



SOUTHERN AFRICAN DEVELOPMENT COMMUNITY SECRETARIAT

SADC Grants Guidelines

June 2025

Version	SADC Grants Guidelines June 2025
Name	Elias M. Magosi
Title	Executive Secretary – SADC Secretariat
Signed	
Date	18/06/2025
Effective Date	Date signed above

Table of Contents

Glossary of Terms.....	iv
1. INTRODUCTION	8
1.1. Purpose and Use of the Guidelines	8
1.2. Amendments and revisions to the Guidelines	8
1.3. Grant Principles	9
2. GENERAL RULES	10
2.1. Definition and nature of grants	10
2.2. Actors.....	11
2.3 Co-financing and eligible costs.....	12
2.4. Ethic clauses	12
2.5. Initiation of Grants Processes.....	16
2.6. Participation in calls for proposals: eligibility/exclusion criteria.....	17
2.7. Selection/qualification and evaluation.....	19
2.8. Availability of funds and procedure with a “suspension clause”.....	20
2.9. Cancellation of grant processes.....	20
2.10. Record keeping.....	21
2.11. The applicant/the consortium.....	22
2.12. Virtual operation and electronic files.....	23
2.13. Due Diligence.....	24
2.14. Protection of Personal Data.....	24
2.15. Secondary procurement.....	24
3. AWARD PROCEDURES	24
3.1. Direct awards	24
3.2. Call for proposals	24
4. EVALUATION OF APPLICATIONS.....	27
4.1. Evaluation Committee.....	27
4.2. The evaluation process	29
5. AWARD OF GRANTS AND GRANT AGREEMENTS	33
5.1. Award and signature of grant agreements	33
5.2. The grant contract.....	33
5.3. Publication of information on awarded grants	34
5.4. Modification of grant agreements	34
5.5. Monitoring of implementation of grant agreements.....	35
6. APPEAL OF A DECISION REGARDING CALL FOR PROPOSALS	36
6.1. Challenge of a decision	37
6.2. Appeal of a call for proposal decision	38

Schedule 1 - Grants Approving Authority.....	45
Schedule 2 - Grants Thresholds for the Application of Grant Methods.....	46
Annex 1: Guidelines for Publication and Visibility	47
Publishing tenders and calls for proposals.....	47
Annex 2: Guidelines on Grants Roles and Responsibilities	48
Part 1: Grants Responsibilities	48
Part 2: The SADC Tender Committee.....	53
Annex 3: Standard Forms and Templates for Grants Processes.....	56

Glossary of Terms

Accounting Officer	refers to the Executive Secretary's overall responsibility for the financial administration of SADC resources. The Accounting Officer may appoint or delegate to, one or more deputy Accounting Officers to discharge functions on matters of financial administration in place of the Accounting Officer
Addendum	means the document through which significant modification to the terms and conditions of a document or grant agreement are introduced
Applicant	means, according to the context, any natural or legal person, public entity or consortium of such persons and/or bodies, wishing to apply for grant offered by the Contracting Authority and entering into a grant agreement with the Contracting Authority following a grant process.
Assessment of Applications	means the carrying out a detailed written assessment of a grant application using published criteria.
Assessor	means an independent individual expert with an in-depth knowledge of the issues covered by a grant programme who is engaged by the Contracting Authority to carry out a detailed written assessment of a grant application using published criteria. He/she does not have voting rights, but may attend the Evaluation Committee meetings if and when invited
Consortium	means a grouping of eligible natural and legal persons or public entities which submits a grant application in response to a Call for Proposals. It may be a permanent, legally established grouping or a grouping which has been constituted informally for a specific Call for Proposals. All members of a consortium (i.e. applicant and co applicants) are jointly and severally liable to the Contracting Authority.
Contracting Authority	means the entity signing the grant agreement. It might be the Procuring Entity or a different entity.
Contribution in kind	means the provision of goods or services to or by the grant beneficiary free of charge. Contributions in kind shall be treated in line with the applicable financial rules and regulations or applicable legal frame..
Conflict of interest	in the context of these Guidelines, means that an applicant shall not be allowed to get engaged in any grant process that would be in conflict with their prior or current engagement/obligations to SADC or other clients, or that may place them in the position of being unable to implement the grant agreement in the best interest of the SADC Secretariat and/or the Contracting Authority
Council of Ministers	means the governing body of the SADC Secretariat, established by Article 9 of the SADC Treaty
Day	means a calendar day unless specified otherwise
Direct award	means the award of one or more grants without a call for proposals. A direct award is only appropriate under certain, special circumstances and must always be subject to negotiations that are documented in the Negotiation Report

Eligibility Criteria	means the criteria that need to be complied with as per guidelines for applicants.
Evaluation Committee	means committee made up of an odd number (at least three) of voting members (the evaluators) with the technical and administrative expertise necessary to give an informed opinion on grant applications. The Chairperson of the Evaluation Committee will be one of the evaluators. The Evaluation Committee will be assisted by the Secretary.
Ex-Ante Function	Means, for purposes of these Guidelines, the Function responsible for compliance review of procurement (and grant) and quality control of all grant related documentation by designated personnel
Executive Secretary	means the Chief Executive Officer of SADC appointed under Article 10 (7) of the Treaty
Expenditure verification	means both the process and the report by which an auditor or authorised officer verifies according to agreed-upon procedures contained in the relevant Terms of Reference that the Financial Report submitted by the beneficiary can be reconciled to the latter's accounting and bookkeeping system and to underlying accounts and records. The auditor/officer also verifies that the beneficiary complies with the relevant Grant Agreement provisions.
Expert	means a consultant contracted for reasons of absence of in-house competence and experience or capacity to carry out an assignment as per terms of references.
Final beneficiaries	means those who will benefit from the action in the long term at the level of the society or sector at large
Force Majeure	<p>in the context of these Guidelines, means an exceptional event or circumstance:</p> <ul style="list-style-type: none"> a) which is beyond the control of the party(ies) involved; b) which could not reasonably have been foreseen, avoided and overcome; c) not substantially attributable to the party(ies) involved. <p>Force Majeure may include, but is not limited to, exceptional events or circumstances of the kind listed below, so long as conditions (a) to (c) above are satisfied:</p> <ul style="list-style-type: none"> a) war, hostilities (whether war be declared or not), invasion, act of foreign enemies, b) rebellion, terrorism, sabotage by persons other than the SADC Secretariat/Contracting Authority's and/or Applicant's personnel, revolution, insurrection, military or usurped power, or civil war, c) riot, commotion, disorder, strike or lockout by persons other than the SADC Secretariat/Contracting Authority, d) presence of munitions of war, explosive materials, ionising radiation or contamination by radio-activity, explosives, and e) natural catastrophes such as floods, earthquakes, hurricanes, typhoons or volcanic activity

Fraud and Corruption	<p>in the context of these Guidelines, means one or more of the following instances:</p> <p>“coercive practices” is impairing or harming, or threatening to impair or harm, directly or indirectly, any party or the property of the party to influence improperly the actions of a party;</p> <p>“collusive practices” is an arrangement between two or more parties designed to achieve an improper purpose, including to influence improperly the actions of another party;</p> <p>“corrupt practice” is the offering, giving, receiving or soliciting, directly or indirectly, of anything of value to influence improperly the actions of another party;</p> <p>“fraudulent practice” is any act or omission, including misrepresentation, that knowingly or recklessly misleads, or attempts to mislead, a party to obtain financial or other benefits or to avoid an obligation;</p> <p>“obstructive practice”</p> <ul style="list-style-type: none"> ▪ deliberately destroying, falsifying, altering or concealing evidence to the investigation or making false statements to investigators in order to impede the SADC Secretariat’s, governmental or independent investigation into allegations of a corrupt, fraudulent, coercive, or collusive practice; and/or threatening, harassing, or intimidating any party to prevent it from disclosing its knowledge of matters relevant to the investigation or from pursuing the investigation, or ▪ acts intended to impede the exercise of the SADC Secretariat’s or governmental inspection and audit rights
Grant	<p>Grants are direct non-profit financial contributions to a beneficiary in order to finance one or more actions (Action Grants) or the functioning of the institution (Operating Grants) which will be awarded on competitive basis except otherwise contemplated in the legal frame authorising them (Direct Award). Grants to the granted beneficiary may also be for the purposes of financing part of the budget of the beneficiary, where there is joint interest to SADC and Grant Beneficiary.</p>
Grant Agreement	<p>means a form of contract used between the Contracting Authority and the Grant Beneficiary</p>
Grant Beneficiary	<p>means the recipient of funds that is responsible for the implementation of specific action, formalised through Grant Agreement..</p>
Grant programme	<p>means a programme which determines the objectives and scale of assistance in the form of grants for operations promoting SADC policy objectives.</p>
Guidelines for Applicants	<p>means a document explaining the purpose of a call for proposals for grants. It sets out the rules regarding who may apply, the types of operation and costs which may be financed and the evaluation criteria. It also provides practical information on how to complete the application form, what documents must be annexed and rules and procedures for applying</p>

Implementation period	means the period from the effective date of the grant agreement until the final payment and after acceptance of final report
In writing communication	means a communication either hand-written, typed or printed
Internal Tender Committee	means the Committee appointed yearly by the Executive Secretary from staff within the Secretariat and entrusted with the responsibility of advising the Accounting Officer on all grants.
Lead applicant	means in a grant the member of the consortium who acts as coordinator of the activity and signs the grant agreement with the Contracting Authority representing itself and the rest of the applicants.
Operating Grant	means a direct financial contribution, by a way of budgetary support, in order to finance the functioning of an entity
SADC	means the Southern African Development Community established by the SADC Treaty.
SADC Secretariat	means the principal executive institution of SADC responsible for, amongst others, the strategic planning and management of SADC programmes, implementation of decisions of SADC policy organs and institutions, such as, the Summit, Council and the Troikas
“SADC Treaty” or “Treaty”	means the Treaty establishing SADC of 1992, as amended.
Special Conditions	means the conditions laid down by the Contracting Authority as an integral part of the Guidelines for Applicants.
Successful Applicant	means the applicant recommended for award of a Grant Agreement
Taxes	means indirect taxes such as value added taxes, customs and import duties, other fiscal charges and duties

1. INTRODUCTION

1.1. Purpose and Use of the Guidelines

1. These Guidelines have been developed for the awarding procedures for grants for all actions financed by/through SADC Secretariat unless otherwise justified through a Convention, a Contribution Agreement, a Financing Agreement or any other legal instrument.
2. The Guidelines apply both to actions in which the SADC Secretariat is the Contracting Authority and those in which the Secretariat is financing an external action.
3. The SADC Secretariat may, subject to the SADC Procurement and Grants Policy and according to its internal regulations, decide not to use these Guidelines in exceptional cases. Any deviation from these Guidelines requires derogation from the Accounting Officer for the specific case.
4. These Guidelines are intended to provide guidance on the policies and procedures that govern the grant and award process to all the staff members involved in the various stages of the grant processes conducted by the SADC Secretariat.
5. Whenever a conflict between the SADC Procurement and Grants Policy and the SADC Grants Guidelines occur, the provision of the Policy shall take precedence over the provision of these Guidelines.
6. The Guidelines and any subsequent amendments shall be governed by the SADC Secretariat's Financial Regulation and SADC Procurement and Grants Policy.
7. The procedures stated in these Guidelines are designed to ensure that the staff of the Contracting Authority can act in accordance with these Grants Guidelines, assist those natural persons and other entities seeking grants from the Contracting Authority, and assure that their applications are considered and assessed in a fair, consistent and transparent manner.
8. When involved in grants processes for the SADC Secretariat, all staff members shall comply with the provisions of the Guidelines.
9. These Guidelines set out the conditions to be mandatorily fulfilled before award of grants by the SADC Secretariat and during implementation of grant agreements. The Guidelines also provide grant procedures necessary to undertake grant processes from the very first steps to the award, signature and implementation of grants agreements.

1.2. Amendments and revisions to the Guidelines

1. For reasons of efficiency, transparency and, the technology changes over time, the Guidelines shall be subject to review from time to time through an internal consultative process. A relevant committee appointed by the Accounting Officer/Executive Secretary shall coordinate any review process.
2. All amendments shall come into effect only after approval by the Executive Secretary and publication on the SADC Secretariat website.
3. To ensure continuity and predictability of the SADC Secretariat grants system, any grants process already started at the time of the revision of the Guidelines shall follow the grants rules and

procedures stipulated in the SADC Procurement and Grants Policy and these Guidelines in force at the time of initiation of the grant process.

1.3. Grant Principles

1. All grant processes conducted by the SADC Secretariat, directly or indirectly, shall comply with the following principles, deriving from the ones stated in Article 2 of the SADC Procurement and Grants Policy:
 - (a) **Efficiency:** The SADC Secretariat grants system shall be simple and swift, producing positive results without protracted delays. In addition, efficiency implies practicality, especially in terms of compatibility with the administrative resources and professional capabilities of the SADC Secretariat and its staff.
 - (b) **Fairness:** The SADC Secretariat grants system shall be impartial, consistent, and therefore reliable. It shall offer to all interested applicants a level playing field where to compete. This implies, among others, that the grant processes shall be conducted based on the principles already announced, principles which shall not be artificially discriminatory, that no retrospective decision on grant processes shall be taken, and that all applicants shall be equally treated prior and during the grant processes. All proposals must be evaluated through an impartial Evaluation Committee and all applicants will be treated equally.
 - (c) **Transparency:** The SADC Secretariat grants system shall establish and then maintain, rules and procedures that are accessible and unambiguous. They shall not only be fair, but also they shall be seen to be fair. In this respect, prior and during the application process, the SADC Secretariat shall ensure equal access to grant information to all applicants. Calls for proposals must be published according to publication guidelines (except in cases of direct award of grants). The Contracting Authority shall publish a yearly list of all awarded grants.
 - (d) **Accountability:** The SADC Secretariat grants system shall hold its staff responsible for enforcing and strictly following the rules. It makes them subject to disciplinary process and sanction, if appropriate, for neglecting or violating those rules.
 - (e) **Ethical Standards:** The SADC Secretariat's grant system shall observe ethical standards - by avoiding inducement, collusion and corruption- which is a key prerequisite for grants awarding credibility.
2. The Contracting Authority must comply with the following additional principles when preparing guidelines for applicants, launching call for proposals and processing grant applications:
 - (a) **Programming/publication**
The Contracting Authority must programme the calls for proposals establishing clear objectives. Calls must be published according to publication guidelines.
 - (b) **Non-cumulation**
Beneficiaries shall not receive more than one grant for the same action. Several donors on percentage basis may finance one action but the financing must never go beyond 100% of the total cost.
 - (c) **Non-retroactivity**
Grants shall only cover costs incurred after the date of signature of the grant agreement. Only exceptionally may a call for proposal or a direct grant cover activities that have already begun before date of signature of the grant agreement. These cases must be carefully justified and will be subject to a specific derogation.
Under no circumstances a grant may be awarded retroactively for actions already completed.

(d) **Co-financing**

As a general rule, a grant shall not finance the entire cost of the action or the entire operating expenditure (operational grants).

(e) **Non-profit**

Grants shall not produce profit. Profit is a surplus of the receipts over the eligible cost of the action approved by the Contracting Authority when the request for payment is made.

3. All the actors involved in the grant awarding process shall have to comply with the ethical clauses of the SADC Procurement and Grants Policy and its annexes.

2. GENERAL RULES

2.1. Definition and nature of grants

1. Grants are direct non-profit financial contributions from the SADC budget to a beneficiary in order to finance any of the following:
 - a) An action or group of actions oriented to achieve a SADC objective. These are action grants and finance specific actions.
 - b) The functioning of a body/institution, which pursues an aim of general interest for SADC or its Member States. These are operational grants and finance a work programme.
2. Grants are always awarded through a legal agreement, which may be a contribution agreement, a financial agreement, a contract, a convention or a similar legal frame.
3. Grants shall take any of the following forms:
 - a) reimbursement of a specified proportion of the eligible cost;
 - b) reimbursement on the basis of unit costs;
 - c) lump sums;
 - d) flat rate financing; or
 - e) a combination of the above
4. Grants constitute financial support to an action of an external organisation/entity whose activities contribute to SADC's objectives by means of subsidy. Grants are non-profit and beneficiaries are selected via calls for proposals, which might finance not only one but more entities proposing relevant activities. Grants may cover totally or partially the cost of the activity proposed for financing. Generally, grants require the beneficiary to finance a part of the action (co-financing).
5. Grants can be awarded through a direct agreement only under circumstances specifically provided for in the legal frame governing the grant.
6. Grants given to a beneficiary may involve secondary procurement i.e. when the action involves buying services, goods or works from third parties / applicant s. These activities shall be done through subcontracting as per procedures stipulated in specific Calls for Proposals.
7. Grants by nature are non-profit (i.e. must not generate profit or it must only balance income and expenditure for the action, unless the objective is to reinforce the financial capacity of a beneficiary or generate income), but nevertheless, if stipulated in the guidelines for applicants, they can be awarded to profit-making applicant s, but those applicant s cannot

generate profit from that grant. The Contracting Authority must pay special attention that in such cases market is not distorted by the awarded grant.

2.2. Actors

There are up to six types of actors in a grant:

a) The funding institution/s

The funding institution(s) is the body providing the financial allocation for the grant. The funding institutions may be the same as the Contracting Authority or may be a third body (i.e. an international body (World Bank, EU, African Union) financing grants to be awarded by the Contracting Authority.

b) The Contracting Authority

The Contracting Authority is the body signing the grant agreement with the grant beneficiary. The Contracting Authority shall be the body in charge of monitoring/evaluating the implementation of the actions and making payments.

c) The applicant/beneficiary

The applicant, when awarded a grant, shall become the beneficiary. The role of the beneficiary shall be to lead the implementation of the actions as per the agreement with the Contracting Authority. The beneficiary shall be solely responsible before the Contracting Authority for the implementation of the grant.

The beneficiaries can be either private bodies (associations, NGOs, private companies, individuals or any other economic body) or public bodies (national or international administrations). SADC Secretariat may award grants to Member States and its public bodies. SADC Secretariat may, if allowed by the contribution agreement or similar legal frame, sub-grant to third parties.

In case several applicants present one proposal under a consortium there will be a lead applicant as provided in paragraphs d) and e).

d) The co-applicants/co-beneficiaries (if any)

A single applicant or a consortium may present the grant application. Every consortium shall have a lead applicant (defined in the previous paragraph) and one or more co-applicants. The actions to be undertaken by the co-applicants must be defined in the proposal. Co-applicants, once became co-beneficiaries, shall participate in designing and implementing the action, and their costs are eligible in the same way as those incurred by the applicant.

The lead applicant shall sign the grant agreement on behalf of the whole consortium and shall act as action coordinator before the Contracting Authority. The relations between the members of the consortium shall be regulated by a consortium agreement.

Co-applicants must comply with the same eligibility rules as the lead applicant.

e) Affiliated entities (if any)

The consortium may contain also affiliated entities, which shall not be part of the grant agreement but may participate in the implementation and their costs are eligible in the same way as those incurred by the beneficiaries.

Affiliated entities are legal bodies with a link to the applicant. The link must be structural and permanent not related only to the specific action.

Affiliated entities must comply with the same eligibility rules as beneficiaries.

f) Subcontractors

Grants beneficiaries may be allowed to subcontract a number of activities. These may include buying equipment, implementing works or delivering services. The instructions for applicants shall define the frame of that subcontracting which should not go over 50% of the total value of the grant.

Subcontractors are not beneficiaries and their responsibilities do not go beyond their specific contract.

2.3 Co-financing and eligible costs

1. The grant may cover the entire cost of action or its percentage. The grant shall only cover the eligible costs. Non-eligible costs will not be reimbursed.
2. Generally, the Contracting Authority's contribution shall cover a certain percentage of the eligible costs according to the rules set up in the call for proposals. The call for proposal shall also establish the maximum and minimum amounts of the contribution.
3. The co-financing may be provided by the beneficiary's own resources, income generated by the action or contribution from other donors, as per the provisions of the specific Call for Proposals.
4. When it is stipulated by the specific guidelines for applicants, the beneficiaries may propose contribution in kind as co-financing. This means the provision of good or services free of charge by the beneficiary or a third party, which will be allocated to the activity. Thus, contribution in kind do not involve any expenditure for the grant beneficiary but are considered as contribution to cover the beneficiary's contribution.
5. Grants operate on the basis of reimbursements of actual eligible cost incurred by the beneficiary during the implementation of the action. The costs must have been incurred by the beneficiary.
6. The specific guidelines for applicants for each call for proposal shall define the eligible costs. The proposal presented by the applicants shall propose their costs according to the content of the guidelines for applicants. Only the costs approved by the Contracting Authority will be financed by the grant.

2.4 Ethic clauses

2.4.1. Fraud and Corruption

The SADC Secretariat requires that the grant processes and the award of grant agreements shall be free of fraudulent practices, corrupt practices, collusive practices, coercive practices and conflict of interest. For the purpose of these Guidelines, the following concepts are defined:

- (a) "corrupt practice" is the offering, giving, receiving or soliciting, directly or indirectly, of anything of value to influence improperly the actions of another party;
- (b) "fraudulent practice" is any act or omission, including misrepresentation, that knowingly or recklessly misleads, or attempts to mislead, a party to obtain financial or other benefits or to avoid an obligation;
- (c) "collusive practices" is an arrangement between two or more parties designed to achieve an improper purpose, including to influence improperly the actions of another party;

- (d) “coercive practices” is impairing or harming, or threatening to impair or harm, directly or indirectly, any party or the property of the party to influence improperly the actions of a party;
- (e) “obstructive practice” means:
 - (i) deliberately destroying, falsifying, altering or concealing material evidence to the investigation or making false statements to investigators in order to materially impede the SADC Secretariat, governmental or independent investigation into allegations of a corrupt, fraudulent, coercive, or collusive practice; and/or threatening, harassing, or intimidating any party to prevent it from disclosing its knowledge of matters relevant to the investigation or from pursuing the investigation; or
 - (ii) acts intended to materially impede the exercise of the SADC Secretariat or governmental or inspection and audit rights.

2.4.2. Conflict of Interest

An applicant shall not be allowed to get engaged in any grant process that would be in conflict with their prior or current obligations to other clients, or that may place them in the position of being unable to carry out the grant agreement in the best interest of the SADC Secretariat and of the Procuring Entity/Contracting Authority. Without limitation, applicant(s) shall not be awarded grants under the circumstance where the applicant is in relationship with the Contracting Authority’s staff. The applicant(s), including their personnel, having business or family relationship with a member of the Contracting Authority’s staff directly or indirectly involved in any part of: (i) the preparation of the grant application guidelines, (ii) the selection process for such grant, or (iii) the monitoring of the grant agreement, may not be awarded the grant agreement, unless the conflict stemming from this relationship has been resolved in a manner acceptable to the Contracting Authority throughout the selection process and the execution of the grant agreement.

2.4.3. Actions taken on fraud, corruption and conflict of interest

1. When the applicant is found involved in one of the situations described in paragraphs 2.4.1 and 2.4.2. above, the SADC Secretariat and/or the Contracting Authority shall take one or more of the following measures, as deemed appropriate against the applicant:
 - (a) reject its application;
 - (b) declare the applicant, including its affiliates, ineligible for the award of a SADC Secretariat grants, either indefinitely or for a stated period for a minimum of two (2) years or any other period the Tender Committee might advise based on the nature of the offense committed;
 - (c) cancel or terminate any on-going agreement with the applicant;
 - (d) request the relevant national authorities to conduct a joint investigation with the SADC Secretariat to inspect or carry out audits of the applicant’s accounting records and financial statements in connection with the grant agreement in question for which it was found guilty of engaging in corrupt, fraudulent, collusive, coercive, or obstructive practices;
 - (e) suspend any payments due to the applicant, under the grant agreement in question or any other agreement the applicant might have with the Institution, until the extent of damage caused by its engagement in corrupt, fraudulent, collusive, coercive or obstructive practices in competing for the SADC Secretariat’s grants are determined and recovered;

- (f) sue the applicant to recover the damages caused by its engagement in corrupt, fraudulent, collusive, coercive or obstructive practices in competing for the grant in question, if they are not fully recovered by the securities and the payments otherwise due to the applicant.
- 2. The SADC Secretariat shall prepare and maintain a database containing third parties who are banned from participating in calls for applications.

2.4.4. Ethics and Professional Responsibility

2.4.4.1. Officials' Ethics and Professional Responsibility

1. The Contracting Authority/Contracting Authority and/or the SADC Secretariat staff engaged in the grant awarding processes, such as but not limited to: planning, call for proposals, and administering the implementation of grant agreements, or authorizing or effecting payments under the grant agreements shall:
 - (a) discharge their duties impartially so as to assure fair competitive access to applicants;
 - (b) always act in the SADC Secretariat's and or the Contracting Authority's interest, and in accordance with the objectives and procedures set forth in the SADC Secretariat's Procurement and Grants Policy and these Guidelines;
 - (c) at all times avoid conflicts of interest, and the appearance of impropriety, in carrying out their duties and conducting themselves, and shall not interfere in the work of internal oversight bodies; and
 - (d) not commit or abet corrupt, obstructive or fraudulent practices, including the solicitation or acceptance of improper inducements.
 - (e) immediately declare the interest that may affect or might reasonably be deemed by others to affect impartiality in any matter relevant to his/her duties.
 - (f) immediately disclose in writing any activities the staff is engaged in, such as self-employment or concurrent employment, that may at a future point post a perceived or real conflict of interest. The disclosure will include a description of the activity, the staff's involvement, and any involved potential applicants.
 - (g) shall not use the knowledge gained from their role for private gain, financial or otherwise; nor shall the staff use their role for personal reasons to impact the positions of those they favour or do not favour.
2. If a Contracting Authority and/or the SADC Secretariat staff engaged in the grant processes benefits any pecuniary interest, direct or indirect, in any matter to be determined by him/her or any committee to which he is a member, s/he is required to declare and disclose the interest in writing and is required to recuse him/herself from acting in any way in that matter and is required not take part in the consideration or discussion of, or vote on any question with respect to the matter.

2.4.4.2. Declarations

1. Any person, whether SADC Employee, applicant, Observer, Assessor or any other party that is being present during the assessment of applications, openings, evaluations or negotiations and approval, will confirm their impartiality in the proceedings and also make sure all information disclosed to them will remain confidential. All such persons will be obliged to sign a statement of Impartiality and Confidentiality as per the template in Annex 3 to these Guidelines.

2. Notwithstanding the statement under paragraph one above, any person involved in the preparation of a project, receiving information prior to the same becoming public, being involved in the proceedings in one way or the other prior to them resulting in call for proposals will sign the statement of Objectivity and Confidentiality as per the template in Annex 3 to these Guidelines.
3. All statements mentioned in this section will be tailored, coordinated, presented, gathered and kept safe by the Procurement and Grants Function together with the rest of the grants documentation. Before a grant is awarded all statements will be kept safe by the Procurement Officer in charge of respective grant process.

2.4.4.3. Applicants Ethics

1. Applicants shall act in a professional, objective and impartial manner in the mutual interest of the two parties and in line with the provisions of these Guidelines.
2. Any attempt by an applicant to obtain confidential information, enter into unlawful agreements with competitors or try to influence the members of the Evaluation Committee or the Contracting Authority or the SADC Secretariat staff during the process of examining, clarifying, evaluating and comparing applications shall lead to the rejection of its candidacy.
3. An applicant and its staff or any other associated or linked with the applicant shall not be allowed to be awarded a grant if this raises a conflict of interest as defined in the SADC Procurement and Grants Policy and these Guidelines.
4. When putting forward an application, the applicant shall declare that it is not affected by any potential conflict of interest, and that has no commercial relationship with other applicants, the Contracting Authority or the SADC Secretariat staff or applicants involved in the same process. Should such a situation arise during the performance of the contract, the grant beneficiary shall immediately inform the /Contracting Authority.
5. An applicant shall at all times act impartially in the grant process and implementation in accordance with the code of conduct of its profession. It shall not commit the Contracting Authority or the SADC Secretariat in any way without its prior written consent.
6. For the duration of the agreement, the grant beneficiary and its staff shall respect human rights and undertake not to offend the political, cultural and religious morals of the beneficiary state. In particular and in accordance with the legal basic act concerned, the grant beneficiary shall respect core labour standards as defined in the relevant International Labour conventions.
7. The grant beneficiary shall not accept any payment connected with the agreement other than that provided for therein. The grant beneficiary and its staff shall not exercise any activity or receive any advantage inconsistent with their obligations to the Contracting Authority or the SADC Secretariat as laid down in their grant agreement with the Institution.
8. The grant beneficiary and its staff are bound to maintain confidentiality for the entire duration of the agreement and after its completion, as specified in the agreement. All reports and documents drawn up or received by the grant beneficiary during the performance of the agreement are confidential and remain the property of the Contracting Authority.
9. The grant beneficiary shall refrain from any relationship likely to compromise its independence or its staff. If the grant beneficiary ceases to be independent, the Contracting Authority or the SADC Secretariat may, regardless of any damage complaints, terminate the grant agreement

without further notice and without the grant beneficiary having any right to complaint for compensation.

10. All calls for proposals and grant agreements shall include a clause stipulating that applicants shall be rejected or grant agreement terminated if it emerges that the award or execution of the agreement has given rise to unusual commercial expenses. Such unusual commercial expenses are: (i) commissions not stated in the main grant agreement (ii) commissions not paid in return for any actual and legitimate service, (iii) commissions remitted to a tax haven; (iv) commissions paid to a recipient who is not clearly identified; (v) commissions paid to a company having every appearance of being a “shell company”, or (vi) commissions paid for lobbyist services.
11. The grant beneficiary shall make an undertaking to supply on request to the Contracting Authority or the SADC Secretariat and any relevant national authority or investigator representing the Contracting Authority or the SADC Secretariat with all the supporting documents relating to the conditions of the agreement's execution. The Contracting Authority or the SADC Secretariat may carry out whatever documentary or on-the-spot checks it deems necessary to find evidence in cases of suspected or unusual commercial expenses.
12. Grant beneficiaries found to have paid unusual commercial expenses on agreements funded by the Contracting Authority or the SADC Secretariat are liable, depending on the seriousness of the facts observed, to have their grant agreements terminated or to be permanently excluded from receiving Contracting Authority third party funds.

2.4.4.4. Debarment of applicants

1. The Contracting Authority shall have the right to debar applicants, who are found guilty of Fraudulent, Corrupt, Obstructive or Collusive practice or Conflict of Interest or are not upholding their ethical and professional responsibilities as defined in Section 2.4.4.3 of these Guidelines.
2. The debarment shall be for a minimum of two (2) years or for a maximum of ten (10) years depending on the gravity according to the breach committed and according to Article 9 of the SADC Secretariat Procurement and Grants Policy and section 2.4.1 to 2.4.3 of these Guidelines. Presenting false or forged documents in a tender/call for proposals related to previous experience and eligibility or exclusion criteria shall lead to a debarment of at least five (5) years and the exclusion from the process. The Contracting Authority may also proceed to cancel all contractual relations existing between the Contracting Authority and the applicant and its branches and/or subsidiaries.
3. The Tender Committee shall review the recommendation made, either through recommendation of the Evaluation Committee. After deliberation, the Committee will submit its own recommendation for approval to the Accounting Officer.
4. The decision of debarment shall be communicated by the Contracting Authority to the debarred applicant in writing and shall give specific details on the reasons leading to debarment.
5. The applicant shall have the right to appeal the Contracting Authority's decision in accordance with section 6.2 of these Guidelines.
6. The SADC Secretariat shall maintain on its website a record of all debarred applicants indicating the name, the place of registration, nationality, owner(s) of business (if applicable), the date when the decision for debarment was taken, the duration of the debarment and brief description of the breach committed.

2.5. Initiation of Grants Processes

1. Grants processes shall be included in the approved annual procurement plan and the budget.

2. Directorates and Units shall submit complete guidelines for applicants together with the proposed evaluation committee to Procurement Unit by the end of the second month of the Financial Year (i.e., 31 May).
3. Any submission for initiating a grant process that falls outside the submission period as stated in paragraph 2 above shall not be implemented except with the prior approval by the Accounting Officer or delegated authority, save where the grant is funded or co funded by donors including international cooperating partners.

2.6. Participation in calls for proposals: eligibility/exclusion criteria

In order to be eligible to participate in award procedures (calls for proposals for grants) the potential grant beneficiaries must meet the nationality, origin and non-exclusion criteria.

2.6.1. The rules of nationality and origin

1. The Contracting Authority must take into consideration and introduce in the call for proposals , if applicable, the rules of nationality and origin.
2. The rules of nationality and origin shall be specific to the funding source and may vary as agreed in the legal document authorising it (Convention, Agreement, Financing Agreement, Contract, Contribution Agreement or other similar legal instruments).
3. When grants are funded by SADC Member States, the nationality of the grant applicant and their employees and consultants shall not be a condition for the determination of eligibility, but regional preference may be applied if not conflicting with paragraph 2 above.
4. For natural persons, when required, the nationality must be declared in the call for proposals and proved through providing copies of passport or national identification card. For legal persons, guidelines for applicants shall require that the country in which they are established is stated and evidence provided by presenting the documents required under that country's law.
5. In order to demonstrate compliance with the regional preference rule, if applicable, legal persons have to prove that their legal personality is formed under the respective country and that their actual domicile is in that country.

2.6.2. The rule of origin

Where grants involve procurement of works or goods, the rules of origin as per the SADC Procurement and Grants Policy and the SADC Procurement Guidelines shall apply.

2.6.3. Eligibility criteria

1. The guidelines for the specific calls for proposals will define what the eligibility criteria are. The eligibility criteria will define the type of entities, which may apply for the grant.
2. The eligibility criteria must comply with the general principles mentioned in these Guidelines. The eligibility may refer to:
 - a) Nationality
 - b) Region/geographical area of activity
 - c) Profit/non-profit organisations
 - d) Scope of activity of the institution

- e) Previous experience (technical capacity)
 - f) Financial/economic capacity
 - g) Grounds for exclusion (paragraph 2.6.4)
3. The grounds for exclusion contained in these Guidelines (paragraph 2.6.4) are applicable to grant applicants.
 4. Natural or legal persons are not entitled to participate in calls for proposals or be awarded grants if they fall into any of the mentioned grounds for exclusion.

2.6.4. The Exclusion criteria

1. The applicants shall not be eligible for award of agreements where:
 - a) they are bankrupt;
 - b) payments to them have been suspended in accordance with the judgment of a court of law other than a judgment declaring bankruptcy and resulting, in accordance with their national laws in the total or partial loss of the right to administer and dispose of their property;
 - c) legal proceedings have been instituted against them involving an order suspending payments and which may result, in accordance with their national laws, in a declaration of bankruptcy or in any other situation entailing the total or partial loss of the right to administer and dispose of their property;
 - d) they have been convicted, by a final judgment, of any crime or offence concerning their professional conduct;
 - e) they are guilty of serious misrepresentation with regard to information required for participation in calls for proposals ; or
 - f) they have been sanctioned by SADC Secretariat pursuant to the provisions of the SADC Procurement and Grants Policy.
2. The Contracting Authority shall accept, as satisfactory evidence, that the applicant is not in one of the above situations described in paragraph 1(a), (b), (c), (d) or (e) above, on submission of a recent extract from record of a judicial or quasi-judicial body , or failing that, a recent equivalent document issued by a judicial or administrative authority in the country of origin showing that those requirements have been met.
3. The Contracting Authority takes into account that - as a rule - the exclusion criteria are related to the legal or natural person acting as an applicant and not to the representatives (natural persons) in case of representing a legal person. However, depending on the legislation of the country where the applicant (legal person) is legally established and if the Contracting Authority considers necessary or has reasonable doubts concerning the personal situation of the representative, the above stated documents may also relate to natural persons, including company directors or any person with power of representation, decision-making or control in relation to the applicant.
4. Whenever an applicant, due to its nature (for instance, national public administrations and international institutions), cannot fall into one of the above categories and/or cannot provide the documents indicated above, a simple declaration explaining their situation shall suffice.
5. The date of the evidence or documents provided shall be up to one (1) year before the date of submission of the application. Applicants shall, in addition, provide a statement confirming that their overall situation has not weakened in the period since the evidence was drawn up to the date they submitted the application.
6. The above-required documents shall be submitted by the applicant, and in case of a consortium, by all consortium members. The documents may be originals or copies. If the documents are copies, a public notary or the commissioner of the oath shall certify them. However, at the

Contracting Authority's request, the applicant shall be able to provide any original document. If sub-contractors are employed by the applicant, the same rules apply.

7. If the supporting documents are not written in a working SADC Secretariat language, certified translation into a working SADC Secretariat language shall be attached.
8. Grants shall not be awarded to applicants who, during the call for proposals or grant process:
 - a) are subject to a conflict of interest;
 - b) are guilty of misrepresentation when submitting the information required by the Contracting Authority as a condition of participation in the grant agreement procedure, or fail to submit the information required by the Contracting Authority as a condition of participation; or
 - c) find themselves in any situation of exclusion from the call for proposal, after the application was submitted.
9. Potential beneficiaries for grants who have made false declarations, made substantial errors, committed irregularities or fraud may be excluded from participation in all calls for proposals.
10. Where, after the award of the grant or signing of , grant agreement or during implementation of the agreement , the Contracting Authority discovers that the grant beneficiary has made false declarations, substantial errors, committed irregularities or has committed fraud, the Contracting Authority may refrain from concluding the agreement ,suspend performance or terminate the agreement, apply penalties according to the agreement and/or suspend payments. If there are serious suspicions, the Contracting Authority may suspend the agreement and make further enquiries before taking a decision.
11. The following applicants are not allowed to participate in grant processes for the award of SADC Secretariat grants:
 - a) Applicants in certain countries may be excluded if, (i) as a matter of law or official regulation, the SADC Countries prohibit commercial relations with those countries, or (ii) by an act of compliance with a decision of the United Nations Security Council taken under Chapter VII of the Charter of the United Nations, the SADC Countries prohibit any dealings , or payments to, a particular country, person, or entity from those countries;
 - b) Government-owned enterprises and organizations, unless it can be clearly established that they (i) are legally and financially autonomous, (ii) operate under commercial law, and (iii) are not dependent agencies of the government; and
 - c) Political organizations, and applicants banned, pursuant to Articles 9 and 10 of the SADC Procurement and Grants Policy.

2.7. Selection/qualification and evaluation

2.7.1. Selection/qualification criteria

1. The qualification criteria are a set of requirements that applicants or applicants shall fulfil in order to demonstrate their capability to execute the grant agreement in question.
2. The criteria shall be objective and not discriminatory. Both, the criteria and the documents needed to prove compliance with the qualification criteria shall be clearly stated in the call for proposals. The qualification criteria verify the technical, professional and financial capacity of the applicants. Past the submission deadline, the criteria cannot be changed.
3. The guidelines for applicants shall not contain criteria not related to the assignment, not objective or disproportionate, i.e.:

- a) Requesting a disproportionate annual turnover, number of staff, number of previous similar projects etc. as regards the grants. The annual turnover requested should be between one and two times the estimated grant budget.
 - b) Using imprecise terms such as “sufficient”, “major”, “relevant” as these are not objective terms.
 - c) Requesting information that goes further back more than seven years.
 - d) Requesting a specific percentage of the staff working in a specific field. Number of staff working in a specific field is acceptable.
 - e) Requesting specific experience of projects related to a single donor may be considered discriminatory.
 - f) Requesting specific experience in a specific country, unless specific justification may be considered discriminatory.
 - g) Requesting technical experience in an overly prescriptive manner which restricts competition to one or very few operators.
4. The qualification criteria must be specified in the call for proposals.
 5. In case of consortium, the qualification criteria must be applied to the consortium as a whole.
 6. The applicant shall be asked to indicate in the application form the economic, financial, professional and technical capacity in accordance with the qualification criteria established in the guidelines for applications.
 7. If there is doubt about the authenticity of some of the documents, the Contracting Authority shall carry out additional checks.
 8. Submission of bank due by grant beneficiaries shall be as regulated by the SADC Financial Regulations in force. The Requisitioning function in close consultation with Directorate of Finance will advice Procurement on payment terms and related conditions, at the time of initiating the grant process .

2.8. Availability of funds and procedure with a “suspension clause”

1. As a general rule call for proposals cannot be launched without a specific budgetary allocation approved thus before initiating any procedure the funds must be available. However, in exceptional circumstances, if the internal regulations and the legal frame (Convention, Contract, Contribution Agreement, Financing Agreement or other legal instrument) allow it, the procedures may be published with a suspension clause before the financing decision or the legal instrument are finally approved.
2. Under no circumstance shall a grant agreement be awarded or signed without the adoption of the financing decision and the legal frame.
3. The guidelines for applicants must explicitly contain the suspension clause providing that the process may be suspended in the case of non-availability of funding. If the financing agreement and/or the legal framework are not signed, the call for proposals shall be inevitably cancelled.

2.9. Cancellation of grant processes

1. The Contracting Authority may, before the agreement is signed, abandon the grant exercise and cancel the procedure without the applicants being entitled to claim any compensation. Cancellation may occur when:

- (a) the grant award process has been unsuccessful, i.e. no qualifying applications have been received or if there is no response at all;
 - (b) the economic or technical data for the call for proposal have been fundamentally altered;
 - (c) exceptional circumstances or Force Majeure render the normal performance of the grant agreement impossible;
 - (d) all technically compliant applications substantially exceed the available financial resources;
 - (e) there have been noted flaws in the application of award of grants; or
 - (f) the financial allocation becomes unavailable.
2. If a call for proposal is cancelled, all applicants shall be notified in writing of the reasons for the cancellation at the earliest time (no more than seven days after the decision to cancel is taken). Furthermore, a cancellation notice shall be published on the SADC Secretariat website with the reasons for cancellation (no more than seven days after the decision to cancel is taken).
 3. After cancelling a process of award of grants, the Contracting Authority may decide to:
 - a) launch a new process; or
 - b) re-launch the previous process.
 4. Under no circumstances shall the Contracting Authority be liable for any damages whatsoever including, but without limitation to, damages for loss of profits in any way connected with the cancellation of a grant process. The publication of a call for proposals does not commit the Contracting Authority to award the grant announced or accept any application received.

2.10. Record keeping

1. The Contracting Authority shall maintain records in electronic and/or paper-based format of each step taken during the grant process.
2. Subject to the SADC Secretariat's policy on access to documents, these records shall be kept confidential and kept in accordance with the SADC Secretariat policy on archiving.
3. The period for which the grant information will be kept and made accessible to the public shall be a minimum of seven (7) years from the date of the final payment. The grant information, contractual and financial documents have to be kept for a minimum period of seven (7) years from final payment and up to the date of the decision of any dispute action regarding the grant agreement. During and after this period, the Contracting Authority shall treat the personal data in conformity with its protection of personal data policy.
4. The documents to be conserved shall include all the preparatory documents, the originals of all applications submitted and any related correspondence.
5. It is recommended for each call for proposals a separate file to be opened and maintained. The record should be kept either in paper or electronic form.
6. Upon completion of grant processes and in accordance with SADC Secretariat policy on access to documents, natural persons authorized by Procurement Function can inspect the grant documents following written justified request.

7. The Procurement Unit shall ensure that all closed files are duly shared with the Records Management Unit for archiving.

2.11. The applicant/the consortium

1. When competing for a SADC Secretariat grant, an applicant, including natural or legal person, may submit an application independently or in joint venture or consortium with other applicant(s), individuals and entities provided they legally confirm joint and several liabilities for the application and in the implementation of the grant agreement.
2. A consortium may be either a permanent legally established group or a group constituted informally for the purpose of applying and undertaking a specific SADC Secretariat grant. In every case, all members of a consortium are jointly and severally liable to the SADC Secretariat in relation to the application or grant agreement for which it was constituted.
3. Applications submitted by a consortium of two or more applicants shall also comply with the following requirements:
 - a) the application shall be signed to be legally binding on all members;
 - b) the application shall be accompanied by the original legally binding agreement for all members; the document has to be witnessed by a Public Notary or a Commissioner of Oath; and
 - c) the agreement legally binding the members of the consortium shall include the following mandatory provisions:
 - i. one of the members shall be nominated in charge, and this nomination shall be evidenced by submitting a power of attorney signed by legally authorized signatory members;
 - ii. the member in charge shall be authorized to incur liabilities and receive instructions for and on behalf of any and all the members of the consortium. The entire communication during the grant processes and during the execution of the grant agreement, including those related to payments, shall be made exclusively with the member in charge (leader);
 - d) if the consortium is awarded the grant, all members of the consortium shall be liable jointly and severally for the execution of the grant agreement in accordance with the terms of the agreement; and
 - e) the members of the consortium are not allowed to leave consortium, and decline their responsibilities without the Contracting Authority's written approval, or until they have been notified by the Contracting Authority that the grant agreement was not awarded to the consortium, or in the event they were awarded the grant, until the liability period indicated of the grant agreement expires.
4. In case of applications submitted by a consortium, each member shall demonstrate that they fulfil the eligibility criteria set in the guidelines for applicants. If one single member fails to demonstrate the compliance with the eligibility criteria, the consortium shall be considered non-eligible.
5. Regarding compliance with the qualification criteria, an application submitted by a consortium shall satisfy the qualification requirements as a whole and not as individual member of the consortium.
6. To avoid distortion of competition and eliminate possible corrupt practices, an applicant and its affiliates, individually or as member of a consortium, shall submit only one application for the same grant.

7. If an applicant submits, individually or as a member of a consortium, more than one application for the same grant award, all the applications submitted by the applicant shall be rejected and the applicant shall be banned from participating for a minimum of two (2) and a maximum of (5) years in any other SADC Secretariat grant award process.
8. The restriction concerning participation in more than one application may not apply to co-applicants and personnel of the applicants.
9. The Contracting Authority does not acknowledge or undertake any obligations towards the sub-contractors or personnel of the applicant participating in a grant process.
10. The composition of the consortium shall not change after pre-qualification or during the implementation of a grant agreement awarded to the consortium without prior approval. The Contracting Authority shall approve the change in the composition of the consortium composition only if the modification: (i) is supported by solid and objective arguments, (ii) does not alter the competition, (iii) is not generating a conflict, and (iv) is not invalidating the criteria and conditions in place when the consortium was awarded the grant.

2.12 Virtual operation and electronic files

2.12.1 Introduction

1. The Contracting Authority may conduct grant processes virtually.
2. During the course of preparation of grant related documentation all staff involved will use the same e-mail thread that will serve as an audit trail.
3. Approvals of various stages and documents throughout the grant process may be done electronically.

2.12.2 Call for proposals and receipt of applications

1. All call for proposals and guidelines for applicants will be published as per Annex 1 of these Guidelines.
2. The appropriate method for submission of applications shall be employed to ensure transparency.
3. Where applicable a Two – Factor Authentication process shall be applied to ensure restricted access to submission media applied. One person shall not have lone access to the submission media.
4. The staff members in possession of the password and access codes to the submission media will be bound to same principles of Confidentiality and Impartiality as other members of the Evaluation Committee.

2.12.3 Evaluations

Evaluations/selection of applications may be done virtually and in accordance with section 4 of these Guidelines.

2.13 Due Diligence

1. Due diligence means a stage where the applicant undergoes verification of compliance with eligibility and qualification criteria as per the call for applications.
2. The recommended applications complying with all criteria stated in the guidelines for applicants shall be subjected to due diligence prior to award of agreement. Due diligence shall be conducted by the Evaluation Committee and include verification of: -
 - a) existence of the applicant;
 - b) compliance with eligibility and qualification criteria as per the call for applications;
 - c) compliance with any applicable regulatory requirements.
3. The due-diligence will be part of the evaluation report.

2.14 Protection of Personal Data

1. All grant processes shall comply with the SADC Protection of Personal Data Policy.
2. All necessary provisions relating to the protection of personal data shall be incorporated in all call for proposals and grant agreements.

2.15. Secondary procurement

1. The grant implementation, whether action grant or operational grant, may require the procurement of goods, services and/or works. In these cases the grant agreement shall specify the rules and regulations that shall apply to such secondary procurement.
2. The rules governing secondary procurement shall be as directed in the legal frame supporting the budgetary allocation.
3. The guidelines for applicants shall contain the limits to subcontracting activities, which shall not go beyond 50% of the total budget unless underlying financial agreement specifically allows a higher threshold.

3. AWARD PROCEDURES

There are two ways of awarding grants, through call for proposals (competitive procedure) or through direct agreements (direct awards).

3.1. Direct awards

1. The Contracting Authority may award grants directly, on a non-competitive basis, when there is a legal agreement allowing it (contribution agreement, financing agreement, convention, grant agreement or other legal basis). In this case, the Contracting Authority must prepare a negotiation report stating the manner in which the beneficiary is chosen and the budget established.
2. The Contracting Authority shall ensure that the grant principles are complied with during the implementation (especially those referred to expenditure verification).

3.2. Call for proposals

1. Launching calls for proposals is the preferred way of awarding grants.

2. A call for proposal is a mechanism whereby a competitive selection process is launched to choose grant beneficiaries. The call for proposal allows a number of beneficiaries to obtain funding according to the proposals made and the budget available.
3. Calls for proposals may be open or restricted.
 - a) Restricted calls for proposals is a two-step procedure where all applicants meeting the eligibility conditions may apply for the Grant but only the applicants who have been short listed (on the basis of their concept note) are invited to submit a full proposal
 - b) Open calls for proposals is a single-step procedure where all applicants meeting the eligibility conditions are free to submit the concept note and the full application for a Grant in response to the published guidelines for applicants.
4. The Contracting Authority will choose the most appropriate method for each call.
5. Restricted calls are generally used when the expected number of applications is very high whilst Open Calls are generally used when the expected number of applications is low.

3.2.1. Publicity

1. Call for proposals must be published according to SADC publication guidelines in order to ensure transparency and equal treatment.
2. SADC shall publish the guidelines for applicants of all the call for proposals it launches, whether restricted or open.

3.2.2. The guidelines for applicants

1. The guidelines for applicants is a document which contains all the requirements to participate in a call for proposal. It explains the purpose of the call, the rules of eligibility of applicants, the types of actions and costs which are eligible for financing, the % of co financing required, the maximum and minimum of financing that may be requested, the available budget for the cost, the mechanism for cost reimbursement, guarantee requirements (if any), the evaluation (selection and award) criteria and the deadline for submission of proposals. It also contains instructions on how to fill out the application form, documents which will have to be attached and procedures to follow for applying. They shall also contain information on the evaluation process and the draft grant agreement for successful applicants.
2. The Guidelines for applicants must contain at least the following:
 - (a) amount available for the call and source of the funding;
 - (b) maximum and minimum amount funded per grant;
 - (c) amount of co-finance needed;
 - (d) eligibility rules for candidates, which determine the conditions for participating in the call for proposal. These criteria shall be established with due regard for the objectives of the action and shall comply with the principles of transparency and non-discrimination;
 - (e) eligible actions under the call. This criterion shall be established in connection with the objective of the call;
 - (f) eligible costs under the call;
 - (g) maximum percentage and activities that can be subcontracted through secondary procurement;
 - (h) deadline for submissions;
 - (i) selection criteria;
 - (j) award criteria;
 - (k) maximum implementation period;
 - (l) payment conditions, including if necessary conditions for pre financing guarantee; and
 - (m) reporting conditions (audit, monitoring and evaluation).

3.2.3. Eligibility and evaluation

(a) Eligibility criteria

1. The eligibility criteria shall define the conditions for participation in a call for proposals. They must be prepared with regard to the objectives of the action and be transparent, objective and non-discriminatory.
2. The eligibility criteria apply to:
 - (a) the eligibility of the applicants (for example nationality, legal status and any other grounds for exclusion, financial capacity, technical capacity);
 - (b) the eligibility of action (it may refer to the type of activities, geographical area, and sectors);
 - (c) the eligibility of cost (types of costs eligible for financing).

(b) Evaluation criteria: selection and award

1. The evaluation criteria shall be listed and defined in the call for proposals (evaluation grid). There are the selection criteria and the award criteria.
2. The selection criteria shall assess the applicant/s' financial and operational capacity to implement the action. The economic and financial criteria shall assure that the beneficiary shall have enough resources to keep the action operating considering that payments are done on the basis of reimbursements of incurred expenditure.
3. The operational capacity criteria shall show that the applicants' experience, professional competencies and qualifications are adequate to implement the action proposed.
4. The Contracting Authority shall verify both the financial and operational capacity of the legal entities proposed for the award (except in cases of public administrations and public bodies or in cases in which grants are given to natural persons in need).
5. The award criteria refer to the relevance of the action and its compatibility with the objectives of the call/programme framing the call. They refer to the quality, expected impact, sustainability, cost effectiveness and others.
6. The eligibility and evaluation criteria are specific to each call and must be applied as specified therein.

3.2.4. Request for clarifications

1. In the period between the publication of the call and the deadline for submission applicants will be able to request clarifications on the content of the guidelines for applicants.
2. The Contracting Authority should answer those clarifications through online publication (according to SADC publication guidelines).
3. Applicants may submit questions in writing not later than 21 days before the deadline for submission of applications. The Contracting Authority must answer these questions not later than 11 days before the deadline for submission.

3.2.5. Deadline for submission of proposals

1. The guidelines for applicants shall establish the deadline (day/hour) and location for submitting the proposals. This deadline should be long enough to allow applicants to prepare good proposals.

2. For open grants the minimum period should be 45 days for grants of US\$150,000 and above. For grants below US\$ 150,000 it may be between 30 and 45 days.
3. For restricted grants, the period for submitting concept notes should be no shorter than 45 days.
4. The Contracting Authority may establish shorter deadlines through derogation.

3.2.6. Submission of proposals

1. The proposals shall be submitted following the instructions contained in the guidelines for applicants.
2. As a general rule, the supporting documents shall not be requested till the proposals are selected for award although the Contracting Authority may decide otherwise.
3. The proposal and the supporting documents should be in the language established in the guidelines for applicants.
4. The Contracting Authority, for grants of US\$ 750,000 and above, may request an audit report from the beneficiary approved by an external auditor certifying its accounts for the last available year. The requirement to submit an audit report shall not apply to public bodies or international organizations.

4. EVALUATION OF APPLICATIONS

4.1. Evaluation Committee

1. Applications shall be opened and evaluated by an Evaluation Committee formally and promptly appointed by the authorised person in the Contracting Authority.
2. The Accounting officer shall appoint a pool of members that can serve as members of Evaluation Committee on annual basis. The Controlling Officers shall be responsible for proposing names of members to the pool.
3. The Controlling Officer shall be responsible for nominating Members from the pool who will participate in the Evaluation Committee
4. Members from the Requisitioning function shall not form more than 50% of each Evaluation Committee.
5. The Evaluation Committee shall be composed of one voting Chairperson, an even number of voting members, resulting in an odd number of voting members, and a non-voting Secretary from the Procurement Unit. The evaluators shall have equal voting rights.
6. The composition of the Evaluation Committee shall not be limited to members from the same Directorate or Unit.
7. The Chairperson shall be nominated from the Pool approved by the Accounting Officer and shall come from the Requisitioning Function.
8. The evaluators must have the technical capacity necessary to give an informed opinion on the proposals.

9. Where necessary, a non-voting technical expert of the subject matter can be co-opted in the Evaluation Committee to provide guidance on technical aspects.
10. The evaluators, as well as the chairperson, the secretary and observers, shall sign impartiality and confidentiality statements.
11. The Evaluation Committee may request clarifications on documents/information received. Clarifications shall not alter or change the proposals nor allow the applicant opportunity to improve the application.
12. To maintain the confidentiality of the proceedings, participation in the Evaluation Committee meetings shall be strictly limited to the members of the Evaluation Committee formally appointed by the Contracting Authority.
13. If a member of the Evaluation Committee is unable to take part in the entire Evaluation a replacement will be appointed as per Paragraph 3 above.
14. The Evaluation Committee shall be formed before the application opening session to ensure the availability of the designated members during the period necessary to prepare and conduct the evaluation process.
15. The opening session will only take place if the Chairperson and the Secretary of the Evaluation Committee are present. The Secretary of the Evaluation Committee shall facilitate the opening session.
16. The Chairperson with the support of the Secretary shall be responsible for coordinating the Evaluation Committee
17. The Secretary shall coordinate the evaluation process in accordance with the procedures, principles and regulations contained in the SADC Procurement and Grants Policy, these Guidelines and any other legal document applicable to the specific procedure.
18. The Chairperson, assisted by the Secretary of the Evaluation Committee, shall ensure the impartiality and transparency of the procedures as well as the consistency of the decisions taken by the Evaluation Committee.
19. The Secretary shall advise the Evaluation Committee on administrative matters and documents, but making sure not to influence the decisions. If an application infringes the formal requirements, the Secretary shall advise the evaluators in deciding whether or not it shall be considered during the rest of the evaluation process, while ensuring equal treatment of applicants and in accordance with the principle of proportionality.
20. Whatever decision is taken by the Evaluation Committee it shall be fully recorded and justified in the Evaluation Report.
21. The Secretary shall be responsible for carrying out all administrative tasks connected with the procedure, including preparing/circulating the declarations of impartiality and confidentiality; keeping the minutes of all meetings and relevant records and documents; and recording attendance at meetings and compiling the evaluation reports and their annexes.
22. The Secretary shall draft the evaluation reports, which shall be deliberated and signed by all members of the Evaluation Committee.

23. The Secretary, on behalf of the Evaluation Committee and on the instructions of the Chairperson, shall prepare and send the requests for clarifications in writing (email, letter) during the evaluation to the applicants as well as requests for interviews if the need arises. Only under these circumstances may the Secretary communicate with applicants. The members of the Evaluation Committee under no other circumstance shall be allowed to communicate with the applicants. The Secretary shall not include or copy any member of the Evaluation Committee, except the Chairperson, in any communication with applicants.
24. The evaluators shall possess the technical capacities necessary to give an informed opinion on the submitted applications. If possible, the persons who developed the guidelines for applicants shall be evaluators.
25. The Contracting Authority or the institution funding the action may, if the legal frame allows, nominate observers to the Evaluation Committee. The observers shall be non-voting members and shall not be able to intervene in the Evaluation Committee unless requested to do so by the Chairperson. The observers may provide technical assistance to the Evaluation Committee. Nomination of observers shall not be part of the members of the Evaluation Committee appointed as per paragraph 3 above.
26. Ex-Ante Function may attend Evaluation Committee meetings as non-voting members for guidance on any compliance related matters.
27. All the members of the Evaluation Committee (voting and non-voting) must be present in all the sessions. Any absence must be recorded by the Secretary and justified.
28. Only the members of the Evaluation Committee are allowed to evaluate the applications. In the evaluation of the applications, the members of the Evaluation Committee are not allowed to receive or to seek any external (e.g.: outside the members of the Evaluation Committee) support for the assessment of the applications except experts or observers officially nominated.
29. The evaluators shall be collectively and individually accountable for any decision and the recommendations made by the Evaluation committee.
30. The evaluation shall be completed as soon as possible to allow the successful applicant to be notified by the Contracting Authority (after all necessary approvals).
31. The Evaluation Committee shall make its recommendation through an evaluation report, which shall be presented to the competent authority for approval.
32. Once the authority approves the evaluation report, the Secretary of the Evaluation Committee shall proceed with the awarding procedures according to the provisions contained in these Guidelines and the content of the evaluation report. Provided that an award to a non-state actor shall only proceed after a no-objection has been obtained from the Standing Committee of Senior Officials.
33. The application and other working documents of the Evaluation Committee shall be kept in a safe place when not in use. The documents are confidential and shall not be shared with anyone outside the Evaluation Committee.

4.2. The evaluation process

1. Once the Contracting Authority has received the concept notes (for restricted calls) or the full proposals (for open calls), the Evaluation Committee shall start the evaluation process which shall

end with the approval of recommended grant awards, in accordance with the procedure described under this section (i.e.,4.2).

2. Internal Tender Committee shall review recommendation(s) for the award of grant(s) and:
 - (a) where appropriate, recommend the award of grant(s) to the Executive Secretary for final approval; or
 - (b) where there is a need for the review, refer the recommendations for award of grant(s) back to the Evaluation Committee for appropriate action.
3. For Grants to be awarded to Non-State Actors in SADC Member States, the Executive Secretary shall seek no objection to the recommended award of grant(s) from SADC Member States through the Standing Committee of Senior Officials established under Article 9 of the SADC Treaty.
4. The evaluation process has the following steps:

(a) Preparatory meeting

1. The first meeting of the Evaluation Committee must precede the opening session. The Secretary of the Evaluation Committee shall circulate the Guidelines for Applicants to the evaluators, make a presentation of the Call and explain the procedures to be followed by the Evaluation Committee.
2. The members of the Evaluation Committee and any Observers shall sign the impartiality and confidentiality statements.

(b) Receipt and registration of proposals

The Contracting Authority shall register all the proposals upon arrival and provide a receipt for those delivered by hand. The envelopes must remain sealed and safe till the opening session.

(c) Step One - Opening and administrative checks and Concept Note evaluation

1. The proposals received shall be opened in an opening session at which the registration details shall be checked and the proposals numbered.
2. The register of concept notes/proposals shall contain at least the following: registration number of the concept note/proposal, submission date and time and applicant's name and address.
3. For each proposal the original shall be kept safely and the copies shall be given to the evaluators.
4. The proposals that have been received before the deadline for submission shall be subject to an administrative check to assess whether they meet all the criteria mentioned in the Checklist for the Concept Note, Administrative Part.
5. If the Applicant does not meet all the criteria mentioned in the Checklist for the Concept Note, Administrative Part, the proposal shall be rejected and not evaluated further.
6. Members of the Evaluation Committee shall evaluate the concept note according to the objectives of the call established in the guidelines for applicants once the administrative check is finished. For this, the evaluators must use the evaluation grid contained in the Guidelines for Applicants. The overall assessment of applications shall be based on the sum of scores obtained under each subheading. The final score will be the sum of the scores of each voting member, divided by the number of voting members.

7. During the opening and administrative check the following will be assessed:
 - (a) If the deadline has been met. Otherwise, the application will be automatically rejected and returned unopened to the applicant.
 - (b) If the concept note satisfies all the criteria specified in the checklist in {restricted section 2 of Part A} {open: section 7 of Part B} of the grant application form. This includes also an assessment of the eligibility of the action. If any of the requested information is missing or is incorrect, the application may be rejected on that sole basis and the application will not be evaluated further.
8. The concept notes that pass this check will be evaluated on the relevance and design of the proposed action.
9. The concept notes will receive an overall score out of 50 using the breakdown in the published evaluation. The evaluation will also check on compliance with the instructions on how to complete the concept note, which can be found in Part A of the grant application form.
10. Once all concept notes have been assessed, a list will be drawn up with the proposed actions ranked according to their total score.
11. Firstly, only the concept notes with a score of at least 30 will be considered for pre-selection.
12. Secondly, the number of concept notes will be reduced, taking into account the ranking, to the number of concept notes whose total aggregate amount of requested contributions is equal to at least 200% of the available budget for a call for proposals. The amount of requested contributions of each concept note will be based on the indicative financial envelopes for each lot, where relevant.
13. After the evaluation of concept notes, the Contracting Authority will send letters to all lead applicants, indicating whether their application was submitted by the deadline, informing them of the reference number they have been allocated, whether the concept note was evaluated and the results of that evaluation.
14. The applicants selected to submit the full application shall be informed of the deadline for submission, in case of a Restricted Call. In case of Open Call the Evaluation Committee will proceed to the next step, Evaluation of Full Application.
15. The Contracting Authority must keep safe the proposals which were excluded from further evaluation on administrative grounds.
16. The entire process shall be documented in the evaluation report for Step One as drafted by the secretary and signed by all Evaluation Committee Members.

(d) Step Two - Evaluation of Full Application Form

1. The full application shall be evaluated using the evaluation grid as published in the guidelines for applicants. The overall assessment of applications shall be based on the scores obtained under each subheading. The final score will be the sum of the scores of each voting member, divided by the number of voting members.
2. The full applications will be further evaluated on their quality, including the proposed budget and capacity of the applicants and affiliated entity(ies). They will be evaluated using the evaluation criteria in the evaluation grid published in the Guidelines for Applicants. There are two types of evaluation criteria: selection and award criteria.

3. The selection criteria evaluates the applicant(s)'s and affiliated entity(ies)'s operational capacity and the lead applicant's financial capacity and are used to verify that they:
 - (a) have stable and sufficient sources of finance to maintain their activity throughout the proposed action and, where appropriate, to participate in its funding (this only applies to lead applicants);
 - (b) have the management capacity, professional competencies and qualifications required to successfully complete the proposed action. This applies to applicants and any affiliated entity(ies).
4. The award criteria evaluates the quality of the applications in relation to the objectives and priorities set forth in the Guidelines for Applicants, and to award grants to projects which maximise the overall effectiveness of the call for proposals. The award criteria assist in selecting applications which the Contracting Authority can be confident will comply with its objectives and priorities. They cover the relevance of the action, its consistency with the objectives of the call for proposals, quality, expected impact, sustainability and cost-effectiveness.
5. Provisional selection: after the evaluation, a table will be drawn up listing the applications ranked according to their score. The highest scoring applications will be provisionally selected until the available budget for this call for proposals is reached. In addition, a reserve list will be drawn up following the same criteria. This list will be used if more funds become available during the validity period of the reserve list.
6. Applications that did not receive a minimum of 65 points will not be considered further.
7. The Evaluation Committee shall analyse the budget proposed and shall consider if it corresponds to the action proposed. The Evaluation Committee may propose to reduce or to increase the funding of a proposal, but never below minimum or above maximum amount allocated per action (i.e. total eligible cost). Detailed remarks will be recorded in the evaluation report on the budget, which in line with published guidelines and the criteria therein will guide the Procurement and Requisitioning Functions on budget clearing prior to contracting.
8. Once the required approvals have been received, the Contracting Authority shall send a notification to the applicants informing (i) whether they have been proposed for funding according to their score and (ii) inviting those selected for funding to submit supporting documents (as per guidelines for applicants).

(e) Step Three - Eligibility checks

1. The Evaluation Committee, with the assistance of the secretary shall check the supporting documents sent by the applicants to verify eligibility according to guidelines and the declarations submitted by the applicants.
2. Eligibility checks will only be performed for the applications that have been provisionally selected according to their score and within the available budget for this call for proposals.
3. The declaration by the lead applicant will be cross-checked with the supporting documents provided by the lead applicant. Any missing supporting document or any inconsistency between the declaration by the lead applicant and the supporting documents may lead to the rejection of the application.
4. The eligibility of applicants and the affiliated entity(ies) will be verified according to the criteria set out in the Guidelines for Applicants.

5. Any rejected application will be replaced by the next best placed application on the reserve list that falls within the available budget for this call for proposals.

(f) Conclusion

1. The Evaluation Committee shall prepare its written recommendations after examining all the proposals. The recommendations will be contained in the evaluation report signed by all the members of the Evaluation Committee.
2. The Evaluation Report shall contain a list of beneficiaries/actions recommended for financing. The Evaluation report may establish a reserve list also.
3. The list may decide not to allocate all the available funds if it finds that there are too few proposals meeting the minimum quality required to receive a grant (score being below 65 points).

5. AWARD OF GRANTS AND GRANT AGREEMENTS

5.1. Award and signature of grant agreements

1. Once the evaluation report is approved, the Contracting Authority shall inform the applicants of the outcome and start awarding the grants.
2. The notices of award to successful applicants must be communicated within 30 days of the award decision. Unsuccessful applicants must be communicated that they have not been selected within 30 days.
3. Upon receipt of the notification of award, the beneficiary must communicate within 15 days its acceptance of the grant. If the Evaluation Committee made any budgetary correction it shall be communicated to the beneficiary together with the letter of award.
4. The beneficiary shall have at least 15 days to contest those cuts proposed by the Contracting Authority, and the Contracting Authority shall make a final decision no later than one month after having received the beneficiary's deposition.
5. Once the beneficiary has accepted the award, the Contracting Authority shall send a grant agreement signed in a minimum of two copies to each beneficiary. The beneficiaries shall sign the grant agreement returning one original to the Contracting Authority. The starting date for implementation shall be marked in the contract.
6. In case some beneficiaries decide not to accept the funding or additional funds are allocated to the call, the Contracting Authority may proceed to offer funding to the beneficiaries on the reserve list.

5.2. The grant contract

1. The Contracting Authority and the lead applicant shall be the only signatories of the agreement/contract. The rest of the members of the consortium shall not be signatories but shall remain bound in terms of the consortium agreement signed with the lead applicant. The consortium agreement shall be an annex to the agreement/contract.
2. It shall be the responsibility of the applicant and the co-applicants to fulfil the provisions of the consortium agreement. It shall not be the responsibility of the Contracting Authority to enforce it.

3. The grant agreement/grant agreement shall contain the Special Conditions and the following annexes:

- Annex I: Description of the Action (including the Logical Framework of the Project and the Concept Note);
- Annex II: General Conditions;
- Annex III: {Budget for the Action (worksheets 1, 2 and 3)} {for operating grants: operating budget};
- Annex IV: Standard request for payment;
- Annex V: Models for interim and final narrative reports;
- Annex VI: {for action grants: model financial report} {for operating grants: [annex if specific models are to be used for activity reports and financial statements]};
- Annex VII: Model report of factual findings and terms of reference for an expenditure verification;
- Annex VIII: Model financial guarantee}, if applicable;
- Annex IX: Standard template for Transfer of Asset Ownership, if applicable; or

Any other document that the Contracting Authority may deem necessary.

4. SADC Secretariat shall require the beneficiaries of grants to provide a pre-financing guarantee to limit the financial risk connected with the payment of the pre-financing for the same amount of the pre-financing. However, the Accounting Officer or a delegated authority may waive the requirement for pre-financing Guarantee if it deems it appropriate and necessary.
5. Where a pre-financing guarantee is required, an approved bank or financial institution in the country of the Contracting Authority/the country where the action is being implemented shall provide the guarantee.

5.3. Publication of information on awarded grants

The Contracting Authority will publish all relevant information as per Annex 1 – Guidelines for publication and visibility.

5.4. Modification of grant agreements

1. Grant agreements may be subject to modification during implementation provided that the following principles are observed:
- (a) Modifications shall be formalized through an administrative order or an addendum to the grant agreement.
 - (b) No modification to the grant agreement may alter the award conditions prevailing at the grant was awarded.
 - (c) Any modification of the grant agreement shall not exceed an aggregate amount of up to twenty five percent (25%) of the original grant agreement amount.
 - (d) Any modification of the duration of the grant agreement shall not exceed an aggregate of maximum of one hundred percent (100%) of the duration of the initial contract.

- (e) All modification shall be signed by contracting parties prior to the expiration of the grant agreement.
 - (f) All variations under this Section shall be approved by the Executive Secretary or a delegated authority in case the attribution is delegated by the Executive Secretary.
2. Notwithstanding Paragraph 1 above:
 - (a) the subject matter of the grant agreement cannot be altered; and
 - (b) Where the amendment to the budget or description of the action does not affect the basic purpose of the action and the financial impact is limited to a transfer between items within the same main budget heading including cancellation or introduction of an item, or a transfer between main budget headings involving a variation of 25% or less of the amount originally entered (or as modified by addendum) in relation to each concerned main heading for eligible costs, the applicant may amend the budget or description of the action and inform the Contracting Authority accordingly, in writing and at the latest in the next report. This method may not be used to amend the headings for indirect costs, for the contingency reserve, for in-kind contributions or the amounts or rates of simplified cost options defined in the grant agreement.
 3. The beneficiary shall notify the Contracting Authority of change of address, change of bank account, and change of auditor. This shall not affect the Contracting Authority 's right to oppose the beneficiary's choice of bank account or auditor.

5.5. Monitoring of implementation of grant agreements

1. Monitoring is a procedure in order to verify that funds are used for their stated purpose in the Grant agreement and also to ensure that the projects are implemented in compliance with Grant Agreement, SADC Procurement and Grants Policy and Guidelines, Financial Regulations and any other relevant SADC rules and procedures. Monitoring is also used during the life of the action as one of the tools to identify deficiencies and recommend corrective measures in a timely fashion.
2. Monitoring is a process of collection and analysis and further use of information for the purpose of management and decision making. In addition to the external monitoring the grant beneficiaries should establish an internal monitoring system to self-asses their performance.
3. Monitoring of Grants is the responsibility of the Task Manager/Requisitioning Function and may be supported by the Ex-Ante Function, Procurement and Grants, Function and Finance Function.
4. Internal monitoring process:
 - (a) tracks performance against what was planned or expected according to pre-determined targets as specified in the grant agreement;
 - (b) highlights the strengths and weaknesses in action implementation enabling managers to deal with the problems, find solutions and adapt to changing circumstances in order to improve the projects performance; and
 - (c) provides an "early warning system", which allows for timely and appropriate intervention if a action is not in line with the initial plan.
5. External monitoring:

- (a) Before the action implementation starts all action partners should be informed that monitoring will take place during the course of the action and should provide indicative schedule; and
 - (b) On-the-spot monitoring should be preferably carried out soon after the progress report is received and reviewed.
6. During the monitoring process the following is monitored:
- (c) **The Procedures:** compliance with grant rules, eligibility of costs, compliance with publicity and visibility rules, documentation and archiving, bookkeeping and accountancy, reporting obligations, grant agreement modifications, non-compliances and irregularities;
 - (d) **Progress of the implementation:** Technical and financial progress, performance of indicators; and
 - (e) **Problems encountered:** financial and grant related issues, administrative problems, and technical difficulties in implementation are assessed, and mitigating measures are established.
7. Regular on-the-spot monitoring:

On-the-spot monitoring related to management control and verifications of the activities and expenditures incurred by beneficiaries shall be conducted by a multi-functional team of SADC Secretariat staff or by external experts.

The choice of staff or experts that will carry out monitoring will ensure their impartiality in order to preserve the distinction between the monitoring and control functions.

A minimum of two scheduled visits will be carried out for every year of action implementation. This number may change to more than two depending on the project's duration, its risks and nature of these risks. If the action duration is shorter than a year the number of visits may change accordingly.

The aim of the on-the-spot monitoring is to review formal aspects of the action at key points, such as with submission of reports. Action documentation will be thoroughly checked in the process.

During the visits verification of the physical existence of the resources (e.g. equipment and staff etc) and the implementation of the activities, as well as compliance with the grant procedures are done.

8. Extraordinary on-the-spot visits:

Extraordinary on-the-spot visits are undertaken either with or without prior notification, the visits are aimed to check specific action implementation aspects with risks identified, collect additional information for problem solving and to check if information on the spot corresponds with the information received by the Contracting Authority. Due to potential unannounced checks the Grant Beneficiaries are recommended to be prepared for such checks at all times.

6. APPEAL OF A DECISION REGARDING CALL FOR PROPOSALS

1. Any applicant that claims to have suffered, or that may suffer, loss or injury due to a breach of a duty imposed on the Contracting Authority by the SADC Procurement and Grants Policy and these Guidelines, may appeal the decision in accordance with the procedures hereby stipulated.
2. The following shall not be subject to the review provided for in paragraph (1) of this Section:

- (a) The method of selection of applicants;
- (b) The choice of a qualification and eligibility criteria, if they have not been contested prior to submission of an application;
- (c) A decision by the Contracting Authority to cancel the grant award process as per Article 21 of the SADC Procurement and Grants Policy;
- (d) The requirements for the grant agreements (as specified in the terms or reference or technical specifications) if they have not been contested prior to the submission of the application; and
- (e) The content of the SADC Secretariat standard call for proposal documents.

6.1. Challenge of a decision

6.1.1. Request for clarifications

1. The Appeal Review process is a time consuming and costly process, therefore the SADC Secretariat request applicants and applicants, to seek firstly written clarifications from the Contracting Authority's Procurement and Grant Function for the respective process on any decision considered unjust by the applicant.
 - (a) To be considered valid, the applicant shall send the request for clarification or notification of breaching of SADC Secretariat grant procedure within fifteen (15) days from the notification of the Contracting Authority of the decision that is challenged by the applicant or from becoming aware of alleged irregularity in the grant process. If the request for clarification is submitted after the fifteen days mentioned above it will not be considered by the Contracting Authority.
 - (b) The submission of a request for clarifications shall be sent to the Procurement and Grant Function at the address indicated in guidelines for applicants. The Contracting Authority shall have seven (7) days to respond to the applicants' or applicants' request for clarification.
 - (c) If following the receipt of clarification or notification of a breach of SADC Secretariat procedure for grants from an applicant, the Procurement and Grant Function establishes that there has been a breach of SADC Secretariat procedures, it shall promptly notify the respective Tender Committee who will recommend to the Accounting Officer to suspend the grant process until corrective measures are taken to remedy such event. In such instance, the Tender Committee shall promptly review the decision contested and decide on the matter brought into their attention.

6.1.2. Submission of a Complaint

1. If, after five (5) days from the receipt of the Contracting Authority's response to the request for clarification, the applicant is still not satisfied with the response, he/she shall escalate the matter to the relevant Tender Committee.
2. The Complaint shall be in one of the SADC Secretariat working languages (or accompanied with certified translation) and shall:
 - a) include the name, address, telephone and facsimile numbers of the Complainant.
 - b) Identify the grant process in relation to which the Complaint arises:
 - i) describe the nature of the Complaint and the facts supporting such Complaint, including references to the SADC Secretariat Procurement and Grants Policy and Guidelines violated and the timelines of the Complaints.
 - ii) provide justification (grounds) for the Complaint

- iii) explain the steps taken to request review of the grant decision with the Contracting Authority (i.e. request for clarification).
 - iv) state the steps in the grant process (if any) the Complainant is requesting to be revised and/or what other remedies are sought by the Complainant; and
 - v) state expressly whether the Complainant requests a hearing to present the case.
- 3. Only the lead member of the Complainant shall submit Complaints. Under no circumstances shall any Complaint be submitted by non-leading members of the joint-venture, consortium or subcontractors.
- 4. The Complainant shall not pay any fees or charges for submitting Complaints to the SADC Secretariat and/or for the review and adoption of a decision.
- 5. The complaint to the Tender Committee shall be submitted through the Procurement and Grant Function at the address indicated in the call for proposals.
- 6. The Tender Committee shall have twenty-one (21) days to respond to the applicant's or applicant's complaint.
- 7. If following the receipt of the complaint from an applicant, the Tender Committee establishes that there was a breach of the SADC Secretariat procedures, it shall promptly recommend to the Accounting Officer to suspend the grant process and take corrective measures to remedy the situation noted by the applicant in his/her complaint.

6.2. Appeal of a call for proposal decision

6.2.1. Procurement and Grants Appeals Review Committee

- 1. To enforce these rules, the SADC Secretariat shall have a specialized permanent body - the Procurement and Grants Appeals Review Committee - consisting of an odd number of members (minimum three), entrusted with the review and decision-making on the complaints submitted by the Complainant.
- 2. The External Tender Committee of SADC Secretariat shall be the Procurement and Grants Appeals Review Committee to make recommendation to the Accounting Officer on applicants/applicants complaints against tenders/grants proceedings by the Internal Tender Committee.
- 3. The Procurement and Grants Appeals Review Committee shall be supported by the Procurement Function acting as Secretary of the Procurement and Grants Appeals Review Committee, with the only role of recording the proceedings, drafting the communications with the involved parties (including the decisions of the Procurement and Grants Appeals Review Committee) and be the custodian of the appeal and hearing proceedings records.
- 4. The members of the Procurement and Grants Appeals Review Committee shall sign a Declaration of Impartiality and Confidentiality using the standard template.
- 5. No member of the Procurement and Grants Appeals Review Committee shall be a member of the SADC Secretariat or should have been involved in the decision leading to the complaint, prior to the appeal proceeding.
- 6. In case a member of the Procurement and Grants Appeals Review Committee become aware at any time during the appeal proceedings, that she/he might be in a conflict of interest situation, she/he shall notify the Procurement and Grants Appeals Review Committee of the circumstances and request the withdrawal from the Procurement and Grants Appeals Review Committee. After analysing the situation, the Chairperson and members of the Procurement and Grants Appeals

Review Committee shall take a decision on the member's withdrawal. Such proceedings shall be recorded in the appeals proceeding records/files.

7. Decisions by the Procurement and Grants Appeals Review Committee shall be reached by consensus.
8. When deliberating, the Procurement and Grants Appeals Review Committee shall apply the SADC Secretariat Procurement and Grants Policy and Guidelines and their annexes, as well as in the documents issued during the calls for proposals.

6.2.2 Correction of the Decision

Within seven (7) days after the Procurement and Grants Appeals Review Committee issues a decision, either party, with notice to the other party, may request that the Procurement and Grants Appeals Review Committee to correct any errors in computation, clerical, typographical, or any errors of similar nature made in the decision. The Procurement and Grants Appeals Review Committee may, within seven (7) days after the communication of the decision, make the corrections on its own initiative. Such corrections shall be in writing.

6.2.3 Filing an Appeal

1. If, after five (5) days from the receipt of the Contracting Authority's response to the request submission of the Appeal the applicant is still not satisfied with the response, he/she may file an Appeal.
2. The Appeal shall be in one of the SADC Secretariat working languages (or accompanied with certified translation) and shall:
 - a) include the name, address, telephone and facsimile numbers of the Appellant.
 - b) Identify the grant process in relation to which the Appeal arises:
 - i) describe the nature of the Appeal and the facts supporting such Appeal, including references to the SADC Secretariat Procurement and Grants Policy and Guidelines violated and the timelines of the Appeal.
 - ii) provide justification (grounds) for the Appeal
 - iii) explain the steps taken to request review of the grant award decision with the Contracting Authority (i.e. request for clarification and submission of Appeal).
 - iv) state the steps in the grant process (if any) the Appellant is requesting to be revised and/or what other remedies are sought by the Appeal; and
 - v) state expressly whether the Appellant requests a hearing to present the case.
3. Within five (5) days from the receipt of the Appeal, it is to be forwarded by the Procurement Function to the Procurement and Grants Appeals Review Committee.
4. The Procurement and Grants Appeals Review Committee shall reject an Appeal if it is not filed within the five (5) days period set forth in paragraph one of this section or if it does not meet the requirements set forth in paragraph two of this section.

6.2.4. Suspension of the call for proposals

1. After the Procurement and Grants Appeals Review Committee receives an Appeal, it will: recommend to the Accounting Officer to suspend the disputed proceeding until a decision on the Appeal is issued in accordance with these rules; or

2. Procurement and Grants Appeals Review Committee may suspend disputed proceedings as stated above unless it is of the opinion that:
 - a) the Appeal is frivolous and obviously unjustified;
 - b) the Appellant filing the Appeal will not sustain irreparable harm;
 - c) the Contracting Authority may demonstrate a disproportionately greater damage produced by the suspension compared to the possible damage indicted by the Appellant filing the Appeal;
or
 - d) the suspension of the proceeding is against an important public interest.

6.2.5. Decision on accepting an Appeal

1. Where the External Tender Committee is sitting as the Procurement and Grants Appeals Review Committee it shall issue a recommendation on the Appeal within thirty (30) days from receipt of such Appeal, the period may be extended for an additional seven (7) days by a written notice from the Procurement and Grants Appeals Review Committee addressed to the Appellant who filed the Appeal.
2. Upon recommendation by the External Tender Committee sitting as the Procurement and Grants Appeals Review Committee, the Accounting Officer shall issue a written decision on the Appeal within five (05) days of receipt of the recommendation on the Appeal from the Procurement and Grants Appeals Review Committee.
3. Where the Finance Sub-Committee is sitting as the Procurement and Grants Appeals Review Committee it shall, in consultation with the Accounting Officer, issue a decision on the Appeal within thirty (30) days from receipt of such Appeal, the period may be extended for an additional seven (7) days by a written notice from the Procurement and Grants Appeals Review Committee addressed to the Appellant who filed the Appeal.
4. In making its recommendation or decision, as the case may be, the Procurement and Grants Appeals Review Committee may, at its discretion, seek assistance from experts in the area being reviewed. When such additional experts are to be consulted, the Procurement and Grants Appeals Review Committee shall use its best efforts to appoint experts who are best qualified and shall ensure that the experts do not have any direct or perceived interest in the outcome of the Appeal and have not been involved in the grant process at any time.
5. If after the review of the Appeal, the Procurement and Grants Appeals Review Committee considers that in order to reach a conclusion on the Appeal, or if specifically requested by the Appellant in its Appeal, the hearing shall be conducted, it shall notify in writing its decision to initiate the hearing proceedings.
6. The Procurement and Grants Appeals Review Committee may recommend or decide, as the case may be, to dismiss or uphold the Appeal in whole or in a part, indicating corrective measures.
7. All decisions reached by the Procurement and Grants Appeals Review Committee shall be made in writing, stating the grounds of the decision; it shall be signed by all the Procurement and Grants Appeals Review Committee members, including the date and the place where the decision was taken.
8. The Procurement Function will communicate the decision on Appeal in writing to the Appellant within five (5) days from the date of the decision.
9. The decision of the Procurement and Grants Appeals Review Committee shall be final and binding on the parties. The parties shall undertake to implement the decision without delay.

6.2.6. Costs

1. The Procurement and Grants Appeals Review Committee shall establish the costs of the hearing proceedings in making its recommendation or decision, as the case may be. The term "costs" includes only:
 - (a) The fees, travel, accommodation and other incidental expenses of the Procurement and Grants Appeals Review Committee;
 - (b) The costs of the expert advice and of other assistance (including translation) required by the Procurement and Grants Appeals Review Committee if any; and
 - (c) The travel and other expenses of witnesses to the extent such expenses are approved by the Procurement and Grants Appeals Review Committee.
2. The cost of the hearing proceeding shall be communicated to the Appellant along with the invitation to the hearing proceedings and the bank account details where the cost shall be paid.
3. The cost of the hearing procedures shall be borne by the party which was found unsuccessful in the hearing proceedings.

6.2.7 Hearing proceedings on Appeals

a) Introduction

1. The hearing proceedings shall take place up to twenty one (21) days from the date of notification of the parties on the Procurement and Grants Appeals Review Committee's decision to conduct hearing procedures.
2. In the hearing proceedings there are two parties involved: the Appellant and the Contracting Authority whose decision has led to the Appeal.
3. Subject to these rules, the Procurement and Grants Appeals Review Committee may conduct the hearing proceedings in a manner it considers appropriate, provided the parties are fairly treated and at any stage of the proceedings, each party is given the opportunity to present its case.
4. If either party requests in its Statement of Appeal (as defined in paragraph d) or the Statement of Defence (as defined in paragraph e), the Procurement and Grants Appeals Review Committee shall allow the presentation of evidence by witnesses, including expert witnesses.
5. All the documents or information supplied to the Procurement and Grants Appeals Review Committee by any party shall at the same time be communicated by that party to the other party.
6. The proceedings shall be recorded in the appeal proceeding records/files.

b) Place of hearing procedures

1. The Procurement and Grants Appeals Review Committee proceedings shall be conducted at the SADC Secretariat Headquarters in Gaborone, Botswana.
2. The Procurement and Grants Appeals Review Committee may conduct any checks it deems appropriate for the inspection of the evidence on the spot. The parties shall be given at least seven (7) days' notice for on the spot checks to be conducted and be invited to attend the checks.

c) Language

The language to be used in the proceedings shall be one of the SADC Secretariat's working languages. This decision shall apply to the Statements of Appeal, and Defence. In any further written statements and, if oral hearings take place, only the SADC Secretariat's working languages shall be used. SADC Secretariat will ensure translation in all SADC Secretariat working languages.

d) Statement of Appeal

1. Within seven (07) days after the Appellant was notified of the intended hearing, it shall submit its Statement of Appeal to the Procurement and Grants Appeals Review Committee including the following particulars:
 - a) the decision which is contested;
 - b) detailed statement of the facts supporting the Appeal;
 - c) the damage sustained by the applicant (if any);
 - d) remedy sought; and
 - e) whether the Appellant is requesting a hearing of witnesses or experts to support the Appeal.
2. The Appellant shall annex to its Statement of Appeal all the documents deemed relevant. It shall add a reference to the documents or other evidence submitted. When witnesses or experts are invited to support the Appeal, the name of the witnesses and their curriculum vitae and credentials will be annexed to the Statement of Appeal.
3. Following the submission of the Statement of Appeal, the Procurement and Grants Appeals Review Committee shall estimate the cost of the hearing proceeding and request an unconditional bank guarantee from the Appellant issued by a reputable bank from Botswana, for the estimated amount covering the cost of the hearing proceeding. The bank guarantee shall be valid for one hundred twenty (120) days from the date of issuance of the invitation to participate in the hearing procedures.

e) Statement of defence

1. Within seven (7) days after the Defendant's representative receives the Statement of Appeal from the Appellant, the Defendant's representative will communicate the response in writing to the Procurement and Grants Appeals Review Committee, in the form of a Statement of Defences.
2. The Statement of Defence shall reply to the particulars set forth in the Statement of Appeal and shall also indicate if any oral hearings of witnesses and experts to support its position are requested.
3. The Defendant shall annex to its Statement of Defence, the documents supporting its defence and shall add a reference to the documents or other evidence to support their position. When witnesses or experts are invited to act on their defences, the name of the witnesses, their Curricula Vitae and credentials will be annexed to the Statement of Defence.
4. The Statement of Defence shall be filed with the Procurement Function and distributed to the members of the Procurement and Grants Appeals Review Committee.

f) Evidence and hearings

1. The Procurement and Grants Appeals Review Committee shall give the parties not less than thirty (30) days advance notice of the date, time and place to conduct the hearing procedures. The hearing shall not take place earlier than fourteen (14) days from the date of the receipt of the Statement of Defence.
2. Each party shall have to prove the facts to support its Appeal or Defence.
3. The Procurement and Grants Appeals Review Committee may, if appropriate, require the parties to produce documents, exhibits or other evidence within twenty-one (21) days from the receipt of the request.
4. Evidence of witnesses may also be presented in the form of written statements, duly signed.

5. Audio-video materials are admissible as evidence during the hearing proceedings. However, they have to be accompanied by a written description of the content.
6. The Procurement and Grants Appeals Review Committee shall determine the admissibility, relevance, materiality and weight of the evidence offered.

(f) Independent Experts

1. The Procurement and Grants Appeals Review Committee may appoint experts to report, in writing, on specific issues to be determined by the Committee. A copy of the experts' Terms of Reference, established by the Procurement and Grants Appeals Review Committee shall be communicated to the parties.
2. The parties shall give the experts any relevant information or arrange for the inspection of any relevant documents they may require. Any dispute between a party and the expert regarding the relevance of the required information shall be referred to the Procurement and Grants Appeals Review Committee and the Committee will issue its decision within seven (7) days.
3. Upon receipt of the expert's report, the Procurement and Grants Appeals Review Committee shall communicate the report to the parties. They will be given the opportunity to express, in writing, their opinion of the report, within seven (7) days from the receipt of the report. A party shall be entitled to examine any documents where the expert has based his/her report.
4. At the request of either party, the expert after delivering the report may be questioned at a hearing where the parties have the opportunity to attend and interrogate the expert. At this hearing, either party may present expert witnesses to testify on the points in issue.

(g) Default

1. If the Appellant fails to communicate its Statement of Appeal in accordance with this clause (see Statement of Appeal) within seven (7) days without demonstrating sufficient causes for such a failure, the Procurement and Grants Appeals Review Committee shall order the termination of the hearing procedures.
2. If one of the parties, duly notified under these rules, fails to appear at a hearing - without showing sufficient cause for such failure - the Procurement and Grants Appeals Review Committee may proceed with the hearing procedures.
3. If one of the parties, duly invited to produce documentary evidence, fails to do so within the required period of time without showing sufficient cause for such failure, the Procurement and Grants Appeals Review Committee may render the award on the evidence available at that time.

(h) Closure of hearings

1. The Procurement and Grants Appeals Review Committee may inquire from the parties any further proof to offer, or witnesses to be heard, or submissions to make and, if there are none, it shall promptly (and in any case within twenty-one (21) days after the start of the hearings) declare the hearings closed.
2. A party who knows that any provision of, or requirement under these rules has not been fulfilled and yet proceeds with the hearing proceedings without promptly stating its objection to the non-compliance, shall be deemed to have waived its right to object.

6.3 Remedies

In its decision, the Contracting Authority or the Procurement and Grants Appeals Review Committee may order one or more of the following remedies:

- (a) correction of any breach of the Procurement Principles or Procurement Guidelines in place,
- (b) compensation for any loss or damage suffered by a successful Complainant or Appellant, such amount not to exceed the costs reasonably incurred by the Complainant or Appellant in connection with the disputed grant (but excluding any lost profits or other special, incidental, indirect, punitive or consequential damages);
- (c) suspension of a grant activity that is under challenge, if the Contracting Authority or the Procurement and Grants Appeals Review Committee deems it necessary to preserve the commercial opportunity pending the outcome of the challenge; and/or
- (d) cancellation of the grant proceedings or cancellation of the grant agreement and restarting the grant process.

Schedule 1 - Grants Approving Authority

The following functions shall have the authority to approve the processes on behalf of the Contracting Authority:

Grant Value	Grant Approving Authority
at US\$ 2,000 and above	Accounting Officer following advice of SADC Internal Tender Committee

Schedule 2 - Grants Thresholds for the Application of Grant Methods

Depending on the estimated value and the category of the grant contract, the following grant thresholds shall apply when launching a grant process, expressed in United States Dollars (USD):

Grant Method	Grants
Open Call for Proposals	From US\$2000 and above
Restricted Call for Proposals	From US\$2000 and above
Direct Award of Grants	From US\$2000 and above

Annex 1: Guidelines for Publication and Visibility

Publishing tenders and calls for proposals

1. These Guidelines are meant for the contracting authority managing SADC funded projects. They include practical information on publication procedures for grants procedures.

2. **Rules:**

- (a) The SADC Grants Guidelines describe the rules to be complied with in publishing tenders and call for proposals.
- (b) The publication rules depend on the type of procedure and the document to be published.
- (c) When a document is published in various media, publication must take place simultaneously and the content of the document must be identical in the various media.

3. **Publication Rules for Grants**

- (a) All calls for proposals (whether open or restricted) will be published on the SADC Secretariat webpage.
- (b) Calls for proposals with a budget equal to or higher than 2,000,000 USD will be published at UN Development business and DG Market.
- (c) The following documents require publication on the SADC Secretariat website for both open and restricted calls for proposals:
 - (i) Guidelines for applicants.
 - (ii) Clarifications requested and answer to clarifications (for open calls, while for restricted calls concept note stage only).
 - (iii) Minutes of information session.
 - (iv) The shortlist for restricted call for proposals (i.e. those that are invited to submit full applications).
 - (v) List of applicants awarded.
 - (vi) Reserve list.

4. **Forms**

All forms to be used for publication can be found in Annex 3 to these Guidelines, “templates”.

Annex 2: Guidelines on Grants Roles and Responsibilities

Part 1: Grants Responsibilities

1. Roles and responsibilities

Within the limits set by these Guidelines the overall responsibility for all the Procurement and Grants of the SADC Secretariat shall rest with the Accounting Officer, while the responsibility for proper implementation of the provisions of the SADC Procurement and Grants Policy and Guidelines shall be entrusted to the Procurement and Grants Function. Hence, all grants activities of the Institution shall be coordinated and conducted by the Procurement and Grants Function.

In the case of decentralised structures of the SADC Secretariat or in the case of independent projects or programmes funded by the Institution, with the prior approval of the Executive Secretary, the role and responsibilities of the SADC Secretariat Procurement and Grants Function may be delegated to decentralized Procurement Functions or to external contractors to provide Grant Agent Services.

Prior to delegating the grant roles and responsibilities to an external Contracting Authority, the SADC Secretariat shall sign a memorandum of understating defining the extent or responsibilities and the exact role and procedures which shall be followed by such entities. However, irrespective of the role and responsibilities delegated to the external Procuring Entity Contracting Authority, the SADC Secretariat shall be ultimately held responsible for the outcome or the legality of the grant processes and for the implementation and administration of grants financed by the Institution.

2. General responsibilities in implementation of the grants activities

Pursuant to provisions under the Treaty, as amended, in particular the responsibilities of the SADC Secretariat (Article 14), Executive Secretary and Deputy Executive Secretary (ies) (Article 15) and Financial Provisions (Articles 28 to 30) and other instruments established under the provisions of the Treaty including the SADC Procurement and Grants Policy, the following general responsibilities shall apply on grants:

(a) Council: shall also be responsible for:

- (i) approval of the SADC Procurement and Grants Policy (the Policy) and its amendments
- (ii) receive and consider reports on compliance with the Policy.

(b) Executive Secretary/Accounting Officer: Has the overall responsibility and accountability for proper implementation of the SADC Procurement and Grants Policy (the Policy) and SADC Procurement and Grants Guidelines (the Guidelines). He/She is exercising his/her role in procurement by:

- (a) performing the attribution as Accounting Officer;
- (b) proposing to the Council amendments to the Policy and its implementation structure;
- (c) establishing a schedule of delegation of authority to commit resources;
- (d) establishing decentralisation of Procurement and Grant Function to implementing partners;
- (e) appointing and revoking members of the SADC Tender Committees;
- (f) approving guidelines and procedures that are implementing SADC Procurement and Grants Policy, including SADC Grants Guidelines and their annexes, being templates for, but not limited to, call for proposals, grant agreements, evaluation reports, etc) and other similar grant operational manuals, as well their subsequent modifications; and

- (g) approving any proposal for derogation from the standard grant methods and standardized call for proposals;
 - (h) approving method for direct award of grants prior to formal engagement of Grant Beneficiary on behalf of the Contracting Authority.
- (b) **Deputy Executive Secretary(ies):** Assisting the Executive Secretary in the development and implementation of organisational policies. The Deputy Executive Secretary (Corporate Affairs) shall oversee the provision of corporate procurement and grant services by discharging the following responsibilities:
- (i) approving the overall corporate procurement plan and its implementation with the advice of the Corporate Services Committee; Ensure that the overall Procurement Plan is developed in accordance with the procedures set in the paragraph 2.5 of these Guidelines and that the document is aligned to the SADC Secretariat budget.
 - (ii) overseeing the management of risks in grants,
 - (iii) monitoring and continuous assessment of the grant processes; and
 - (iv) making recommendations to the Executive Secretary on strategic grant matters such as structural and policy issues.
- (c) **Other functions:** The SADC Secretariat applies instruments governing financial provisions which are established under the Treaty and approved by the Council such as Financial Provisions (Article 28 to 30), Procurement and Grants Policy, Internal Audit Charter, etc. Roles established under the SADC Secretariat organisational structure with responsibilities to facilitate grant activities are as follows:
- (i) **Budget and Finance Function:** their responsibilities in the area of grant are determined by the provisions of the SADC Financial Regulations and Finance Manual, and for purposes of grant these are aimed at facilitating adherence to principles of sound finance management of economy, efficiency and effectiveness. Specifically, Finance Officer shall verify compliance with the relevant provisions in the financial regulations through the verification of the contractual instrument (e.g: contract, purchase order, etc) committing funds for:
 - (a) existence and allocation of budgetary appropriations;
 - (b) compliance with the decision of award taken by the relevant authority as stipulated by these Guidelines; and
 - (c) provisions of the grant agreement in relation to financial matters being adequately drafted.
 - (ii) **Legal Affairs Function:** their responsibilities in the area of grants are determined by the mandate of their function, and for purposes of grants these are aimed at facilitating adherence to legal and contractual requirements aimed at safeguarding the interests of the SADC Secretariat.
 - (iii) **Controlling Officer:** their responsibilities in the area of grants are determined by the mandate of their function, and for purposes of grants these are aimed at facilitating adherence to budget management regulations. In grants, a Controlling Officer's specific responsibilities are set out in the Grants Guidelines under the Requisition Function.
 - (iv) **Internal Audit Function:** their responsibilities in the area of grants are determined by the provisions of the Internal Audit Charter, and these do not permit them to engage in a line operational role.

3. Specific responsibilities in implementation of the grant activities

- (1) **Requisition Function.** The Requisition Function is held by any SADC Secretariat Controlling Officer, and generally, they shall represent a directorate, section, department or unit being the direct or indirect beneficiary of the grants issued by the Institution through grant processes. The holder of the Requisition Function is to be defined in the SADC Secretariat Financial Regulations and re-confirmed during the process of preparation of the annual budgets and grant plans. In relation to the grants processes, the Requisition Function is responsible, but not limited, to the following:
- a) identifying the needs of the Procuring Entity, in the area of their operations;
 - b) estimating the cost for procuring their requirements;
 - c) securing the funds for grants of the needs through budgetary allocations;
 - d) preparation of grant plans;
 - e) provision of support to the Procurement Function in preparation of the grant strategy of the Institution;
 - f) preparation of Technical Specifications and Terms of Reference,
 - g) preparation of guidelines for applicants
 - h) preparation of qualification, selection, evaluation and award criteria;
 - i) provision of assistance to the Procurement Function in drafting the technical parts of the Request for Proposals or any other similar solicitation documents.
 - j) provision of needed technical input for response to applicants or applicants request for clarifications;
 - k) provision of technical support to the Evaluation Committees by nominating the members to and from the pool of evaluators;
 - l) the day to day management of the grant agreements in their capacity of Task Managers;
 - m) monitoring and assessing the performance of the grant beneficiaries;
 - n) accepting the deliverables and certifying their compliance with the contractual requirements;
 - o) endorsing the request for payments as specified in the grant agreements;
 - p) maintaining the records of the contractual deliverables (including any approval or rejection of such deliverables); and
 - q) maintaining the record of the grant implementation activities.
- (2) **Procurement and Grants Function.** The Procurement and Grants Function has the overall responsibility of coordination and implementation of the call for proposal processes of the SADC Secretariat. With the exceptions indicated in the grant rules and procedures as well as in the financial regulations of the Institution, it is the only unit within the SADC Secretariat vested with the attribution of launching call for proposals on behalf of the Institution, unless those grants do not fall within the scope of the Policy and Guidelines. More specifically, the Procurement and Grant Function responsibilities shall include, but not limited to, the following:
- a) drafts and revises SADC Procurement and Grants Policy and these Guidelines;
 - b) drafts and revises the templates/Annex 3 to the Guidelines;
 - c) coordinates the grant planning and prepares the Overall Procurement Plan;
 - d) reports on grant performance and implementation of the overall procurement plan;

- e) prepares and revises the grant strategy of the Contracting Authority;
- f) reviews the Technical Specifications and Terms of Reference for compliance with the grant procedures;
- g) reviews the Guidelines for Applicants for compliance with grant procedures;
- h) reviews the eligibility, qualification, evaluation and award criteria for compliance with the grants procedures;
- i) publicises the grant processes on behalf of the Contracting Authority (i.e.: Call for proposals, guidelines for applicants, Shortlist, Addenda and Clarifications, Grant agreement Award Notice, Cancellation Notice, etc.);
- j) advertises calls for proposals;
- k) prepares the call for proposals and any other similar solicitation documents;
- l) coordinates the communications with applicants and disseminates the clarification information;
- m) provides logistic support to the Evaluation Committees;
- n) acts as the secretariat and provide the necessary logistical support to the SADC Tender Committees;
- o) prepares the grant agreements,
- p) notifies applicants and applicants of the outcome of the evaluation processes;
- q) assists the Contracting Authority in the appeal processes;
- r) assists the requisition function in the administration of grant agreements;
- s) maintains the records of grant processes;
- t) approves the evaluation reports for the grant agreement as per the limits set in the grant approving authority matrix attached as Schedule 1 of these Guidelines.
- u) ensure that all the grant agreements sent for signature to the Accounting Officer have been cleared by the Legal Affairs Function and Budget and Finance Function and certifies they are awarded and drafted in compliance with the SADC Secretariat Procurement and Grants Policy and these Guidelines.
- v) ensure that all purchase orders sent to the Budget and Finance Function for approval are in compliance with the SADC Procurement and Grants Policy and these Guidelines; and
- w) Recommends any proposal for derogation from the standard grant methods and standardized grant documents prior to the approval by the Executive Secretary.

- (3) **SADC Tender Committee(s):** These are permanent bodies composed of professionals appointed by the Executive Secretary, with the role of advising the Contracting Authority and the Executive Secretary on all the grant processes. The SADC Tender Committee(s) shall consist of an odd number of members with equal voting rights, with no subordination relationships among themselves within the structure of the Institution and with guaranteed absence of conflict of interest. The Procurement Function will provide secretarial support to the SADC Tender Committee(s).

The SADC Secretariat shall have the Internal Tender Committee to review and advise on all grants.

The roles of a SADC Tender Committee in grant processes are to:

- a) review and advise the Accounting Officer on the grant processes;
- b) review and make recommendations to the Accounting Officer on the evaluation reports;

- c) make recommendation to the Accounting Officer/Executive Secretary on the debarment of an applicant according to provision of section 2.4.4.4 of these Guidelines; and
 - d) recommend the award of the grants prior to approval by the Accounting Officer/Executive Secretary or a delegated authority.
- (4) **Standing Committee of Senior Officials:** The Standing Committee of Senior Officials shall have the mandate of reviewing and providing a no-objection to recommendations made by the SADC Internal Tender Committee for grant awards to non-state actors.
- (5) **Procurement and Grants Appeals Review Committee:** The SADC Procurement Appeals Review Committee shall have the role and responsibility in handling the appeals procedures in accordance with the section 6 of these Guidelines. The SADC Procurement and Grants Appeals Review Committee shall consist in an odd number of members with equal voting rights, and will not have subordination relationships among themselves within the structure of the Institution and will be free of conflict of interest. The SADC Procurement Appeals Committee shall be supported by an officer from the Procurement and Legal Function designated by the Accounting Officer/Executive Secretary.

The Members of the Committee shall be nationals of SADC Member States identified from the Troika Institutional Structure, with the Chairperson coming from the Member State chairing SADC.

The members of the Appeals Review Committee will be as follows:

- The External Tender Committee of the SADC Secretariat shall be the Procurement and Grants Appeals Review Committee to make recommendations to the Accounting Officer on applicants complaints against grants proceedings by the Internal Tender Committee.
- (6) **Ex-Ante Function:**
1. Quality assurance is done through compliance review of grant processes and quality control of all grant related documentation by designated personnel.
 2. The Ex-Ante function is expected to enhance the effectiveness and efficiency of the management of grants by assuring quality, guaranteeing consistency and compliance, as well as ensuring value for money.
 3. In order to ensure proper segregation of duties, independent decision-making and impartiality, the Ex-Ante function reports directly to the Deputy Executive Secretary – Corporate Affairs.
 4. Ex-Ante quality assurance modality implies that all documents require verification prior to proceeding with the subsequent step in the grant process.
 5. The role of the Ex-Ante Function shall be to:
 - a) Review the grant processes to ensure they comply with SADC Grants Guidelines;
 - b) Ensure that the appropriate grant process is used;
 - c) Ensure that the principles as stated in the SADC Secretariat Procurement Policy and in paragraph 1.3 of these Guidelines are applied in all solicitation documents and evaluation/assessment of applications;
 - d) Verify on behalf of the Contracting Authority, the solicitation documents prepared by the Procurement Function, prior to their release to applicants/applicants, as well as any subsequent modifications of these documents that includes addenda and

- clarifications. All the subject documents will be initialled by Ex-Ante prior to their use/release;
- e) Verify cancellation of the grant process as well as possible relaunch. Such decisions will be documented in the form of a memo, signed by both the Procurement Unit and Ex-Ante Unit;
 - f) Recommend any proposal for derogation from the standardized grant process documents for approval by the Accounting Officer or a delegated authority;
 - g) Participate in Grants Evaluations as an observer and provide advice if required;
 - h) Receive, review and advise the Accounting Officer on all submissions made by the Tender Committees;
 - i) Ensure that the grant agreement to be executed by the Accounting Officer are a true reflection of the evaluation/negotiation processes and the award decision; and
 - j) Review and submit grant agreements and/or addenda to the agreements to the Legal Function, who submits them for signing by the Accounting Officer or those delegated the authority.

Part 2: The SADC Tender Committee

1. Composition

The SADC Internal Tender Committee (SITC) members are appointed by the Executive Secretary for a minimum period of two (2) years. The Chairperson and Vice Chairperson of the SADC Internal Tender Committee shall be appointed by the Executive Secretary and shall hold the function for a maximum of one year, after which the positions shall be rotated amongst the members of the Committee. In the absence of both the Chairperson and the Vice-Chairperson, the Chairperson shall appoint one of the Tender Committee members to chair the SADC Internal Tender Committee proceedings.

This entails that the SADC Tender Committee(s) shall be responsible for reviewing and advising on all recommendations for award made by the Evaluation Committees within the threshold as stipulated in Schedule 2 of these Guidelines, after which it makes its recommendations to the Accounting Officer.

The SADC Internal Tender Committee shall have a minimum of three (3) and a maximum of five (5) members, chosen among the directors of the SADC Secretariat with no subordination relationships among themselves with the structure of the institution. Director of Internal Audit and Risk Management and heads of Legal Affairs Unit, Ex-Ante Unit and Procurement Unit and their subordinates shall not be members of SITC.

The Executive Secretary shall appoint for each member of the Internal Tender Committee an alternative member selected from the senior officer(s) in the respective directorate/unit to replace the substantive member in circumstances where his/her participation in the Tender Committee(s) meetings is not possible.

To have a quorum, the SADC Internal Tender Committee(s) shall have at least three (3) members from the directorates and/or standalone units participating in the SADC Internal Tender Committee(s) meetings.

The SADC Tender Committee(s) shall be supported by a Procurement Function which will act as a permanent secretariat of the SADC Tender Committees. The Secretariat of the SADC Tender Committee(s) is in charge of distributing the documents to be reviewed, logistics of the meetings, recording the deliberation and decision, securing the signatures of the members on the Tender Committee(s) decisions, and maintaining the record and archives of the SADC Tender Committees.

No member of the SADC Tender Committee(s) shall be involved in the grant processes other than in the capacity of member of the SADC Tender Committee(s).

When a member of the Tender Committee(s) is also a requisitioner for grants for which the Tender Committee is requested to review and advise, the respective member shall not be allowed to participate in the Tender Committee meeting and be replaced for that specific grant process by an alternate from a different technical department which is not under the coordination of the requisitioner.

No member of the SADC Tender Committee(s) shall be part of the internal Institutional structures that audits the grant processes.

All members of the SADC Tender Committee(s) have equal voting rights and the decision shall be made by consensus. If a SADC Tender Committee cannot reach a decision by consensus, the Committee decision shall be taken by majority vote. Such incidents shall be duly recorded in the minutes of the SADC Tender Committee meetings.

All members of the SADC Tender Committee(s) shall be free of conflict of interest as defined in paragraph 2.2 of Chapter 2 of these Guidelines. The members shall sign a Declaration of Impartiality and Confidentiality using the standard template. The Committee members shall ensure the Declaration of Impartiality and Confidentiality forms are signed prior to proceeding with meeting agenda.

When a member becomes aware that he/she is in a situation of a potential conflict of interest, he/she shall notify the SADC Tender Committee by giving details of the particulars that created the potential conflict of interest and excuse him/herself from further participating in the SADC Tender Committee(s) meetings or decisions in relation with that particular grant process. Such circumstances shall be recorded in the minutes of the SADC Tender Committee(s) meetings.

2. Communication and records of the SADC Tender Committee

All correspondence, meetings and decisions of the SADC Tender Committee shall be recorded in writing by the Secretary to the SADC Tender Committee. The record of the SADC Internal Tender Committee shall be signed by all members.

The SADC Tender Committee shall communicate their request for clarification, objections, rejections or any other advice/recommendation only to the Procurement Function who shall further distribute it to the relevant party.

3. Decision Timelines

The SADC Tender Committee review and recommendation shall be taken in the shortest time possible from the receipt of the document to be reviewed.

The maximum time allowed to review submissions shall not exceed fourteen (14) days.

Annex 3: Standard Forms and Templates for Grants Processes

The forms and templates will be uploaded to the SADC Website for reference.



Signed with Impression - Chain of Custody



Signature Request

Signature Request ID:	3d61fa9c-7db5-437f-997d-be36164e8ab0	Timestamp:	2025-06-19 09:09:49 GMT
Signee Name:	Elias M. Magosi	Sender Name:	Elias M. Magosi
Request Type:	WebSigning	Request Status:	WEBVIEWER SIGNED

Original Document

Document Name:	SADC GRANTS GUIDELINES_APRIL 2025 10062025_clean.docx	Document Size:	738.1 KB
----------------	---	----------------	----------

Email Evidence

Signee Email:	emagosi@sadc.int	Email Subject:	Not available in Silent Mode
Email Sent Timestamp:	Not available in Silent Mode	Email Opened Timestamp:	Not available in Silent Mode

Web Evidence

Signee IP Address:	160.242.95.226	Request Timestamp:	2025-06-19 09:05:41 GMT
Signee GPS (if shared):	BW: Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/137.0.0.0 Safari/537.36 Edg/137.0.0.0	Terms Accepted Timestamp:	2025-06-19 09:05:50 GMT

Annotations and Modifications

Signature Count:	1	Form Fields Filled Count:	0
Text Annotation Count:	1	Initial All Pages Count:	1
Single Initial Count:	0		

Signing Evidence

Signee Mobile:	+27000000000	Sign Type:	WebSigning
Security Challenge:	NONE	Part of Workflow:	NONE

Chain Of Custody Generation

Attached Document Name:	20250619T090949.278472Z SADC GRANTS GUIDELINES_APRIL 2025 10062025_clean.docx	Attached Timestamp:	2025-06-19 09:09:49 GMT
-------------------------	---	---------------------	-------------------------

