

Annex I to the Open Call for Expression of Interest to select Financial Intermediaries
under the Cultural and Creative Sectors Guarantee Facility



To:

European Investment Fund

Creative and Cultural Sectors Guarantee Facility

37B, avenue J.F. Kennedy

L - 2968 Luxembourg

EXPRESSION OF INTEREST

For the (Counter-)Guarantee for debt financing

[Please delete as appropriate]

in the context of the Cultural and Creative Sectors Guarantee Facility

Applicant submitting the Expression of Interest

Please complete indicating:

- Company Name
- Registration Number

Dear Sir or Madam,

Herewith we are submitting our Expression of Interest on behalf of [Applicant], (the "Applicant") in response to the Open Call for Expression of Interest in the framework of the Cultural and Creative Sectors Guarantee Facility ("CCS GF", the "Facility", or "EU Guarantee") implemented by EIF. Capitalised expressions utilised herein shall have the meaning attributed to them in the above mentioned Call for Expression of Interest.

The undersigned, duly authorised to represent the Applicant, by signing this form certifies and declares:

1. that the information contained in this Expression of Interest and its Appendices is complete and correct in all its elements;
2. to have read the EIF Anti-Fraud Policy and not to have made nor to make any offer of any type whatsoever from which an advantage can be derived under the (Counter-)Guarantee Agreement and not to have granted nor to grant, not to have sought nor to seek, not to have attempted nor to attempt to obtain, and not to have accepted nor to accept, any advantage, financial or in kind, to or from any party whatsoever, constituting an illegal practice or involving corruption, either directly or indirectly, as an incentive or reward relating to signing of the (Counter-) Guarantee Agreement.

**Annex I to the Open Call for Expression of Interest to select Financial Intermediaries
under the Cultural and Creative Sectors Guarantee Facility**

Furthermore, the undersigned, duly authorised to represent the Applicant, by signing this form represents that, as at the date of this form:

1. The Applicant is not in any of the situations below:
 - a. it is bankrupt, is subject to insolvency or is being wound up, is having its affairs administered by a liquidator by the courts, in this context, is in an arrangement with creditors, is having its business activities suspended or a standstill (or equivalent) agreement has been signed with creditors and validated by the competent court when required by the applicable law, or is in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
 - b. in the past five (5) years, it has been the subject of a final judgment or final administrative decision for being in breach of its obligations relating to the payment of taxes or social security contributions in accordance with the applicable law and where such obligations remain unpaid unless a binding arrangement has been established for payment thereof;
 - c. in the past five (5) years, it or any of the persons having powers of representation, decision-making or control over it has been convicted by a final judgment or a final administrative decision for grave professional misconduct, where such conduct denotes wrongful intent or gross negligence, which would affect its ability to implement the (Counter-)Guarantee and which is for one of the following reasons:
 1. fraudulently or negligently misrepresenting information required for the verification of the absence of grounds for exclusion or the fulfilment of selection criteria or in the performance of a contract or an agreement;
 2. entering into agreements with other persons aimed at distorting competition;
 3. attempting to unduly influence the decision-making process of the contracting authority during the relevant "award procedure" as such term is defined in Article 2 of the Financial Regulation¹;
 4. attempting to obtain confidential information that may confer upon it undue advantages in the relevant "award procedure" as such term is defined in Article 2 of the Financial Regulation;
 - d. in the past five (5) years, it or any of the persons having powers of representation, decision-making or control over it has been the subject of a final judgment for:
 - (i) fraud;
 - (ii) corruption;
 - (iii) participation in a criminal organisation;
 - (iv) money laundering or terrorist financing;
 - (v) terrorist offences or offences linked to terrorist activities, or inciting, aiding, abetting or attempting to commit such offences;
 - (vi) child labour and other forms of trafficking in human beings;
 - e. it is subject to a decision on exclusion contained in the early detection and exclusion database (the EDES database available at the official website of the EU)² set up and operated by the European Commission;
 - f. it has been, in the past five(5) years, subject to a final judgment or administrative decision by a national court or authority that it was created with the intent to illegally circumvent fiscal, social or any other legal obligations in the jurisdiction of its registered office, central administration or principal place of business.
2. The Applicant is established and operating in one or more of the Participating Countries;
3. In respect of (Counter-)Guarantees provided under the Facility, the Applicant is duly authorised – if applicable - to carry out financing activities in accordance with applicable laws and regulations, or the Applicant is a guarantee scheme, guarantee institution or other financial or credit institution duly authorised, if applicable, to issue guarantees according to the applicable legislation;
4. The Applicant does not perform activities which are illegal according to the applicable legislation in the country of the Applicant.

¹ "Financial Regulation" means Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EC, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1), as it may be amended, supplemented or modified from time to time.

² <https://ec.europa.eu/edes/index#!/cases>

**Annex I to the Open Call for Expression of Interest to select Financial Intermediaries
under the Cultural and Creative Sectors Guarantee Facility**

For the purpose of the EIF Transparency Policy, as further specified in the Call for Expression of Interest and subject to the approval of the relevant operation by the EIF Board of Directors, the [Applicant], by signing this form:

[Please tick as appropriate]

- confirms that the Applicant agrees with the disclosure of summary information relevant to this transaction (the project name, the nature of the operation, the geographical focus and the relevant EIF-managed resources) in the Board minutes published on EIF's website, following the approval and signature of said minutes
- OR
- declares that (i) the Applicant requests the non-disclosure of summary information relevant to this transaction (the project name, the nature of the operation, the geographical focus and the relevant EIF-managed resources) in the Board minutes published on EIF's website, following the approval and signature of said minutes and (ii) such disclosure would undermine the protection of commercial interests³ relevant to the operation.

Yours sincerely,

Signature(s):

Stamp of the Applicant (if applicable):

Name and position in capitals:

Applicant's name

Place:

Date (day/month/year):

Appendices

Appendix 1 : Applicant Identification

Appendix 2 : Information Requirements

Appendix 3 : Know Your Customer ("KYC") documents to attach

³ Including by reason of such information being covered by a confidentiality agreement.
Page 3 of 10

Annex I to the Open Call for Expression of Interest to select Financial Intermediaries
under the Cultural and Creative Sectors Guarantee Facility

Appendix 1 to the Expression of Interest

APPLICANT IDENTIFICATION

INFORMATION REQUIRED	
APPLYING FOR:	<input type="checkbox"/> GUARANTEE <input type="checkbox"/> COUNTER-GUARANTEE
NAME	
LEGAL FORM	
CONTACT DETAILS	Title: Mr/Mrs/other (delete or complete as appropriate) Surname: Forename(s): Function: Address: Telephone: Email:

**Annex I to the Open Call for Expression of Interest to select Financial Intermediaries
under the Cultural and Creative Sectors Guarantee Facility**

Appendix 2 to the Expression of Interest

INFORMATION REQUIREMENTS

The points below list the headings for the minimum information needed.

Please add relevant information that might have an impact on your application (specific market environment, product related, specifics regarding your institution, etc.)

A. GENERAL INFORMATION

N.B.: The information required below concerning the activity of the applicant institution and its products should be provided in respect of its activities for SMEs (according to the EU Definition following the Commission Recommendation 2003/361/EC – OJ L124, 20.05.2003, p. 36 as amended from time to time) and other micro, small or medium-sized enterprises not complying with the EU definition but exclusively because detention of shares of the SME by public bodies exceeds the limits defined in Art. 3.4 of the Annex of the Commission Recommendation 2003/361/EC (OJ L124, 20.05.2003, p. 36) (“**Small Public Enterprise**”).

Whenever possible, the information should concentrate on the Financial Intermediary’s activities for SMEs active in the Cultural and Creative Sectors as identified by the NACE codes available in Sub-Annex 1 to the Annex II to the CCS GF Open Call for Expression of Interest or otherwise complying with the Final Recipient Eligibility Criteria mentioned in the Annex II to this call for expression of interest.

Debt Financing means any type of debt financing, including subordinated loans, participating loans, convertible loans, overdrafts, leasing, revolving credit facilities and bank guarantees.

1. FINANCIAL INTERMEDIARY’S ACTIVITY

1.1. General information: description of the applying institution (date of establishment, brief history, number of employees, etc), legal status, regulatory framework and applicable regulations, including the supervisory authority, and rating, if applicable (please add reports of rating agencies to the Application, if available)

1.2. Description and standard terms of each Debt Financing product offered to SMEs including purpose, maturity, maximum and average rate of financing (as % of investment), maximum amount, etc.

1.3. Geographical area of operation

1.4. Branch network: number, type and size of branches

1.5. Previous experience in cooperating with international financial institutions (IFI) such as EIB, EBRD, CoEB

2. FINANCIAL STANDING

2.1. Annual reports for the last available three years (to be annexed to the Application)

For institutions whose losses are covered in full or in part, directly or indirectly, by the State or other public entities (such as regional or local authorities), further information and statements are requested:

- State resources (budgetary resources) available for the SME related activity (guarantee or lending activity, not limited to the product proposed under the EU Guarantee for cover) and how it’s applied (e.g. to operating expenses, loss cover, etc.)

**Annex I to the Open Call for Expression of Interest to select Financial Intermediaries
under the Cultural and Creative Sectors Guarantee Facility**

- Planned budgetary resources for SME related activities (guarantee or lending activity, not limited to the product proposed under the EU Guarantee for cover)
- Are the budgetary resources allocated specifically to different products?
- How and when is the budget fixed?
- Are there budgetary/capacity limitations?

3. OPERATING PRINCIPLES

3.1. Credit policy: abstract of internal procedures and guidelines

3.1.1. Origination (including internal SME segmentation, if any)

3.1.2. Risk assessment procedures (internal rating / scoring system) including rating/scoring master scale(s)

3.1.3. Approval procedures

3.1.4. Delegation system

3.1.5. Collateral requirements

3.1.6. Monitoring

3.1.7. Recovery procedures (what steps are taken and when; which departments are involved)

3.2. Risk management: methods utilised for loss forecasting, provisioning and credit risk management on portfolio level

4. DEBT FINANCING VOLUMES (over the most recent 5 year period) of SME lending (by product/purpose, maturity range, SME segment), whenever possible highlighting the activity in the Cultural and Creative Sectors

4.1. Annual number and volume of finance granted

4.2. Total number and volume of finance outstanding at year-end for the most recent 5 years

5. POSITION IN THE MARKET

6. INTEREST RATES AND FEES

6.1. Pricing policy with regard to SME Debt Financing (by product/purpose, maturity, SME segment, risk category, etc.)

6.2. Types and Levels of Fees (including up-front fees, commitment fees etc)

7. IT SYSTEM

7.1 Ability to comply with the Reporting requirements linked to the EU Guarantee

**Annex I to the Open Call for Expression of Interest to select Financial Intermediaries
under the Cultural and Creative Sectors Guarantee Facility**

B. PROPOSAL

1. PROPOSED PRODUCT TO BE COVERED UNDER THE CCS GF EU GUARANTEE FOR DEBT FINANCING:

All information required below concerning the activity of the applicant institution and its products must be provided, specifically and in detail, for:

- (a) SMEs (according to the EU Definition following the Commission Recommendation 2003/361/EC – OJ L124, 20.05.2003, p. 36 as amended from time to time); and
- (b) Small Public Enterprises: Micro, small or medium-sized enterprises not complying with the SME definition but exclusively because detention of shares of the SME by public bodies exceeds the limits defined in Art. 3.4 of the Annex of the Commission Recommendation 2003/361/EC (OJ L124, 20.05.2003, p. 36); and
- (c) Debt Financing with final maturity of at least 12 months; and
- (d) Debt Financing with a principal amount of up to EUR 2,000,000.

1.1. APPLICATION UNDER THE EU GUARANTEE

- Envisaged volumes with an EU Guarantee over a period of 3 years and indicative CCS sub-sectors focus; please provide the basis/assumptions for such estimate
- The envisaged collateral policy for the new product(s) should be detailed including how it fits in the current collateral policy and the requirements under the EU Guarantee
- The envisaged pricing for the new product(s) should be detailed including how it fits in the current pricing policy
- Implementation strategy: externally (liaising with partners, marketing, etc.) and internally (necessary procedures, systems, etc.). Please also provide an estimate of the expected time needed to prepare for implementation

1.2. DEFAULT RATE / RECOVERY RATE (for the most recent 5 year period, if available) for SME lending, always with regard to the most comparable loan/guarantee product currently offered:

1.2.1 Non-performing loan/guarantee rates (defaulted Debt Financing /outstanding Debt Financing amount)

1.2.2. Average time lags between the granting, the payment default by the borrower and the establishment of the final loss.

1.2.3. Detailed analysis of defaults incurred and recoveries made

- Default definition used
- Details on annual defaults (before recoveries) and recoveries
- Vintage year analysis: Net cumulative defaults and/or losses, with break-down by portfolio (year of loan granting): e.g. annual and cumulative losses incurred with regard to loans granted in the years 2011, 2012 etc.

**Annex I to the Open Call for Expression of Interest to select Financial Intermediaries
under the Cultural and Creative Sectors Guarantee Facility**

EXAMPLE TABLES:

Default rate detail		defaults occurred after 0, 1, 2 ... years (total outstanding when defaulted)						Total default EUR
year of granting	Debt Finance granted in EUR	0	1	2	3	4	5	
Year N-6		%	%	%	%	%	%	
Year N-5		%	%	%	%	%		
Year N-4		%	%	%	%			
Year N-3		%	%	%				
Year N-2		%	%					
Year N-1		%						

Recovery rate detail		recoveries occurred after 0, 1, 2 ... years						Total recoveries in EUR
year of default	Default Amount in EUR	0	1	2	3	4	5	
Year N-6		%	%	%	%	%	%	
Year N-5		%	%	%	%	%		
Year N-4		%	%	%	%			
Year N-3		%	%	%				
Year N-2		%	%					
Year N-1		%						

2. CAPACITY BUILDING

2.1 Under the CCS GF, Financial Intermediaries are required to declare, at the time of the submission of their application, whether they would like to participate in the offered capacity building support. The decision of the Financial Intermediaries whether or not to opt in to capacity building is neither a necessary nor a sufficient condition to be selected.

2.2 If the Financial Intermediary opts to receive capacity building, it may detail – optionally - the potential areas of focus of such support. Financial Intermediaries will have the option to opt in or out to receive capacity at any time during the Availability Period (as defined in Annex II and III) of the Guarantee Agreement, subject to sufficient EU budget availability.

**Annex I to the Open Call for Expression of Interest to select Financial Intermediaries
under the Cultural and Creative Sectors Guarantee Facility**

INFORMATION REQUIRED - CAPACITY BUILDING	
APPLYING FOR CAPACITY BUILDING	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> AT A LATER STAGE DURING THE AVAILABILITY PERIOD
FOCUS OF CAPACITY BUILDING (If applicable)	<i>Describe areas of focus of the Capacity Building Please refer to Annex IV for guidance on the general scope of Capacity Building</i>

3. MARKETING AND PROMOTION OF EU SUPPORT:

- Please note that the Financial Intermediary will be required to promote the products offered under the EU Guarantee through its website, including concrete information on how/where to apply and contact points for Final Recipients and that all information and promotional material of the product must clearly point to the support provided by the EU Guarantee.
- Please note that the Financial Intermediary will be required to explicitly inform Final Recipients that financing is made possible through the support of the EU Guarantee with the financial backing of the European Union under the Creative Europe Programme and that such information needs to be prominently included either in the contractual documentation and/or in an accompanying cover letter and it shall be duly acknowledged by the Final Recipient.
- Please note that the EIF, in cooperation with the Financial Intermediary, will identify and develop within 24 months from the start of the Availability Period of each agreement with a Financial Intermediary case studies on Final Recipients benefitting from the Facility, which may result in a publication by the European Commission.

**Annex I to the Open Call for Expression of Interest to select Financial Intermediaries
under the Cultural and Creative Sectors Guarantee Facility**

Appendix 3 to the Expression of Interest

List of Know Your Customer ("KYC") documents to attach⁴

- 1) Copy of extract of commercial registry or equivalent
- 2) Copy of the list of directors or other authorised representatives or equivalent
- 3) Ownership structure: overall structure up to and including information on the Ultimate Beneficial Owner⁵, if available at the time of submission of the Expression of Interest. If not, to be provided as soon as possible in the course of the selection process.

The Applicants that have successfully completed a selection process during the last 12 months in the context of an EIF programme are invited to inquire in writing with EIF at the email ccs.gf@eif.org on whether the document under point (3) above is required to be re-submitted during the selection process, provided that no changes have occurred since last submission of such information.

⁴ Copies of original documents as well as uncertified translations in English would be sufficient.

⁵ Beneficial Ownership means the ultimate ownership or control of a person according to the definition of "beneficial owner" set out in article 3(6) of Directive 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing (as amended, supplemented or restated), it being specified that, for the purposes of this Agreement, (i) in relation to the Financial Intermediary, the threshold of beneficial ownership is set at 10%; and (ii) in relation to the Final Recipients established in the EU, the threshold of beneficial ownership is the threshold set under the applicable laws or regulations implementing the said Directive. In relation to Final Recipients established outside of the EU, beneficial ownership means the ultimate ownership or control of a person according to the definition of "beneficial owner" set out in the Financial Action Task Force recommendations and standards (as amended, supplemented or restated), it being specified that, for the purposes of the (Counter-) Guarantee Agreement, the threshold of beneficial ownership is set at 25%.