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# Terms and conditions of and procedure for supporting international events and conferences

Adopted on 11 April 2023 No. 25

The regulation is established on the basis of subsection 10 (2) of the [2021–2027 European Union Cohesion and Internal Security Policy Funds Implementation Act](#) (hereinafter referred to as *ÜSS2021\_2027*).

## Chapter 1 General provisions

### § 1 Scope

(1) This regulation regulates the terms and conditions of and the procedure for granting and use of support for implementing the intervention No. 21.1.3.16 “Recovery of the tourism sector and supporting the resumption thereof” under measure No. 21.1.3.1 “Development of entrepreneurship environment, supporting internationalisation and facilitating investments” of the special objective “Improvement of the sustainable economic growth and competitiveness of SMEs and creating jobs in SMEs, including by productive investments” of the policy objective “Smarter Estonia” under the Operational Programme for Cohesion Policy Funding 2021-2027 specified in clause 1 (1) 1) of *ÜSS2021\_2027*.

(2) The regulation contributes to implementing the activity “Promoting competitiveness and export of enterprises” under the measure “Development of the entrepreneurship environment, supporting internationalisation and facilitating investments” of the programme “Entrepreneurship environment” of the performance area “Research and development and entrepreneurship” of the State Budget Strategy 2023-2026 and achieving the target level of its “Tourism services export” indicator.

(3) The support is de minimis aid within the meaning of Article 3 of Commission Regulation (EU) No 2023/2831 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid (OJ L 2023/2831, 15.12.2023) (hereinafter the *De Minimis Aid Regulation*) and subject to the provisions of the above regulation and section 33 of the Competition Act, or aid for culture and heritage conservation (hereinafter *cultural aid*) within the meaning of Article 53 of Commission Regulation (EL) No 651/2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty (OJ L 187, 26.06.2014, pp 1-78) (hereinafter the *Block Exemption Regulation*) and subject to the provisions of the above regulation and section 34<sup>2</sup> of the Competition Act.

(4) If the support is deemed to be state aid within the meaning of Article 107(1) of the Treaty on the Functioning of the European Union, the support is granted on the basis of the provisions of section 34<sup>1</sup> of the Competition Act.

(5) The following shall not be granted under this regulation:

- 1) de minimis aid in the cases established in Article 1(1) of the De Minimis Aid Regulation;
- 2) state aid in the cases established in Article 1(2-6) of the Block Exemption Regulation;
- 3) state aid to an undertaking in difficulty within the meaning of Article 2(18) of the Block Exemption Regulation.

(6) The rules for cumulation laid down in Article 5 of the De Minimis Aid Regulation are taken into account in the case of de minimis aid and the total amount of aid is calculated based on the definition of an undertaking set forth in Article 2(2) of the same regulation.

(7) Pursuant to the Block Exemption Regulation, state aid is not provided to an undertaking subject to an outstanding recovery order following a previous European Commission decision declaring an aid granted illegal and

incompatible with the internal market.

(8) International events, major international events and international conferences, which have been supported on the basis of regulation No. 9 of the Minister of Culture of 19 March 2019 “Terms and conditions of and procedure for supporting international cultural and sports events”, are not supported under this regulation.

(9) Support application, processing of applications, eligibility of costs, reporting, payment of support and amendment of the decision to satisfy the application are subject to the Government of the Republic Regulation No. 55 of 12 May 2022 “General conditions for the allocation and use of resources from the operational programmes of the European Union Cohesion and Internal Security Policy Funds for the period 2021–2027” (hereinafter referred to as *Combined Regulation*).

(10) Information and documents related to applying, granting, use and recovery of support under the regulation are submitted and the application and report forms and instructions are made available via the e-support environment set forth in subsection 21 (3) of ÜSS2021\_2027 (hereinafter referred to as *e-support environment*). If the relevant type of documents cannot be submitted in this environment, the document is submitted electronically and signed digitally.

## § 2 Definitions

(1) An international event (hereinafter referred to as *event*) is a planned activity with a specific purpose and duration, which is of international interest and marketed in foreign countries. This can be an international sports event or an international cultural event.

(2) An international sports event (hereinafter *sports event*) is an international public event or competition in any sports, which follows the regulations or the rules of the code of conduct of the sport.

(3) An international cultural event (hereinafter *cultural event*) is an international public event whose purpose is to introduce and promote culture.

(4) A major international event (hereinafter *major event*) is an international sports event or an international cultural event, which takes place once a year at least on three years and for the organisation of which support is applied for three years at a time.

(5) An international conference (hereinafter *conference*) is a scientific, professional or interest-related international gathering with presentations and discussions or international meeting of representatives of countries, organisations or agencies to discuss sectoral topics and resolve issues. A training event, study trip, competition, trade fair, work meeting, information day or exhibition are not considered as conferences.

(6) Accessibility is the engagement of the whole population in the living and information environment in a way that ensures all people equal opportunities for taking part in the life of society regardless of their age or health condition.

(7) A small and medium-sized enterprise is an enterprise whose annual turnover does not exceed 50 million euros or whose annual balance sheet does not exceed 43 million euros and whose number of employees is fewer than 250.

## § 3 Purpose and outcome of granting support

(1) The purpose of the support is to increase Estonia’s reputation as a destination of cultural events and conferences.

(2) As a result of the support:

1) the number of foreign visitors will increase;

2) the number of tourism service providers involved in organising events and conferences who sell their services to event or conference attendees will increase.

(3) The support contributes to achieving the target level of the “enterprises to be supported with support” and “number of supported international events and conferences” output indicators of the list of measures.

(4) The support contributes to maintaining the base principles of the Estonia 2035 long-term development strategy approved by the decision of the Riigikogu of 12 May 2021 and the achievement of the objectives of the goal “Estonia’s economy is strong, innovative and responsible”, including its activity “We will create a secure economic environment conducive to flexible, innovative and responsible entrepreneurship and fair competition”.

(5) The projects supported take into account the horizontal principles in Article 9 of Regulation (EU) 2021/1060 of the European Parliament and of the Council laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy (OJ L 231, 30.06.2021, pp 159-706) and support is given based on the objectives of the National Development Plan for Estonian Research and Development, Innovation and Entrepreneurship 2021-2035 (hereinafter *TAIE*) approved by the Government of the Republic and the Tourism Strategy 2022-2025 approved by the minister of entrepreneurship and information technology.

(6) In order to achieve the goal specified in subsection 4 and maintain base principles and to take into account the horizontal principles specified in subsection 5, granting of the support shall contribute to the following indicators in a way that supports balanced regional development, gender equality, equal opportunities, accessibility, environmental and climate objectives:

- 1) accessibility indicator;
- 2) gender equality index;
- 3) caring and cooperativeness index;
- 4) gross domestic product per capita generated outside Harju County compared to the EU average.

#### **§ 4 Implementing body and implementing authority**

- (1) The implementing body is the Estonian Business and Innovation Agency.
- (2) The implementing authority is the Ministry of Economic Affairs and Communications.

## **Chapter 2**

### **Supported activities, eligibility of expenses and support rate**

#### **§ 5 Supported activities**

- (1) Support is provided to organisation of events and conferences that meet the following requirements:
  - 1) fulfils the purpose of the support and contributes to the achievement of the result of the support and achievement of the target levels of indicators;
  - 2) takes place in Estonia;
  - 3) is of international interest;
  - 4) the organisation follows the principles of sustainability, accessibility, gender equality and equal treatment;
  - 5) the beneficiary organises prior to and during the event or conference a notification on the visitestonia.com website in the marketing channels and the venue of the event or conference.
- (2) In addition to the provisions in subsection 1, the event to be supported must meet the following requirements:
  - 1) marketing activities of the event are planned to be carried out in at least one foreign market and the event includes providing information about tourism opportunities in Estonia;
  - 2) at least two small and medium-sized enterprises serving foreign attendees has been involved in the planning and implementation;
  - 3) the minimum number of foreign attendees is 600 in the case of an event taking place in Tallinn and 300 in the case of an event taking place outside Tallinn;  
[\[RT I, 10.01.2024, 1 – valid since 13.01.2024\]](#)
  - 4) the minimum number of foreign attendees at a major event over three years is 2000 in the case of an event taking place in Tallinn and 1000 in the case of an event taking place outside Tallinn;  
[\[RT I, 10.01.2024, 1 – valid since 13.01.2024\]](#)
  - 5) the event takes place on at least two consecutive days with a single programme and the substantial activity of the conference takes place on both programme days;
  - 6) the major event takes place on at least three consecutive days with a single programme and the substantial activity of the conference takes place on all programme days.
- (3) In addition to the provisions in subsection 1, the conference to be supported must meet the following requirements:
  - 1) marketing activities are planned to be carried out in at least two foreign markets and conference includes providing information about tourism opportunities in Estonia;
  - 2) the conference takes place on at least two consecutive days with a single programme and the substantial activity of the conference takes place on both programme days;
  - 3) the minimum number of foreign attendees is 200 in the case of a conference taking place in Tallinn and 100 in the case of a conference taking place outside Tallinn.  
[\[RT I, 10.01.2024, 1 – valid since 13.01.2024\]](#)
- (4) If the applicant has applied for support for a project or a single activity of a project from several measures or other state budget, European Union or other foreign assistance funds at the same time, the applicant must provide the relevant information.
- (5) One and the same event is not supported simultaneously as a sports and a cultural event and a major event.

#### **§ 6 Eligibility of costs**

- (1) The following costs are eligible:
  - 1) the costs of preparing the marketing activities of an event or a conference for marketing in foreign countries;
  - 2) the costs specified in clauses 16 (1) 1), 4), and 5) of the Combined Regulation of marketing employees required for the marketing activities specified in clause 1);
  - 3) transportation and accommodation expenses of persons arriving from foreign countries before or during the event or conference, who are involved in the organisation of the event or conference;
  - 4) the transport and accommodation costs of foreign journalists reporting on the event or conference;
  - 5) the costs related to international television and online broadcasts;
  - 6) the costs related to organising and conducting the event or conference;

- 7) the costs related to the attendee statistics of the event or conference and collecting and analysing feedback;
- 8) the costs of adhering to the communication requirements specified in subsection 2 (1) of the Government of the Republic Regulation No. 54 of 12 May 2022 “Informing the public on the allocation of cohesion and internal market policy funds for the period 2021–2027” (hereinafter *the Information Regulation*);
- 9) VAT, except in the case specified in clause 17 13) of the Combined Regulation.

(2) The following costs are ineligible:

- 1) the costs of entertaining guests in accordance with subsection 49 (4) of the Income Tax Act, except the costs listed in clauses (1) 2) and 3);
- 2) gifts;
- 3) costs of using a personal car, except in the case of a person with physical disability with a respective certificate;
- 4) bank guarantees;
- 5) the general costs of the project specified in subsection 21 (5) of the Combined Regulation;
- 6) costs paid in cash;
- 7) costs that have been paid for by way of offset;
- 8) catering costs;
- 9) development costs of a new website;
- 10) costs of marketing materials in Estonian;
- 11) the costs of materials related to the conference or event distributed on site;
- 12) the personnel costs specified in subsection 16 (1) of the Combined Regulation, except the costs specified in clause (1) 2) of this section;
- 13) the daily allowance of marketing employees specified in clause (1) 2);
- 14) the costs that arise from transactions between the persons specified in section 8 of the Income Tax Act.

### **§ 7 Eligibility period of project**

(1) The project’s eligibility period is the time frame stipulated in the support decision during which project-related activities start and end and expenses necessary for carrying out the project are incurred.

(2) The eligibility period of the project must remain within the period starting from the submission date of the application to the implementing body or a later date specified in the application and provided for in the decision to satisfy the application and 31 October 2029.

(3) Activities supporting events and conferences are implemented within 24 months of submitting the application, but no later than on 31 October 2029.

(4) Activities supporting major events are implemented within 48 months of submitting the application, but no later than on 31 October 2029.

(5) The beneficiary may apply for an extension of the project eligibility period, exceeding the period specified in subsections (3) and (4) for a valid reason pursuant to the procedure established in section 20 of the regulation and provided that the result which they wish to achieve continues to be related to the objectives of the measure and the project and that the project activities are completed by 31 October 2029.

### **§ 8 Limit and proportion of support**

(1) The event support is 30,000 euros at minimum and 75,000 euros at maximum. The total cost of project activities is up to 200,000 euros.

[[RT I, 11.08.2023, 4](#) – valid since 14.08.2023]

(2) The total amount of support for a major event over three years shall be 140,000 euros at minimum and 235,000 euros at maximum. The total cost of activities of the project is at least 200,000 euros.

[[RT I, 25.07.2024](#) – valid since 28.07.2024]

(3) *Deleted.*

(4) *Deleted.*

(5) The conference support is 15,000 euros at minimum and 30,000 euros at maximum. The total cost of project activities is up to 200,000 euros.

[[RT I, 11.08.2023, 4](#) – valid since 14.08.2023]

(6) The maximum proportion of the support is 70% of the total eligible costs.

(7) The self-financing rate of a project to be supported is at least 30% of the total eligible costs.

(8) The amount of self-financing must cover the part of the eligible costs that the support does not.

(9) Self-financing is deemed to include the eligible costs incurred by the beneficiary and the partner and other funds, which are not refundable or non-refundable state, local government unit or European Union institution or fund support.

(10) The support granted to a cultural event as a cultural aid from various public sector funds together with the support granted under this regulation must not exceed the limit established in Article 53(8) of the Block Exemption

Regulation.

(11) The de minimis aid granted to the applicant and the partner under this regulation cannot exceed the limit set forth in Article 3(2) of the de minimis Regulation.

(12) *Deleted.*

(13) The de minimis aid specified in subsections (11) and (12) also includes other public sector financial participation in the project's self-financing.

## Chapter 3

### Requirements for applicants, partners and applications

#### § 9 Requirements for applicants and partners

(1) Support can be applied for by an Estonian national authority, a local government unit and its institution and a legal person registered in Estonia.

(2) A partner is an Estonian national authority or a local government unit and its institution or a legal person registered in Estonia specified by the beneficiary in the support application, who participates in the implementation of the activity supported in the project and who as a result incurs costs and who is not a contractor in the project.

#### § 10 Requirements for application

(1) An application must contain the following confirmations, information and documents:

1) general details of the applicant, i.e. the applicant's name, legal form, registry code, value added tax identification number, postal address, telephone number, e-mail address and the name and position of the authorised representative;

2) the scheme of the members of the applicant and partner's group, if the applicant and the partner belong in a group;

3) the name of the project, location of the project, start and end dates of the planned activities, the purpose of the project, a brief description of the activities, the programme of the event or conference, description of the marketing activities, a customer journey analysis, an analysis of the conference organisation principles, the description of activities performed to introduce the destination, the project implementation schedule, the general cost of the project, the amount of the support applied for and the amount of self-financing;

4) in the case of an event, the name, registry code, the role in serving foreign attendees and the description of the cooperation principles of a small and middle-sized enterprise involved in serving attendees;

5) data on the planned results and impact of the project on small and medium-sized enterprises, the field, the region and the tourism sector;

6) the project budget calculation and its explanations and other data and documents required in the application form;

7) the total budget of the event or conference and the costs and revenue, which are marked separately for each year in the case of a major event;

8) the description of the skills and experience of the applicant's project team members with organising and marketing events or conferences;

9) the authorisation document if the applicant's representative acts upon such a document;

[RT I, 11.08.2023, 4 - not valid since 14.08.2023];

10) the applicant's balance sheet and income statement for the current financial year, as at the quarter preceding the submission of the application, except if the applicant is a national authority or a local government unit or institution or a legal person governed by public law;

11) if the applicant is a non-profit association, a list of members of the non-profit association;

12) if the applicant is a foundation, a list of people who have the right to appoint members of the supervisory board of the foundation;

13) in the case of an applicant who is a contracting authority or entity as defined in section 5 of the Public Procurement Act, the project's procurement plan using the form established by the implementing body;

14) a confirmation that the activity corresponds to the relevant European Union and national environmental laws and regulations and follows the 'do no significant harm' (DNSH) principle, according to which individuals shall not cause any significant harm specified in Article 17 of the Regulation (EU) 2020/852 of the European Parliament and of the Council on the establishment of a framework to facilitate sustainable investment, and amending Regulation (EU) 2019/2088 (OJ L 198, 22.06.2020, pp 13–43), to the environmental objectives established in Article 9;

15) a confirmation that the activity to be supported is consistent with the principles of gender equality and equal treatment and subsection 3 (4) of the Advertising Act is followed when notifying of the activity;

16) the partner's name, legal form, registry code, postal address, telephone number, e-mail, name and position of the authorised representative, activities within the project, data on the partner's financial contribution to the project and a confirmation from an authorised representative on participation in the project and awareness of the circumstances specified in subsection 4 (2) of the Combined Regulation.

(2) The application is submitted at least four months prior to the event or conference.

## **Chapter 4**

### **Applying for support**

#### **§ 11 Opening a call for proposals**

- (1) The implementing body coordinates with the implementing authority the opening of the call for proposals and the budget thereof.
- (2) The implementing body makes an announcement on its website on the opening of the call for proposals, the budget, the deadline for applications and other terms and conditions by the day the call for proposals is opened.

#### **§ 12 Deadline for applying for support and submission of applications**

- (1) The application is submitted within the deadline published on the website of the implementing body.
- (2) The digitally signed application shall be submitted by the applicant's authorised representative.

## **Chapter 5**

### **Reviewing of applications**

#### **§ 13 Reviewing of applications**

- (1) If an application is not reviewed, the implementing body shall forward the applicant a respective decision within five business days of submitting the application.
- (2) The term for reviewing an application is up to 42 working days from the deadline of the call for applications. The deadline for reviewing the application can be extended by up to ten business days in the case specified in subsection 6 (2) of the Combined Regulation by notifying the applicant thereof.
- (3) The implementing body has the right to propose to the applicant changes to the project's budget and activities if the support being applied for does not increase and the project objective does not change. If the applicant does not agree with the proposal of the implementing body, the implementing body has the right to deny the application.

#### **§ 14 Declaration of compliance of an applicant, partner and application**

- (1) The implementing body shall declare the applicant, partner and application compliant if the requirements of this regulation are met.
- (2) An application is not declared compliant if:
  - 1) the application contains incorrect information;
  - 2) the applicant has not rectified the deficiencies in the application within the specified term;
  - 3) the applicant, the partner or the application does not comply with the terms and conditions of the regulation.

#### **§ 15 Formation of assessment committee**

- (1) In order to select projects, the implementing body forms an assessment committee, the membership of which is coordinated with the implementing authority prior to opening the call for applications. The members of the assessment committee are published on the website of the implementing body.
- (2) The implementing body has the right to include additional experts in the assessment process, whose expert opinions is taken into account by the assessment committee when evaluating projects.
- (3) Members of the assessment committee and experts must confirm their neutrality and independence from the applications, applicants and partners under assessment.
- (4) The implementing body gives the applicant up to 10 business days to answer the experts' questions and the deadline for the processing of the application will also be extended by 10 business days.

#### **§ 16 Assessment of projects, selection criteria and selection method**

- (1) Projects are selected on the basis of section 7 of the Combined Regulation. If the applicant, partner and application have been declared compliant, the project is assessed on the basis of the selection criteria set forth in subsection (2) following the selection method prepared by the implementing body. The implementing body publishes the selection method coordinated with the implementing authority by the date on which the call for applications is opened.
- (2) The selection criteria and their relative proportions of the total score are as follows:
  - 1) the impact of the project on the achievement of the objectives of Estonia 2035, TAIE, Tourism Strategy 2022-2025 and the measure and the results of the activity – 55% in the case of supporting events and conferences and 60% in the case of supporting major events;
  - 2) the applicant's organisational capability and the capability of the project team – 25%;

- 3) project's justification, cost-effectiveness and preparation – 20% in the case of supporting events and conferences and 15% in the case of supporting major events.
- (3) The project is assessed on a scale of 0 to 4.
- (4) The overall score given in the evaluation of the application is the weighted average of the scores of the selection criteria listed in subsection 2.
- (5) In order to prepare the ranking, the assessment committee shall rank the applications starting from the application that received the highest total score.
- (6) In the case of projects with equal indicators, projects whose score in the selection criteria specified in clause (2) 1) are higher are preferred.

#### **§ 17 Terms and conditions of and procedure for approving an application**

- (1) The decision to approve or deny an application is made by the implementing body.
- (2) An application deemed compatible is approved if:
  - 1) it has a total score of at least 2.60 on the basis of the selection criteria listed in subsection 16 (2);
  - 2) it has not received on the basis of the selection criteria listed in subsection 16 (2) a score that is lower than 2.30.
- (3) Applications are approved according to the ranking prepared during the evaluation. The total amount of support of approved applications must not exceed the support budget of the call of applications.
- (4) The following will be set out in a decision to approve an application:
  - 1) the secondary conditions that accompany granting the support, if the application is granted with a secondary condition;
  - 2) in the case of fixed support payments, their amounts, application terms and conditions, the results serving as a basis for the payment of support and the bases for certifying thereof;
  - 3) terms and conditions of implementing the project;
  - 4) reporting deadlines and procedure for submission of reports;
  - 5) more precise requirements of the photos and video recordings to be submitted with the report.
- (5) The decision to approve an application is sent to the applicant within two working days of the date of the decision.

#### **§ 18 Denial of application**

- (1) A decision to deny an application must include at least the following information:
  - 1) the date of the decision;
  - 2) the name, address and registry code of the applicant;
  - 3) the name of the project;
  - 4) reasons of the decision;
  - 5) an explanation of the place and term of and procedure for challenging the decision if the applicant has the right to challenge it;
  - 6) the details of the person who made the decision;
  - 7) other necessary information.
- (2) The decision to deny an application is sent to the applicant within two working days of the date of the decision.

#### **§ 19 Partial approval of application or approval with secondary conditions**

- (1) The application may be partially approved on the basis of subsection 9 (1) provided that the objective of the project is feasible and the applicant agrees with the proposal of the implementing body to reduce the amount of the support applied for or amend the activities planned in the project. If the applicant does not consent, the implementing body makes a decision to deny the application.
- (2) On the basis of a decision to grant an application conditionally, the beneficiary has no right to payments of the support. The beneficiary gains the right to payments of the support after the implementing body has identified, either on the basis of the information submitted by the beneficiary or a public information system or a data source, the fulfilment of the condition.

## **Chapter 6 Amendment and annulment of decision to approve application**

#### **§ 20 Amendment of decision to approve application**

- (1) The decision to approve an application can be amended until the final payment of the project is made.
- (2) If the circumstances stipulated in clauses 12 (2) 1)-3) of the Combined Regulation change in the decision to approve the application, the relevance and necessity of the changes will also be checked before a decision is made on the basis of the project criteria referred to in subsection 16 (2) of this regulation where necessary and by involving experts or the assessment committee specified in section 15 where necessary.

(3) The implementing body has the right to refuse to amend the decision to approve the application if the requested amendment:

- 1) casts doubts over the possibility of achieving the project's expected results or the possibility of the project activities being completed during the project's eligibility period;
- 2) is not compliant with the content and objectives of the project;
- 3) is not compliant with the requirements presented in the regulation;
- 4) is not justified;
- 5) concerns activities serving as a basis for the payment made as de minimis aid, the budget or the project's performance indicators.

(4) The beneficiary of support for a major event may, without submitting an application for the amendment of the decision to approve the application, change in the project budget the amount of the budget line allocated for a specific activity on the account of another budget line up to 20% compared to what is specified in the decision to approve the application on the condition that the total volume of eligible costs and the proportion of the support does not increase.

(5) The implementing body decides on the amendment of the decision to approve the application within 20 business days of receiving the respective application.

(6) The decision to approve the application may be amended retroactively if it helps the project achieve its results and the change is founded and complies with the state aid rules.

### **§ 21 Annulment of decision to approve application**

(1) The implementing body may annul the decision to approve the application in full or in part if at least one of the following circumstances exists:

- 1) the beneficiary has not started using the support within the deadline established in the decision to approve the application;
- 2) the beneficiary does not comply with the provisions of the decision to approve the application or legislation or does not use the support under the prescribed conditions;
- 3) the beneficiary has not implemented the eligible activities during the project reporting period;
- 4) the project activities cannot be completed during the eligibility period;
- 5) the same event has been supported on the basis of regulation No. 9 of the Minister of Culture of 19 March 2019 "Terms and conditions and procedure of supporting international cultural and sports event";
- 6) the same cost of the project has received support from another refundable or non-refundable state, local government unit or European Union institution or fund support.

(2) The beneficiary returns the support on the basis of a decision made under subsection 1.

## **Chapter 7 Rights and obligations of beneficiary and partner**

### **§ 22 Rights and obligations of beneficiary and partner**

(1) The beneficiary and the partner have the right to receive information and explanations from the implementing body on the requirements set forth in the regulation and their obligations.

(2) The beneficiary undertakes to:

- 1) ensure the existence of all permits and approvals required by legislation; and
- 2) ensure the prescribed self-financing;
- 3) use the support for the purposes defined in the application and the decision to approve the application;
- 4) collect and submit statistics on foreign attendees to the implementing body;
- 5) create and submit to the implementing body 5-10 photos of each supported event or conference and 1-5 video recordings (where available);
- 6) grant the implementing body a non-inclusive licence for public use of the works listed in clause 5 and sublicensing for the purpose of introducing Estonia without any geographic restrictions and for five years after the works are handed over and ensures that they have all the required rights to grant implementing body the respective non-inclusive licence and the right to enter into sublicensing contracts;
- 7) answer to the implementing body's questions on the feasibility of the project;
- 8) give all the data and documents related to the implementation of the project to the use of the auditor and the person performing verification within three working days of the submission of the respective request;
- 9) allow the person performing verification access to the premises and territories related to the implementation of the project that the beneficiary owns, rents or uses in another way;
- 10) provide all the necessary assistance in order to ensure a quick audit and verification;
- 11) immediately inform the implementing body in writing of any changes in the submitted data or of circumstances that affect or may affect the performance of obligations by the beneficiary, including the change of name, address and legal or authorised representatives, reorganisation or winding-up or initiation of liquidation proceedings or bankruptcy proceedings;
- 12) immediately inform the implementing body in writing of any circumstances occurred during the project implementation, which jeopardise the achievement of the project result and the practicability of continuing with the project;



- 13) fulfil obligations related to notification in accordance with the requirements set forth in the Information Regulation;
- 14) organise the event or conference in accordance with the recommendations for organising a sustainable and accessible event, which also contain the principle ‘do no significant harm’ and instructions for taking into account the principles of gender equality and equal opportunities.
- (3) In addition to the provisions in subsection (2), the beneficiary shall fulfil the following obligations in the case of a major event:
- 1) submit to the implementing body a detailed action plan and the budget for the next 12 months before the next event takes place;
  - 2) if the detailed action plan amends what is specified in the application, submit an application for the amendment of the decision to approve the application in accordance with section 20;
  - 3) ensure that the costs of the project supported and the cost statements and payment documents recognising them can be clearly distinguished from the beneficiary’s other cost statements and payment documents in the beneficiary’s and the partner’s accounting.
- (4) A partner who is not a contracting authority or entity as defined in section 5 of the Procurement Act, must follow the Procurement Act if the applicant is a contracting authority or entity as defined in section 5 the Procurement Act, but not if the partner has been chosen and the cost of their activities have been formed as a result of a public procurement led by the beneficiary. The beneficiary is responsible for the partner’s failure to fulfil their obligations.

## **Chapter 8**

### **Submission of reports**

#### **§ 23 Submission of reports related to use of support**

- (1) The beneficiary submits to the implementing body interim reports and a final report on the implementation of the project (hereinafter jointly referred to as *reports*) by the deadlines specified in the decision to approve the application).
- (2) The reporting period is up to 12 months.
- (3) The beneficiary of a major event support shall submit the final project report together with the final payment request within two months of the end of the project eligibility period.
- (4) At least the following must be reflected in the reports:
- 1) the data on the project specified in the decision to approve the application, including the project name, number and the name of the beneficiary;
  - 2) the cumulative reporting period of the project;
  - 3) data on the progress of the project, including the work and activities performed, the progress with achieving the planned results and objectives and the explanations of the differences between the planned and actual activities and results;
  - 4) in the case of an event, data on the small and medium-sized enterprises involved in the implementation of the project, including the name and registry code of the enterprise, the name of the contact person and contact details;
  - 5) statistics on foreign attendees and a summary of the feedback in reports, the period of which includes the event;
  - 6) the beneficiary’s assessment of the implementation of the project and its performance in reports, the period of which includes the event;
  - 7) in the case of a major event, a detailed action plan and the budget for the next 12 months;
  - 8) the beneficiary’s confirmation on the correctness of data and the date of the submission of the report.
- (5) In addition to the list provided in subsection (4), the final report shall include the following:
- 1) the project’s contribution to the output indicators listed in subsection 3 (3);
  - 2) the assessment of the beneficiary of the contribution of the implemented activities to promoting the horizontal principles specified in subsection 3 (6).
- (6) The implementing body shall approve the interim or final report or return it to the beneficiary for elimination of deficiencies within 15 business days or, in the case of a major event, 40 business days of submitting the report. The implementing body has the right to request that the report be supplemented. If the applicant does not supplement the report, the implementing body shall not approve the report and the payment will not be made.
- (7) The implementing body retains the data related to granting de minimis aid and state aid together with the information and necessary additional documents for 10 years after the most recent provision of individual aid.

## **Chapter 9**

### **Terms and conditions of payment of support**

#### **§ 24 Payment of support**

- (1) Support is paid on the basis of subsection 27 (1) of the Combined Regulation if the support is granted for a major event and on the basis of subsection 28 (2) of the Combined Regulation if the support is granted for an event or a conference.

(2) Payment of support is based the detailed terms and conditions and procedure for making payments provided in the decision to approve the application.

#### **§ 25 Payment of support for major event**

(1) The payment of the support is made on the basis of a payment request submitted by the beneficiary if the terms and conditions specified in subsection (2) are met.

(2) The prerequisites for making a payment are:

- 1) submission of documents proving the incurrence and relevance of costs arising from project activity or copies thereof and documents proving the payment of these costs or copies thereof to the implementing body, taking into account the exception set forth in subsection 24 (3) of the Combined Regulation;
- 2) at the request of the implementing body, submission of an interim or final report on the respective reporting period and approval thereof by the implementing body.

(3) The total eligible expenses of a cost document must be at least 50 euros.

(4) If the beneficiary is not a national authority, the support is paid out in justified cases in accordance with clause 27 (1) 2) of the Combined Regulation.

(5) The support will be paid out on the basis of the actual costs and the payment request submitted by the beneficiary.

(6) Upon receiving a payment request, the implementing body verifies the eligibility of the costs presented in the payment request and the due fulfilment of the beneficiary's obligations within 40 business days.

(7) The support is paid in accordance with the proportion of the support in the eligible costs as specified in the decision to approve the application and not in a larger volume than the maximum limit of the support awarded.

(8) The implementing body may make a decision to refuse to pay out the support either in part or in full if:

- 1) the submitted payment application, expense receipts or payment documents do not comply with the established requirements;
- 2) the submitted expense receipts do not comply with the activities and objective of the project set out in the budget of the support application.

(9) The final payment is made after the project activities have been carried out, the eligibility of the costs has been verified and the payment thereof has been certified, and the final report has been approved.

#### **§ 26 Payment of event and conference support**

(1) The support is paid to the beneficiary as a fixed payment in accordance with subsection 28 (2) of the Combined Regulation and the proportion of the support in eligible costs specified in the decision to approve the application.

(2) The support will be paid out on the basis of the final report submitted by the beneficiary if the terms and conditions specified in subsection (4) are fulfilled.

(3) The support is paid out within 20 business days after the activities that are the basis for the fixed payment in the decision to approve the application are executed, the results are achieved and the achievement of results is proved according to the provisions of the decision to approve the application. If the results are partially achieved, the support is not paid.

(4) The prerequisites for payment of the support are:

- 1) a proof that the event took place on the dates specified in the decision;
- 2) a proof of the number of foreign attendees;
- 3) a proof of the number of involved small and medium-sized enterprises in the case of events.

## **Chapter 10 Financial corrections and challenges**

#### **§ 27. Financial corrections and repayment of support**

The decision on financial correction shall be made and the support shall be repaid in accordance with sections 28-30 of the ÜSS2021\_2027 and sections 34-37 of the Combined Regulation.

#### **§ 28. Filing of challenges**

(1) Before filing a grievance to an administrative court about an action of a decision of the implementing body, a challenge must be filed in accordance with section 31 of the ÜSS2021\_2027. Upon challenging a decision made based on an audit report, the mandatory challenge proceedings are not applied.

(2) The challenge is adjudicated by the implementing body.

## **Chapter 11**

### **Implementation of regulation**

#### **§ 28. Implementation of regulation**

- (1) The amendments adopted in August 2023 in subsections 1, 2 and 5 of § 8 shall apply to applications submitted after the entry into force of the said amendments.
- (2) The amendments to subsection 1 (3) and subsection 8 (11) that entered into force in July 2024 shall apply retroactively from 1 January 2024.
- (3) The amendment to subsection 3 (3) that entered into force in July 2024 shall apply retroactively from 15 April 2023.