



Annexe 2 - Critères d'éligibilité du Fonds Européen d'Investissement

Vérifications des critères relatifs à la société de production bénéficiaire du financement de Wallimage (Ci-après dénommé l' « Emprunteur »).

Dans le cas, où la société de production bénéficiaire n'est pas encore créée au moment du dépôt du dossier lors de l'appel à projets, le dépositaire de la demande s'engage à ce que la future société réponde aux critères d'éligibilité ci-dessous.

L'Emprunteur du financement de Wallimage, certifie :

a) Être une PME

Pour se qualifier en tant que PME, l'emprunteur doit respecter le plafond de l'effectif et, soit le plafond du chiffre d'affaires, soit le plafond du bilan.

	Staff Headcount	Financial ceilings	
		Turnover	or Balance sheet total
SMEs	< 250	≤ € 50 million	≤ € 43 million

De plus, une entreprise ne doit pas avoir de relations avec d'autres entreprises qui signifient qu'ensemble, ces entreprises dépassent les plafonds. Une entreprise doit être autonome ou faire partie d'un groupe d'entreprises affiliées qui ensemble tombent en dessous des plafonds.

b) Que les activités de l'Emprunteur n'ont pas de focus substantiel dans les secteurs d'activités suivants:

- activités économiques illégales en vertu des lois ou règlements de la juridiction d'origine ;
- tabac et boissons distillées alcoolisées et de produits connexes ;
- production et négoce d'armes et de munitions de toute nature ;
- casinos et entreprises équivalentes ;
- IT: recherche, développement et applications techniques visant les secteurs ci-dessus ainsi que les jeux d'argent et casinos en ligne, la pornographie ; favorisant l'accès illégal à des réseaux de données électroniques ou le téléchargement illégal de données électroniques ;

c) Être établi et opérer dans un Etat membre de l'UE (comme la Belgique) ;

d) Ne pas exercer d'activités illégales au regard de la législation applicable dans le pays où Wallimage ou l'emprunteur est établi ;

e) Ne pas faire l'objet d'une procédure collective d'insolvabilité et ne remplit pas les critères prévus par son droit interne pour être placé dans une procédure collective d'insolvabilité à la demande de ses créanciers ;

f) Ne pas se trouver, à sa connaissance, dans une situation d'exclusion, c'est-à-dire dans l'une des situations suivantes :

- En état de faillite, fait l'objet d'une procédure d'insolvabilité ou de liquidation, est administrée par un liquidateur ou par les tribunaux, dans ce contexte, est en concordat préventif, fait l'objet d'une suspension de ses activités ou d'un accord de moratoire (ou équivalent) signé avec les créanciers et validé par le tribunal compétent lorsque la loi applicable l'exige, ou se trouve dans toute situation analogue résultant d'une procédure de même nature existant dans les législations et réglementations nationales ;
- Avoir fait, au cours des cinq dernières années, l'objet d'un jugement définitif ou d'une décision administrative définitive pour manquement à ses obligations relatives au paiement d'impôts ou de cotisations de sécurité sociale conformément à la législation applicable et lorsque ces obligations restent impayées à moins qu'un arrangement contraignant n'ait été conclu en vue de leur paiement ;
- Avoir fait, au cours des cinq dernières années, elle-même ou l'une des personnes ayant un pouvoir de représentation, de décision ou de contrôle sur elle, l'objet d'une condamnation prononcée par un jugement définitif ou une décision administrative définitive pour une faute professionnelle grave, lorsque ce comportement traduit une intention délictueuse ou une négligence grave, qui affecterait sa capacité à mettre en œuvre la Garantie et qui est commise pour l'un des motifs suivants :
 - i. en donnant, de façon frauduleuse ou par négligence, des indications inexactes sur les renseignements nécessaires pour vérifier l'absence de motifs d'exclusion ou le respect des critères de sélection ou pour l'exécution d'un contrat ou d'une convention ;
 - ii. conclure avec d'autres personnes des accords visant à fausser la concurrence ;
- Avoir fait, au cours des cinq dernières années, elle-même ou l'une des personnes ayant un pouvoir de représentation, de décision ou de contrôle sur elle, l'objet d'un jugement définitif pour :
 - i. fraude ;
 - ii. corruption ;
 - iii. participation à une organisation criminelle
 - iv. blanchiment de capitaux ou financement du terrorisme ;
 - v. d'infractions terroristes ou d'infractions liées à des activités terroristes, ou d'incitation, d'aide, de complicité ou de tentative de commettre de telles infractions ;
 - vi. le travail des enfants et d'autres formes de traite des êtres humains ;

g) Répondre à au moins un des critères suivants :

- Le plan d'affaires démontre que les fonds serviront à financer un projet créatif ou culturel ;
- Le code NACE (4 chiffres) de l'emprunteur correspond à une des activités des codes NACE éligibles (voir annexe) ;
- L'emprunteur a enregistré des droits de propriété intellectuelle dans le domaine des CCS durant les 24 mois précédant l'approbation du prêt (des droits d'auteur, des marques déposées, des droits de distribution ou tout autre droit équivalent) ;

h) Ne pas faire l'objet de sanctions de la part de l'UE.

VERIFICATIONS DES CRITERES RELATIFS A LA TRANSACTION (APPORT EN PARTICIPATION), ELLE :

- a) **N'excède pas 2 000 000 EUR ;**
- b) **Couvre des investissements dans des actifs corporels et/ou incorporels ; et/ou pour des fonds de roulement ; et/ou pour des transferts d'entreprise ;**
- c) **Ne demande pas ou n'exige pas de sûreté/garantie d'un tiers pour garantir le prêt, autre que les actifs de l'emprunteur et/ou une garantie personnelle du propriétaire de l'emprunteur et/ou d'une société affiliée à l'emprunteur ;**
- d) **A une échéance finale minimale prévue d'au moins 12 (douze) mois civils ou, si la transaction est conclue le 1er avril 2020 ou après cette date, a une échéance finale minimale prévue d'au moins 6 (six) mois ;**
- e) **Ne doit pas être affecté par une fraude ;**
- f) **Ne doit pas financer des activités illégales ou des montages artificiels visant à l'évasion fiscale.**

Date

Signature(s) du ou des représentant(s) légal(aux) de la société de production bénéficiaire du financement, précédée(s) de la mention « Sincère et véritable ».

Codes NACE éligibles

Cultural domain	NACE 2008 Section	NACE 2008 Group	NACE Class, Label & Content
HERITAGE, ARCHIVES, LIBRARIES	R Arts, entertainment and recreation services	91	91.01 - Library and archives activities <ul style="list-style-type: none"> ➤ Documentation and information activities of libraries of all kinds, reading, listening and viewing rooms, public archives providing service to the general public or to a special clientele, such as students, scientists, staff, members as well as operation of government archives: <ul style="list-style-type: none"> • organisation of a collection, whether specialised or not • cataloguing collections • lending and storage of books, maps, periodicals, films, records, tapes, works of art etc. • retrieval activities in order to comply with information requests etc. ➤ Stock photo and movie libraries and services
			91.02 - Museums activities <ul style="list-style-type: none"> ➤ Operation of museums of all kinds: <ul style="list-style-type: none"> • art museums, museums of jewellery, furniture, • costumes, ceramics, silverware • natural history, science and technological museums, historical museums, including military museums • other specialised museums • open-air museums
			91.03 - Operation of historical sites and buildings and similar visitor attractions <ul style="list-style-type: none"> ➤ Operation and preservation of historical sites and buildings
BOOKS & PRESS	C Manufacturing	18.1	18.11 - Printing of newspapers <ul style="list-style-type: none"> ➤ This class also includes: printing of other periodicals, appearing at least four times a week
			18.12 - Other printing <ul style="list-style-type: none"> ➤ Printing of magazines and other periodicals, appearing less than four times a week ➤ Printing of books and brochures, music and music manuscripts, maps, atlases, posters, advertising catalogues, prospectuses and other printed advertising, postage stamps, taxation stamps, documents of title, cheques and other security papers, smart cards, albums, diaries, calendars and other commercial printed matter, personal stationery and other printed matter by letterpress, offset, photogravure, flexographic, screen printing and other printing presses, duplication machines, computer printers, embossers etc., including quick printing ➤ Printing directly onto textiles, plastic, glass, metal, wood and ceramics The material printed is typically copyrighted. <ul style="list-style-type: none"> ➤ Printing on labels or tags (lithographic, gravure printing, flexographic printing, other)

			18.13 - Pre-press and pre-media services <ul style="list-style-type: none"> ➤ Composing, typesetting, phototypesetting, pre-press data input including scanning and optical character recognition, electronic make-up ➤ Preparation of data files for multi-media (printing on paper, CD-ROM, Internet) applications ➤ Plate-making services including image setting and plate setting (for the printing processes letterpress and offset) ➤ Cylinder preparation: engraving or etching of cylinders for gravure printing ➤ Plate processing: "computer to plate" CTP (also photopolymer plates) ➤ Preparation of plates and dies for relief stamping or printing ➤ Preparation of: <ul style="list-style-type: none"> • artistic works of technical character, such as preparation of lithographic stones and wood blocks • presentation media, e.g. overhead foils and other forms of presentation • sketches, layouts, dummies, etc. • production of proofs
			18.14 - Binding and related services <ul style="list-style-type: none"> ➤ Trade binding, sample mounting and post press services in support of printing activities, e.g. trade binding and finishing of books, brochures, magazines, catalogues, etc., by folding, cutting and trimming, assembling, stitching, thread sewing, adhesive binding, cutting and cover laying, gluing, collating, basting, gold stamping; spiral binding and plastic wire binding ➤ Binding and finishing of printed paper or printed cardboard, by folding, stamping, drilling, punching, perforating, embossing, sticking, gluing, laminating ➤ Finishing services for CD-ROMs ➤ Mailing finishing services such as customisation, envelope preparation ➤ Other finishing activities such as die, sinking or stamping, Braille copying
	J Information and Communication	58.1	58.11 - Book publishing <ul style="list-style-type: none"> ➤ Activities of publishing of books in print, electronic (CD, electronic displays etc.) or audio form or on the Internet. Included are: <ul style="list-style-type: none"> ➤ publishing of books, brochures, leaflets and similar publications, including publishing of dictionaries and encyclopaedias ➤ publishing of atlases, maps and charts ➤ publishing of audio books ➤ publishing of encyclopaedias etc. on CD-ROM
			58.13 - Publishing of newspapers <ul style="list-style-type: none"> ➤ Publishing of newspapers, including advertising newspapers, appearing at least four times a week. Publishing can be done in print or electronic form, including on the Internet.
			58.14 - Publishing of journals and periodicals

			<ul style="list-style-type: none"> ➤ Publishing of periodicals and other journals, appearing less than four times a week. Publishing can be done in print or electronic form, including on the Internet. Publishing of radio and television schedules is included here.
			<p>58.19 - Other publishing activities</p> <ul style="list-style-type: none"> ➤ Publishing (including on-line) of: <ul style="list-style-type: none"> • catalogues • photos, engravings and postcards • greeting cards • forms • posters, reproduction of work of art • advertising material • other printed matter ➤ On-line publishing of statistics and other information
		63.9	<p>63.91 - News agency activities</p> <ul style="list-style-type: none"> ➤ News syndicate and news agency activities furnishing news, pictures and features to the media.
	G Wholesale and Retail trade	47.6	<p>47.61 - Retail sale of books in specialised stores</p> <ul style="list-style-type: none"> ➤ Retail sale of books of all kinds. <p>47.62 - Retail sale of newspapers and stationery in specialised stores</p> <ul style="list-style-type: none"> ➤ Retail trade services of newspapers and magazines, and also: retail sale of office supplies such as pens, pencils, paper etc.
	M Professional, Scientific and Technical activities	74.3	<p>74.30 - Translation and interpretation activities</p> <p>Translation and interpretation activities</p>
VISUAL ARTS	G Wholesale and Retail trade; Repair of motor vehicles and motorcycles	47.7	<p>47.78 - Other retail sale of new goods in specialised stores</p> <ul style="list-style-type: none"> ➤ Retail sale of craftwork ➤ Activities of commercial art galleries ➤ Retail trade services of commercial art galleries
	M Professional, Scientific and Technical activities	74.1	<p>74.10 - Specialised design activities</p> <ul style="list-style-type: none"> ➤ Fashion design related to textiles, wearing apparel, shoes, jewellery, furniture and other interior decoration and other fashion goods as well as other personal or household goods ➤ Industrial design, i.e. creating and developing designs and specifications that optimise the use, value and appearance of products, including the determination of the materials, mechanism, shape, colour and surface finishes of

			<p>the product, taking into consideration human characteristics and needs, safety, market appeal in distribution, use and maintenance</p> <ul style="list-style-type: none"> ➤ Activities of graphic designers ➤ Activities of interior decorators
		74.2	<p>74.20 - Photographic activities</p> <ul style="list-style-type: none"> ➤ Commercial and consumer photograph production: <ul style="list-style-type: none"> • portrait photography for passports, schools, weddings etc. • photography for commercials, publishers, fashion, real estate or tourism purposes • aerial photography • videotaping of events: weddings, meetings etc. ➤ Film processing: <ul style="list-style-type: none"> • developing, printing and enlarging from client-taken negatives or cine-films • film developing and photo printing laboratories • one hour photo shops (not part of camera stores) • mounting of slides • copying and restoring or transparency retouching in connection with photographs ➤ Activities of photojournalists ➤ Microfilming of documents
	R Arts, entertainment and recreation services	90	<p>90.03 - Artistic creation</p> <ul style="list-style-type: none"> ➤ Activities of individual artists such as sculptors, painters, cartoonists, engravers, etchers etc. ➤ Activities of individual writers, for all subjects including fictional writing, technical writing etc. ➤ Activities of independent journalists ➤ Restoring of works of art such as paintings etc.
ARCHITECTURE	M Professional, Scientific and Technical activities	71.1	<p>71.11 - Architectural activities</p> <ul style="list-style-type: none"> ➤ Architectural consulting activities: <ul style="list-style-type: none"> • building design and drafting • town and city planning and landscape architecture
PERFORMING ARTS	M Professional, Scientific and Technical activities	74.9	<p>74.90 - Other professional, scientific and technical activities n.e.c.</p> <ul style="list-style-type: none"> ➤ Activities carried out by agents and agencies on behalf of individuals usually involving the obtaining of engagements in motion picture, theatrical production or other entertainment or sports attractions and the placement of books, plays, artworks, photographs etc., with publishers, producers etc.
	N	78.1	<p>78.10 - Activities of employment placement agencies</p> <ul style="list-style-type: none"> ➤ Activities of casting agencies and bureaus, such as theatrical casting agencies

	Administrative and Support Service Activities		
	R Arts, entertainment and recreation services	90	<p>90.01 - Performing arts</p> <ul style="list-style-type: none"> ➤ Production of live theatrical presentations, concerts and opera or dance productions and other stage productions: <ul style="list-style-type: none"> • activities of groups, circuses or companies, orchestras or bands • activities of individual artists such as actors, dancers, musicians, lecturers or speakers <p>90.02 - Support activities to performing arts</p> <ul style="list-style-type: none"> ➤ Support activities to performing arts for production of live theatrical presentations, concerts and opera or dance productions and other stage productions: <ul style="list-style-type: none"> • activities of directors, producers, stage-set designers and builders, scene shifters, lighting engineers etc. ➤ Activities of producers or entrepreneurs of arts live events, with or without facilities. <p>90.04 - Operation of arts facilities</p> <p>Operation of concert and theatre halls and other arts facilities</p>
AUDIO-VISUAL & MULTI-MEDIA	C Manufacturing	18.2	<p>18.20 - Reproduction of recorded media</p> <ul style="list-style-type: none"> ➤ Reproduction from master copies of gramophone records, compact discs and tapes with music or other sound recordings ➤ Reproduction from master copies of records, compact discs and tapes with motion pictures and other video recordings ➤ Reproduction from master copies of software and data on discs and tapes
		32.2	<p>32.20 - Manufacture of musical instruments</p> <ul style="list-style-type: none"> ➤ Manufacture of stringed instruments ➤ Manufacture of keyboard stringed instruments, including automatic pianos ➤ Manufacture of keyboard pipe organs, including harmoniums and similar keyboard instruments with free metal reeds ➤ Manufacture of accordions and similar instruments, including mouth organs ➤ Manufacture of wind instruments ➤ Manufacture of percussion musical instruments ➤ Manufacture of musical instruments, the sound of which is produced electronically ➤ Manufacture of musical boxes, fairground organs, calliopes etc. ➤ Manufacture of instrument parts and accessories: <ul style="list-style-type: none"> • metronomes, tuning forks, pitch pipes, cards, discs and rolls for automatic mechanical instruments etc. ➤ Manufacture of whistles, call horns and other mouth-blown sound signalling instruments
		33.1	33.19 - Repair of other equipment

	G Wholesale and Retail trade; Repair of motor vehicles and motorcycles	47.4	<ul style="list-style-type: none"> ➤ Restoring of organs and other historical musical instruments <p>47.41 - Retail sale of computers, peripheral units and software in specialised stores</p> <ul style="list-style-type: none"> ➤ Retail sale of video game consoles ➤ Retail sale of video games
		47.6	<p>47.63 - Retail sale of music and video recordings in specialised stores</p> <ul style="list-style-type: none"> ➤ Retail sale of musical records, audio tapes, compact discs and cassettes ➤ Retail sale of video tapes and DVDs ➤ Retail sale of blank tapes and discs
	J Information & communication	58.2	<p>58.21 - Publishing of computer games</p> <ul style="list-style-type: none"> ➤ Publishing of computer games for all platforms
		59.1	<p>59.11 - Motion picture, video and television programme production activities</p> <ul style="list-style-type: none"> ➤ Production of motion pictures, videos, television programmes (television series, documentaries etc.), or television advertisements. <p>59.12 - Motion picture, video and television programme post-production activities</p> <ul style="list-style-type: none"> ➤ Post-production activities such as editing, film/tape transfers, titling, subtitling, credits, closed captioning, computer-produced graphics, animation and special effects, developing and processing motion picture film, as well as activities of motion picture film laboratories and activities of special laboratories for animated films. ➤ Activities of stock footage film libraries etc. <p>59.13 - Motion picture, video and television programme distribution activities</p> <ul style="list-style-type: none"> ➤ Distributing film, video tapes, DVDs and similar productions to motion picture theatres, television networks and stations, and exhibitors. ➤ Acquiring film, video tape and DVD distribution rights. <p>59.14 - Motion picture projection activities</p> <ul style="list-style-type: none"> ➤ Activities of motion picture or video tape projection in cinemas, in the open air or in other projection facilities ➤ Activities of cine-clubs.
		59.2	<p>59.20 - Sound recording and music publishing activities</p> <ul style="list-style-type: none"> ➤ Activities of production of original (sound) master recordings, such as tapes, CDs; releasing, promoting and distributing sound recordings to wholesalers, retailers or directly to the public. These activities might be integrated or not with the production of master recordings in the same unit. If not, the unit exercising these activities has to obtain the reproduction and distribution rights to master recordings. ➤ Sound recording service activities in a studio or elsewhere, including the production of taped (i.e. non-live) radio programming. ➤ Activities of music publishing, i.e. activities of acquiring and registering copyrights for musical compositions, promoting, authorising and using these compositions in recordings, radio, television, motion pictures, live performances, print and other media. Units engaged in these activities may own the copyright or act as

			administrator of the music copyrights on behalf of the copyright owners. Publishing of music and sheet books in included here.
		60.1	60.10 - Radio broadcasting <ul style="list-style-type: none"> ➢ Activities of broadcasting audio signals through radio broadcasting studios and facilities for the transmission of aural programming to the public, to affiliates or to subscribers ➢ Activities of radio networks, i.e. assembling and transmitting aural programming to the affiliates or subscribers via over-the-air broadcasts, cable or satellite ➢ Radio broadcasting activities over the Internet (Internet radio stations) ➢ Data broadcasting integrated with radio broadcasting
		60.2	60.20 - Television programming and broadcasting activities <ul style="list-style-type: none"> ➢ Creation of a complete television channel programme, from purchased programme components (e.g. movies, documentaries etc.), self-produced programme components (e.g. local news, live reports) or a combination thereof. This complete television programme can be either broadcast by the producing unit or produced for transmission by a third party distributor, such as cable companies or satellite television providers. The programming may be of a general or specialised nature (e.g. limited formats such as news, sports, education or youth oriented programming). This class includes programming that is made freely available to users, as well as programming that is available only on a subscription basis. The programming of video-on-demand channels is also included here. ➢ Data broadcasting integrated with television broadcasting.
		62.0	62.01 - Computer programming services <ul style="list-style-type: none"> ➢ Computer games software originals
		63.1	63.11 - Data processing, hosting and related activities <ul style="list-style-type: none"> ➢ Streamed video content ➢ Streamed audio content
EDUCATION & MEMBERSHIPS	P Education	85.4	85.42 - Tertiary education <ul style="list-style-type: none"> ➢ performing arts schools providing tertiary education
		85.5	85.52 - Cultural education <ul style="list-style-type: none"> ➢ This class includes provision of instruction in the arts, drama and music. Units giving this type of instructions might be named "schools", "studios", "classes" etc. They provide formally organised instruction, mainly for hobby, recreational or self-development purposes, but such instruction does not lead to a professional diploma, baccalaureate or graduate degree. <p>This class includes:</p> <ul style="list-style-type: none"> • piano teachers and other music instruction • art instruction • dance instruction and dance studios • drama schools (except academic)

			<ul style="list-style-type: none"> • fine arts schools (except academic) • photography schools (except commercial)
	S Other Service Activities	94.1	94.12 - Activities of professional membership organisations <ul style="list-style-type: none"> ➢ Activities of organisations whose members' interests centre chiefly on a particular scholarly discipline or professional practice or technical field to the extent relevant to cultural and creative sectors, such as architects associations etc. ➢ Activities of associations of specialists engaged in cultural activities, such as associations of writers, painters, performers of various kinds, journalists etc.
		94.9	94.99 - Activities of other membership organisations n.e.c. <ul style="list-style-type: none"> ➢ Associations for the pursuit of a cultural or recreational activity or hobby (other than sports or games), e.g. poetry, literature and book clubs, historical clubs, gardening clubs, film and photo clubs, music and art clubs, craft and collectors' clubs, social clubs, carnival clubs etc.
OTHER CULTURAL AND CREATIVE SECTORS ACTIVITIES	G Wholesale and Retail trade; Repair of motor vehicles and motorcycles	46.4	46.49 - Wholesale of other household goods <ul style="list-style-type: none"> ➢ Wholesale of stationery, books, magazines and newspapers ➢ Wholesale of musical instruments
		47.7	47.79 - Retail sale of second-hand goods in stores <ul style="list-style-type: none"> ➢ Retail sale of second-hand books ➢ Retail sale of antiques ➢ Activities of auctioning houses (retail)
	N Administrative and Support Service Activities	77.2	77.29 - Renting and leasing of other personal and household goods <ul style="list-style-type: none"> ➢ Renting of: <ul style="list-style-type: none"> • jewellery, musical instruments, scenery and costumes • books, journals and magazines
	S Other Service Activities	95.2	95.29 - Repair of other personal and household goods <ul style="list-style-type: none"> ➢ This class includes repair of personal and household goods: <ul style="list-style-type: none"> • repair of books • repair of musical instruments (except organs and historical musical instruments) • piano-tuning