



MALTAENTERPRISE

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# INCENTIVE GUIDELINES

## **Facilitating Work Life for Individuals with Disability**

**To provide a better working environment for workers with disabilities**

Issue Date: 1<sup>st</sup> October, 2021

Version: 1.0

<https://www.maltaenterprise.com/support>

# 1. Overview

<sup>1.1</sup> People with disabilities continue to face extensive challenges and a wide range of barriers in their place of work. However, today's technological developments contribute significantly towards inclusion and reduce certain barriers in the field of employment.

**Facilitating work life for individuals with disability** scheme is a grant to support people having a disability who work in the private sector. Employers and self-employed people can apply for this grant towards the cost of adapting or making the workplace more accessible for employees with disabilities. The supported projects must address the needs of employees currently employed or due to be employed by the employer.

# 2. Am I eligible?

<sup>2.1</sup> To be eligible for support you must meet all the criteria established below:

- a. The measure is open to employers and self-employed who carry out an economic activity;
- b. The employer must already employ at least one worker, or is in the process of recruiting persons with disability who are in possession of an EU Disability Card issued by the Commission for the Rights of Persons with Disability (CRPD);
- c. Employers are to ensure that all employees are duly registered with JobsPlus;
- d. The applicant must not have any arrears related to VAT, Income Tax, and Social Security.
- e. The applicant must not be engaged in activities specifically excluded under the *de minimis* Regulation (vide Section 8).

# 3. What is the maximum support?

<sup>3.1</sup> The aid under this scheme will be awarded in the form of a cash grant. The aid will cover 90% (ninety percent) of incurred eligible costs up to a maximum grant of ten thousand euros (€10,000) for every project.

<sup>3.2</sup> The Facilitating Work Life for Individuals with Disability is a *de minimis* measure. The total amount of *de minimis* aid granted to a single undertaking shall not exceed the amount of €200,000 (or €100,000 in the case of single undertakings performing road freight transport for hire or reward) over any period of three consecutive fiscal years.

## 4. What costs are eligible?

- 4.1 The Facilitating Work Life for Individuals with Disability scheme may support the following cost items procured specifically to create a better work environment for employees with disabilities.
- 4.2 Any costs incurred before the submission of an application will be considered ineligible.
- 4.3 Investments carried out which are considered to be a legal obligation of the employers shall not be considered eligible.
- 4.4 The table below provides details of eligible expenditure and related conditions:

Eligible Expenditure	Maximum Limits and Notes
<b>Equipment</b>	Any item, piece of equipment or product system that is used to increase or improve functional capabilities of employees with disabilities (e.g. e-motion wheels, alarm systems with flashing lights).
<b>Minor internal alterations at the place of work</b>	Re-modelling, modifications and / or internal minor structural changes for better access to guarantee an optimum level of functionality to accommodate people with different abilities;  All internal alternations must be compliant with, and supported by an architect's plan in line with <a href="#">Access for All Standards</a> .
<b>Assistive Technologies</b>	Investment in assistive technology such as screen reader technologies, screen enlargement applications; assistive devices and programmes for workers to become more autonomous at the place of work.
<b>Resurfacing</b>	Installation of different floor material for wheelchair users or visually impaired persons to navigate easily.
<b>Accessible formats</b>	Accessible formats such as Braille, large prints and audio recordings for safety access and use of the place of work.
<b>Professional Training</b>	Training delivered by professionals or entities actively working in the disability sectors. The training can be provided to either the individual having a disability or to other employees of the applicant entity and have the specific purpose of facilitating the inclusion of the person/s with disability.

## 5. How do I apply?

- 5.1 Prior to applying you need to ensure that you have all the relevant quotations in hand. If you are making structural changes, estimated costs as established by an Architect may be submitted instead of a quotation.

Applications proposing structural changes requiring a PA permit have to include an Architect's Plan in line with the Access to All Standards.

The Commission for the Rights of Persons with Disability can guide you on matters related to accessibility and accommodation of persons with disability at the workplace. If you need help on the application process, you may contact Business First.

- 5.2 The application form which may be downloaded from the Corporation's website, and any other additional documentation, should be submitted through the Corporation's client portal. First time applicants will be required to register on the client portal before they can submit their application.

## 6. By when can I submit an application?

- 6.1 Applications must be submitted prior to incurring any costs. The Corporation will accept applications until 31<sup>st</sup> August 2023.

## 7. What happens after I apply?

- 7.1 Once you have submitted the application through the online client portal, the submission will be evaluated in line with the terms and conditions of these Incentive Guidelines and in collaboration with the Commission for the Rights of Persons with Disability. The evaluation will take into consideration the objectives of the scheme and how the costs being applied for under this scheme will provide a better working environment for the worker with disability.

- 7.2 If approved, the Corporation will issue a letter of approval specifying the terms and conditions of the Grant and details on implementation and monitoring.

- 7.3 The approval letter will provide details on the claim process. In the claim documentation, the beneficiary would be requested to include a report of the investment carried out on a template which will be provided by the Corporation.

## 8. State Aid Rules and Obligations

### 8.1 Applicable State Aid

8.1.1 If the submitted application is approved, the beneficiary will benefit from *de minimis* State Aid in line with *Commission Regulation (EU) No 1407/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid*, as amended by *Commission Regulation (EU) 2020/972 of 2 July 2020 amending Regulation (EU) No 1407/2013 as regards its prolongation and amending Regulation (EU) No 651/2014 as regards its prolongation and relevant adjustments*, (the *de minimis* Regulation).

8.1.2 *Commission Regulation (EU) No 1407/2013* allows a 'single undertaking' to receive an aggregate maximum amount of *de minimis* aid of €200,000 under all *de minimis* aid measures, over a period of three consecutive fiscal years. This aggregate maximum amount threshold applies in principle to all economic sectors with the exception of a 'single undertaking' performing road freight transport for hire and reward for which a lower *de minimis* threshold of €100,000 over any period of three fiscal years applies. The agriculture and fisheries sectors are subject to different thresholds and criteria. For the purpose of this scheme, the term 'single undertaking' shall be defined as per *Commission Regulation EU No 1407/2013 of 18 December 2013 on the application of the Treaty on the Functioning of the European Union to de minimis aid*. This period covers the fiscal year concerned as well as the previous two fiscal years. 'Fiscal year' means the fiscal year as used for tax purposes by the undertaking concerned.

8.1.3 This maximum threshold would include all State aid granted under this scheme and any other State aid measure granted under the *de minimis* rule, including that received from any entity other than Malta Enterprise Corporation. Any *de minimis* aid received in excess of the established threshold will have to be recovered with interest, from the undertaking receiving the aid.

8.1.4 The *de minimis* declaration form<sup>1</sup> must be filled in and submitted together with the application form.

### 8.2 Applicability of the Aid

8.2.1 Assistance approved under this aid scheme is NOT:

- a) Aid granted to undertakings active in the fishery and aquaculture sector, as covered by Council Regulation (EC) No. 104/2000<sup>2</sup>;
- b) Aid granted to undertakings active in the primary production of agricultural products;
- c) Aid granted to undertakings active in the sector of processing and marketing of agricultural products, in the following cases:
  - i. Where the amount of the aid is fixed on the basis of the price or quantity of such products purchased from primary producers or put on the market by the undertakings concerned;
  - ii. Where the aid is conditional on being partly or entirely passed on to primary producers;
- d) Aid to export-related activities towards third countries or Member States, namely aid directly linked to the quantities exported, to the establishment and operation of a distribution network or to other current expenditure linked to the export activity;

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<sup>1</sup> The *de minimis* Aid Declaration may be downloaded from <http://maltaenterprise.com/files/de-minimis-declaration-form-2021>

<sup>2</sup> Council Regulation (EC) No 104/2000 of 17 December 1999 on the common organisation of the markets in fishery and aquaculture products (OJ L 17, 21.1.2000, p. 22).

- e) Aid contingent upon the use of domestic over imported goods;
- f) Aid for the acquisition of road freight transport vehicles granted to undertakings performing road freight transport for hire or reward.

8.2.2 Where an undertaking is active in the sectors referred to in points (a), (b) and (c) above as well as in other sectors falling within the scope of the *de minimis* Regulation, the Corporation will ensure a separation of the activities or distinction of costs. Only those sectors eligible for assistance under the *de minimis* Regulation will be assisted. Activities in the sectors excluded from the scope of the *de minimis* Regulation will not benefit from assistance under this aid scheme.

### 8.3 Cumulation

8.3.1 *De minimis* aid granted in accordance with the *de minimis* Regulation may be cumulated with *de minimis* aid granted in accordance with Commission Regulation (EU) No 360/2012 up to the ceiling laid down in that Regulation. It may be cumulated with *de minimis* aid granted in accordance with other *de minimis* regulations up to the relevant ceiling laid down in Article 3(2) of the *de minimis* Regulation.

8.3.2 *De minimis* aid shall not be cumulated with State aid in relation to the same eligible costs or with State aid for the same risk finance measure, if such cumulation would exceed the highest relevant aid intensity or aid amount fixed in the specific circumstances of each case by a block exemption Regulation or a decision adopted by the Commission. *De minimis* aid which is not granted for or attributable to specific eligible costs may be cumulated with other State aid granted under a block exemption Regulation or a decision adopted by the Commission.

## 9. Further Information

- 9.1 This incentive has a budget of one million five hundred thousand euro (€1,500,000).
- 9.2 This scheme is valid until 31<sup>st</sup> December 2023.
- 9.3 The scheme is administered by Malta Enterprise, which is authorised to issue and publish official Incentive Guidelines in terms of Article 8 (3) (a) of the Malta Enterprise Act (CAP 463 of the Laws of Malta).
- 9.4 Beneficiaries will be monitored by the Corporation and other agencies entrusted by the Corporation. If a beneficiary fails to implement the supported investment as specified in the letter of approval, the Corporation may revoke and/or recover all or part of the support granted.
- 9.5 **Useful Definitions**

**Applicant:** *An Applicant is an Undertaking that has submitted a complete application for support under this scheme to the Corporation.*

**Beneficiary:** *A Beneficiary is an Undertaking that is in possession of a Letter of Approval issued by the Corporation.*

**Corporation / Malta Enterprise:** *The terms The Corporation and Malta Enterprise shall mean Malta Enterprise Corporation as established by the Malta Enterprise Act (CAP 463 of the Laws of Malta).*

**Person with disability:** *means a person who has prolonged physical, mental, intellectual or sensory problems that when these relate with various obstacles can interfere from fully and effectively participating in society on equal basis as others.*

**Commissioner:** *means the Commissioner for the Rights of Persons with Disability appointed according to article 21A of the Equal Opportunities (Persons with Disability) Act (CAP 413 of the Laws of Malta), and includes any official duly authorised to act in his name for a specific aim or a category of aims under this Act;*

**Letter of Approval:** *A Letter of Approval is a document establishing the support granted to an undertaking and stipulating any terms and conditions deemed appropriate by the Corporation.*

### **Single Undertaking:**

*Single Undertaking includes, for the purposes of this scheme and in line with the de minimis Regulation, all enterprises having at least one (1) of the following relationships with each other:*

- 1. one (1) enterprise has a majority of the shareholders' or members' voting rights in another enterprise;*
- 2. one (1) enterprise has the right to appoint or remove a majority of the members of the administrative, management or supervisory body of another enterprise;*
- 3. one (1) enterprise has the right to exercise a dominant influence over another enterprise pursuant to a contract entered into with that enterprise or to a provision in its memorandum or articles of association;*
- 4. one (1) enterprise, which is a shareholder in or member of another enterprise, controls alone, pursuant to an agreement with other shareholders in or members of that enterprise, a majority of shareholders' or members' voting rights in that enterprise.*

*Enterprises having any of the relationships referred to in points (1) to (4) above through one or more other enterprises shall also be considered to be a single undertaking.*

*The same Regulation states that a group of linked enterprises is considered as one single undertaking for the application of the de minimis rule, but that enterprises which have no relationship with each other except for the fact that each of them has a direct link to the same public body or bodies are not treated as being linked to each other. The specific situation of enterprises controlled by the same public body or bodies, which may have an independent power of decision, is therefore taken into account<sup>3</sup>.*

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<sup>3</sup> Commission Regulation (EU) No 1407/2013 of 18th December 2013.

## 10. Contacts

For guidance on the filling in of the application form kindly contact Business 1st on 144 during office hours.

Websites: [www.maltaenterprise.com](http://www.maltaenterprise.com)

The official Incentive Guidelines are published at:

<https://www.maltaenterprise.com/support>

Email: [info@businessfirst.com.mt](mailto:info@businessfirst.com.mt)

Duly filled applications must be submitted to Malta Enterprise via the Corporation's Client Portal

<https://clientportal.maltaenterprise.com/login>

For further information and guidance regarding accessibility and accommodation of persons with disability at the workplace kindly contact:

The Commission for the Rights of Persons with Disability  
G5 Offices  
Psaila Street  
Birkirkara  
Malta

Tel: (+356) 22267600

Email: [helpdesk@crpd.org.mt](mailto:helpdesk@crpd.org.mt)

<https://www.crpd.org.mt/>