

GRANTS FOR LITERARY TRANSLATION 2023

RESOLUTION issued on 10 March 2023 by the Director of the Etxepare Basque Institute, which publicises the procedure for awarding grants for literary translation in 2023, approved by the Executive Committee. @@@

Law 3/2007, dated 20 April, on the Creation and Regulation of Etxepare Euskal Institutua / Etxepare Basque Institute (hereinafter EBI) states that the purpose of the Institute is to: "To promote and disseminate Basque culture abroad in any of its official languages, manifestations, formats, means and forms of expression, especially encourage culture created in the Basque language".

Likewise, in accordance with the provisions of Decree 88/2008 of 13 May 2008, which approves the regulation for the organisation and operation of the EBI, the Institute is responsible for disseminating and promoting Basque culture outside the Basque Autonomous Community. Section 19.2.g) of this decree states that the area of action is to promote literature, thought and research in the Basque language through the dissemination scientific thought and research, as well as journals of Basque thought and culture. Moreover, section f) of the aforementioned article establishes that among the functions of the EBI is the design of grant programmes for cultural actors with the aim of promoting Basque creation internationally.

For all these reasons, in accordance with the EBI's area of competence, it has been considered of interest to establish the procedure by which grants are awarded for the translation of literary works written in Basque and works by authors from the Basque Autonomous Community.

These grants, as well as the basic criteria for awarding the grants, were approved by the Executive Committee on 9 March 2023 and are included in the Strategic Plan for Grants of the Department of Culture and Linguistic Policy. The Strategic Plan was approved for 2021-2024 by Order of the Minister of Culture and Linguistic Policy on 18 February 2021, and published on the Department website (<https://www.euskadi.eus/eusko-jauriaritza/-/sail-plana/sailaren-dirulaguntzen-plan-estrategikoa-2021-2024/>).

Whereby

I DECLARE:

Article 1. Objective.

The purpose of this resolution is to publicise the Executive Committee's agreement, which approves, for 2023, the regulation of the grant regime for the translation of:

- a) Literary works written and published originally in Basque into other languages.
- b) Literary works originally written and published in Spanish by authors registered officially in the Basque Autonomous Community into languages other than Basque.

In both cases, only first translations in a specific language will receive funding. In the

In the case of second or subsequent translations, only publishing and promotional work may be funded.

Article 2. Financial resources.

1. The maximum total amount of this call will be sixty-three thousand (63,000) euros. Of this amount, forty-three thousand (43,000) euros will be allocated to translation work and twenty thousand (20,000) to publishing and promotional work.

2. Regardless of the allocation indicated for each category, if the established amount is not fully used, the amount of funding for one category may be increased by means of the remaining funds in another category, as long as no decision has yet been made in regard to this category. To this end, the Director of the EBI will issue a resolution.

3. Two areas will be financed by the call: translation work and publishing and promotional work, in accordance with the following criteria:

In the case of translation work:

a) When there is a basic degree of translation difficulty, 0.016 euros per character, without spaces, based on the source language.

b) When there is an extraordinary degree of translation difficulty, 0.032 euros per character, without spaces, based on the source language.

The assessment committee will determine whether a text is of extraordinary difficulty in terms of language.

In the case of publishing and promotional work:

The maximum amount that a publisher can obtain for publishing and promotional work will be one thousand (1,000) euros. This amount will be calculated on the basis of the score achieved in Article 11 (d) and (e) for the examination of applications. Publishing and promotional work will be understood as editing, layout, printing and publicity activities.

Value-added tax shall not be regarded as eligible expenditure when the beneficiary entity is required to file a VAT return.

3. This applies without prejudice to the general provisions of article 31 of Law 38/2003, dated 17 November, on General Grants and the implementing regulations thereof.

Article 3. Award of the grant.

1. The grants under this call for proposals will be awarded through a tender procedure. In order to award the grants thus, applications will be compared and ranked in accordance with the selection and assessment criteria laid down in article 11.

Grants will be awarded starting with the highest-scoring evaluations, in proportion to the

score obtained, provided they exceed the minimum score of 50%, until the available financial resources have been exhausted.

2. A single work may not receive funding for translation into more than three languages during the same year as the call. Should there be more than three applications, the three with the highest score will receive the grant.

3. The calculation of the amount of money which each project can receive will be carried out as follows: the percentage of the score obtained in the evaluation will be applied to the amount of the grant corresponding to the rates established in this call or to the amount specified in the contract (if that amount stated in the contract is lower than that applicable to the call) and the outcome of that will be the aid received.

4. The maximum amount that each application will be able to obtain is eight thousand (8,000) euros. Each applicant is eligible, however, to receive a maximum of twelve thousand five hundred (12,500) euros in this call.

5. In the case of a joint publication, each publisher must request the corresponding part and decisions, payments and justifications will be in accordance with that part.

6. The grants covered by this call will be in line with grants awarded for the same purposes by other public or private institutions, provided there is no over-financing. In the event of over-financing, the amount of the grant will be reduced to the corresponding limit.

Article 4. Beneficiaries.

The following conditions must be met in order to benefit from the grants regulated in this resolution:

- a) Be a natural or legal entity engaged professionally in translation or publication or whose activities include translation or publication.
- b) As regards Spanish translations, in the case of legal entities, they must have their head offices outside the Basque Autonomous Community. Natural persons may be registered in the Basque Autonomous Community, provided that the translation is published by a publishing house based outside the Basque Autonomous Community.
- c) Be registered under the relevant activities heading of the Economic Activities Tax prior to the application deadline, if necessary in the country in question.

Exceptionally, that condition is not required of translators who translate their own work.

Article 5. Applicant requirements.

In order to be eligible for aid, applicants must meet these requirements:

- To be up to date with tax obligations and Social Security payments (or their equivalents).
- To not be one of the following types of organisations: mainly private entities with

public capital, foundations or associations which are not directly related to the activity of the sector of the corresponding category.

- To not have received any type of criminal or administrative sanction which render them ineligible for public grants or subsidies.
- To have paid off any obligations to repay grants.
- To not be subject to any legal prohibition which disqualifies them from receiving public grants or subsidies, particularly related to gender discrimination.
- Likewise, the general provisions of Articles 11, 13.2 and 13.3 of General Law 38/2003, dated 17 November, on grants and the implementing regulations thereof shall also apply.
- All the requirements are necessary both to qualify as a beneficiary and to remain so until the grant is paid out.

Article 6. Accreditation of specific requirements for the applicant.

1. Under the provisions set forth in article 28.2 of Law 39/2015, dated 1 October, on Common Administrative Procedure for Public Administrations, the interested parties have the right not to provide documents that are already in the possession of the acting Administration or have been drawn up by any other Administration. The Administration may therefore consult or obtain these documents unless the party raises an objection. In this case, they shall be accredited by the applicant.

If the applicant is from another country, a certificate accrediting compliance with tax obligations and a Social Security certificate or equivalent must be presented, as well as any other documentation requested, if applicable.

2. Pursuant to Legislative Decree 1/1997 of 11 November 1997, a sworn declaration shall be included in the application, accrediting the following:

- Notification of the application for and, where applicable, receipt of grants, subsidies, income or other resources intended for the same purpose, from any administration or entity, public or private.
- Notification of the application for and, where appropriate, receipt of other 'de minimis' financial aid received in the current tax year and the two previous tax years.
- The applicant has not been sanctioned administratively or criminally and is therefore not disqualified from receiving public grants or subsidies and is not subject to any disqualifying legal prohibition.
- The applicant declares that the information included in the application and accompanying documentation is accurate and that they meet the requirements set out in the current regulations to be a beneficiary of these grants.

3. When the application is submitted on behalf of another person, proof of identity and power of legal representation must be provided via the relevant documents.

Article 7. The body in charge of the grants.

The Department for the Promotion and Dissemination of Basque Culture of the Etxepare Basque Institute is responsible for managing the grants which will be awarded through this call.

The EBI will monitor the progress of the projects, and the beneficiary shall be required to comply with any inspection or information requests made to this effect.

Article 8. Submission of applications and deadlines.

1. Individuals may submit their applications either in person or electronically:

- In person: applications shall be submitted to the following address: Etxepare Basque Institute, Andre Zigarrogileen plaza 1, Tabakalera eraikina, 3. solairua, 20012 Donostia-San Sebastián (20012), between 8:30am and 2:00pm. Likewise, applications may also be submitted to the Zuzenean offices of the Basque Government or to the bodies referred to in article 16.4 of Law 39/2015, dated 1 October, on Common Administrative Procedure for Public Administrations.

An appointment must be made in advance.

- Electronically: applications shall be submitted through the euskadi.eus website using the links indicated in paragraph 4 of this article.

Whether using either channel, the applicant may change the previously selected route at any time in the process.

2. Legal entities shall submit applications by electronic means by accessing the web address provided in paragraph 4 of this article.

3. Exceptionally, foreign individuals or legal entities may submit their applications electronically or in person.

4. Whether presenting applications in person or electronically, the form and instructions will be available via the euskadi.eus website at the following address:

www.euskadi.eus/zerbitzuak/1032409

Procedures by electronic channel subsequent to the application are done through:

<https://www.euskadi.eus//nirekarpeta>

5. The applicant may use Basque or Spanish in the application and other documents. Likewise, the language chosen by the applicant will be used throughout the procedure, as set out in articles 52.a) and 6.1 of Basic Law 10/1982, dated 24 November, on the Normalisation of the Use of Basque.

6. The applicant must have one of the electronic means approved for electronic identification and published in the Basque Government's electronic office.

7. The presentation of applications implies the express and formal acceptance of the terms and conditions of this call.

8. An application shall be submitted for each activity. If an applicant submits more than one application, it is not necessary to submit the administrative documentation relative to the applicant more than once.

9. The application deadline is one month from the day following publication of the call for applications in the Official Gazette of the Basque Country (BOPV/EHAA).

10. The translations covered by the grants will be published no later than 30 December 2024.

11. Documents to be submitted with the application:

a) Book or text to be translated in digital format (Word file).

b) Sample translation: 15,000 characters (without spaces), in digital format.

Exceptionally, no work need be submitted in the case of works of less than 25,000 characters.

c) Translator's curriculum vitae and publisher's latest catalogue.

d) Authorisation or copyright certificate for the translation and publication of the work.

e) Translation contract signed by both parties. The contract must include the amount to be paid. If there is no contract, the translator's invoice shall be submitted.

f) Signed commitment by the publisher.

g) If the original work is in Spanish, the author's certificate of municipal registry.

Article 9. Rectification of application defects.

After a maximum of a month from the application submission deadline, the provisional list of those admitted and excluded will be published on the Basque Government's electronic bulletin board. If any of the required documents are missing or if defects or errors are detected therein, or if defects are found in the documents submitted for assessment, the interested party will be required to remedy the problem or provide the required documents within ten working days.

If this period has elapsed and no correction has been made, the application will be deemed to have been withdrawn, or the corresponding procedure will be lost. After this period, the final list of those admitted and excluded will be published on the Basque Government's electronic bulletin board by resolution of the Etxepare Institute director.

Article 10. Assessment Committee.

1. An assessment committee will be set up to analyse and evaluate the applications. The

committee will be made up as follows:

- a) President: The director of EBI Promotion and Dissemination of the Basque Language.
- b) Members: between 3 and 5 members appointed by the EBI director, from among experts in each category and administration technicians.
- c) Secretary: a technician from the EBI, appointed by the director, will participate as committee secretary, but without the right to vote.

2. When appointing committee members, the provisions of article 3.7 of Law 4/2005, dated 18 February, on Equality Between Women and Men shall be observed.

3. The composition of the Assessment Committee will be determined by the EBI director and published in the Official Gazette of the Basque Country. In any case, provisions regarding abstention and recusal shall be respected.

Article 11. Application assessment criteria and resolution proposal.

1. The assessment committee will evaluate the submitted applications and present a resolution proposal to the Etxepare Basque Institute director.

2. The main criteria for analysing and assessing the projects submitted will be:

a) Literary interest of the original work to be translated with a view to internationalisation: up to 30% of the total score.

b) Quality of the sample translation: up to 25%.

In the case of the works of less than 25,000 characters, the percentage of this paragraph shall be prorated among the other paragraphs.

c) Translator's professional career: up to 15%.

d) Publisher's professional trajectory, catalogue and criteria for working internationally, plans, projects, etc.: up to 15%. Dissemination activities abroad will be particularly valued.

e) Characteristics of the publication specified in the contract: print run, size, format and the like: up to 5%.

f) If the translation is undertaken directly from a work written originally in Basque: 10%.

3. In order to qualify for the grant, the applicant must score 50%. However, if the score for the quality of the sample translation or for the publisher's professional trajectory is less than half, the grant will not be awarded, even if the total score is 50%.

Article 12. Resolution.

1. The director of the EBI is responsible for examining the resolution proposals of the Assessment Committee and issuing the corresponding resolution.

2. The resolution will be published on the Basque Government's electronic bulletin board, in accordance with article 45, Law 39/2015, dated 1 October, on the Common Administrative Procedure for Public Administrations.

3. Resolutions will be published within a maximum period of six months from the date on which the resolution publishing the call takes effect. If they are not published by the end of this period, the applications will be deemed rejected, under the terms of article 25 of Law 39/2015, dated 1 October, on the Common Administrative Procedure for Public Administrations.

4. In order to be awarded and, where applicable, to pay the grants provided for in this call, it is essential to have completed any refund or sanction procedure initiated and still pending within the framework of aid or grants of the same nature granted by the General Administration of the Basque Autonomous Community and its autonomous bodies. If a disqualification or refund obligation is imposed at the end of the procedure, and the refund is not made within the voluntary period for payment, the conditional grant will be revoked because it entails a ban on being a beneficiary.

Article 13. Obligations of the beneficiary.

1. To accept the grant. If, within fifteen days from publication of the resolution of the grant, the beneficiary does not expressly waive their right to it, it shall be understood as accepted.

2. To apply the grant to the specific purpose for which it was requested and ensure that the subsidised translation is published before 30 December 2024.

3. To provide information on the grants received in this call to the Economic Control Office of the Basque Department of Treasury and Economy, as well as to the Basque Court of Auditors, if so requested.

4. To use the EBI logo (which will be made available on the website) both in the medium used to publish the translation and for presentation and promotion, and in both cases clearly mention the award of the translation grant, by means of the following sentence: Liburu honen itzulpenak Etxepare Euskal Institutuaren dirulaguntza izan du. La traducción de este libro ha sido subvencionada por el Instituto Vasco Etxepare (Funding for the translation of this book has been provided by the Etxepare Basque Institute), or a translation into the corresponding language.

5. To notify the EBI of any changes made to the subsidised project, either in writing or, in the case of online applications, through "Nire kudeaketak/Mis Gestiones". From the moment of any such notification, the EBI will have a period of 15 working days to respond. If there is no response, the change will be considered accepted, provided that the minimum requirements laid down in the rules for the beneficiary of the grant are met.

6. The beneficiary shall grant the EBI authorisation to use the material and images relating to the subsidised project so that it may publish the information on various media.

7. The general provisions of article 14 of Law 38/2003, dated 17 November, on General Grants and implementing regulations thereof shall also apply.

Article 14. Payment and justification.

1. Grants awarded on the basis of this resolution shall be paid in two instalments, as follows:

75% no later than one month from the date of the decision to allocate the grants.

25% no later than six months after completion and justification of the activity.

Any withholdings and payments on account required under current tax legislation will be deducted from the amount of the grant.

Where applicable, the beneficiary shall request the withholding tax rate for start of activity. This request shall be submitted within the 15 days stipulated in article 13.1 on acceptance of the grant.

2. Individuals may submit justifications either in person or electronically:

- Justifications may be submitted in person at the following address: Etxepare Euskal Institutua, Andre Zigarrogileen plaza 1, Tabakalera eraikina, 3. solairua, Donostia-San Sebastián (20012), between 8:30am and 2:00pm. Similarly, justifications may be presented at the Zuzenean offices of the Basque Government or to the bodies set forth in article 16.4 of Law 39/2015, dated 1 October, on the Common Administrative Procedure for Public Administrations.

An appointment must be made in advance for prior justification.

- Justifications may also be submitted by electronic means at the following website: <https://www.euskadi.eus//nirekarpeta>

3. Legal entities must submit the justifications by electronic means through the address mentioned above.

4. Exceptionally, foreign individuals or legal entities may submit their applications both electronically and in person.

5. The specifications on how to process justifications, both in person and by electronic means, are available at euskadi.eus at the web addresses indicated in article 8.4 of this resolution.

6. A period of two months from the publication date will be allowed for grant justification. If publication is in December 2024, this period will be one month.

7. The following documents shall be submitted for justification:

a) 3 copies of the published translation in print format.

b) Document justifying payment to the translator, if the applicant is a publishing house or publisher.

c) Proof of payment for editing and promotional work.

d) List of other grants received for the same purpose after submission of the application. If no other grant has been received in addition to that granted by the EBI, a sworn statement to that effect must be submitted by the beneficiary.

e) The general provisions of article 30 of Law 38/2003, dated 17 November, on General Grants and implementing regulations thereof shall also apply.

Article 15. Resolution of payment

If the grant is not duly justified or if for any reason the amount of the grant is reduced or withdrawn, the EBI director shall, within two months of the deadline for the submission of supporting documents, issue an individual resolution of payment in accordance with the principle of proportionality.

Article 16. Non-compliance.

1. Failure to comply with the obligations set out in this resolution or in provisions of a more general nature.

2. Use of all or part of the grant awarded in an activity other than that provided for in this resolution.

3. Where applicable, failure to repay the amount determined in the resolution of grant payment within the specified time limit.

4. If the above is confirmed, it will be understood that a non-compliance event has occurred, and the beneficiary must reimburse the EBI the amounts received plus the legal rate of interest, in accordance with the provisions of Legislative Decree 1/1997, dated 11 November, and Decree 698/1991, dated 17 December.

5. The general provisions of Articles 37 and 40.1 of the General Law on Grants and implementing regulations thereof shall also apply.

ADDITIONAL PROVISIONS

First. Depending on the total amount of grants requested, the amount stipulated in Article 2 may be increased, provided that funding has not been exhausted after other EBI grant calls are finalised. This adjustment shall be made prior to the decision regarding the applications. The indicated change must be notified by resolution of the director of the EBI and the resolution will be published in the Official Gazette of the Basque Country.

Second. Any financial aid or grant referred to in this resolution shall be subject to Commission Regulation (EC) No 1407/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty to 'de minimis' aid (OJEU, L 352, 24.12.2013). This aid is considered 'de minimis', since no total aid granted to a specific legal entity or natural person will exceed 200,000 euros over three fiscal years. Below this limit, aid is deemed not to affect trade or distort competition and therefore does not fall under Article 107(1) of the Treaty on the

Functioning of the European Union.

The beneficiary of the grant must report any ‘de minimis’ grants received in the corresponding fiscal year and the previous two fiscal years in the declaration of responsibility included in the application, in order to verify that the grants received do not exceed the maximum limit indicated in the Regulation.

Third. Basic data protection information.

Personal data will be used and will be added to this processing activity: *Grants and subsidies for the promotion and dissemination of the Basque language and culture.*

Responsible body: Etxepare Basque Institute.

Objective: To have a list of the legal representatives of individuals or legal entities that apply for and receive grants and subsidies promoted by the Etxepare Basque Institute.

Legitimation:

- The processing is necessary in order to comply with applicable legal features.
- The processing is necessary for the performance of a task in the public interest or in the performance of the public powers conferred on the person in charge.
- By Law 3/2007, dated 20 April, on the Creation and Regulation of Etxepare Euskal Institutua / Etxepare Basque Institute (Official Gazette of the Basque Country no.89, 10/05/2007).

Receiving party: no data is provided.

Rights: the applicant shall have the right to access, rectify and delete their data, as well as other rights contained in the additional information.

Additional information: additional and detailed information on Data Protection can be found on the following website:

<https://www.euskadi.eus/informazio-klausulak/web01-sedepd/eu/gardentasuna/057300-capa2-eu.shtml>

Regulations:

General Data Protection Regulation
(www.euskadi.eus/contenidos/informacion/normativa_dpd/eu_def/adjuntos/RGPD-2016_0679_eu.pdf)

Constitutional Law 3/2018, dated 5 December, on the Protection of Personal Data and guarantee of digital rights (www.boe.es/boe_euskera/dias/2018/12/06/pdfs/BOE-A-2018-16673-E.pdf)

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FINAL PROVISIONS

First. An appeal for reconsideration may be lodged by interested parties with the EBI's Board of Directors against this agreement, which shall exhaust administrative procedures, within one month from the day following its publication, or an administrative appeal may be submitted to the competent chamber of the High Court of Justice of the Basque Country within two months from the day following its publication.

Second. This resolution shall take effect on the day after its publication in the Official Gazette of the Basque Country.

Donostia-San Sebastián, 10 March 2023.

Etxepare Basque Institute Director,

IRENE LARRAZA AIZPURUA