

# 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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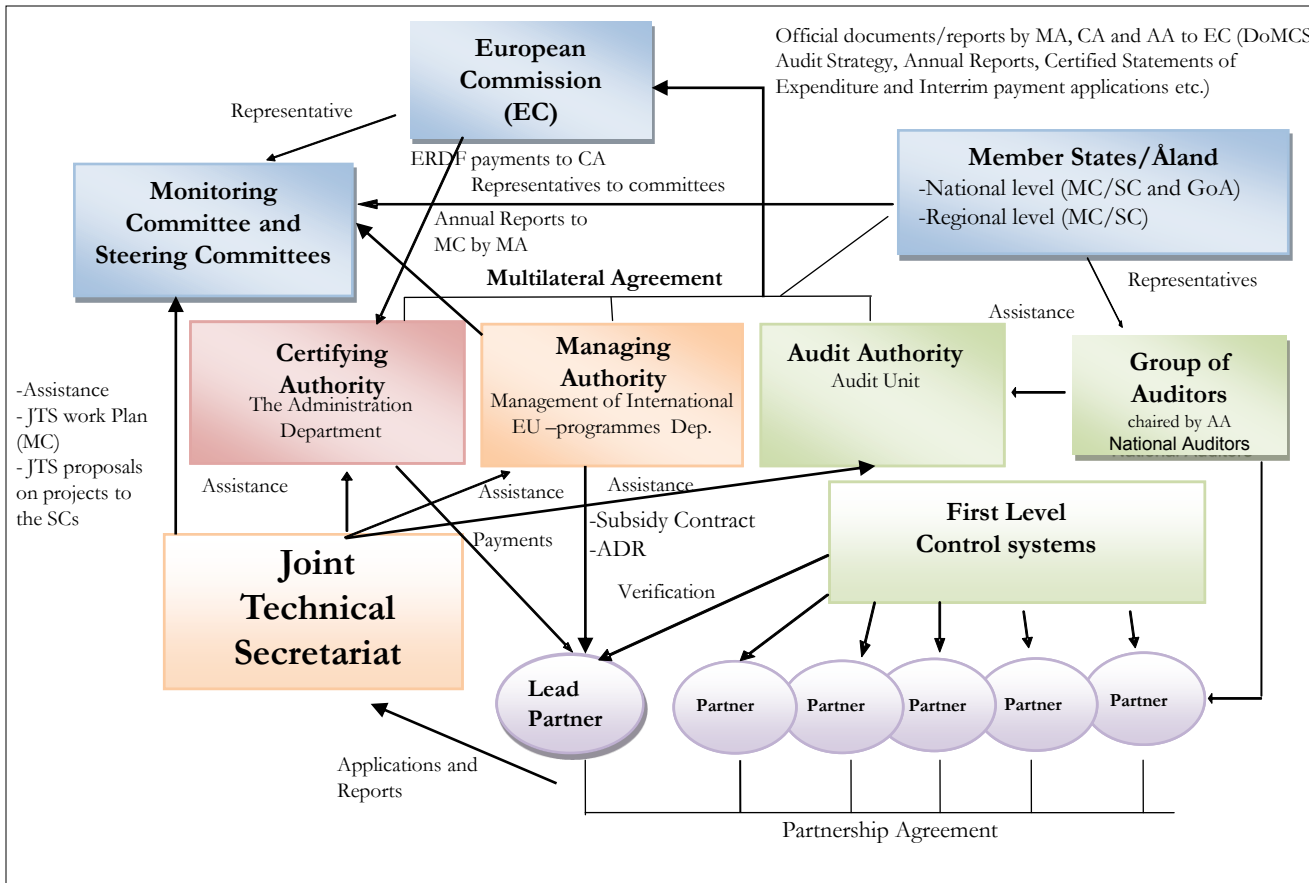


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# Programme management and implementation structure:



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-Commission and Member State/Åland level (i.e. decision making)

-Programme authorities and JTS level (i.e. execution)

-Project implementation/management/reporting (LP/PP) level ! (i.e. implementation)



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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**

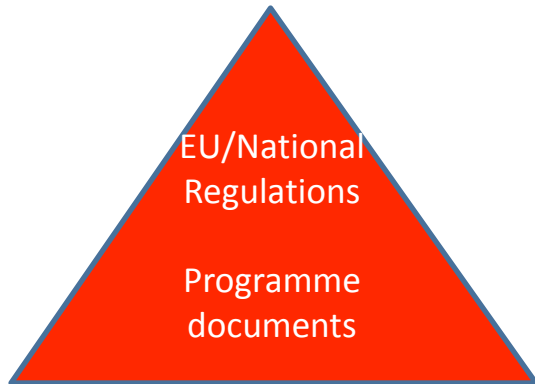


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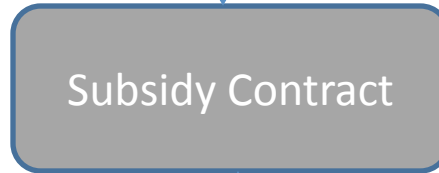
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## **Pre-check process between the Managing Authority and Lead Partner:**

- After the SC preconditions are fulfilled and confirmed by MA and the LP has submitted the final AF with all the relevant annexes
- Subsidy contract with final AF and annex 6 sent to the LP by MA to be pre-checked



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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 (The 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



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## 4 Request for payments:

- Reporting requirements and practises
- Co-financing rates of the partners
- De -commitment
- Audit trail requirements
- Income issue
- CA's right to deduct ineligible costs and withhold ERDF payments



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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



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## 6 Additional obligations:

- Requirement of the own cost centre per each LP/PP
- 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



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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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**Thank you for your attention !**



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## MORE INFORMATION:

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