



Question	Answer
<p>We are not sure about how you define the "in-kind contribution" and "co-financing".</p>	<p>Co-funding presented as a percentage of the salaries of the project team (not relevant to the SMEs) is acceptable.</p> <p>Please note that salaries are not treated as in-kind contribution. For us, in kind contribution is non-monetary contribution such as usage of the office equipment, computers, software, furniture, meeting rooms....</p> <p>Regarding contribution of other donators, in the GfA is stated "The balance (i.e. the difference between the total cost of the Action and the amount requested from the Contracting Authority – GIZ GmbH) for both funding priorities must be financed from sources other than the budget of the German Government, the European Union Budget or that of the European Development Fund." Please note that other donors and their participation will be listed in the contract.</p>
<p>I am not clear as to your statement "Co-funding presented as a percentage of the salaries of the project team (not relevant to the SMEs) is acceptable." What do you mean by "(not relevant to the SMEs)"?</p>	<p>Salaries of SME's staff are not eligible costs and cannot be presented not even as co-funding.</p>
<p>Can the mountain hut that is being reconstructed, be registered as either in kind or as co funding by an NGO who is a co applicant?</p>	<p>To be eligible, costs have to be incurred by the Applicant or its co-applicants <u>during the implementation</u> of the Action with the purpose of implementing the activities- Costs occurred before the contracting are not eligible.</p>
<ol style="list-style-type: none"> 1. Is it eligible to add private sector partners salaries as co-financing in this project? 2. Is it eligible to purchase equipment for private sector partner, to improve services connected to the project activities? How do we regulate the ownership of the equipment? 3. Is it possible to add a partner in this phase? 	<ol style="list-style-type: none"> 1. Please note that salaries of the private sector cannot be presented as co-financing. 2. Purchasing of the equipment for private sector partners is eligible. accordance with the new type of contract, equipment have to be registered in the inventory list that you will receive from us. During the implementation, it will be treated as property of the GIZ mbH. After the project implementation, there will be transfer of ownership. 3. Adding additional partner in this phase isn't possible.
<p>Zahitjeva li GIZ potvrde da općina kao institucija nema pravomoćnu presudu za kaznena djela ili da odgovorne osobe, u ovom slučaju općinski načelnici nemaju presuda po krivičnim djelima?</p> <p>2. Konačna presuda za krivična djela - Općina ili odgovorna osoba (Načelnik? Ili neka druga osoba odgovorna u projektu?)</p>	<p>Potvrde se traže od aplikanta (u Vašem slučaju općine), a ne od odgovornog lica.</p> <p>2a. "Konačna" presuda u krivičnom postupku precizno terminološki ne postoji, nego samo pravosnažna. Konačnost i pravosnažnost su različito u upravnom postupku naprimjer, ali u krivičnom nema konačnosti.</p> <p>2b. Sud izdaje potvrdu da se nad određenim pravnim licem (privrednim subjektom) ne vodi stečajni postupak, kao ni postupak likvidacije. Razumijemo Vašu dilemu, obzirom da su</p>

<p>2. Bankrot i stečajni postupak - trebaju li se dostaviti obje potvrde? Dakle, da aplikant ili koaplikant nije u bankrotu niti u stečajnom postupku?</p> <p>3. Objе općine su u "kreditnom aranžmanu" i obje redovito otplaćuju kredite bankama i likvidne su. Objе općine imaju kreditna zaduženja, ali su finansijski stabilne institucije. Možete li pojasniti da li su u ovoj situaciji kada općine imaju kreditne aranžmane, one i dalje prihvatljive kao aplikanti za ovaj projekat?</p> <p>4. Da li se učešće aplikanta od 20% može u potpunosti opravdati kroz plate učesnika u projektu? Ako ne može u cijelom iznosu možete li nam pojasniti koji je maksimalni iznos koji se može opravdati kroz plate (u ovom slučaju općinskih službenika koji bi radili na projektu u toku njegovog provođenja)?</p>	<p>bankrot i stečaj razgovorno sinonimi, a naš zakonski termin je samo stečaj, odnosno stečajni postupak. Stoga, ako se uvjerenje odnosi samo na stečaj, to je prihvatljivo.</p> <p>3. Kreditna zaduženost (ne prezaduženost) nije bila kriterij I nema eliminatorni karakter dok god uredno ispunjavate svoje obaveze. Nama je bitno da se u stanju osigurati kofinansiranje projekta I njegovu održivost, te da nemate dugova po osnovu poreza, doprinosa I indirektnih poreza.</p> <p>4. Da, učešće se može u potpunosti opravdati kroz određeni procenat plata uposlenika na projektu. Ono što je sigurno jeste da se 100% plate ne može uzeti kao prihvatljivo, obzirom da ta osoba nije zaposlena samo u svrhu implementacije projekta I ima drugih obaveza prema svojoj instituciji. Procenat mora biti prilagođen planiranom obimu aktivnosti.</p>
<p>Pripemajući punu projektnu aplikaciju u dijelu 5.2. Declaration uočili smo slijedeću odredbu:</p> <p>I also declare the following:</p> <ul style="list-style-type: none"> • The lead applicant and his partners are not affiliated entities, nor are they directly connected by ownership • The partners are not mutually affiliated entities nor are they directly connected by ownership. <p>Uvažavajući činjenicu da je xxx javno komunalno preduzeće osnovano od strane Grada xxx (ko-aplikanta u projektu) koje u vlasništvu preduzeća učestvuje sa 80% da li ova odredba ima uticaja na našu aplikaciju.</p>	<p>Na stranici 9 Vodiča za aplikante piše slijedeće „<u>Furthermore, Applicants (Lead Applicants and Co-applicants) must not have proprietary relationships.</u>”</p> <p>Ova klauzula se odnosi kako na privatna, tako i na javna preduzeća.</p> <p>U Vašem slučaju, xxx. I Grad xxx će se posmatrati kao jedan pravni entitet.</p> <p>Prema uslovima poziva, partnerstvo čine 3 operatera u projektu, od kojih je minimalno jedan predstavnik privatnog sektora. Uvidom u dokumentaciju jasno je da Vaše partnerstvo broji više od 3 učesnika, te imate i predstavnika privatnog sektora, ali bih Vas molila da i Vi to još jednom provjerite.</p>
<p>Ono što nam je nedoumica jeste što se tiče rješenja o registraciji nevladine organizacije, statuta organizacije i bilansa stanja i uspjeha za 2017. i 2018. godinu da li to znači da mi treba iz nadležnih institucija da tražimo prepis ovih dokumenata (Osnovni sud Trebinje i APIF) ne stariji od 3 mjeseca ili je u pitanju ovjerena dokumentacija originalna u opštini ne starija od 3 mjeseca?</p>	<p>Dostavlja se ovjerena kopija rješenja o registraciji i statuta (ovjera ne starija od 3 mjeseca). Bilans stanja I uspjeha treba biti ovjeren od strane AFIP-a (ovjera ne starija od 3 mjeseca)</p>
<p>We need additional clarification in relation to the following requested documents: The Articles of Association and documents on incorporation (project participants recommended for contracting will have to deliver the original copy or a certified photocopy of this document, and documentation must not be older than 3 months, starting from the deadline for submission of the</p>	<p>Each legal entity, including NGO and SME, must have a Statute. Only physical entities (obrt) do not have a Statute.</p>

<p>full application. Otherwise, they will be removed from the list of projects recommended for contracting).</p> <p>According to our understanding, for CSOs/NGOs, their Statute should be equivalent to the above-requested document. Could you please confirm it? Furthermore, the private companies don't have the Statute so we are kindly asking for instructions which concrete documents companies should attach in order to fulfil this condition.</p>	
<p>Our partner xxx which has status as Citizens' Association (udruženje građana) made check about the requested document proving that they are not bankrupt or in the process of the bankruptcy. According to provided instructions during the recently held webinar, it is instructed that this evidence should be issued by the relevant court. However, as xxx is not registered by the Court, this institution is not in charge of issuing this type of document. Last, but not the least, according to legislative Citizens' Association cannot be in process of the bankruptcy or bankrupt.</p> <p>Our partner successfully issued a certification letter on its solvency provided by their bank, as also certification by the relevant Tax Authority that they don't have any unpaid taxes and other contributions. Our question is will these documents can satisfy above-mentioned criteria for supporting documents?</p>	<p>Association also can be in bankruptcy. Low on bankruptcy treats all legal entities (not just SMEs) and even individual debtors (physical entities). Please read the Article 47 of the Law on associations and foundations BiH where is stated <u>“Nad imovinom udruženja ili fondacije može se provesti stečaj. Stečajni postupak provodi nadležan sud na čijem je području sjedište udruženja ili fondacije, u skladu s posebnim zakonima.”</u> (https://advokat-prnjavorac.com/zakoni/Zakon-o-udruzenjima-i-fondacijama-BiH.pdf)</p> <p>Please note that, in spite of the fact that Associations isn't registered at the Court, bankruptcy procedure would be led by the Court. So, there is no obstacles for issuing of the required document.</p>
<p>S obzirom da će se navedeni subjekti posmatrati kao jedan, zamolili bismo za uputu na koji način da se postavimo kod prikupljanja potrebne dokumentacije, da li dokumentaciju prikuplja samo lead applicant ili?</p>	<p>Svi subjekti koji učestvuju u projektu moraju dostaviti traženu dokumentaciju.</p>

Informacije date u dokumentu nisu obvezujuće. Formalna pravila Javnog poziva za partnerstva u turizmu definirana su isključivo u Smjernicama za aplikante (Guidelines for Grant Applicants).