

DIGITAL THAT DELIVERS

**A Programme to Transform Irish Tourism's online experience
and digital distribution capability 2021 – 2025**



Year 1

Irish Visitor Experiences

Application Guidelines, Terms and Conditions



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1. Introduction

Our role is to guide and support sustainable growth in tourism earnings and employment.



ABOUT FÁILTE IRELAND

Fáilte Ireland was established under the National Tourism Development Authority Act 2003. **Our role is to guide and support sustainable growth in tourism earnings and employment.** We provide consumer and competitor insights, mentoring, investment and trade supports across the business, event, and leisure sectors, to help secure sales growth from targeted overseas and domestic market segments.

Working in partnership with tourism businesses, Local Government, State Agencies and Government Departments, we also seek to foster a competitive and innovative enterprise base, a sensitively managed natural and built environment within tourism communities and a public policy environment to meet the needs of visitors.

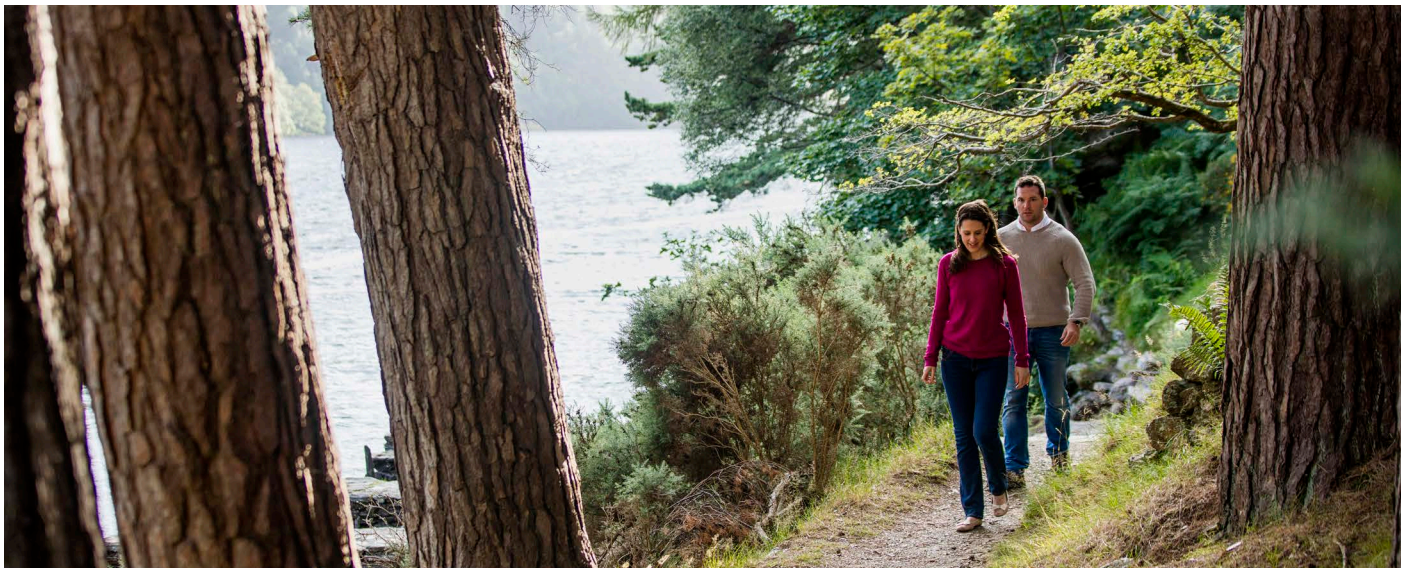
Want to know more? See our website:
www.failteireland.ie

1.1 What is the aim of the Digital That Delivers Programme?

ABOUT DIGITAL THAT DELIVERS

Over the past few years, there has been a growing buzz in the travel sector around the online distribution of visitor experiences, encompassing attractions, day tours, and activities. Billions have been invested by companies looking to claim their share of this growing market. This investment has been driven by and has itself helped to bring about changes in consumer behaviour. More people are using online channels to decide which destinations they visit and to discover and book all components of their trip: including not only flights and accommodation, but also visitor experiences.

There has been a digital revolution in the global economy during 2020 – global acceptance and usage of digital technology has jumped as much in the last 8 months as it did in the previous 8 years. Tourism businesses need online booking and distribution to better manage visitor numbers, their business operations, and their revenues. Therefore, all tourism enterprises need to become digitally enabled to better respond to the needs and expectations of visitors both domestically and internationally. While some sectors such as accommodation have made good progress in this area, others including many attractions are only starting this journey.





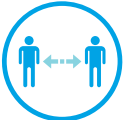



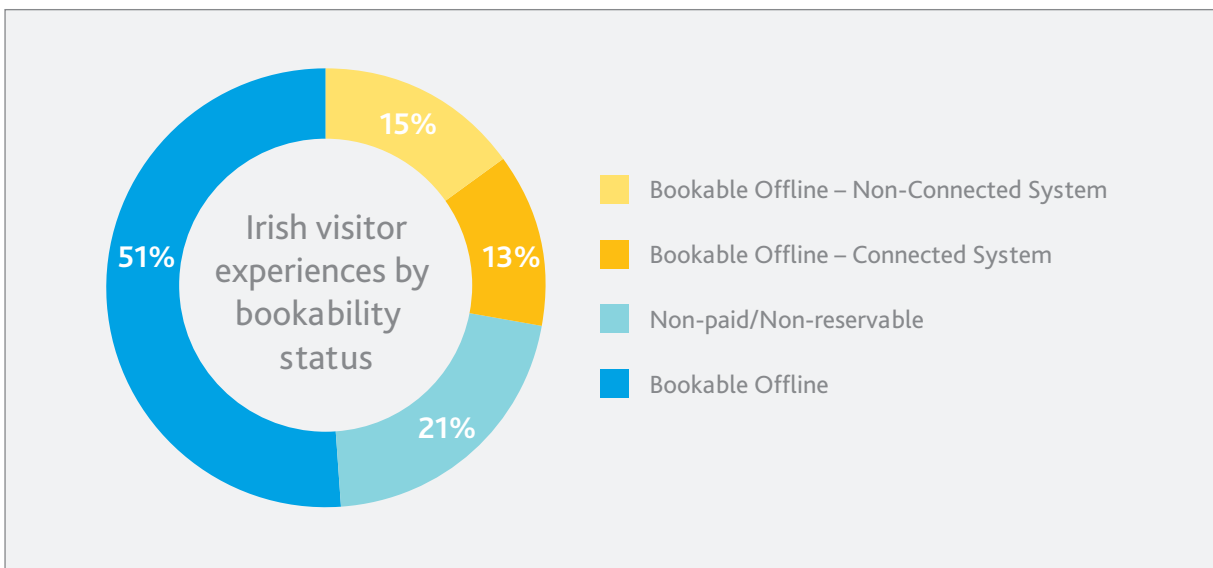


Fáilte Ireland believes that this programme will support and promote the development of a more resilient and competitive visitor experiences sector, sustaining Ireland as a high-quality and competitive tourism destination. The COVID-19 pandemic and the various containment measures adopted to curtail the spread of the virus have had an immediate and significant detrimental effect on the economy generally and the tourism and hospitality sectors in particular, with 2020/2021 bringing tremendous change and uncertainty to global travel markets. Ireland's experienced suppliers face significant financial, operational, and personal challenges now and in the months to come.

But visitors will return, bringing opportunities for those suppliers who have been able to endure and adapt. The overall purpose of the programme is to help tourism businesses to better adopt digital technologies and operate more efficiently in order to seek to enable them to withstand the impact of COVID-19 in the short and medium term, while also having the effect of better enabling tourism businesses to meet consumer expectations in the use of digital technologies which will aid the longer-lasting survival and recovery of existing tourism businesses.

RECENT RESEARCH SHOWS THAT

	<p>Connected booking platforms can transform Ireland's tourism sector.</p>
	<p>Connected booking platforms are relevant for products that are contractable, saleable and suitable for distribution across multiple channels.</p>
	<p>Only 13% of relevant Irish experiences currently use these platforms.</p>
	<p>Experiences typically encompass the things to see & do in a destination such as attractions and activities.</p>
	<p>There is a need to ensure that businesses can control and manage visitor numbers in response to Covid-19.</p>
	<p>Irish tourism sector websites compare poorly to European competitors in functionality, usability and design.</p>



2. Outcomes and Priorities



2.1 Digital That Delivers Vision

The aim of this programme is to enable consumers to discover and book Irish experiences and accommodation through the channels that are most convenient for them and that offer them the best value, while helping the Irish tourism industry to operate more efficiently, to recover from the impact of COVID-19, and to grow in a sustainable manner.

This programme will enable Irish tourism visitor experiences to compete and win against intense international competition, allow destinations to cross-sell each other's products/services and will allow businesses to operate more efficiently, grow revenue streams and better analyse consumer insights.

2.2 Anticipated Outcomes

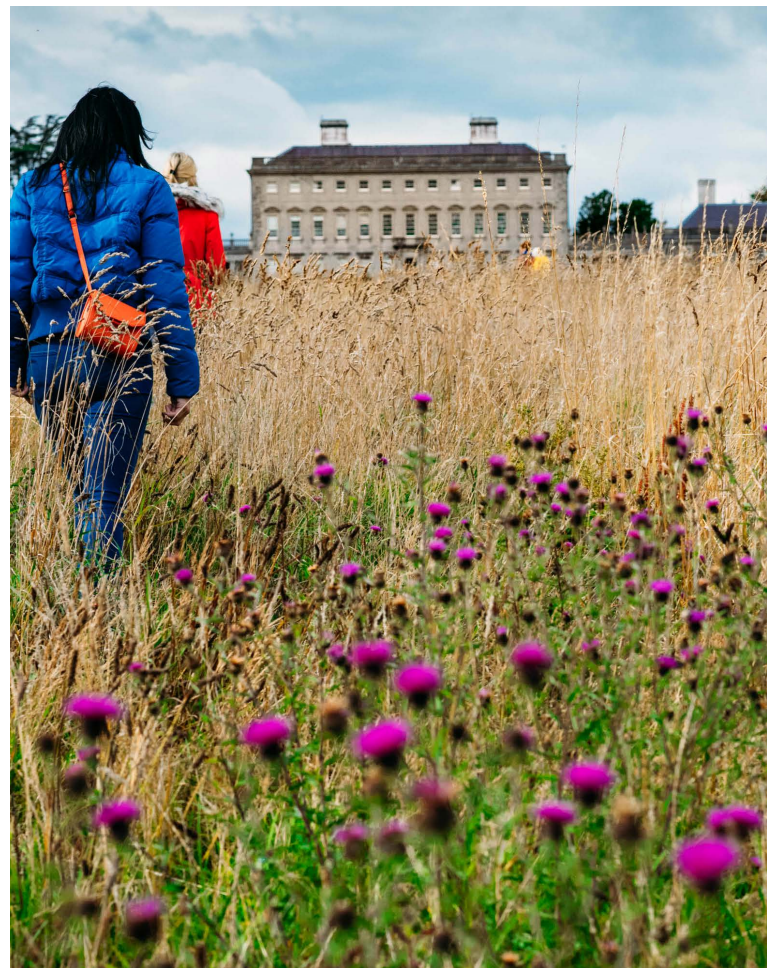
The **Digital That Delivers** programme will enable 1,350 visitor experiences over the next 3-5 years to:

- ▶ Be equipped to take direct bookings via their own websites,
- ▶ Be fully integrated with third party channels, including online travel agents (OTAs) and aggregators,
- ▶ Enjoy greater operational efficiencies,
- ▶ Have the ability to target consumers at key stages on their path to purchase
- ▶ Have access to world class content to better market their business across digital channels and have the ability to assess and optimise their digital channels' performance.

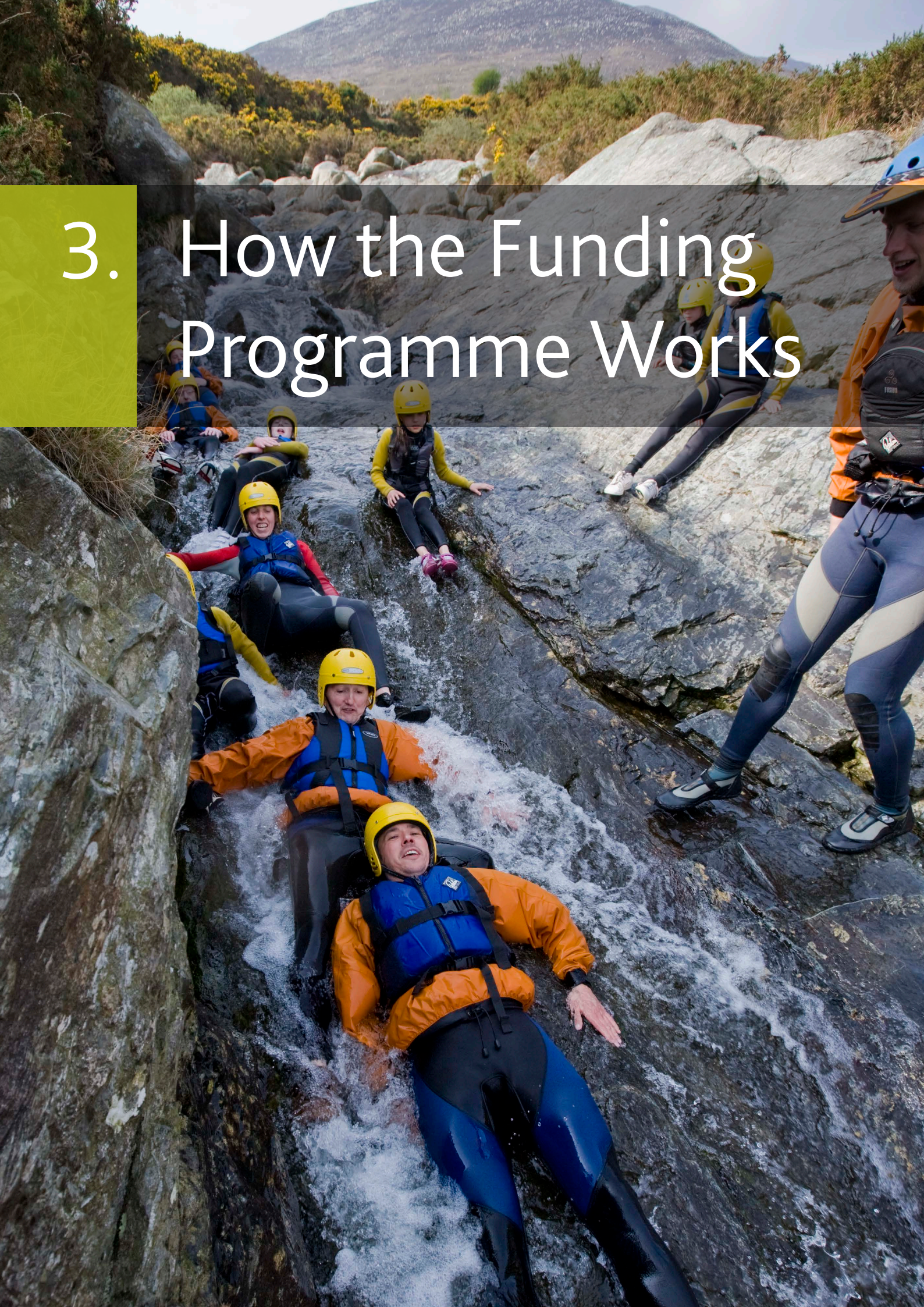
2.3 Year 1 Priorities

In Year 1, **Digital that Delivers** will seek to work with up to 500 visitor experiences. Following an extensive research phase and the development of a mapping report, with analysis of over 8,000 tourism businesses, Fáilte Ireland will be seeking Expressions of Interest from a cohort deemed best-placed to engage with Digital that Delivers in Year 1 of the programme.

As the programme develops over the coming years, it is envisaged that the opportunity to engage with Digital that Delivers will be available to the wider visitor experiences sector, along with accommodation providers, with the goal of bringing each business along the path to world-class digital capability.



3. How the Funding Programme Works



AIMS AND OBJECTIVES

The primary aim of this funding programme is to **provide a mechanism for Fáilte Ireland to deliver financial supports** to those businesses and organisations participating in the Digital That Delivers programme.

The funding will be delivered to support interventions which will be identified as part of an audit of the businesses' digital maturity and aligned to the following seven areas: Developing Bookable Product, Enhancing Websites, Activating Connected Online Booking Systems, Building Industry Capabilities, Boosting Operational Efficiencies, Digital Marketing and Optimising Analytics & Reporting Capabilities.

These interventions and investments will deliver the following outcomes:

- ▶ To enable consumers to discover and book Irish visitor experiences through the channels that are most convenient for them and that offer them the best value, while helping our Irish Industry to operate more efficiently, to recover from the impact of COVID-19, and to grow in a sustainable manner.
- ▶ Enable Irish visitor attractions and experiences to compete and win against intense international competition.
- ▶ Allow destinations to cross-sell each other's products and services.
- ▶ Allow visitor attractions and experiences to operate more efficiently, grow revenue streams and better analyse consumer insights.





In Year 1 of Digital that Delivers, there will be a focus on five key areas of work, each aimed at moving our industry further along the path to digital maturity. It is envisaged that the applicants will move progressively through each of these five key areas in order to move on to the next stage, subject to the needs of their business/organisational needs:

1.	Develop Bookable Product – Visitor experiences with non-paid or non-reservable product will be supported to create develop and launch visitor experiences that can be packaged and distributed online and to tour operators.
2.	Activate Connected Online Booking Systems – Visitor experiences with no booking system in place or who use booking systems with no connectivity will be supported to select and activate a connected online booking system. Visitor experiences who already have connected booking systems in place will also join at this point to ensure they are using the systems to their full potential.
3.	Enhance Websites – Visitor experiences identified as having websites that require improvement and/or investment, will receive support to enhance design, functionality and usability of their own websites.
4.	Digital Marketing – Visitor experiences will receive support to develop world class relevant and engaging content to better promote their business on direct and third-party channels.
5.	Optimise Analytics & Reporting Capability – These systems also provide the ability for industry to monitor, measure and report on performance of all their distribution channels. Visitor experiences will receive support on how to use these tools, enabling them to make informed decisions around future product development and sales & marketing spend.

These interventions will be divided in to five separate grant streams, which will be made available to the applicant based on their requirements which will be identified by Fáilte Ireland's procured technical consultants in the digital maturity review conducted as part of the programme. The award of each and any of these grants is conditional upon compliance with the eligibility criteria and is at Fáilte Ireland's absolute discretion.

In tandem with these priority interventions, **Digital that Delivers** will provide further non-financial supports to:

- ▶ **Build Industry Capabilities** – Visitor experiences will be supported to realise the potential of these systems to enhance distribution. This capability will





be provided through a suite of online learning tools, webinars, workshops, video content & 1 – 1 mentoring.

- ▶ **Boost Operational Efficiencies** – Visitor experiences will be supported to realise the potential of these systems to drive operational efficiencies through a suite of online learning tools, toolkits, and webinars.


Dependent on business / organisational needs, applicants may be able to avail of further supports in the Digital that Delivers programme in 2022 and beyond. They will be advised of any further opportunities that may be made available as they progress through Year 1 of the programme in 2021.

3.1 Who can apply?

In Year 1 of the Digital the Delivers project, the interventions are being targeted at 'visitor experiences' as defined in the table below:

 <p>VISITOR EXPERIENCES</p>	<p>As defined in Fáilte Ireland's National Online Distribution Strategy (NODS), the term 'visitor experiences' refers to a category of travel product that includes attractions, activities, and day tours.</p>
 <p>ATTRACTIONS</p>	<p>Places that offer visitors interesting things to see or do and that are subject admission fees or other conditions of entry. Includes:</p> <ul style="list-style-type: none"> ▶ Museums, galleries, and other cultural attractions ▶ Castles, cathedrals, and other heritage attractions ▶ National parks, gardens, zoos, or other outdoor and natural attractions ▶ Theme parks, escape rooms, distilleries, and other commercial attractions.
 <p>ACTIVITIES</p>	<p>Activities involve visitors as active participants in an experience and may require special equipment, skills, or attributes – or involve a degree of risk. They include:</p> <ul style="list-style-type: none"> ▶ Water-, land-, or air-based activities such as kayaking, hiking, or skydiving ▶ 'Making' activities such as painting, basket-weaving, or pottery ▶ Learning activities such as talks or workshops (though not multi-day courses).
 <p>DAY TOURS</p>	<p>Day tours are guided or self-guided visits that may take in several attractions, activities, or points of interest within a 24-hour period.</p>

Funding applications under **Digital that Delivers** will be accepted from the **public, private and voluntary sectors** as defined in the following table:

 <p>PRIVATE SECTOR</p>	<p>Companies and other legal entities and individuals.</p>
 <p>VOLUNTARY ORGANISATIONS</p>	<p>Not-for-profit companies, including charities, trusts and companies limited by guarantee.</p>
 <p>PUBLIC SECTOR BODIES</p>	<p>Bodies established to operate facilities on behalf on the public sector including commercial and non-commercial semi-state bodies and local authorities.</p>

3.2 Funding Eligibility Criteria

As part of the Digital That Delivers programme, applicants may be eligible to apply for funding to support the implementation of technical solutions by third party vendors or contractors. Only eligible expenditure will be grant funded under this programme. The below lists are not exhaustive and are for descriptive purposes only. Fáilte Ireland's decisions in relation to eligible and ineligible expenditure and the disbursement of monies are at the absolute discretion of Fáilte Ireland and are final.

Eligible expenditure items for the Digital that Delivers grant applications include, but are not limited to:

- ▶ Creation of digital applications or guides to form part of a new bookable experience, including provision for foreign language
- ▶ Once-off mentoring or consultancy required to design and develop a new bookable experience
- ▶ Purchase of necessary hardware and equipment
- ▶ Design, activation, enhancement, upgrade and configuration of a connected online booking system
- ▶ Integration of booking system and/or website with other systems

- ▶ Website design, development, set-up and optimisation, including reporting and analytics
- ▶ Digital strategy design.

Ineligible expenditure items for the Digital that Delivers grant applications include, but are not limited to:

- ▶ Costs which are related to work that was not agreed as part of the grant application and approval
- ▶ Costs not associated with the recommendations identified in the applicant's roadmap
- ▶ Internal staff wages or costs for time spent on the project
- ▶ Website hosting fees or any other ongoing website management costs
- ▶ Purchase of online or digital marketing or advertising campaigns
- ▶ Payment / credit card transaction fees charged by a vendor
- ▶ Ongoing costs for support and maintenance of a website
- ▶ Ongoing licensing costs for any plugins/software packages/certificates that are required for a website.

3.3 Investment Grant Amounts

The **Digital that Delivers Programme** is approved under the EU COVID-19 Temporary State-aid Framework which is due to expire on 31st December 2021.

Due to the critical impact of COVID-19 on tourism enterprises Fáilte Ireland will offer funding support of 100% towards eligible expenditure before the expiry of the Temporary Framework, subject to the maximum grant amounts set out above.

If the Temporary Framework is not extended beyond 2021, it will be necessary for Fáilte Ireland to obtain approval for another funding mechanism from the EU and the

Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media prior to approving any further funding. Applicants should not incur any expenditure or make any financial commitments under the Programme after 31st December 2021. Please note that the funding percentage is subject to change following the expiry of the Temporary Framework and that additional terms and conditions may have to be complied with.

The aid amount granted per undertaking will be dependent on their required technological solutions as identified following review by Fáilte Ireland's procured technical consultants.

The maximum grant amounts per applicant will range from €3,000 to €150,000 depending on the individual business/organisational needs identified through the Programme. Funding is at the absolute discretion of Fáilte Ireland and is subject to the availability of Government Funding and to State Aid rules.



4. How the Programme Works



The Digital That Delivers programme will be delivered through a series of stages.

4.1 Expression of Interest

Applicants will be invited to complete an 'Expression of Interest' form to indicate their interest in applying for the programme.

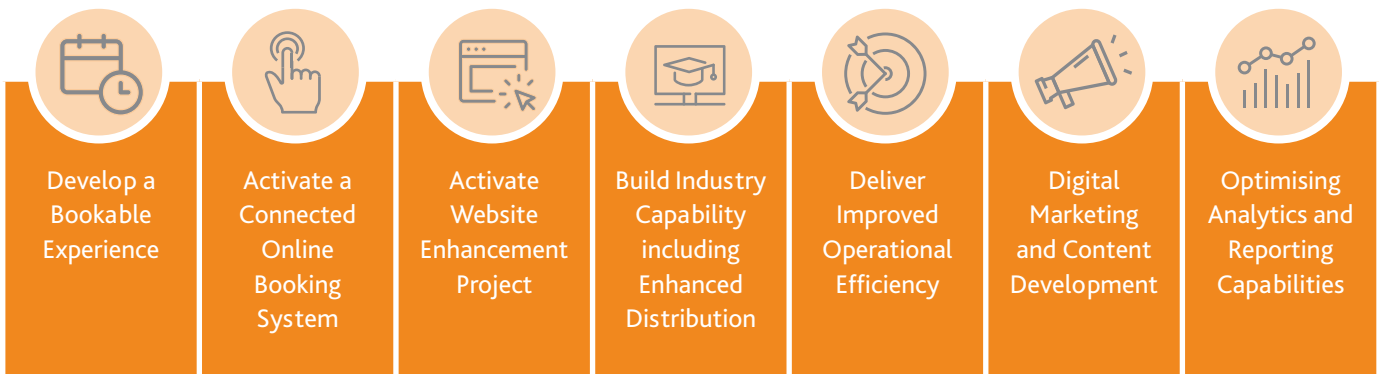
Applicants will be asked to provide details such as their pre-COVID-19 visitor numbers and staff count, along with details of the current technology they may have in place.

They will also be asked to confirm that if chosen to participate in Year 1 of the Digital that Delivers programme, they will be in a position to provide the required staff and time resources to complete the programme.

Following review of these submissions, Fáilte Ireland will choose a cohort of successful applicants to benefit under Year 1 of the programme.

4.2 Digital Maturity Review

Following the Expression of Interest stage, the selected applicants will be mapped to one of the workstreams below based on a digital maturity review by Fáilte Ireland's procured technical consultants:



The completed roadmap will outline:



4.3 Identification of Solution

Following the preparation of their roadmap, the applicants must enter into an agreement with Fáilte Ireland to work through the steps of the roadmap to identify the appropriate solution for their business/organisation.

Once applicants have approved and committed to the work in their roadmaps, they will start the process of completing those roadmaps. In addition to the consultancy provided in creating the roadmap each participant will then be provided with additional support including:

- ▶ Toolkit Access for the relevant workstream including Bookable Experience Development, Connected Booking System, Website Enhancement Projects, Building Industry Capability and Distribution, Boost Operational Efficiency, Digital Marketing and Content and Analytics and Reporting
- ▶ Industry engagement webinars
- ▶ Engagement with appropriate panel.

Each applicant will be supported to keep them on track and address any issues they may encounter, for example challenges around time/resource they can commit at certain times of the year.

Following the completion of their roadmap the applicants will have identified:

- ▶ The appropriate online functionality required to meet their business/organisational need depending on appropriate workstreams – for example relevant website providers or appropriate online booking systems
- ▶ Front of house technology required
- ▶ Appropriate Consultancy Requirements to meet their business/organisational needs, for example Bookable Experience Development or Content Development.
- ▶ Costs to implement the proposed solutions.

4.4 Application for Solution Funding

The applicant then prepares the associated costs and submits an application for funding through Fáilte Ireland's Trade Portal – <https://tradeportal.failteireland.ie/>. The application should be based on the recommendations contained in the roadmap as defined above.

Depending on the roadmap and technological solution required, the applicant may be applying for one of five primary grant streams. The most suitable grant stream will be made available to them in their Trade Portal account. Upon completion and successful claim of this grant, the applicant will be eligible to pass on to the following stage of the Programme and access additional grants if applicable.

Applicants should also refer to the listed eligible and ineligible expenditure in this Guidelines document. Applications must be accompanied by the quotations for work which applicants will seek from suitably qualified third-party suppliers who will implement the identified solution. In seeking a quote for work, applicants must adhere to public procurement rules (where applicable).

Applicants will be required to confirm their acceptance of these Guidelines, Terms and Conditions including compliance with State Aid rules as part of their application. It is intended that this programme will satisfy EU State Aid rules by providing grant awards under the EU COVID-19 Temporary Aid Framework.

Further details on State Aid are provided in the EU State Aid Basis section of this document.

4.5 Evaluation Process and Investment Grant Rates

Fáilte Ireland will evaluate your application and determine the funding amount which will be offered. Offers of funding will be made in a formal Letter of Offer.

Fáilte Ireland will not reimburse any costs or expenditure incurred prior to the issue of the formal Letter of Offer or outside of the scope of the programme. Therefore, the grant of eligible expenditure under this programme cannot take place prior to the approval of the grant by Fáilte Ireland and any costs incurred by the applicant prior to the date of that approval will not be eligible for grant support.

4.6 Implementation of Funded Solutions

Once the applicant has received and accepted the Letter of Offer of funding issued by Fáilte Ireland, the applicant can then begin to implement their identified solution. Written confirmation by Fáilte Ireland's procured technical consultants that the work has been completed in accordance with the roadmap prepared will be required in order to draw down the funding.



4.7 How to Claim the Grant

Grant payments can only be made retrospectively to the applicant specified as the grantee in the Letter of Offer that has been issued and accepted and will be based on eligible expenditure actually incurred and paid by the grantee.

The Letter of Offer will outline the specific payment/drawdown mechanisms available to the grant recipient.

The applicant must have current tax clearance (TCAN) from Revenue at the time of its grant claim or Fáilte Ireland will be unable to make a payment. Fáilte Ireland will carry out normal verification checks on the claim before each grant is paid.

The timing of the grant payments is subject to Fáilte Ireland being in receipt of sufficient Exchequer funding to meet the payments. In the event of any delays in such funds, there will be no liability on the part of Fáilte Ireland or the Exchequer to make good any shortfall experienced. Full details of the grant claiming process will be provided with the Letter of Offer that successful applicants will receive.



4.8 Reporting and ongoing submission of visitor metrics

As part of this programme, Fáilte Ireland will seek to gather accurate and robust data relating to visitor numbers and other key indicators for the applicant's business/organisation to support our investment analysis work. This will contribute to the understanding of how capital investment has assisted with achieving Fáilte Ireland's strategic goals for tourism. By participating in this Digital That Delivers investment programme the applicant is agreeing, if approved for funding, to provide visitor performance and digital engagement data to Fáilte Ireland for a period of up to 10 years from the initial investment and that the applicant will work with Fáilte Ireland to ensure this data is reported on in a timely manner. All data collected will be anonymised to comply with GDPR rules.

Fáilte Ireland will also be required to review the performance and value for money of this investment programme to ensure compliance with the Public Spending Code. This may involve spot checks of the applicant's business /organisation if approved for funding to ensure that the systems recommended have been installed and are being used correctly. Applicants to the Digital that Delivers investment programme will agree to facilitate these spot checks or audits if they are required and any subsequent reporting requests.

Following the installation of the technology Fáilte Ireland will agree a plan and timelines with the applicant for the format and submission of your visitor information and other metrics.

This may include, but is not limited to, the following types of information:

- ▶ Visitor type (local, regional, domestic, overseas)
- ▶ Overseas visitor by market
- ▶ Visitor Time of booking; time of day, day, week, month, year
- ▶ Purpose of visitor – leisure, business etc
- ▶ Visitor profile – adults, youth, senior, family etc
- ▶ Ticket types – full price, discount, comps, opportunities for cross-selling etc
- ▶ Customer type – walk in, pre-booked, coach tour, gift voucher, repeat visitor etc
- ▶ Direct, ongoing access to Google Analytics and booking system reports on Website Sessions, Conversion Rates, Online Sales and Online Revenue
- ▶ Direct access to reporting APIs where available.



5. Terms and Conditions



Applicants must read the following Terms and Conditions of Grant Funding before applying for the programme. It shall be a condition of the award of any grant to a business that the applicant agrees to the Terms and Conditions by and when completing the grant application form.

- ▶ All applications for funding under the programme will be reviewed and assessed by Fáilte Ireland to ensure eligibility.
- ▶ When submitting a claim for payment, successful applicants must confirm that the costs being proposed are only in relation to the eligible costs submitted in their application.
- ▶ All funding approved under the programme is subject to audit.
- ▶ Fáilte Ireland may make any enquiries that it considers necessary to establish the applicant's eligibility for funding under the programme, and Fáilte Ireland's decisions in relation to applicant eligibility and the disbursement of monies are at the absolute discretion of Fáilte Ireland and are final.
- ▶ Any monies granted by Fáilte Ireland under the programme will be used solely on eligible expenditure in accordance with the purposes of and objective of the programme.
- ▶ The submission of an application should not be construed as granting any rights or expectations of funding to the applicant.
- ▶ In accepting any offer of monies under the programme, the following warranties and undertakings are made by the applicant to Fáilte Ireland:
 - That any information supplied by the applicant as part of its application under the programme is up-to-date and accurate, and the applicant will inform Fáilte Ireland immediately if this ceases to be the case. Evidence to this effect must be maintained to substantiate this if audited.
 - That all acts, conditions and things required to be done and performed and to have happened before the applicant's acceptance of the terms and conditions of the programme have been done and performed and have happened in due and strict compliance with Irish law.
- ▶ No funding will be granted by Fáilte Ireland unless and until an application has been completed to Fáilte Ireland's satisfaction, and the applicant has accepted and complied with these Terms and Conditions. A Letter of Offer will be issued to the Applicant confirming the offer, prior to payment being issued.
- ▶ That even in circumstances where the applicant has initially been approved to receive a grant, Fáilte Ireland retains an overall discretion and reserves its right to refuse to grant funding on reasonable grounds. For example, this reasonable refusal may be made on the basis that the applicant is an "undertaking in difficulty" for the purposes of EU State aid law, subject to an insolvency procedure in the Republic of Ireland, otherwise based on the financial prospects of the applicant business, there is a change in the EU Temporary Framework under which the programme is approved or on the basis that sufficient Exchequer Funding is no longer available.
- ▶ Fáilte Ireland is entitled to vary the terms and conditions applicable to the programme, in respect of applications that have not yet accepted the Terms and Conditions, without prejudice to its rights and any other requirements or criteria.
- ▶ Fáilte Ireland may at its discretion impose monitoring and reporting obligations on the applicant and the applicant will provide Fáilte Ireland with documentation and assistance in any audit of records. The applicant agrees that Fáilte Ireland may carry out inspections of applicant's records and measures taken by the applicants to ensure compliance with the programme.
- ▶ That the applicant will comply with EU State aid rules and repay any grant monies required to be repaid to Fáilte Ireland or otherwise where the business or the project is no longer State aid compliant.
- ▶ In the case of medium and large applicants, the applicant business must not have been an undertaking in difficulty, insolvent or unable to pay its debts as they fell due as of 31 December 2019.
- ▶ In the case of small and micro applicants who were already in difficulty as of 31 December 2019, they must not be subject to collective insolvency procedure under Irish law, meaning:
 - No receiver or receiver and manager has been appointed over all or any of the assets of the company.
 - No petition seeking the winding up of the company has been presented.
 - No order has been made winding up the company on any grounds.
 - No resolution has been passed by the members to wind up the company on an insolvent basis.

- No petition seeking the appointment of an examiner to the company has been presented.
 - No statutory demand has issued against the company pursuant to section 570 of the Companies Act 2014; and
 - No informal or formal compromise or scheme of arrangement has been entered into with any creditors of the company.
- ▶ The Applicant has completed or shall complete Fáilte Ireland's COVID-19 Safety Charter or any revision thereof and shall adhere to the requirements set out therein and/or the appropriate sector specific guidelines for re-opening in light of COVID-19 (as may be amended from time to time).
 - ▶ Fáilte Ireland may conduct an assessment into non-compliance by an applicant with these terms and conditions of the programme and reserves the right to review and revoke the grant, including where it receives corroborated third-party complaints.
 - ▶ The timing of grant payments under the programme is subject to Fáilte Ireland being in receipt of sufficient funding from the Irish State to meet those payments. In the event of any unavailability or delay, there will be no liability on the part of Fáilte Ireland or the Irish State to make good any loss or damage suffered, or shortfall experienced by applicants.
 - ▶ That the applicant is and will continue to be at all times fully compliant with all relevant legal obligations where applicable including, but not limited to, any in regard to health and safety, employment, disability, planning, the environment, taxation, child protection, equality of opportunity, the nine grounds of discrimination under the Equal Status Act 2000, local authority and industry requirements and any other requirements under Irish or EU law.
 - ▶ All public bodies, including Fáilte Ireland, who are distributing Public Funding, are obliged to comply with the requirements of the Public Spending Code to ensure best value is achieved from state resources. Fáilte Ireland and applicants under this Scheme are also subject to the rules of the Department of Public Expenditure and Reform Circular 13/2014 - Management of and Accountability for Grants from Exchequer Funds. Successful applicants will be required to comply with the highest standard of transparency and accountability as set out therein. For more information see www.circulars.gov.ie/pdf/circular/per/2014/13.pdf.
- ▶ Applicants are responsible for satisfying themselves that the aid being granted to them is being lawfully granted and to ensure adherence with State aid rules. If an applicant provides false information and this is found to be the case, this will result in the aid being recovered by Fáilte Ireland (with interest) on the grounds that this is illegal aid. Applicants are encouraged to carefully review, consider and adhere to these terms and conditions, together with the eligibility criteria of the programme for the purposes of State aid compliance. Applicants should exercise particular care where they are in receipt of other State Funding to ensure compliance with maximum funding levels and seek professional advice where appropriate.
 - ▶ At any time up to 31 December 2031, the applicant may be asked to make all books and records relating to the programme available to authorised Fáilte Ireland personnel and, upon the giving of seven days' notice, to any accountant, auditor, or other consultant appointed or designated by Fáilte Ireland or the European Commission.
 - ▶ The applicant will provide all necessary cooperation and will comply with all directions, if any, which may be given by Fáilte Ireland or the Commission on foot of any resultant reports prepared by any such internal or external parties including any requirement that the grant be repaid.
 - ▶ Fáilte Ireland will carry out an impact analysis of this programme to include a review of the impact of the funding, success of the programme, and value for money for public expenditure. Applicants must comply with, and facilitate, all research and analysis that is undertaken as part of this review.
 - ▶ To facilitate the efficient monitoring of and compliance for the programme the applicant agrees to facilitate any staff member or representative of Fáilte Ireland or the European Commission.
 - ▶ Where the applicant fails to comply with any of the Guidelines, Terms and Conditions contained in this document or information supplied is found to be incorrect Fáilte Ireland may, at its sole discretion: require specific performance of the conditions of the programme and/or require immediate repayment of the Grant, or any part of the Grant already paid, to Fáilte Ireland from the applicant and/or be under no obligation to pay the Grant or any part thereof to the applicant. Fáilte Ireland reserve the right to amend these terms and conditions.

6. Completion of Work

The date by which work must be completed, the conditions in relation to industry standards and meeting with statutory and local authority requirements, will be specified in the letter of offer.

7. Retention of Records

Grantees must comply with all conditions in relation to the retention of records, which extends also to Contractors and Sub-Contractors engaged in the development. All relevant records must be made available upon request for examination by authorised officials of Fáilte Ireland, the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media other relevant Government Departments, and the Office of the Comptroller and Auditor General for 10 years.

8. Legal and State Aid

Fáilte Ireland is the grant aiding Authority for the programme. The legal basis of the programme is the National Tourism Development Authority Act, 2003. Grants are provided in accordance with the criteria set out above, subject to EU State Aid law.

Aid being provided towards this programme is subject to the provisions of the European Commission's COVID-19 Temporary Aid Framework (the 'Temporary Framework')*. In order for funding to fall within the Temporary Framework its provisions must be complied with in all cases and in all respects in so far as they apply to State Aid for a particular applicant. While Fáilte Ireland has a primary responsibility to comply with those requirements and other State Aid rules, compliance also depends on the co-operation of applicants, including their adherence to these Guidelines, Terms and Conditions, their candour in making applications to us and, ultimately, their compliance with the terms and conditions attaching to the grant, if successful.

*State Aid Temporary Framework as adopted on 19 March 2020 C (2020) 1863 and incorporating its four amendments – C (2020) 2215 of 3 April 2020, C (2020) 3156 of 8 May 2020, C (2020) 4509 of 29 June 2020, C (2020) 7127 of 13 October 2020 and C(2021) 564 of 28 January 2021– for measures to support the economy in the current COVID-19 outbreak. A consolidated version

of the Temporary Framework as of 28 January 2021 is available at: https://ec.europa.eu/competition/state_aid/what_is_new/TF_infor_ma1_consolidated_version_as_amended_28_january_2021_en.pdf.

It is the applicant's responsibility to ensure that it is aware of any further amendments to the Temporary Framework and applicants are free (and encouraged) to take legal advice as appropriate on how State aid rules apply in their particular situation. Please note that it is a requirement of the Temporary Framework that the aid is granted no later than 31 December 2021 (subject to any further potential extension by the European Commission). In light of this all applicants will be required to complete their engagement with this programme and draw down funding before the expiry of the Temporary Framework.

There is a ceiling of €1.8 million in total funding for a single undertaking under section 3.1 of the Temporary Framework. Applicants in their application form will be required to declare any funding they have received to date under the Temporary Framework. Funding schemes operated to date under the Temporary Framework include:

- ▶ Repayable Advances Scheme Ireland
- ▶ Sustaining Enterprise Scheme
- ▶ Scheme to facilitate COVID-19 relevant research and development, to support construction and upgrade of testing and upscaling facilities of COVID-19 relevant products and to support investments into the production of COVID-19 relevant products
- ▶ COVID-19 – Credit Guarantee Scheme
- ▶ Irish Restart Grant
- ▶ COVID-19 Adaptation Fund for the Re-Opening of Tourism and Hospitality businesses
- ▶ Beef Finishers Payment
- ▶ Live Performance Scheme
- ▶ Irish Coach Tourism Scheme
- ▶ Ireland Based Inbound Agents Business Continuity Scheme
- ▶ Tourism Business Continuity Schemes.

In the event that an applicant has reached the ceiling of €1.8 million in funding under the Temporary Framework, they may be able to avail of a portion of this grant under the De Minimis Regulation, subject to eligibility and the relevant eligible costs. Such applicants will be required to provide additional information and to complete a Declaration during the evaluation process and will be contacted by the evaluators if this is necessary.

These Guidelines should be read in conjunction with the Fáilte Ireland State Aid Handbook, which provides more information on the De Minimis funding conditions. Applicants should also be mindful of cumulation or 'double funding' rules, information on which is contained in Chapter 4 of the Handbook. The Handbook is available to download here: [https://www.failteireland.ie/FailteIreland/media/WebsiteStructure/Documents/2_Develop_Your_Business/6_Funding/Amended-Failte-Ireland-State-Aid-Handbook-07-03-2018-\(1\).pdf](https://www.failteireland.ie/FailteIreland/media/WebsiteStructure/Documents/2_Develop_Your_Business/6_Funding/Amended-Failte-Ireland-State-Aid-Handbook-07-03-2018-(1).pdf)

9. Freedom of Information

Fáilte Ireland may be required to disclose, in connection with the programme, (a) any information supplied by the applicant to Fáilte Ireland and (b) any relevant data accumulated by Fáilte Ireland in administering the programme, except where the information is considered to be commercially sensitive. Fáilte Ireland will contact the applicant in this regard in advance; however, Fáilte Ireland may still decide to release this information if required by law.

10. Data Protection

Both the applicant and Fáilte Ireland shall have regard to their statutory obligations under the GDPR (2016/670) and the Data Protection Acts 1988 to 2018. In this regard, in so far as Fáilte Ireland processes personal data for the purpose of this application it shall comply with its obligations as a "data controller" under the GDPR. Please read Fáilte Ireland's Privacy Policy for details: <https://www.failteireland.ie/Footer/Privacy-Policy.aspx>.

Applicants are solely responsible for ensuring their websites are compliant with data protection legislation. A GDPR website checklist will be made available to all applicants upon programme launch.

Personal data supplied to Fáilte Ireland in relation to the programme and the applicant may be processed by Fáilte Ireland for the purposes of the administration of the programme. The legal basis for such processing is Fáilte Ireland's statutory functions under the National Tourism Development Authority Act, 2003

Fáilte Ireland will be sharing non personal information provided in the Application form or pursuant to the programme with their procured third party technical consultants, Government Departments and/or Government Agencies, in the event that information is required from those organisations to ensure compliance with EU and/or national legislation requirements. Should your application be successful we will retain it for 10 years.

Applicants should also note that Fáilte Ireland may publish details of the programme including, but not limited to, names of applicants that receive funding and the amounts paid to each. Fáilte Ireland at its sole discretion may decide to publish only details of recipients above a certain threshold, the total amount of funding paid under the programme, the average grant figure or the minimum and maximum grant amounts paid.





Digital
that Delivers.

For further information on the Digital that Delivers Programme please visit
www.failteireland.ie/Commercial-development/digital-that-delivers
or email digital.delivers@failteireland.ie