



CENTRAL BALTIC INTERREG IV A PROGRAMME 2007-2013

Cross-border co-operation programme under
the European Territorial Co-operation objective

Economically competitive and innovative region
Attractive and dynamic societies
Safe and healthy environment



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**Subsidy Contract establishes the
only legally binding relationship
between the Lead Partner and
Managing Authority**



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Subsidy Contract consists of:

- Subsidy Contract
- Approved application with Annex 6
- A protocol note of the respective Steering Committee meeting



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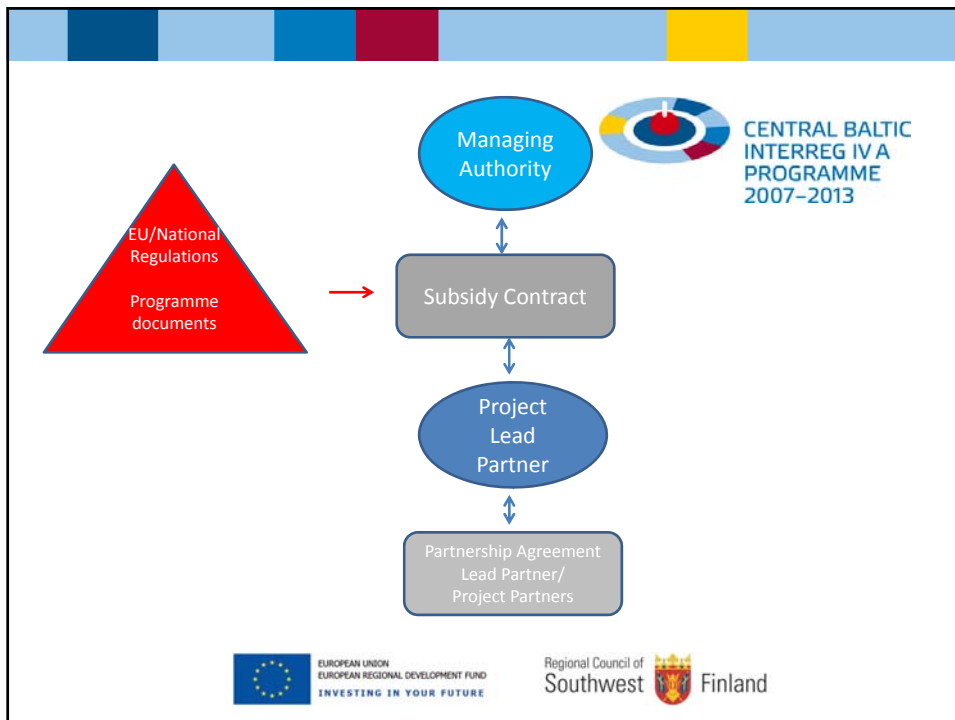
Subsidy Contract derives from the relevant EU and national regulations and either sets rules and instructions to be followed or refers to the information and duties set in Programme documents



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Preamble:

- Basic identity information
- Date of Arrival ("**updated valid version**")
- *Approved start and closure dates (eligibility)*

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§1 Applicable legal framework:

- EU structural Fund regulations
- Community rules
- National Finnish regulations
- Respective national regulations
- Programme Documents (**"Programme Manual Version"**)
- Principles to be applied



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§2 Award of Subsidy:

- *Amount of subsidy, approved financial plan and total budget*
- *ERDF grant rate for the project and individual partners*
- Requirements on national co-funding
- De Minimis rule, *VAT status*
- Requirement to set up the Steering Group



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§3 Object of use, eligibility of costs and reallocation:

- *FLC and Certification requirements*
- Changes/prolongation
- (=> *Changes in the Subsidy Contract*)



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§4 Request for payments:

- Reporting requirements and practises
- Co-financing rates of the partners!
- De -commitment
- Audit trail requirements (*“the list of bodies holding documents”*)
- *Income issue*
- CA's right to deduct ineligible costs



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§5 Representation of Project Partners, liability:


- *LP's financial and legal responsibility*
- Preconditions, permits etc.
- *Partnership Agreement* ("a copy to be sent to the JTS with first PR/PC")
- LP/PP liabilities to the third parties




§6 Additional obligations:

- "Requirement on the own cost centre per each LP/PP"
- "All costs are paid out by the respective partner from the partners own cost centre"
- Changes within the consortium
- Conflict of interest









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§7 Information and Publicity:

- References to Programme Manual and Communication Guide
- *Authorisation to publish project information e.g at the Programme's website*
- Sensitive/confidential issues
- EU flag and Programme logo



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§8 Durability and ownership of results:

- No substantial changes within 5 years after the completion of the project which may give a private or public body an undue advantage
- Lead Partner/Project Partner ownership rights (Partnership Agreement)



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§9 Generation of Revenues:

- "Size of the budget" (NB! Guidance Note by the Managing Authority)
- All the revenues will proportionally reduce the ERDF co-financing
- In case of foreseen revenues/income a pre-consultation with JTS in any case



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§10 Right of termination:

- *Amicable solution will be sought first (MA/LP)*
- Official procedure in written
- Repayment procedure (CA/LP)
- Repayable ERDF amount subject to interest



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§11 Archiving of project documents:


- To be archived until 31.12.2025
- Paper copies, photocopies, microfiches and electronic versions
- Audit trail requirements (“the list of bodies holding documents”)



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§12 Controls and audits:

- AA and Group of Auditors (GoA), audit bodies/authorised persons
- The availability of the documents for audit purposes
- Certifying Authority entitled to ask additional information and to carry out sample checks and withhold payments until the case (ERDF payments) at hand is solved



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§13 Recovery of ineligible expenditure:


- *Two stage procedure in written by Certifying Authority*
 - *amicable procedure*
 - *judicial procedure*
- Order of recovery, mutual consent aimed
- Competent jurisdiction
- Repayable ERDF amount subject to interest



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§14 Assignment, legal succession:

- Transfer of duties by LP/PPs
- Change in legal form of the LP/PP organisations
- Managing Authority and/or Steering Committee approval needed



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§15 Concluding provisions:

- Legal rights of the LP/PPs
- The contract is governed by the laws of the Republic of Finland



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...and please read the Subsidy Contract....

Thank you for your attention !



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MORE INFORMATION:



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