment

6.5 Schedule E: Market Research

6.5.1 Market Research Reports

Purchase of market research tools such as industry and consumer reports, etc. and statistical data from specialised data and market research providers.

6.5.2 Eligible Participants

Eligible undertakings are those defined in Section 3.

6.5.3 Eligible Costs

Commissioning of bespoke marketing intelligence from specialized international market research companies.

The purchase of such reports or market intelligence must be pre-approved by TradeMalta.

6.5.4 Application Process

General details on the application process are provided in Section 8 of these guidelines.

6.5.5 Claims Process

General details on the claim process are provided in Section 9 of these guidelines.

6.6 Schedule F: Digital Marketing

6.6.1 Investment in Digital Marketing

Undertakings may be awarded support to cover costs associated with digital marketing, including advertising on the main search engines, social media and other specialised online platforms.

6.6.2 Eligible Participants

Eligible undertakings are those defined in Section 3.

6.6.3 Eligible Costs

The eligible support measures are:

- a. Direct advertising on the main search engines (such as Google Ads or Bing Ads), as long as the expense is targeting an international market;
- b. Direct advertising on the main social media platforms (such as LinkedIn or Facebook) as long as the expense is targeting an international market;
- c. Other online platforms with direct digital advertising capabilities such as Taboola, Outbrain, Capterra, Reddit, Quora and others; especially industry and audience specific online platforms.
- d. Digital design costs (visuals, graphics, etc.) of the marketing campaign.

6.6.4 Application Process

General details on the application process are provided in Section 8 of these guidelines.

6.6.5 Claims Process

General details on the claim process are provided in Section 9 of these guidelines.

6.7 Schedule G: Collaborative Internationalisation Projects

Through the sharing of resources, undertakings forming part of a collaborative network can benefit from transfer of knowledge, shared capacity, improved business prospects and achieve higher competitiveness.

6.7.1 Eligible Projects

Support under this schedule may be awarded when at least three (3) independent undertakings, at least two (2) of which are SMEs, that work together on a new joint export project and submit an Export Business Development Plan covering at least twelve (12) months and which is endorsed by TradeMalta.

The cost related to the collaborative projects should be equally split between the participating undertakings. The aid shall be apportioned accordingly and accounted for in the individual take-up of the participating enterprises.

6.7.2 Eligible Costs

- a. The support provided under Schedule D.
- b. The cost of one (1) full-time Export Development Manager whose role should be to implement the joint marketing strategy and should be specifically indicated as the key role on the person's employment contract. The contract should also include a direct reference to the other parties engaged in the project and should be valid for a period that is indicated in the approved Export Business Development Plan.

Reimbursement will be calculated on the net pay (excluding any other remuneration such as bonuses, overtime, allowances and benefits) and shall be capped at Euro 1,000 per month, which may be increased to Euro 1,500 if the employee has a minimum of 5 years' experience in an international business development function. In the eventuality where the Export Development Manager is employed on a part-time basis, the maximum support shall be reduced proportionally to the hours worked. The reimbursement of the costs related to the Export Development Manager is restricted to the first twelve (12) months of the engagement of the person.

6.7.3 Application Process

General details are provided in Section 8 of these guidelines.

Support under this schedule is conditional to:

- i. The endorsement from TradeMalta of an Export Business Development Plan.

- ii. The appointment of an Export Development Manager
- iii. A written commitment from all parties collaborating in the project. The application should:
 - Identify the Project Leader who will be responsible for all interactions related to the project.
 - Be endorsed by all parties collaborating in the project.

Applications are to be received by TradeMalta within three (3) months from the date TradeMalta approves the Export Business Development Plan.

6.7.4 Claims Process

General details are provided in Section 9 of these guidelines

All claims are to be submitted by the Project Leader and must be signed by the authorised representative of each party collaborating in the project.

For reimbursements for the Export Development Manager

- iv. A copy of the contract of employment clearly indicating the full-time appointment as Export Development Manager for the project.
- v. Payslips covering the relevant period engaged in the project. The payslips or invoices must be countersigned by the employee.
- vi. **Proof of payment**
- vii. Employment history of the Export Development Manager issued by JobsPlus if the person is engagement from Malta.

6.8 Schedule H: International Call for Tenders

International tenders are an opportunity for business undertakings to expand into new markets.

6.8.1 Eligible Tenders

Tenders issued by nation states, EU, UN or other international bodies. The tender in question is subject to approval by TradeMalta as part of the application process.

6.8.2 Eligible Costs

- i. Fees to purchase the tender specifications
- ii. A one-time travel and per diem cost covering one (1) representative (employee or director) of an eligible undertaking to attend a meeting which is considered as relevant to the implementation of the submission of the tender. Travel costs and per diem will be calculated in line with Section 7.1

6.8.3 Eligible Undertakings

Eligible undertakings are defined in Section 3 of these guidelines.

6.8.4 Application Process

General details are provided in Section 8 of these guidelines

Applications for support under this schedule should be received by TradeMalta before costs are incurred. Applications that do not include sufficient information on the tender specifications and compelling reasons on how participation should increase the potential of the undertaking to grow internationally may be rejected.

6.8.5 Claim Process

Beneficiaries will be requested to submit the following documentation apart from the documentation requested in Section 9.

- i. Proof of submission of the offer
- ii. E-mails and/or letters confirming that any travel claimed was related to the official meeting for the submission of the tender.

7. Additional Provisions

- a. Tax, including Value Added Tax (VAT) and other taxes or duties, is not considered as an eligible cost.
- b. Expenses claimed may not originate from businesses linked to the applicant / beneficiary.
- c. The applicant / beneficiary may be requested to verify that the best economic market value of the expense claimed has been sought.
- d. Aid provided by TradeMalta will be revoked or suspended until that undertaking has reimbursed old, unlawful and incompatible aid that is subject to a recover decision.
- e. In the case of businesses or groups of undertakings, only one (1) undertaking within the related group may receive aid for participation in any single trade event or mission. Aid may be awarded to more than one (1) undertaking with a group of undertakings as long as the activities are not the same or similar.
- f. Approval of assistance is subject to budgetary limitations.

7.1 Travel Costs and Per Diem

- a. The support in relation to travel costs (air / ferry / trains) and per diem, shall be only eligible when the travel (to attend the meeting / meetings, event or events) starts and end in Malta.
- b. Reimbursement of travel costs will be capped at Euro 250 (per round trip) for direct flights starting from Malta to European and Mediterranean countries and at Euro 500 (per round trip) for indirect flights from Malta to any destination.
- c. Per Diem rates shall be established on the TradeMalta website. Per Diem costs shall be reimbursed at up to 50% of the official government rate as published periodically by the government of Malta.
- d. Cross border travel may be supported when an undertaking participates in more than one (1) meeting or event in a single journey which started and ended from Malta

8. Application and Assignment of Aid

Aid under this incentive scheme is subject to approval by TradeMalta Limited.

8.1 Application Process

Applications will be processed in terms of the Incentive Guidelines in force at the date of application and will only be accepted if all the supporting documentation is received by TradeMalta. Incomplete application forms will be rejected. Applicants should use the official online application forms which are made available on TradeMalta's official portal, www.trademalta.org.

Although support for some actions covered under these Guidelines may be submitted after the costs are incurred, TradeMalta cannot guarantee that such applications will be upheld. It is recommended that applications are, in all cases submitted as early as possible, or as indicated by TradeMalta, giving TradeMalta sufficient time to evaluate and approve the costs before they are amended.

8.2 Approval

Support under this Incentive Guidelines may only be awarded by TradeMalta.

On being satisfied that an applicant fulfils the conditions set out in these Guidelines, TradeMalta will consider the value to be gained by the applicant from participating at the trade event, fair or mission and its potential impact on the growth of the Maltese economy.

Should TradeMalta consider the application favourably, an Incentive Entitlement Certificate (IEC) stating the approved grant amount, the eligible cost items and the applicable aid intensity is issued to the applicant. The IEC will be issued subject to terms and conditions that may be imposed by TradeMalta. The benefits entitled by such IEC may be revoked if the applicant fails to abide by such terms and conditions.

TradeMalta shall reserve the right to revoke any IEC and recover any aid granted in terms of this Incentive Guidelines if:

- a. The applicant breaches the rules set in these Incentive Guidelines, De Minimis Aid Regulations, or any conditions set in the IEC issued by TradeMalta.
- b. The expenditure claimed is found not to be directly related to the trade or business activity.
- c. There is double funding of the same eligible costs from TradeMalta or any other National or European or international entity.

9. Claim Process

9.1 Claims

Claims must be submitted on the appropriate online claim forms which may be accessed from TradeMalta's website, www.trademalta.org, and will only be accepted if all the supporting documentation is received by TradeMalta. Incomplete claim forms will be rejected.

Unless stated otherwise, claims must be submitted to TradeMalta within three (3) months from the date of the event and / or meeting.

9.2 Supporting Documentation

The following documentation shall be required in addition to the requirement specified in the respective schedules. TradeMalta may furthermore request additional documentation and information which TradeMalta may deem relevant to process the claim.

9.2.1 Local Transactions

For each local transaction, the beneficiary must submit:

- a. The tax invoice (as specified in the 12th Schedule of the VAT Act Chapter 406 of the Laws of Malta) and an associated receipt, or
- b. The tax invoice (as specified in the 12th Schedule of the VAT Act Chapter 406 of the Laws of Malta) marked as paid and signed by the supplier, or
- c. The original Fiscal Receipt (as specified in the 13th Schedule of Chapter 406 of the VAT Act.

TradeMalta shall consider as eligible only invoices / receipts which include:

- i. The name and details of the supplier and beneficiary
- ii. Date of supply
- iii. A clear description of the services / goods purchased, and
- iv. The VAT numbers of both the suppliers and beneficiary.

9.2.2 Foreign Transactions

TradeMalta shall consider as eligible only invoices / receipts which include:

- i. The name and details of the supplier and beneficiary
- ii. Date of supply

- iii. A clear description of the services / goods purchased, and
- iv. The VAT numbers of the beneficiary (where applicable)

9.2.3 Proof of Payment

TradeMalta shall require proof of payment from the claimant and shall accept the following documents as proof of payment

- i. Bank statements which include the name of the supplier and payers' details, or
- ii. Electronic payments or credit card statements which include the name of the supplier and payers' details, or

9.2.4 Travel Claims

In the case of travel claims for event / meetings organised outside of the Maltese territory, the following documentation must be presented:

- i. Invoices (in line with Section 9.2.2)
- ii. Proof of Payment (in line with Section 9.2.3)

10. State Aid Rules and Obligations

10.1 Applicable State Aid

These Incentive Guidelines are in line with the 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 (the de minimis Regulation)

The de minimis Aid Declaration may be downloaded from

<https://www.maltaenterprise.com/sites/default/files/documents/De%20Minimis%20Declaration%20Form%20%2815%20Jan%202020%29.docx>

The total amount of de minimis aid granted to a single undertaking shall not exceed the amount of €200,000 (or €100,000 in the case of undertakings performing road freight transport for hire or reward) 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.

The term 'undertaking' includes also all companies in a group (which fall under the direct or indirect ownership or control of the same ultimate parent company) and relevant partner and linked enterprises as defined in Annex I of Commission Regulation (EU) No 651/2014 of 17th June 2014.

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 TradeMalta. 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 de minimis declaration form must be filled in and submitted together with the application form.

10.2 Applicability of Aid

Assistance approved under this aid scheme is NOT:

- a. Aid granted to businesses active in the fishery and aquaculture sector, as covered by Council Regulation (EC) No. 104/2000;
- b. Aid granted to businesses active in the primary production of agricultural products;
- c. Aid granted to businesses 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 businesses concerned;
 - ii. Where the aid is conditional on being partly or entirely passed on to primary producers;
 - iii. 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;

- d. Aid contingent upon the use of domestic over imported goods;
- e. Aid for the acquisition of road freight transport vehicles granted to businesses performing road freight transport for hire or reward

Where an undertaking is active in the sectors referred to in points (a), (b) and (c) above as well as in other sectors falling within the scope of the de minimis Regulation, TradeMalta will ensure a separation of the activities or distinction of costs. Only those sectors eligible for assistance under the de minimis Regulation will be assisted. Activities in the sectors excluded from the scope of the de minimis Regulation will not benefit from assistance under this aid scheme.

10.3 Cumulation

In terms of Article 5 of the de minimis Regulation, de minimis aid granted under this incentive may be cumulated with de minimis aid granted in accordance with Commission Regulation (EU) No 360/2012 up to the ceiling laid down in that Regulation. It may be cumulated with de minimis aid granted in accordance with other de minimis regulations up to the relevant ceiling fixed in terms of these Incentive Guidelines.

De minimis aid approved under this scheme shall not be cumulated with State aid in relation to the same eligible costs, if such cumulation would exceed the highest relevant aid intensity or aid amount fixed in the specific circumstances of each case by a block exemption regulation or a decision adopted by the European Commission.

11. Further information

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

Postal Address: TradeMalta Ltd, The Clock Tower, Level 1, Tigne Point, Sliema.

Website: www.trademalta.org

Email: info@trademalta.org

Tel: +356 2247 2400

These incentive guidelines are published on TradeMalta's website, www.trademalta.org