

**REPUBLIC OF NORTH MACEDONIA**

**MINISTRY OF TRANSPORT AND COMMUNICATIONS**

**DOCUMENTATION FOR APPLICATION**

**for granting financial support to domestic and foreign air carriers for promotion and development of the air traffic in the Republic of North Macedonia**

Skopje, 29.12.2022

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**INVITATION FOR SUBMISSION OF APPLICATIONS**

Dear All,

The Government of the Republic of North Macedonia, through the Ministry of Transport and Communications, with an address at str. "Plostad Crvena Skopska Municipality" no. 4, 1000 Skopje, Republic of North Macedonia, contact phone: +389 (0)2 3145 592, e-mail: mtcfinancial.support@mtc.gov.mk, grants financial support for promotion and development of the air traffic in the Republic of North Macedonia to domestic and foreign air carriers, for the period from 01.01.2023 to 31.12.2025.

For this purpose, a procedure for awarding financial support with an open call is carried out, in accordance with the Decree on the method, closer criteria for awarding financial support to domestic and foreign air carriers and the necessary documentation to be submitted by the beneficiaries of the financial support (" Official Gazette of the Republic of North Macedonia" no. 249/22).

Your Application for granting financial support can be submitted no later than January 26, 2023 at 12:00h local time in the archive of the Ministry of Transport and Communications at the above address.

In addition to this invitation, we provide you the documentation for an application that contains all the information that will help you prepare the request for granting financial support.

Please, when preparing your application for financial support, be sure to use the original forms that are an integral part of this request documentation.

The opening of the applications for financial support will be carried out in the premises of the Ministry of Transport and Communications on January 27, 2023 at 12:00h local time in the presence of authorized representatives of those requesting financial support.

Thank you for your cooperation.

Skopje,

Republic of North Macedonia

29.12.2022

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| --- | --- | --- |
| **1. GENERAL INFORMATION** | | |
| 1.1 Definitions | Provider of financial support  The provider of financial support is the Government of the Republic of North Macedonia.  Commission  The commission was established by the minister and it prepares, organizes and implements the procedure for granting financial support.  Procedure for awarding financial support  A procedure for granting financial support is a procedure carried out by one or more contracting authorities, the purpose or action of which is the granting of financial support.  Public call  A public call is a procedure for granting financial support in which all air carriers can submit a request for granting financial support.  Request documentation  The application documentation is a set of documents and information that represent the basis for preparing, submitting and evaluating the application for financial support.  Financial support agreement  A financial support agreement is a contract concluded between the provider of financial support on the one hand and the requester of financial support on the other hand.  Air carriers  Are carriers that perform regular public air transport and possess an operating license (OL) issued by an EU/EFTA member state in accordance with the regulations of the European Union for issuing operating licenses to air carriers.  Applicant for financial support  An applicant for financial support is any air carrier that has submitted a request for granting financial support.  Request  A request is a proposal from the applicant of financial support prepared on the basis of the documentation for a request that constitutes the basis for granting financial support.  Evaluation of the request for financial support  Evaluation of the request for financial support is an assessment of the submitted applications in the procedure for granting financial support.  Acceptable application for financial support  An acceptable application for financial support is an application that has been submitted within the established deadline and that has been determined to fully meet all the requirements of the request documentation and meet all the criteria, conditions and possible requirements for the capability of the applicants.  Criteria for determining capability  Criteria for determining the capability of applicants for financial support are:  - personal status,  - ability to perform a professional activity,  - economic and financial status,  - technical or professional ability | |
| 1.2 Purpose of the procedure for awarding financial support | The purpose of the procedure for awarding financial support is to enable faster development of the civil aviation and the formation of more competitive and affordable prices in air traffic in the Republic of North Macedonia by establishing equal access, transparency in the procedure for awarding financial support, as well as quality and efficiency performance of air traffic. | |
| 1.3 Subject of the procedure for awarding financial support, place of execution and rights and obligations from this procedure | Subject of the procedure for granting financial support  The subject of the procedure is the granting of financial support for the encouragement and development of the air traffic for the purpose of faster development of the civil aviation and the establishment of more competitive and affordable prices in air traffic in the Republic of North Macedonia, to domestic and foreign carriers, for a period of three years from the day of starting with the application of the financial support agreement.  Place of implementation  The place of implementation of the subject of the procedure is the Republic of North Macedonia.  Rights and obligations from the procedure for granting financial support  The beneficiary of the financial support should perform the following obligations:  1. To introduce one or more destinations from "Skopje International Airport" and/or "St. Apostle Pavle" - Ohrid during the period of financial support to airports in the ECAA/EU.  2. Each new destination introduced by "Skopje International Airport" and "St. Apostol Pavle" - Ohrid, for the period for which the financial support is granted, which is the subject of financial support, to be continuously served at least twice a week in any of the IATA seasons according to a predetermined flight order from its introduction until the end of the period for which it is granted financial support,  3. Every new destination introduced for the period for which the financial support is granted, which is the subject of financial support and will be operated from "Skopje International Airport", has not been served by regular air transport in the last two IATA seasons from/to "International Airport Skopje",  4. Each new destination introduced for the period for which the financial support is granted, which is the subject of financial support and will be operated from the airport "St. Apostol Pavle" - Ohrid, that it has not been served by regular air transportation in the last two IATA seasons from/to the airport "St. Apostle Pavle" - Ohrid and Skopje International Airport  5. The beneficiary of financial support should develop a promotion and marketing plan. The promotion and marketing plan may be subject to change at the direction of the financial support provider.  6. The beneficiary of financial support must submit a report on his operations to the Ministry of Transport and Communications every six months.  The provider of financial support should:  1. Grant financial support in the amount of 7 euros in Denar equivalent per departing passenger for each new destination introduced for the period for which the financial support is granted by "Skopje International Airport". This amount can be reduced if it amounts to more than 50 percent of the amount of the lowest airport fees.  2. Grant financial support in the amount of 4.5 euros in Denar equivalent per departing passenger for each new destination introduced for the period for which the financial support is granted from the "airport" St. Apostle Paul" - Ohrid. This amount can be reduced if it amounts to more than 50 percent of the amount of the lowest airport fees. | |
| 1.4 Sources of funding | The funds for granting financial support are determined in the Program for determining the funds needed for granting financial support for the promotion and development of air traffic in the Republic of North Macedonia to domestic and foreign carriers for the period 2023-2025 ("Official Gazette of the Republic of North Macedonia" No. 249/22). | |
| 1.5 Legal frame | The legal framework for implementing the procedure for awarding financial support contains the following:  - Aviation Law ("Official Gazette of the Republic of Macedonia" No. 14/06, 24/07, 103/08, 67/10, 24/12, 80/12, 155/12, 42/14, 97/15, 152/ 15, 27/16, 31/16, 64/18 and "Official Gazette of the Republic of North Macedonia" No. 220/19),  - Decree on the method, closer criteria for awarding financial support to domestic and foreign air carriers and the necessary documentation to be submitted by the beneficiaries of the financial support ("Official Gazette of the Republic of North Macedonia" no. 249/22) and  - Program for determining the funds needed to grant financial support for the promotion and development of air traffic in the Republic of North Macedonia to domestic and foreign carriers for the period from 2023-2025 ("Official Gazette of the Republic of North Macedonia" no. 249/22) | |
| 1.6 Right to participate in the procedure | Right to participate  Any interested air carrier can submit an application to participate in this procedure. | |
| 1.7 Manner of communication | All official communication (requests, notices, etc.) between the Commission and applicants for financial support will take place in written and/or electronic form. | |
| 1.8 Documentation for application (content and method of collecting) | Content of the documentation for application  The content of the documentation for application consists of requirements, conditions, criteria and other necessary information, in order to provide the air carriers with complete, accurate and precise information about the implementation of the procedure, and in the function of preparing the request for financial support.  Collecting of the documentation for applications  Interested air carriers can pick up the application documentation at the premises of the Ministry of Transport and Communications, with an address at Ul. "Plostad Crvena Skopska Municipality" no. 4, 1000 Skopje, Republic of North Macedonia, every working day from 10:00 a.m. to 3:00 p.m. local time or to be delivered electronically or to be downloaded from the official site of the Ministry of Transport and Communications.  Contact phone: +389 (0)2 3145 592,  e-mail: mtcfinancial.support@mtc.gov.mk    Only the airlines that have submitted the documentation for application have the right to submit a request for financial support.  At the request of the air carriers, the documentation for the application will be delivered as soon as possible via express mail, while the Commission does not take responsibility for the loss of the documents during delivery or their delay.  The costs of delivering the claim documentation by express mail are fully borne by the air carriers | |
| 1.9 Possibility to amend and supplement the documentation for application | The Commission can amend and/or supplement the documentation for application and extend the deadline for submitting requests.  The Commission notifies about the changes and/or additions to the application documentation, as well as the extension of the deadline for submitting the applications no later than 5 days before the deadline for submitting the requests for financial support.  The Commission sends the changes and additions to the application documentation by written and/or electronic means, free of charge, to the air carriers that have collected the application documentation. | |
| 1.10 Request for additional clarification related to the application documentation | Submitting a request for clarification  Air carriers that have submitted application documentation can request answers to additional questions and clarifications related to the request documentation, if they submit an application with specified questions, in written and/or electronic form.  The request is submitted to the Commission, in the archive of the Contracting Authority, or by mail/e-mail, no later than 10 days before the deadline for submitting requests for financial support.  Reply to submitted request for clarification  The Commission, no later than 5 days before the deadline for submission of requests, sends the answer to the questions or clarifications, in written and/or electronic form, free of charge.  The Commission simultaneously delivers the answer to all air carriers, without identifying the air carrier that requested clarification. | |
| 1.11 Language | Language used in the preparation of the application documentation  The application documentation is prepared in Macedonian and English.  Language of correspondence with airlines  Correspondence with domestic and foreign airlines will be conducted in Macedonian or English, with translation into Macedonian.  Language that will be used in preparing the applications for financial support and other documentation  The applications for financial support, as well as the other accompanying documentation, should be submitted by domestic air carriers on Macedonian language.  Foreign air carriers submit the application for financial support and other accompanying documentation in Macedonian or in English with a mandatory translation into Macedonian, certified by an authorized court translator.  The language of interpretation is the Macedonian language. | |
| **2. DELIVERY OF THE APPLICATION** | | |
| 2.1 Application | Filling in form No. 1 – request form  The air carrier submits its request for participation in the procedure by neatly and legibly filling out the financial support request form, which is an integral part of the request documentation.  Limited Air Carrier Participation  An air carrier may submit only one request for financial support. Participation of the same airline with more than one request for financial support will result in the rejection of all requests in which it participates.  Form of submission of the applications for financial support  The applications for financial support must be submitted in written form, written with ink or other non-erasable graphic technique, in one original copy, in a sealed envelope addressed to the Contracting Authority, with an indication of the announcement for the procedure to which it refers.  Each page of the request must be signed and certified by the responsible person of the air carrier or a person authorized by him (by submitting the written authorization within the request).  Air carriers shall enclose the request with all documentation in three sealed inner envelopes stating the full name and address of the air carrier.  The first envelope is labeled "GENERAL DOCUMENTATION" and the documents from points 3.2 and 3.3 (Forms no. 1, 2, 3, 7, 8, 9 and 10) are attached to it.  The second envelope is marked with "FINANCIAL DOCUMENTATION" and the documents from point 3.4 (Form no. 5 and 5.1 ) are attached to it.  The third envelope is marked with "TECHNICAL DOCUMENTATION" and the documents from point 3.5 (Forms no. 4, 6 and 6.1) are attached to it.  Thus sealed, the inner envelopes are closed in an outer envelope which should be marked:  "DO NOT OPEN"  Announcement for granting financial support  Ministry of Transport and Communications,  Ul. "Plostad Crvena Skopska Municipality" no. 4, 1000 Skopje  Republic of North Macedonia | |
| 2.2 Content of the request | 1. Application (Form No. 1 – request form and Form No. 2 – general information form);  2. Confirmation for proving the applicant's personal capability (Form No. 3 – form for determining personal status);  3. Confirmation for proving the professional ability of the applicant (Form no. 4 – form for the ability to perform professional activity);  4. Confirmation to prove the economic-financial ability of the applicant (Form no. 5, 5.1– form for economic and financial status);  5. Confirmation for proving the applicant's technical or professional ability (Form No. 6 and 6.1 – form for technical and professional ability);  6. Declaration of acceptance of the conditions defined by the application documentation (Form no. 7);  7. Declaration of existence/non-existence of conflict of interests (Form no. 8);  8. Form No. 9 – Statement certified by a notary public (Form No. 9);  10. Proposal agreement for financial support (Form no. 10). | |
| 2.3 Operational plan | 1. Operational plan containing: new destination, period for the requested financial support, date from which the air carrier will start operating the new destination, number of weekly flights, number of planned departing and arriving passengers, number of offered seats, requested amount financial support by years which should be appropriate and will be an integral part of the Financial Support Agreement,  2. other additional information and data that will demonstrate the applicant's intention to introduce new destinations and increase the number of passengers and  3. promotion and marketing plan | |
| 2.4 Deadline, time and place of submission of the applications | Deadline and time for submission of the applications  The deadline for submitting the applications for financial support is January 26, 2023 by 12:00 p.m. local time. .  The Commission may extend the deadline specified in this point if it deems that an additional period of time is needed so that the changes and additions to the request documentation can be implemented.  The deadline for submission of the applications can be extended no later than five days before the deadline for submission of requests for grant-  of financial support, provided that the Commission promptly informs all airlines that have submitted documentation for an application  Method and place of submission of the application  Applications are submitted by post or to the archive of the Ministry of Transport and Communications, which is located at Ul. "Plostad Crvena Skopska Municipality" no. 4, 1000 Skopje, Republic of North Macedonia.  Promptly received applications  Timely received applications will be considered those submitted by mail or in the archives of the Contracting Authority no later than January 26, 2023 by 12:00 p.m. local time.  Applications received after the submission deadline will not be considered and will be returned to the air carrier unopened.  Risk of delivery of the application  The applicant independently determines the method of submission of the request for participation and assumes the risk of possible loss or untimely submission of his application.  Amendment, replacement or withdrawal of the Application  The applicant may amend, replace or withdraw his request that he has already submitted, provided that he notifies the Commission in writing of the amendment, replacement or withdrawal, no later than the deadline set for the submission of requests for financial support.  The notice of amendment, replacement and withdrawal of the submitted request must be delivered in the manner provided in this point with the indication "AMENDMENT", "REPLACEMENT" or "WITHDRAWAL", depending on the intention.  The request cannot be modified after the deadline for submitting applications for financial support. | |
| 2.5 Clarification of submitted application | The Commission may request clarifications about the submitted requests from the applicants for financial support. | |
| **3. ABILITY DETERMINING CRITERIA** | | |
| 3.1 Criteria according to which the requests will be assessed | The applicant for financial support must prove his ability to participate in the procedure, which will be based on the fulfillment of certain criteria regarding: personal condition and ability to perform professional activity, economic and financial condition, technical or professional ability.  The Commission will not proceed with the evaluation of the request for financial support in which the applicant has not provided evidence of meeting the criteria for determining the ability, specified in the Public Call and the request documentation. | |
| 3.2 Personal status (criteria for determination and evidence) | Criteria for determining personal status  - that the applicant has not been sentenced for corruption, fraud, money laundering and other proceeds of crime.  - the applicant is not in bankruptcy or liquidation proceedings;  - the applicant has no unpaid taxes, contributions or other public duties according to the regulations of the state in which it is established;  - that the applicant has not been sentenced for a criminal offense or a misdemeanor sanction – a ban on performing a profession, activity or duty.  The applicant is obliged to provide accurate data and submit the data requested by the Commission  Evidence for determining personal status  To prove the personal status, the applicant with the request for financial support must submit the following documents, which should not be older than 6 months, and are submitted in original or a copy certified by a competent authority in the country where the applicant is registered, i.e. has a headquarters and that:  1. Confirmation from a competent authority in the country where the applicant is registered, i.e. has its head office, that in the last 5 (five) years no final judgment has been handed down to him for corruption, fraud or money laundering;  2. Confirmation from a competent authority in the country where the applicant is registered, that is, has its headquarters, that no bankruptcy proceedings have been opened;  3. Confirmation from a competent authority in the country where the applicant is registered, that is, has its headquarters, that no liquidation procedure has been opened;  4. Confirmation from a competent authority in the country where the applicant is registered, that is, has its headquarter, for paid taxes, contributions and other public duties;  5. Certificate from a competent authority in the country where the applicant is registered, that is, has its headquarters, that he has not been sentenced by a final judgment for a criminal offense or a misdemeanor sanction banning him from performing a profession, activity or duty;  6. If the state in which he is registered, i.e., has his headquarters, does not issue the documents from subsections 1, 2, 3, 4, and 5 of this point, the applicant is obliged to submit a statement certified by a competent authority in the state where he is registered, i.e., has his headquarters, with which he claims that in the last 5 (five) years he was not sentenced for corruption, fraud or money laundering; that no bankruptcy proceedings, i.e. liquidation proceedings have been opened against him; that he has settled all taxes, contributions and other public duties to the state; and that he has not been sentenced by a final judgment for a criminal offense or misdemeanor sanction, he has not a ban on the performance of a profession, activity or duty, i.e., a temporary ban on the performance of a separate activity or duty.  .  The Commission excludes from the procedure the applicant who has not submitted one of the documents from sub-points 1 to 5 or the document from sub-point 6 of this point. | |
| 3.3 Ability to perform professional activity | The applicant must be registered as a legal entity for performing the activity related to the subject of financial support or belong to an appropriate professional association in accordance with the regulations of the state where it is registered, i.e., it has its headquarters.  To prove the ability to perform a professional activity, the applicant with the application must submit a document for registered activity from a competent authority in the country where it is registered, that ishas its headquarters. | |
| 3.4 Economic and financial status | A condition for determining the economic and financial status of the applicants for financial support is that they have a profit of at least 25,000,000 (twenty-five million) euros in 2019,  To prove the economic and financial status, the applicant must submit the following evidence with the application:  - a balance sheet report certified by a competent authority, i.e. an audited balance sheet, or extracts from the balance sheet report in the event that publication of the balance sheet is prescribed by law in the country where the air carrier is registered, i.e. has its headquarters for the last three financial years (2019, 2020 and 2021),  - a document for a total annual profit of at least 25,000,000 (twenty-five million) euros in 2019. | |
| 3.5 Technical or professional ability | A condition for determining the technical and professional ability of the applicant is that they possess an operating license (OL) issued by an EU/EEA member state in accordance with the regulations of the European Union for issuing an operating license for air carriers and that it has transported, i.e. served at least 10 million passengers in 2019,  To prove the technical or professional ability, the applicant must submit the following evidence with the request:  - Profile of the applicant, organization and staff;  - proof that they possess an operating license (OL) issued by an EU/EEA member country in accordance with the regulations of the European Union and  - Document for realized regular air transportation of at least 10,000,000 (ten million) passengers in 2019. | |
| **4. OPENING AND EVALUATION OF THE APPLICATIONS** | | |
| 4.1 Public Opening of Applications | The opening of applications for financial support will be held on January 27, 2023 at 12:00 local time at the premises of the Ministry of Transport and Communications. | |
| 4.2 Evaluation of applications | The evaluation of the applications will be carried out in accordance with the criteria established in point 3 of the application documentation.  Only the applications that meet the criteria from points 3.2, 3.3 and 3.4 will be subject to technical evaluation from point 3.5. | |
| 4.3 Criteria for awarding financial support | The financial support will be awarded to the applicant who fully meets the criteria from points 3.2, 3.3, 3.4 and 3.5 until utilization of the funds settled in the Program for determining the funds needed for granting financial support for the encouragement and development of air traffic in the Republic of North Macedonia to domestic and foreign carriers for the period from 2023-2025 ("Official Gazette of the Republic of North Macedonia" no. 249/22).  The financial support will be awarded according to the criteria for ranking the new destinations in the following order:  - period of operation of the destination;  - number of weekly flights;  - attractiveness of the airport, i.e. airport with greater number of passengers served in 2019 according to the Report of the International Council of Airports (ACI-Airport Council International), in case of a submitted request for the same destination and  - number of seats offered for sale.  In case of submission of the same requests according to the criteria above for the ranking of the destination, the principle of priority,i.e. first come - first served principle will be applied when submitting a request for granting a financial support.  After the ranking of the new destinations, the Commission calculates the necessary funds for each new destination in accordance with the planned costs that the air carrier must have entered in the Operational Plan submitted with the Request and determines the ranking list of new destinations and proposes the selection of beneficiaries of financial support | |
| 4.4 Evaluation Report and Resolution | Evaluation of the received applications after the published public call for financial support is performed exclusively in accordance with the conditions and criteria specified in the public call. The commission checks the validity and completeness of the documentation submitted by the applicants. After the evaluation, the commission will approach the ranking of the new destinations and propose the selection of beneficiaries with whom financial support agreements will be concluded.  After the procedure, the Commission submits to the Minister of Transport and Communications a Report of the evaluation of the requests for financial support for new destinations with a proposal for the selection of beneficiaries for concluding a contract for financial support or a Report of the evaluation with a proposal to cancel the procedure. Based on the report, the Minister of Transport and Communications adopts a decision on the selection of destinations and users or a decision canceling the procedure, based on the proposal of the Commission. The decision is published in the "Official Gazette of the Republic of North Macedonia" and the Commission delivers it to all applicants within a period of no longer than three days from the day of publication in the "Official Gazette of the Republic of North Macedonia". | |
| **5.AMOUNT, METHOD, CONDITIONS AND TERMS OF PAYMENT** | | |
| 5.1 Amount, method, conditions and terms of payment | The contracting authority undertakes to pay the beneficiary of the financial support for each new destination introduced for the period for which the financial support is granted from "Skopje International Airport" financial support in the amount of 7 euros in Denar equivalent per departing passenger for the duration of the contract for financial support.  The contracting authority undertakes to pay the beneficiary of the financial support for each new destination introduced for the period for which the financial support is granted from the airport "St. Apostol Pavle" - Ohrid financial support in the amount of 4.5 euros in Denar equivalent per departing passenger for the duration of the financial support agreement  The amount for the financial support may be reduced if it amounts to more than 50 percent of the amount of the lowest airport fees in accordance with the Information on the lowest airport fees.  The monthly financial resources are paid within 30 days from the submitted request to the Ministry of Transport and Communications by the beneficiary of the financial support. | |
| **6. APPLICATION VALIDITY PERIOD** | | |
| **6.1** The period of validity of the application | | The period of validity of the application for financial support is 30 days from the day of the Public Opening of the applications. |
| **7. CORRUPT OR FRAUDULENT ACTIVITIES** | | |
| 7.1 Corrupt or fraudulent activities | In accordance with the legislation of the Republic of North Macedonia, applicants are obliged to respect the highest ethical standards during the entire procedure.  The Commission will reject the request submitted by the applicant whom it determines to be involved in corrupt or fraudulent activities. | |
| **8. RIGHT TO OBJECT** | | |
| 8.1 Applicants' right to object | Applicants for financial support during the procedure have the right to object to the Commission.  If the Commission considers that the submitted objection is justified, it can accept it and modify its position.  If the Commission rejects the objection, the person submitting the objection has the right to initiate an administrative dispute after the adoption of the decision on selection or annulment of the procedure.  The administrative dispute does not delay the conclusion of the financial support agreement. | |
| **9. CLOSING DATE FOR CONCLUSION AND DURATION OF THE AGREEMENT FOR FINANCIAL SUPPORT** | | |
| 9.1 Closing date for concluding the financial support agreement | The contracting authority and the selected applicants for granting the financial support conclude the Financial Support Agreement within seven days of the adoption of the decision on the selection of the most favorable applicant. | |
| 9.2 Duration of the financial support agreement | The financial support agreement is concluded for the period indicated in the operational plan within the financial support award period from January 1, 2023 to December 31, 2025. | |

**FORM NUMBER 1**

**REQUEST FORM**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*(full name of the applicant)*

Date: \_\_\_\_\_ 2022 year

To: Ministry of Transport and Communications

Dear All,

I.1. After the review and complete understanding of all the information about the Public Call in the procedure for awarding financial support, we, the undersigned \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, hereby apply to participate in the procedure for awarding financial support as an applicant for awarding financial support.

I.2. Attached to this request are evidences that confirm the criteria for determining ability, according to points 3.2; 3.3; 3.4 and 3.5 of the application documentation.

I.3. We allow your authorized representatives to undertake all investigations or surveys to verify the statements, documents and information submitted in relation with this application, as well as to search for clarification from our bankers and customers regarding all financial and technical aspects.

This request will also serve as an authorization for us to any independent or authorized representative of any institution named in the accompanying information, to provide such information as is deemed necessary and as requested by you to verify the information provided in this request.

I.4. For additional written information, we are ready for full cooperation.

I.5. This request is made with our full consent that:

(a) The submitted data and information from requests will be subject to verification by you;

(b) You reserve the right to reject or accept any request, annul the entire procedure and reject the requester, in accordance with the Decree on the method, closer criteria for granting financial support to domestic and foreign air carriers and the necessary documentation that should be submitted by beneficiaries of financial support ("Official Gazette of the Republic of North Macedonia" no. 249/22);

(c) We agree that you will not be liable for any such actions.

I.6. The undersigned certifies that the statements and information provided in the properly completed application are complete, true and correct in all respects.

II.1. The application is valid for the period specified in the request documentation. We agree to the payment method specified in the request documentation.

II.2. By submitting this application, we fully agree with the conditions stipulated in the application documentation and the attached financial support agreement proposal.

Name and Surname/Authorized Person

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

for and on behalf of the applicant

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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Date

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**FORM NUMBER 2**

**FORM FOR GENERAL INFORMATION**

1. General information.

|  |  |
| --- | --- |
| 1. | Name of the applicant |
| 2. | Address of the headquake |
| 3. | Contact phone |
| 4. | E-mail address |
| 5. | Place of establishment/registration |
| 6. | Basic activities of the company |
| 7. | Number of permanent employees |
| 8. | Year of establishment/registration |

Name and Surname/Authorized Person\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**FORM NUMBER 3**

**FORM FOR DETERMINATION OF THE PERSONAL STATUS**

In addition to this form, we submit proof for determining the personal status:

1. Confirmation from a competent authority in the country where the applicant is registered, i.e. has its headquarters, that he has not been sentenced for corruption, fraud or money laundering;
2. Confirmation from a competent authority in the country where the applicant is registered, i.e., has its headquarters, that no bankruptcy proceedings have been opened;
3. Confirmation from a competent authority in the country where the applicant is registered, i.e., has its headquarters, that no liquidation procedure has been opened;
4. Confirmation from a competent authority in the country where the applicant is registered, i.e., has its seat, for paid taxes, contributions and other public duties;
5. Certificate from a competent authority in the country where the applicant is registered, i.e, has its headquarters that he has not been sentenced to a criminal offense or has not been imposed to a misdemeanor sanction banning him from performing a profession, activity or duty.

Name and Surname/Authorized Person\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |
| --- |
| Note: If the state in which he is registered, i.e., it has its headquarters, does not issue the documents from subsections 1, 2, 3, 4, and 5 of this point, the applicant is obliged to submit a statement certified by a competent authority in the state where it is registered, i.e. has a headquarters, with which he claims that in the last 5 (five) years he has not been sentenced for participation in a criminal organization, corruption, fraud or money laundering; that no bankruptcy proceedings, i.e. liquidation proceedings have been opened against him; that he has settled all taxes, contributions and other public duties to the state; and that no misdemeanor sanction has been imposed on him by a final judgment, a ban on the performance of a profession, activity or duty, i.e. a temporary ban on the performance of a separate activity |

**FORM NUMBER 4**

**FORM FOR ABILITY TO PERFORM PROFESSIONAL ACITIVITY**

In addition to this form, we submit proof of ability to perform professional activity:

1. Document for registered activity.

Name and Surname/Authorized Person\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**FORM NUMBER 5**

**FORM FOR THE ECONOMIC AND FINANCIAL STATUS**

In addition to this form, we submit proof of the economic and financial status:

1. Balance sheet report certified by a competent authority, i.e. audited balance sheet, or extracts from the balance sheet report, for the last three financial years (2019, 2020 and 2021)

and

2. Document for realized profit of at least 25,000,000 euros in 2019.

Name and Surname/Authorized Person\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**FORM NUMBER 5.1**

DECLARATION

for a realized profit of at least 25.000.000,00 euros in 2019

We, the undersigned, declare that \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in 2019 has made a profit of at least 25.000.000,00 euros.

|  |  |
| --- | --- |
| Applicant's profit realized (in euros) | |
| 2019 year |  |

Name and Surname/Authorized Person

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**FORM NUMBER 6**

**FORM FOR TECHNICAL ANA PROFESSIONAL ABILITY**

In addition to this form, we submit evidence of technical and professional ability:

1. Profile of the applicant, organization and staff;

2. Operating License (OL) issued by an ECAA/EU member state in accordance with the regulations of the European Union for issuing operating licenses to air carriers.

2. Proof of transportation of at least 10 million passengers in 2019 and

3. Operational plan.

|  |  |
| --- | --- |
| Number of passengers served | |
| 2019 year |  |

Name and Surname/Authorized Person

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |
| --- |
| Note: In addition to filling in the table, the applicant is required to submit an official document - proof of serving 10 million passengers in 2019. |

**FORM NUMBER 6.1**

**FORM FOR OPERATIONAL PLAN**

In addition to this form, we submit an operational plan:

1. Overview of destinations that will be introduced by "Skopje International Airport":

|  |  |  |  |
| --- | --- | --- | --- |
|  | country | city | airport |
| 1 |  |  |  |
| 2 |  |  |  |
| 3 |  |  |  |
| 4 |  |  |  |
| 5 |  |  |  |
| 6 |  |  |  |
| 7 |  |  |  |

1. Overview of destinations that will be introduced from the airport "St. Paul the Apostle" - Ohrid:

|  |  |  |  |
| --- | --- | --- | --- |
|  | country | city | airport |
| 1 |  |  |  |
| 2 |  |  |  |
| 3 |  |  |  |
| 4 |  |  |  |
| 5 |  |  |  |
| 6 |  |  |  |
| 7 |  |  |  |

1. Starting date to serve the new destinations that will be carried out by "Skopje International Airport" and the airport "St. Apostle Pavle" - Ohrid and number of weekly flights:

|  |  |  |  |
| --- | --- | --- | --- |
| destination | | Start date | number of weekly flights |
| 1 |  |  |  |
| 2 |  |  |  |
| 3 |  |  |  |
| 4 |  |  |  |
| 5 |  |  |  |
| 6 |  |  |  |
| 7 |  |  |  |

1. Overview of the number of arriving and departing passengers that the airline will transport from the new destinations from/to "Skopje International Airport" and the airport "St. Paul the Apostle" - Ohrid,

|  |  |  |  |
| --- | --- | --- | --- |
|  | destination | number of incoming passengers | number of departing passengers |
| 1 |  |  |  |
| 2 |  |  |  |
| 3 |  |  |  |
| 4 |  |  |  |
| 5 |  |  |  |
| 6 |  |  |  |
| 7 |  |  |  |

1. Overview of the number of offered seats on aircraft that the airline will transport from the new destinations from/to "Skopje International Airport" and the airport "St. Paul the Apostle" – Ohrid.

|  |  |  |  |
| --- | --- | --- | --- |
|  | destination | number of seats offered | number of departing passengers |
| 1 |  |  |  |
| 2 |  |  |  |
| 3 |  |  |  |
| 4 |  |  |  |
| 5 |  |  |  |
| 6 |  |  |  |
| 7 |  |  |  |

1. Overview of the amount of financial support to the airline for the new destinationfrom/to "Skopje International Airport" and the airport "St. Paul the Apostle" – Ohrid.

|  |  |  |  |
| --- | --- | --- | --- |
|  | destination | year | Amount of financial  support |
| 1 |  | 2023 |  |
| 2024 |  |
| 2025 |  |
| 2 |  | 2023 |  |
| 2024 |  |
| 2025 |  |
| 3 |  | 2023 |  |
| 2024 |  |
| 2025 |  |

1. Other additional information and data that will demonstrate the applicant's intention to introduce new destinations and increase the number of passengers
2. Promotion and marketing plan

**FORM NUMBER 7**

###### DECLARATION

For acceptance of the conditions defined in the application documentation

We declare that by submitting the application, we fully accept the conditions of the Public Call for submitting an application for granting financial support for the introduction of a new destination/s from the airports in the Republic of North Macedonia to the airports in the EEA/EU, published in the "Official Gazette" of the Republic of North Macedonia" number 274/22), on the basis of which we submit our application.

We agree that those conditions in their entirety constitute an integral part of the financial support agreement.

We agree that the contracting authority can cancel the procedure for awarding financial support.

Name and Surname/Authorized Person

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

for and on behalf of the applicant

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

FORM NUMBER 8

DECLARATION

for the existence/non-existence of a conflict of interest

We, the undersigned, declare that we are not aware of any conflict or potential conflict of interest arising from a previous or existing contract or other relationship that may materially affect our ability to fulfill our obligations under the financial support agreement.

We note that the following transactions may conflict with the Financial Support Agreement:

|  |  |  |
| --- | --- | --- |
| Project name | Start date | conflict description |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

Name and Surname/Authorized Person

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

for and on behalf of the applicant

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

FORM NUMBER 9

WE DECLARE

that the destination(s):

1. \_\_\_\_\_\_\_\_\_\_\_\_\_,

2. \_\_\_\_\_\_\_\_\_\_\_\_\_

which will be the subject of financial support, we will continue to operate them even after the end of the financial support period for a period at least equal to the time we have received the financial support for the same, otherwise we agree to return to the provider of financial support all funds that were paid for that destination(s) during the period of granting financial support.

|  |  |  |
| --- | --- | --- |
| Destination | date of commencement of operations after completion of the financial support agreement | date by which it will operate |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

Name and Surname/Authorized Person

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

for and on behalf of the applicant

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**FORM NUMBER 10**

DRAFT AGREEMENT FOR FINANCIAL SUPPORT

Concluded on \_\_\_.\_\_\_.2023 between:

**Provider of financial support:**

Government of the Republic of North Macedonia,

through the Ministry of Transport and Communications

address: St. "Plostad Crvena Skopska Municipality" no. 4,

1000 Skopje, Republic of North Macedonia,

(hereinafter: "Provider"), on the one hand and

**Beneficiary of financial support:**

(hereinafter: "User"), on the other hand.

**Article 1**

**Subject**

The subject of this agreement is the granting of financial support to the user.

An integral part of this agreement is the application for granting financial support.

**Article 2**

**Purpose**

The purpose of this agreement is the development of civil aviation in the Republic of North Macedonia through the establishment of more competitive and affordable prices in the air traffic.

**Article 3**

**Validity**

The financial support is granted for the period from the day of starting operation of the destination/destinations until 31.12.2025.

**Article 4**

**User Obligations**

The user must perform the following obligations:

1. No later than: **write the date as indicated in the operational plan** to start operating the: **write the destinations as indicated in the operational plan** from "Skopje International Airport" and serve them for the period for which the financial support is granted.
2. No later than: **write the date as indicated in the operational plan** to start operating the: **write the destinations as indicated in the operational plan** from the airport "St.Apostol Pavle" - Ohrid and serve them for the period for which financial support is granted.
3. The destination introduced by "Skopje International Airport" and "St. Paul the Apostle" - Ohrid airport for the period for which the financial support is granted must be continuously served at least: **write the number of weekly flights as indicated in the operational plan** but in which any of the IATA seasons in a predetermined flight order from its introduction until the end of the period for which the financial support is granted.
4. The destination introduced for the period for which the financial support is granted and will be operated from "Skopje International Airport", has not been served by regular air transportation in the last two IATA seasons from/to "Skopje International Airport".
5. The destination introduced for the period for which the financial support is granted and will be operated from "St. Paul the Apostle - Ohrid" airport, has not been served by regular air transportation in the last two IATA seasons from/to the airport "St. Paul the Apostle - Ohrid" and Skopje International Airport
6. To develop a promotion and marketing plan. The promotion and marketing plan may be subject to change at the direction of the financial support provider.
7. To submit a report on its operations to the Ministry of Transport and Communications every six months.

**Article 5**

**Approval to fly**

The user should provide flight approvals for the new destinations from article 4 points 2 and 3 of this agreement.

**Article 6**

**Obligations of the Provider**

The provider must perform the following obligations:

1. For the destinations introduced for the period for which the financial support is granted from "Skopje International Airport" to pay financial support in the amount of 7 euros in Denar equivalent per departing passenger from the day of commencement with the application of this agreement.

2. For the destinations introduced for the period for which the financial support from the airport "St. Apostol Pavle" - Ohrid to pay financial support in the amount of 4.5 euros in Denar equivalent per departing passenger from the day of commencement with the application of this agreement.

3. The amount for the financial support from paragraph 1 and paragraph 2 of this article may be reduced if it amounts to more than 50 percent of the amount of the lowest airport fees.

**Article 7**

**Financial support**

The financial support is granted in accordance with the amount specified in the operational plan, which cannot be higher than the funds determined in the Program for determining the funds needed to grant financial support for the promotion and development of air traffic in the Republic of North Macedonia to domestic and foreign carriers for the period from 2023- 2025 year.

The financial support cannot exceed the amount of funds determined in the operational plan from paragraph 1 of this article.

**Article 8**

**Payment dynamincs and method**

The financial means from Article 6 points 1 and 2 of this agreement are paid monthly, within 30 days of the submitted request to the Ministry of Transport and Communications by the beneficiary of the financial support.

The request for payment from paragraph 2 of this article contains detailed data for the passengers departing for a separate destination, which may be subject to inspection by the Provider.

**Article 9**

**Prohibition of conflicting activities**

The user will not be involved either directly or indirectly in any business or professional activities that may conflict with the rights and obligations set forth in this agreement.

**Article 10**

**Confidentiality**

Except with prior written notice from the Provider, the User shall not contact at any time any physical entiety or legal entity for classified information obtained during the implementation of this agreement, and also the User shall not publicly publish the reports, recommendations and/or any other type of writing in connection with or as a result of the implementation of this contract.

**Article 11**

**Governing law**

The provisions of the Law on Obligation Relations and other positive legal regulations in the Republic of North Macedonia shall be applied accordingly to this agreement, unless otherwise stipulated by the provisions of this agreement.

**Article 12**

**Dispute resolution**

The parties will make every effort to settle cordially all disputes arising out of or in relation with this agreement or its interpretation.

All disputes arising from this agreement and in connection with it, which cannot be resolved good-naturedly, including disputes relating to issues related to its effective creation, violation or termination, as well as legal actions arising therefrom, will finally be resolved through arbitration in accordance with the Law on International Commercial Arbitration of the Republic of North Macedonia.

The number of arbitrators will be three.

The procedure will be conducted in the Macedonian language.

The place of arbitration will be in Skopje, Republic of North Macedonia.

**Article 13**

**Unilateral termination**

The provider may unilaterally terminate this agreement in case when the user:

* did not fulfill the conditions of Article 4 of this agreement and
* failed to provide flight approvals in accordance with Article 5 of this agreement.

**Article 14**

**Supervision**

The provider, through the Ministry of Transport and Communications, performs constant and regular supervision for the fulfillment of the rights and obligations of this contract.

**Article 15**

**Language**

This agreement is concluded in the Macedonian language with an English translation.

In case of any conflicting interpretation between the Contracting Parties, the version of the Agreement in the Macedonian language will prevail.

**Article 16**

**Number of samples**

This agreement is concluded in four original copies, two of which for each contracting party.

**Article 17**

**Entry into force**

This agreement enters into force the following day from the day of its conclusion, and will be applied for the period specified in Article 3 of this agreement.

**Contracting parties**

Beneficiary of financial support Provider of financial support

Government of the Republic of North Macedonia

Ministry of Transport and Communications