

**POLICY ON
APPLICATION
FOR GRANTS AND
MONITORING
PROJECTS UNDER
THE LEVY ON
TECHNICAL DEVICES
FUND**

Rule 1: Citation and Scope

Preamble

1. The Policy on Grants seeks to facilitate the implementation of the Levy on Technical Devices Fund Order No. 94 of November 2008.
2. The Committee shall ensure prudent allocation of funds for the development, growth and promotion of creative industries as protected by the Copyright and Neighbouring Rights Act of 2001.
3. The Committee shall develop administrative instruments that will ensure fair and transparent application procedures so that the Fund is accessible by eligible applicants.
4. The Committee shall establish administrative systems for evaluation, grant of funds, and monitoring of projects for the creative industries to contribute to sustainable development.

Definition of Terms

1. Unless otherwise stated, the following terms shall bear the following meanings:

Open Call: means a specific time set by the LTDF Committee within which any eligible party may submit a project proposal for funding under the LTDF.

Solicited Call: means invitations sent to specific eligible parties to submit project proposals to carry out projects pre-determined by the LTDF Committee as a means to close identified gaps affecting creative industries.

Independent

Adjudicator: means any person not presently a member of the LTDF Committee who may be called upon to evaluate project proposals.

Purpose, Scope and Authority

1. The Policy guides the Levy on Technical Devices Fund Committee on how to receive and evaluate applications, award grants and monitor project implementation.
2. The Policy shall apply to the Committee, Co-opted Members, Independent Adjudicators and Members of the Secretariat.
3. The Chairman shall ensure adherence to the Policy.

Rule 2: Modes of Application for Funding

1. The Committee shall invite eligible applicants to submit proposals for funding under the LTDF.
2. The Committee may call for proposals under such terms and conditions as it deems fit.

3. The Committee may issue a call for proposals through any of the below listed modes;
 - a) Open Calls
 - b) Solicited Calls
4. The Committee shall not accept unsolicited submissions.
5. Notwithstanding the provisions under paragraph (1) above, the Committee reserves the right to suspend the issuance of Calls or cancel a Call where it is deemed appropriate to do so.

Rule 2A: Open Call

1. The Committee shall issue an open invitation for eligible applicants to submit proposals for projects and programmes aligned to the objectives of the LTDF.
2. The Committee shall ensure that the Open Call is distributed as widely as possible.
3. The Open Call shall be in accordance with the terms and conditions predetermined before the Call, terms and conditions which may be reviewed from time to time.
4. The Committee reserves the right to issue a Call thematically and/or targeting specific sectors.
5. The Secretariat shall be responsible for communication to the public, decisions of the Committee relating to any Call.

Rule 3: Discretionary Powers of the Committee

1. Over and above the Open Calls, the Committee may, at its sole discretion, avail funds to contribute to projects, programmes and initiatives that promote the creative industries.
2. At the discretion of the Committee, an eligible applicant may be requested to submit a proposal to address a specific gap in the creative industries.
 - a) As practically as possible, the Committee shall solicit applications from at least three (3) eligible applicants to submit proposals to address the identified gap.
 - b) The solicited applications shall be in accordance with the terms and conditions predetermined before the Call.
3. The Secretariat shall be responsible for communication to the potential respondents, on all matters relating to decisions made under this Rule.

Rule 4: Projects Eligible for Funding

1. For the development, growth and promotion of creative industries, the Committee shall consider projects that meet any one or a combination of the Fund objectives. The Fund objectives are to:
 - a) promote creation and production of literary and artistic works;
 - b) support enforcement of copyright and neighbouring rights;
 - c) support information dissemination on any matter that promotes creative industries;
 - d) support initiatives that enhance skills of rights holders;
 - e) promote production of quality literary and artistic works;

- f) promote effectiveness of rights-holders' organisations;
- g) promote collaborations within the creative industries; and
- h) support any other projects and programmes that promote the development and growth of the creative industries.

Rule 5: Application Procedure

Open Call

1. The Committee shall:
 - a) decide whether to issue a general, thematic or specific sector Open Call;
 - b) develop the application form;
 - c) develop the score sheet; and
 - d) issue and publicise the Open Call.

Submission of Application

2. In order to meet the requirements for funding, applicants shall comply with the requirements detailed in the Open Call. As a minimum the applicant shall:
 - a) submit their application in a prescribed manner. It is the responsibility of the applicant to ensure that he/she submits with the prescribed application form;
 - b) submit within the deadline specified in the Open Call;
 - c) comply with all applicable administrative requirements.

Rule 6: Evaluation of Project Proposals

1. The evaluation of project proposals shall be in three (3) successive stages. The purpose of the evaluation is to:
 - a) Stage 1: Assessment of compliance to administrative requirements:
 - (i) Administrative requirements shall be specified in the Call. An application that fails any one of the administrative requirements shall be immediately disqualified. A proposal that meets all the administrative requirements shall proceed to Stage 2;
 - (ii) The Secretariat shall check applications for administrative compliance and report to the Committee on the outcome of each application.
 - b) Stage 2: assess technical capacity, capability and suitability to fund objectives:
 - (i) The Committee shall evaluate a proposal to determine its relevance to the Fund objectives, methodology, feasibility, capacity to carry out the project, impact, and sustainability. A proposal that scores a minimum pre-determined score shall proceed to Stage 3;
 - (ii) A proposal shall be evaluated by a minimum of three evaluators;
 - (iii) Where it is deemed necessary, the Committee may appoint independent adjudicators and/or co-opt technical experts to evaluate proposals.
 - c) Stage 3: weigh the applicant's oral articulation of the proposed project:
 - (i) The Committee shall interview an applicant to weigh the merits of his/her application;
 - (ii) The panel shall comprise Committee Members.
2. To be funded, an applicant must attain a minimum weighted score of the pre-determined score in paragraph 1(b)(i) above. The weighted score shall comprise the technical suitability and the interview weighted at pre-determined weights each.
3. The Committee shall accept a maximum of 10% variation between the highest and the lowest evaluators'

scores for the same proposal. Where variations exceed 10%, the evaluators shall deliberate on the affected proposals to standardise the variations.

4. The Committee reserves the right to use any other information that may come to its attention to determine whether to grant or not.
5. Upon approval to award a grant, the applicant will enter into a Memorandum of Agreement (MOA) with CIPA on behalf of the Committee.

Rule 7: Project Duration & Budget

1. The Committee shall award grants to projects whose;
 - a) duration does not exceed 36 months, and
 - b) budget ranges between P10 000.00 and P1 million

Rule 8: Disbursement of Funds

1. The Committee shall disburse funds in phases according to the Project Implementation Plan.
2. Where a project has multiple phases, disbursement for subsequent phases shall be preceded by a report of the previous project phase.

Rule 9: Project Monitoring

1. Project monitoring shall be carried out to ensure successful completion of proposed projects as follows:
 - a) The Committee shall have overall accountability and oversight over the implementation of projects funded through the LTDF;
 - b) The Secretariat shall be mandated to supervise project implementation;
 - c) Project supervision and monitoring shall include production of periodic reports, including financial and technical reports, end of project reports and other reports as may be requested from time to time during the project duration;
 - d) Project supervision and monitoring may include site visits, inspection of outputs, participation in activities, or any other action as may be deemed necessary;
 - e) The Committee may cause audits to be performed on approved projects in order to establish compliance with project deliverables; and
 - f) Where the Committee is not satisfied with project implementation, it may employ suitable remedial action and/or withdraw the award.

Rule 10: Funds Recovery

1. The Committee shall recover unutilised funds under the following circumstances:
 - a) where the Beneficiary fails to meet contractual obligations;
 - b) where the project is terminated;
 - c) where the project has come to completion;
 - d) in the case of the Beneficiary being a natural person, and he/she dies and the estate is not in a position to complete the project phase;
 - e) where the Beneficiary is a juristic person, and it ceases to operate; and

f) any other circumstance that the Committee may reasonably determine to be appropriate.

Rule 11: Review

1. The Accounting Officer may amend this Policy as he/she deems necessary.
2. Unless otherwise found necessary, this Policy shall be reviewed every three (3) years and any changes or modifications thereto shall not have any force or effect until approved by the Accounting Officer. Such changes or modifications shall immediately be communicated to the LTDF Committee and Officers of the Secretariat.