



REPUBLIC OF ITALY



CALABRIA REGION

Development and Cohesion Plan (DCP) of the REGION OF CALABRIA Thematic Area 03 - BUSINESS COMPETITIVENESS.

**Policy area 03.02 TOURISM AND HOSPITALITY PUBLIC NOTICE.
INVESTMENTS ATTRACTION IN THE TOURISM SECTOR IN THE REGIONAL TERRITORY
("CALABRIA SCOUTING")**

**REQUEST FOR THE SUPPLY OF THE CONTRIBUTION
IN ADVANCE or DOWN PAYMENT CONCERNING**
(provide indications regarding the procedure for financial support)

The undersigned, born at _____ on _____ resident in (address and street number) _____ as the legal representative of (Company name) _____ *(provide details of the procedure under which the initiative was funded)* eligible for the financial aid with _____ No. ____ of _____ by the REGION OF CALABRIA, Department _____ under _____ (indications regarding the procedure for granting financial support) _____, for an amount of Euro _____.

REQUESTS

- the disbursement of the contribution in advance of € _____, equal to ____% of the total amount of the financial support granted, upon submission of Bank Guarantee or insurance policy,
- the disbursement of the planned down payment of € _____, equal to __% of the total amount of financial support granted, upon submission of invoices for a total expenditure equal to __% of the eligible expenditure as follows

Expenditure items	Document details	Description	Supplier	Amount in Euro	Total Expenditure
TOTAL					

FURTHER REQUESTS

that the above amount be credited to the following bank account in the name of the company:
..... no. current account bank branch of..... ABI
.....CAB IBAN.....

ATTACHES

In the case of a request for disbursement of the contribution in advance:

1. Bank Guarantee¹
2. Certificate attesting that the estate is free from encumbrances and liens (deed of ownership, lease agreement, etc.) together with a declaration in lieu of affidavit, made pursuant to Articles 47 and 76 of Presidential Decree No. 445 of December 28, 2000, of the owner of the property itself certifying consent to the implementation of the investment program (*to be submitted only if the owner of the property where the project is carried out is different from the person submitting the aid application*);
3. Appropriate documents relating to the property where the project will be carried out certifying the compliance with building and zoning regulations (e.g., certificate from the municipality, sworn survey, certificate of occupancy or certified declaration of conformity for occupancy);

In the case of a request for disbursement of the down payment:

1. copies of cancelled invoices reporting the following appropriate wording [insert wording: "Accounting document financed under..... admitted for the amount of euro".
2. copy of wire transfers and copy of bank (or postal) account showing the debits of the payments made to the various suppliers;
3. in the case of construction interventions, certification by a qualified technician on the consistency and appropriateness of the expenses reported in relation to those allowed.

STATES

- a) That all applicable EU regulations and rules have been complied with, including those regarding obligations in the areas of competition, State aid, information and publicity, environmental protection, and equal opportunities;
- b) that all applicable regional, national, legal requirements have been complied with;
- c) that the expenditure incurred is eligible, relevant and appropriate, and has been made within the terms of eligibility for community reimbursement;
- d) that no further reimbursements, contributions and supplements from other public or private, national, regional, provincial and/or community entities have been obtained or requested for the same eligible expenses;
- e) that economic, financial, physical and procedural monitoring data and information on the various phases of the implementation of the Intervention have been transmitted to the Region in the manner and within the timeframe defined by the Region;
- f) (if any) that the expenses incurred for the acquisition of intangible assets comply with the following conditions:
 - intangible assets have been used in the initiative receiving aid exclusively;
 - they are amortizable;
 - they have been purchased on market terms from third parties who have no relationship with the purchaser; and
 - are reported on the assets side of the balance sheet and remain associated with the project for which financial support is granted for at least three years.
- g) (if any) that the expenses for external consultancy services
 - correspond to the costs of consulting services provided by external consultants and the services acquired are consistent with the overall purposes of the initiative;
 - that the consultancy services acquired do not pertain to continuous or periodic activities and that the related costs are not referred to ordinary operating costs associated with regular activities such as tax advice, legal advice and advertising;
 - that the service provider has carried them out using its own organizational structure without exercising any form of intermediation of services to other consulting service providers through delegating the implementation of all or part of the work for which it was entrusted;
 - that there is no mutual participation at the corporate level between the consulting service providers and the undersigned beneficiary;

¹ See Annex 5 of this Notice.

- that the provisions of Section 3.3 of the Notice on the eligibility of expenses for the acquisition of services and consulting services have been complied with.

AFFIRMS

That all documents related to the project are kept at _____ and that the person in charge of such storage is _____ .

SIGNATURE OF THE LEGAL REPRESENTATIVE

The undersigned declares that he/she makes the preceding statements pursuant to Article 47 of Presidential Decree No. 445 of December 28, 2000, and that he/she is aware of the criminal liability to which he/she may be subjected in the event of false statements or the production of false documents or documents containing untrue data, pursuant to Article 76 of Presidential Decree No. 445 of December 28, 2000.

Date

Digital signature

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Annex 4: Form for requesting the balance

The undersigned _____ born in _____ on _____ residing in _____ via _____ n. ___ as legal representative of the company _____ in relation to the project _____ referred to _____ (insert references to the procedure under which the initiative was funded) _____ admitted to contribution with _____ n. ___ of _____ for an amount of contribution equal to Euro _____.

Pursuant to Articles 46 and 47 of Presidential Decree No. 445 of December 28, 2000,

STATES

- a) That all applicable EU regulations and rules have been complied with, including those regarding obligations in the areas of competition, State aid, information and publicity, environmental protection, and equal opportunities;
- b) that all applicable regional, national, legal requirements have been complied with;
- c) that the expenditure incurred is eligible, relevant and appropriate, and has been made within the terms of eligibility for community reimbursement;
- d) that no further reimbursements, contributions and supplements from other public or private, national, regional, provincial and/or community entities have been obtained or requested for the same eligible expenses;
- e) that economic, financial, physical and procedural monitoring data and information on the various phases of the implementation of the intervention have been sent to the Region in the manner and within the timeframe defined by the Region;
- f) (if any) that the expenses incurred for the acquisition of intangible assets comply with the following conditions:
 - intangible assets have been used in the initiative receiving aid exclusively;
 - they are amortizable;
 - they have been purchased on market terms from third parties who have no relationship with the purchaser; and
 - are reported on the assets side of the balance sheet and remain associated with the project for which financial support is granted for at least three years.
- g) that the expenses incurred and accounted for at the conclusion of the project amount to Euro are indicated in the following table:

Expenditure items	Document details	Description	Supplier	Amount in Euro	Total Expenditure
TOTAL INVESTMENT					

- h) that the total amount of the investment project is as follows:

EXPENDITURE ITEMS	TOTAL	%

- d) in the case of building interventions, certification by a qualified technician on the consistency and appropriateness of the expenses reported in relation to those allowed;
- e) (if any) documentation proving the increase in AWUs in relation to evaluation criterion iv.2);
- f) documentation proving the opening of the local unit in Calabria, related to the investment;

- g) final report on the activities carried out (in the case of a feasibility study);
- h) documentation proving the supply of the financial contribution equal to at least 25 % of eligible costs, either through own resources or through external financing, in a form free of any public support;
- i) unilateral notarial deed of obligation and related transcription note in the real estate registers of the same, which must contain explicit obligation not to divert the property that has been granted financial support from its intended use for a period of at least 10 years from the request for disbursement of the balance.

STATES

That these documents shall be made available, upon request, for inspection and verification by the Region as well as by national and community control bodies.

AFFIRMS

That all project documents are located at _____ and that the person in charge of such storage is _____.

SIGNATURE OF THE LEGAL REPRESENTATIVE

The undersigned declares that he/she makes the preceding statements pursuant to Article 47 of Presidential Decree No. 445 of December 28, 2000, and that he/she is aware of the criminal liability to which he/she may be subjected in the event of false statements or the production of false documents or documents containing untrue data, pursuant to Article 76 of Presidential Decree No. 445 of December 28, 2000.

Date

Digital signature (of the legal representative of the company)

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Annex 5: LAYOUT OF BANK GUARANTEE/INSURANCE POLICY

to apply for the advance payment

- that the(a)³ C.F....., VAT registration number, with registered office in, on (date) submitted to the Region of Calabria, Department, Sector, hereinafter indicated for brevity Region of Calabria, an application intended to obtain a contribution on the Notice approved by Decree, on an eligible expenditure program of € to be implemented in the local unit of
- that by funding Decree, the Region of Calabria has granted a total contribution of € to the contractor for the implementation of this program;
- that pursuant to an advance on the contribution equal to ___% of the amount granted can be supplied, on the basis of an unconditional and enforceable insurance policy or bank surety on first demand, in an amount equal to the amount to be disbursed and with a duration of not less than the term of _____.

Having regard of the foregoing:

the Company-Insurance Company/Bank/Financial Intermediary - Confidi (Credit Guarantee Consortia)(b)⁴, - registered in the Register pursuant to Article 106 T.U.B. (Consolidated banking Law) of the Bank of Italy (so-called "Single Register") [Name] P. VAT [VAT No.] having its registered office in [Registered Office] enrolled in the Registro Imprese of [Register of Undertakings] under number [No. R.I. Register of Undertakings] (hereinafter referred to as "Guarantor") in the person of the pro-tempore legal representative/special attorney/agent/executive/etc. [Legal Representative] born in [Place of Birth], on [Date of Birth].

DECLARES

- that he/she hereby constitutes himself/herself, guarantor in the interest of (a) and in favor of the Region of Calabria, up to the amount of € _____ (€), corresponding to ___% of the expected contribution plus the increase for legal interest in the period starting from the date of the disbursement of the advance until the date _____;
- to provide for renewal upon simple request of the Administration of this deed in the event that (a) the expiration date of _____ is prior to the date referred to in point 4 below

The undersigned, represented as above:

1. hereby irrevocably and unconditionally undertakes to repay to the Region of Calabria, the amount guaranteed hereby, if the (a) has not repaid the same amount within fifteen days from the date of receipt of the appropriate invitation - communicated for information to the guarantor - formulated by the Region of Calabria itself in view of the incorrect use of the amounts disbursed as a financial support. The amount of the repayment will be automatically increased by the legal interest accruing in the period between the date of disbursement and the date of repayment.
2. undertakes to make repayment upon first and simple written request of the sums advanced and not properly used, even in the case of non-renewal, in any case, not later than fifteen days from the receipt of the request itself, formulated with the indication of the non-fulfillment found by the administration, to which, moreover, no exception may be opposed, even in the event of opposition proposed by the (a) or by other subjects in any case concerned and even in the event that the contractor is declared in the meantime bankrupt or subject to bankruptcy proceedings or placed in liquidation.
3. agrees to repay the amounts requested by the Region of Calabria in the manner that will be indicated in the request, referred to in point two;

³ (a) Grant recipient

⁴ (b) Person providing the guarantee.

4. specifies that this bank guarantee is effective for up to 180 days from the date of completion of the transaction;
5. formally and expressly waives the benefit of prior enforcement as provided for in Article 1944 of the Italian Civil Code, willing and intending to remain jointly and severally obligated with
..... (a) and hereby waives the objection of the expiry as provided for in Article 1957 of the Italian Civil Code; for the purposes of Articles 1341 and 1342 of the Italian Civil Code, the conditions relating to the waiver of exceptions including that of Article 1944 are specifically approved.
6. any other conditions of guarantee involving additional and/or different obligations on the part of the Region of Calabria or in any case incompatible with those provided for in this contract are not accepted and are therefore considered null and void and/or ineffective.
7. it is expressly agreed that this guarantee shall be deemed tacitly accepted if, within the term of thirty days from the date of receipt, the Region of Calabria is not notified of the denial of this guarantee of the signatories of this deed.

The guarantor

Digital signature of the proposing party