

THE MINISTRIES OF FOREIGN AFFAIRS, OF FINANCE AND OF PUBLIC ADMINISTRATION

Order no. 1989/2011

Part of the mission of Instituto Camões, I. P. (Public Institute) is supporting the production of works and projects disseminating Portuguese language and culture abroad. Supporting the publication abroad of works written by Portuguese language authors that are translated into other languages and works that focus on themes regarding Portuguese language and culture is particularly important in this area.

How this is achieved is subject to regulations approved by a set of government members who are responsible for the areas of foreign affairs and finance.

To this end, under the terms of no. 4 of article 3 of Decree-Law no. 119/2007, 27th April, with the wording conferred by Decree-Law no. 165 -A/2009, 28th July, the following is determined:

- 1 — The regulation of the Instituto Camões, I. P. publishing support programme is attached to this Order and constitutes an integral part of it.
 - 2 — The regulation comes into force on the 1st working day after the date this Order is published in the *Diário da República*.
 - 3 — The rights and legitimate expectations of the parties in relation to support currently being assessed for attribution or support already being granted are safeguarded when it comes into force.
- 18th January, 2011. — The Minister of State and Foreign Affairs, *Luís Filipe Marques Amado*. — The Minister of State and Finance, *Fernando Teixeira dos Santos*.

ANNEX

Regulation of the Instituto Camões, I. P publishing support programme.

Article 1

Subject

This regulation enshrines the standards applicable to the Instituto Camões, I. P. (IC, IP.) publishing support programme, as part of its mission.

Article 2

Pre-requisites

- 1 — The amount of financial support to be granted, as well as the initiation of procedures, is dependant on the IC, I. P. budget.
- 2 — In relation to the previous number, the initiation of procedures foreseen in this regulation should be preceded by a duly substantiated proposal, drawn up by the appropriate IC, I. P. services, with an estimate of costs and the relevant fit with the priorities defined in the annual activity plan, which is subject to approval by the president of IC, I. P.

3 — The proposal foreseen in the previous number should be accompanied by information from the appropriate IC, I. P. services, regarding funds available in the budget.

Article 3

Authorisation to provide support

The president of IC, I. P. is authorised to attribute the support that this regulation refers to.

Article 4

Subsidiary law

The rules of the Code of Administrative Procedure are additionally applicable to the procedures foreseen in this regulation.

Article 5

Doubts and omissions

Doubts and omissions regarding the interpretation and application of this regulation are decided by order of the president of the IC, I. P.

Article 6

Programme objectives

The objectives of the publishing support programme are:

- a) To support the publication abroad of Portuguese language authors' work translated into other languages, as well as work that focuses on Portuguese language and cultural themes;
- b) To promote awareness of Portuguese language authors abroad.

Article 7

Scope

1 — Support will be provided according to the objectives and priorities established annually in the IC, I. P. activity plan in relation to, for example, geographical areas and translated languages.

2 — Support provision will also take into account guarantees provided by the publisher in terms of distribution and dissemination capacity.

Article 8

Financial system

1 — Financial support granted is designed to share the costs of publishing works by Portuguese language authors translated into other languages, as well as works that focus on Portuguese language and cultural themes.

2 — Financial support is paid to the publisher in one lump sum by bank transfer to the account specified in the application by the end of the year in which the results of the programme are published.

3 — Financial support attributed is considered a non-repayable grant.

4 — The maximum contribution to publishing costs can be defined by order of the president of IC, I. P. in accordance with its budget.

Article 9

Initiation of procedures

Procedures for applying to the publishing support programme are published on the webpage of IC, I. P.

Article 10

Application requirements

1 — Foreign publishers who wish to publish works by Portuguese language authors translated into other languages and possess international distribution capacity can apply to the publishing support programme.

2 — Each publisher can only submit one application per year.

Article 11

Publicising and formalising applications

1 — Information that should be included in the announcement publicising the procedure, as well as the documents that should be sent by candidates on their applications, is defined by order of the president of IC, I. P.

2 — The following documents must be presented:

a) Documentary evidence that shows no outstanding Social Security debts in Portugal or, if it be the case, in the State where the publisher is based;

b) Documentary evidence that shows no outstanding tax debts in Portugal or, if it be the case, in the State where the publisher is based.

3 — In the cases where the documents mentioned in sub-paragraph a) and b) are unavailable in the States from which the applicants originate or where they are based, applicants should make a bona fide declaration that the said documents are not issued in that State and that they have no outstanding Social Security or tax debt, in applicable cases.

Article 12

Exclusion of applications

1 — Applications submitted after the deadline and which do not include the documents requested in the announcement will be excluded.

2 — Under the terms of numbers 2 and 3 of the previous article, applicants who have outstanding social security and tax debts will also be excluded.

3 — Excluded applicants candidates are notified for the purposes of an audience of interested parties under the terms of the Code of Administrative Procedures.

4 — Candidates are notified preferentially via e-mail with receipt of notification.

Article 13

Assessment of applications

1 — Assessment of applications is made by a jury nominated annually by the president of IC, I. P., whose constituent members must be included in the announcement of the initiation of procedures.

2 — Jury decisions are made according to majority.

3 — There are minutes of the jury's meetings with an indication of the decisions taken, the reasons for them and any criteria used.

Article 14

Assessment criteria

Assessment criteria are defined by the jury and duly publicised in the announcement of the initiation of procedures.

Article 15

Publication of results

- 1 — Final results are included on a list drawn up by the jury and published on the webpage of the IC, I. P. within 60 working days of the deadline for applications.
- 2 — Results are communicated to the candidates for the purposes of an audience of interested parties under the terms of the Code of Administrative Procedures.
- 3 — After assessing any claims, the jury draws up the final ranked list of applicants, which is subject to the approval order of the president of IC, I. P.
- 4 — The act of approval is subject to appeal under the applicable legislation.
- 5 — Notification of the acts referred to in numbers 1 and 3 are communicated preferentially via e –mail with receipt of notification.
- 6 — Definitive results are published on the webpage of IC, I. P.

Article 16

Quid pro quo

- 1 — In return for support, those responsible for applications promise to make a particular number of copies of the published work available to IC, I. P. This number will be established according to the sale price to the public and the level of financial support to be granted.
- 2 — Publishers should send the abovementioned copies, which constitute the return for the supported work, to the nearest embassy, consulate or institution that is part of the IC, I. P. teaching network.
- 3 — The cost of sending the books referred to in the previous number will be paid for by the publishers.
- 4 — Support will be duly granted after receipt of the publication model in electronic format.

Article 17

Mention of support

- 1 — After the support is granted, the publishers should clearly mention this in Portuguese and the language that the work is published in, printing the IC, I. P. logo with the following words:
«Obra publicada com o apoio do Instituto Camões — Portugal»
(Published with the support of Instituto Camões — Portugal).
- 2 — Publishers should also clearly mention the name of the author and the title of the work, as well as the respective credits in Portuguese and the language of the translation.

Article 18

Contract

The granting of support implies the signing of a contract which must contain information to be defined by order of the president of the IC, I. P.

Article 19

Breach

- 1 — Non-fulfilment of obligations resulting from these regulations and the contract signed implies the automatic withdrawal of the support granted.
- 2 — Non-fulfilment of the completion deadline of the publication implies the withdrawal of support and the return of the sum already transferred.

3 — Non-fulfilment of the obligations referred to in number 1 of this article also imply that the publisher can not make applications to the programme for a period of three years.