Annex No 2 to the Guidelines for applicants of the open call “Supporting access to culture and strengthening cultural education” under the EEA

financial mechanism programme “Culture” 2014-2021

**Administrative compliance criteria and their evaluation methodology**

1. **General information on the application:**

|  |  |
| --- | --- |
| Code of the application |  |
| Title of the application |  |
| Title of the Applicant |  |

1. **Evaluation criteria**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **NO.** | **Evaluation criterion** | **Yes** | **No** | **Non-applicable** | **Explanations of the evaluation** |
| 1. | No bankruptcy or restructuring procedure has been instituted in respect of the Applicant and the Partner (-s), who are legal entities, no pre-trial investigation procedures regarding their commercial and/or economic activities have been initiated, it (they) is (are) not undergoing liquidation, there is no resolution of a meeting of creditors regarding the holding of bankruptcy proceedings in out-of-court procedure adopted (*this provision shall not apply to budgetary institutions*), or no bankruptcy procedure has been instituted in respect of the Applicant and the Partner (-s), who are natural persons, and no pre-trial investigation procedures regarding their commercial and/or economic activities have been initiated. |  |  |  | The status of the Applicant and / or the Partner (s) shall be verified during the evaluation of the application.  In case of legal persons of the Republic of Lithuania, data of the Register of Legal Entities shall be checked to see whether no bankruptcy or restructuring has been instituted against a legal entity or no resolution of a meeting of creditors has been adopted regarding the holding of bankruptcy proceedings in out-of-court procedure, also whether the legal person is not undergoing liquidation. The data of the Authority of Audit, Accounting, Property Valuation and Insolvency Management under the Ministry of Finance of the Republic of Lithuania shall be checked to see if no bankruptcy procedure has been instituted against a natural person.  Information specified in the Applicant’s and/or Partner’s declaration shall be checked to see if no pre-trial investigation of commercial and/or economic activities has been instituted in respect of the Applicant and/or the Partner (-s).  If the Applicant or the Partner (-s) is from abroad, the matter shall be assessed according to the information specified in the Applicant’s and Partner’s (Partners’) declaration. |
| **2.** | On the day of submitting the application the Applicant and (or) the Partner (-s) are not declared by the final judgment or the final administrative decision to be in breach of their obligations relating to the payment of taxes and social security contributions under the legislation of the Republic of Lithuania or according to legislation of its country, if the Partner (-s) is (are) a legal person (-s) registered outside of the Republic of Lithuania, or a natural person (-s) is (are) a foreign national (-s) (*this provision shall not apply in respect of Applicants or Partners, whose activities are financed from the budget of the Republic of Lithuania or another state and / or municipalities and / or state monetary funds, and Applicants or Partners, who are subject to deferred payment of taxes or social security contributions in accordance with laws of the Republic of Lithuania or another state; if the amount of debt does not exceed EUR 50, the Applicant and / or the Partner (-s) shall be considered to be compliant with this requirement*) |  |  |  | The status of the Applicant and / or the Partner (s) shall be checked during the evaluation of the application.  In case of legal and natural persons of the Republic of Lithuania, the information shall be checked according to the data published by the State Tax Inspectorate under the Ministry of Finance of the Republic of Lithuania and the State Social Insurance Fund Board under the Ministry of Social Security and Labour, and the Department of Informatics and Communications under the Ministry of the Interior of the Republic of Lithuania.  If the Applicant or Partner (-s) is from abroad, the matter shall be evaluated on the basis of the information provided in the Applicant’s and Partner’s (Partners’) declaration. |
| **3.** | The CEO, major shareholder (who owns more than 50% of shares) or owner of the Applicant and the Partner (-s), a full member (-s) of a partnership or a representative of a small partnership entitled to conclude transactions on behalf of the legal entity, or another person (other persons) entitled to draft and sign accounting documents of the Applicant shall not have a criminal record, which has not yet expired or has not been expunged, and no conviction has been passed and taken effect in respect of the Applicant in the past 5 years for participating in, organizing or directing a group of accomplices, an organized group, a criminal organization, also bribery, trading in influence, graft, abuse, official misconduct, fraud, misappropriation of property, embezzlement of property, causing property damage by fraud, destruction or damage of property, unlawful enrichment, smuggling, customs fraud, unlawful disposal of excisable goods, unlawful failure to export goods or produce from the Republic of Lithuania, unlawful engaging in economic, commercial, financial or professional activities, unlawful activities of a legal entity, use of trade or service marks of another, fraudulent statement on activities of the legal entity, non-payment of taxes, use of a credit, loan or targeted support for other than their intended purpose or in violation of the established procedure, credit fraud, debtor’s dishonesty, criminal bankruptcy, production of counterfeit electronic payment instruments, counterfeiting or misappropriation of genuine electronic payment instruments or their data, unauthorized use of electronic payment instruments or their data, misrepresentation of income, profits or assets, a failure to submit a declaration, statement or another document, fraudulent or negligent accounting, acquisition or sale of property acquired by crime, legalization of money or property acquired by crime, smuggling, obtaining or disposing of proceeds of crime, legalizing proceeds of crime or money, production, storage or disposal of counterfeit money or securities, forging a document or using a forged document, counterfeiting a seal, stamp or blank, participating in any other illegal activity, to the detriment of the financial interests of the Republic of Lithuania and / or the EU (this provision shall not apply if the activities of the Applicant are financed from the budget of the Republic of Lithuania or a foreign country and / or municipal budgets and / or state monetary funds); |  |  |  | The status of the Applicant and/ or the Partner (-s) at the time of evaluation of applications shall be checked.  In the case of legal and natural persons of the Republic of Lithuania, it be verified according to the list of major shareholders (holding more than 50% of shares) provided by the applicant and / or partner and data from the Department of Informatics and Communications under the Ministry of the Interior of the Republic of Lithuania.  If the Applicant or Partner (-s) is from abroad, the matter shall be evaluated on the basis of the information provided in the Applicant’s and Partner’s (Partners’) declaration. |
| **4.** | During the evaluation of the application, the Applicant and the Partner (-s) shall not be subject to any restriction on receiving financing on the grounds that funds were not repaid within the period of time set in the decision for the repayment of funds or only a part of funds was repaid (*this provision shall not apply in respect of institutions whose activities are financed from the budget of the Republic of Lithuania or another state, and/or from municipal budgets and / or state monetary funds).* |  |  |  | The status of the Applicant and/ or the Partner (-s) at the time of evaluation of applications shall be checked.  The question is assessed on the basis of the public sources of information available to the evaluator, the database of the program operator, and the information specified in the declaration by the applicant and the partner (s). |
| **5.** | The Applicant and/or its Partner (-s) has (have) not presented any false information in the application or annexes thereto. |  |  |  | Checked during the evaluation of the application.  The question is assessed on the basis of the information provided in the applicant and partner (s) declaration and application. |

1. **Conclusion of the evaluation:** Positive  Negative

Date of evaluation