

PROGRAMME MANUAL

**INTERREG ATLANTIC AREA
2014-2020**

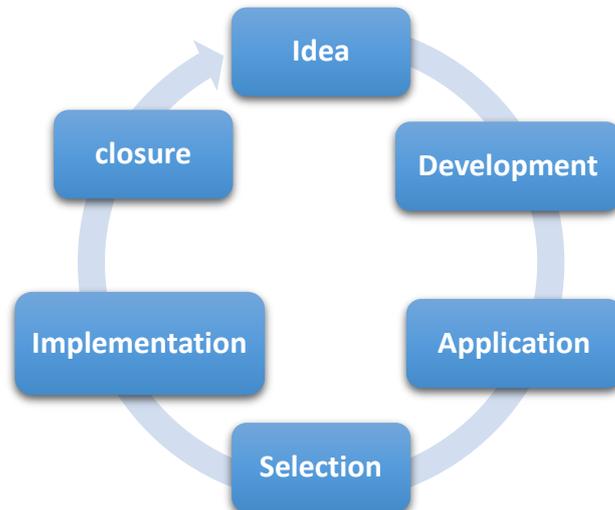
**Stage 1
Call for Expressions of Interest**

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Introduction

The Manual provides guidance on all phases of the project life cycle and explains the rules and procedures of the Atlantic Area Programme.



The rules laid down in this Manual are the primary rules of the Programme. They are based on the relevant European Regulations and agreed by the Programme Member States. The Programme rules can only be overruled by national legislation if a particular topic is not covered by the Manual. In all other cases the Manual rules apply first.

Please note that this Manual may be updated throughout the lifetime of the Programme in order to adapt it to changes in the relevant regulations and to improve Programme delivery.

The Manual is relevant for all stakeholders involved at different phases of a project. Lead Partners and project partners are the main target group of the document, together with their management controllers. All are expected to be familiar and up to date with the content of the Manual, particularly Lead Partners as they are responsible for all project phases from development to closure.

Chapter 4 sets indicatively information about eligibility and implementing rules. Such descriptions are provisory and not essential for stage 1 of the application process (expression of interest). Eligibility and implementation procedures and rules may change and will be definitively adopted within the complete Programme Manual to be available later for the stage 2 of the application process.



1. General information about the Programme

1.1. Programme Area

The Atlantic Area covers the western part of Europe bordering the Atlantic Ocean. It comprises regions from the western part of the United Kingdom, Ireland and Portugal as well as the northern and south westernmost part of Spain and western France. In comparison to the period 2007-2013 Programme, the current Programme covers an expanded area with the inclusion of new regions: Canary Islands (Spain), the

Autonomous Regions of the Azores and Madeira (Portugal). The eligible regions are the following:

- ✓ **France:** Haute-Normandie, Basse-Normandie, Pays-de-la-Loire, Bretagne, Poitou-Charentes, Aquitaine;
- ✓ **Ireland:** Border, Midland and Western, Southern and Eastern;
- ✓ **Portugal:** Norte, Centro, Lisboa, Alentejo, Algarve, Região Autónoma das Açores, Região Autónoma de Madeira;
- ✓ **Spain:** Galicia, Principado de Asturias, Cantabria, Navarra, País Vasco, Andalucía (Huelva, Cádiz and Sevilla), Islas Canarias;
- ✓ **United Kingdom:** Cumbria, Cheshire, Greater Manchester, Lancashire, Merseyside, Gloucestershire, Wiltshire and Bristol/Bath Area, Dorset and Somerset, Cornwall and Isles of Scilly, Devon, West Wales and the Valleys, East Wales, South Western Scotland, Highlands and Islands, Northern Ireland

1.2. Programme overall objectives

The Programme main objective is to strengthen the integrated territorial development and cooperation in the Atlantic area.

It is structured around 4 priority axes and 7 specific objectives as illustrated in the diagram below:



The Programme maximises opportunities and addresses issues which require a joint response by partners from a minimum of 3 countries within the Programme Area. The Atlantic Area has carried out a full SWOT analysis and the results can be found in the Cooperation Programme (CP).

The INTERREG Atlantic Area 2014-2020 Programme aims to support the achievement of the EU Territorial Cooperation goal and fits within the wider strategic context of EU strategies and objectives.

Project applicants and partners should be aware of the wider strategic context when preparing applications and delivering projects. Some of the main strategic documents are listed below for illustrative purposes only however this is not exhaustive:

FOR PROJECT DEVELOPMENT	
Cooperation Programme Available here	This sets out the overall Programme strategy, the aims, objectives and types of actions to be supported. Note that the full approved version as submitted to the European Commission and a summary are available on the Programme website
Programme Manual Available here	It offers detailed guidance for project applicants and partners on project development and implementation in the Atlantic Area. All rules and guidelines are explained in this document.
Programme approval decision Available here	Decision of the European Commission according to Article 29(4) EUEU Regulation N. 1303/2013 approving the Programme (Decision No C(2015) 8196 / 17.11.2015);
CMIS guidelines Available here	For all partnerships, the Atlantic Area web site and the Programme website Communication, Management and Information System - are the entry point for the preparation, submission and management (progress reports, modification requests etc.) of a project.
STRATEGIC FRAMEWORK	
EU 2020 Strategy Available here	The overarching EU strategy for smart, sustainable and inclusive growth.
Territorial Agenda EU 2020 (TA 2020) Available here	Towards an Inclusive, Smart and Sustainable Europe of Diverse Regions, May 2011. Strategic policy paper on Territorial Cohesion in the European Union.
Sixth cohesion report on economic, social and territorial cohesion Available here	Investment for jobs and growth. Promoting development and good governance in EU regions and cities, European Commission, July 2014. Report on economic and social cohesion in the EU.
Action Plan for a Maritime Strategy in Atlantic Area Available here	European Commission Action Plan for a Maritime Strategy in the Atlantic Area - Delivering smart, sustainable and inclusive growth.
Marine Strategy Framework Directive and the Maritime Spatial Planning Directive Available here	The Marine Strategy Framework Directive (MSFD) and the Maritime Spatial Planning (MSP) Directive are important legislation to the Atlantic Area, particularly relevant in the context of transnational cooperation

LEGAL FRAMEWORK	
ERDF regulation No. 1301/2013 Available here	REGULATION (EU) No 1301/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 17 December 2013 on the European Regional Development Fund and on specific provisions concerning the Investment for growth and jobs goal and repealing Regulation (EC) No 1080/2006;
Common provisions regulation (EU) No. 1303/2013 Available here	REGULATION (EU) No 1303/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 17 December 2013 on common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and on general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006;
ETC regulation No. 1299/2013 Delegated acts and implementing acts Available here	REGULATION (EU) No 1299/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 17 December 2013 on specific provisions for the support from the European Regional Development Fund to the European territorial cooperation goal
ETC Delegated Regulation on eligibility of expenditure	COMMISSION DELEGATED REGULATION (EU) No 481/2014 of 4 March 2014 supplementing Regulation (EU) No 1299/2013 of the European Parliament and of the Council with regard to specific rules on eligibility of expenditure for cooperation programmes
FOR PROJECT IMPLEMENTATION	
Application Form	A legally binding document that describes the project (relevance, objectives, results, outputs and partnership) and gives detailed information on the work plan and budget. Once the project is approved, the Application Form becomes the reference document for the whole implementation of the project until its closure. It is annexed to the Subsidy Contract (see below). Its content may be modified to a certain extent during the project lifetime, but only in compliance with the Programme's project modification rules and procedures.
Subsidy Contract	The contract between the Atlantic Area Managing Authority (MA) and the project Lead Partner that defines the rights and obligations of the partnership.
Partnership Agreement	The contract between the Lead Partner and the partners that defines the rights and obligations of each partner within the context of the project.
Progress Report	The reporting template for projects during their implementation. This can be accessed and submitted through the Programme website. Projects must submit a Progress Report twice a year to the Joint Secretariat (JS), failure to do so could result in delay in payment and reduction in funding.
Programme website guidelines	Help and guidance for the submission of claims and reports through the Programme website

1.3. Horizontal Principles

Sustainable development, equal opportunities and non-discrimination, and equality between men and women are three major horizontal principles that constitute an integral part of EU policy and the Programme. The supported projects have to abide to and promote these principles whenever possible in their activities, outputs and results. In addition, projects must explain in the application form the specific measures they plan to take at the operational level (i.e. project management) to follow these principles. The promotion of the horizontal principles will be considered as a positive factor in the project assessment and selection.

For further information on these principles refer to Section 8 of the Cooperation Programme or Art. 7 from Common Provisions Regulation regarding accessibility of persons with disabilities.

1.4. Integrated territorial development approach

The Atlantic Area Programme supports integrated territorial development. Projects must address territorial challenges, making use of territorial assets and consider relevant territorial development policies.

The Programme encourages projects to build on specific opportunities of the regions involved, for instance through smart specialisation strategies, blue growth, green growth, etc.

The Programme also encourages multi-level approach in projects, i.e. involving relevant different levels of governance and types of organisations to help improve effectiveness of territorial solutions.

Finally the Programme encourages an integrated approach to projects, bringing together organisations from the private, public and third sector, such as cooperatives, not-for-profit organisations and Non-Governmental Organisations (NGOs), to help address common challenges.

1.5. Programme budget and co-financing

The total Programme co-financing from the European Regional Development Fund (ERDF) amounts to **140 013 194 euros** for a total budget of **185 366 492 euros**.

Project partners have to provide their own contribution to receive Programme co-financing. They are entitled to receive up to a **75% ERDF co-financing**.

ERDF Total financial appropriation from the ERDF and national co-financing

PA	Union support (a)	National counterpart (b) = (c) + (d)	Indicative breakdown of the national counterpart		Total funding (e) = (a) + (b)	Co-financing rate (f) = (a)/(e)
			Public (c)	Private (d)		
PA1	47 117 240	15705 748	12 564 598	3 141 150	62 822 988	75%
PA2	29 744 404	9914802	7931 842	1 982 960	39 659 206	75%
PA3	15 267 039	5089014	4071211	1 017 803	20 356 053	75%
PA4	39 483 720	13161 241	10528993	2 632 248	52 644 961	75%
PA5	8 400 791	1482493	1482493	0	9 883 284	85%
Total	140 013 194	45353298	36 579 137	8 774 161	185 366 492	76%

1.6. Programme Bodies

The Programme is managed and delivered by different organisations, some of them are also responsible for assisting projects.

When applying for, or whilst running a project, it is important that projects utilise all available support from the Joint Secretariat and National Authorities, via their National Correspondents or National Contact Points, who will be a valuable sources of information and support for the development and implementation of projects.

Contact details for the Programme bodies can be found on the Programme website: www.atlanticarea.eu

Managing Authority (MA)

The MA is the *Comissão de Coordenação e Desenvolvimento Regional do Norte* (CCDR Norte), located in Oporto, Portugal. It is responsible for managing and implementing the Programme on behalf of the participating Member States (MS) in accordance with the relevant European and national legislations.

Joint Secretariat (JS)

The JS is responsible for the day-to-day implementation of the Programme and assisting with the project development process in close collaboration with the National Authorities (NA), as well as for project monitoring and follow-up once projects have been approved.

It assists applicants and partners in all the steps of the project cycle (from development to post-closure).

Please contact the JS to obtain:

- ✓ Detailed information about the Atlantic Area Programme;
- ✓ Information on how to develop a project proposal (from project idea to project submission);
- ✓ Information about the assessment procedures;
- ✓ Assistance during the project implementation;
- ✓ Information about communication issues.

National Authorities (NA)

The National authorities in Spain, France, Ireland, Portugal and the United Kingdom have appointed a National Correspondent (NC) and/or National Contact Point (NCP) to support the Programme and work with projects partners in their respective countries.

National Correspondents: Support the Programme promotion and ensure a wide dissemination of Programme information within each country. They also support the Managing Authority and Joint Secretariat with Programme business including input to implementation arrangements as they affect the territory and assistance with information of national laws, regulations and policies that should be taken into consideration for Programme implementation. NCs may also for some countries provide a point of contact for potential applicants.

National Contact Points: Provide advice and guidance to applicants on the application process, support in identifying potential partners, and specialist advice on the development of projects.

Meetings between MA/JS and National Correspondents are organised to evaluate progress of the Programme, discuss issues raised by project partners and disseminate good practice within the Programme

Monitoring Committee (MC)

The MC provides strategic direction to the Programme, agrees the planning, orientation and financial allocations to calls for proposals. The Monitoring committee is responsible for selecting and approving submitted projects. It is comprised of representatives of the Member States of the Programme and representatives of the stakeholders as advisory members. The list of the MC members is available on the Programme website.

Audit Authority (AA) and Group of Auditors (GoA)

The AA is the *Inspecção Geral de Finanças* (IGF) and is located in Lisbon, Portugal. The main task of the AA is to ensure that audits are carried out on the management and control systems. Audits on projects will be spread during the entire Programme lifetime. The AA¹ will be assisted by a GoA comprising representatives of responsible bodies of each Member State participating in the Programme.

Certifying Authority (CA)

The CA is the *Agência para o Desenvolvimento e Coesão* (AD&C) it is located in Lisbon, Portugal and is responsible for payments to project partners and for compiling and submitting payment applications to the European Commission (EC) following certification of the expenditures made by projects and Programme bodies (technical assistance).

1.7. Programme Languages

The main Programme documents will be in English, however the official languages of the Atlantic Area Programme are English, French, Portuguese and Spanish. This means that the general public, stakeholders, project lead partners and individual partners may use the four languages in their general communication with the JS and MA.

The Expressions of Interest and full project applications must be submitted in English with the Project title and brief summary provided in the four languages.

The following key documents for the public, applicants and project partners are available in English, French, Portuguese and Spanish:

- Atlantic Area Cooperation Programme

¹ In line with Article 25(2) of the ETC regulation

- Call for project announcements
- Project summaries accessible on the communication platform
- Programme manual
- Help guides
- Help menus on the communication platform
- Subsidy contracts
- Partnership agreements
- Application forms
- Implementation report forms
- Project modification forms

2. Project Generation and Development

2.1. How to develop your project

2014-2020 INTERREG Programmes have a clear thematic focus and are result-oriented.

The Programme Authorities have outlined in the Cooperation Programme what they want to improve in the Atlantic Area.

Therefore **projects financed under the Atlantic Area Programme must contribute to delivering the Programme objectives, impacts and changes it wants to achieve.**

What positive change will your project bring to the cooperation territory?

The answer to this question will help you to develop your project.

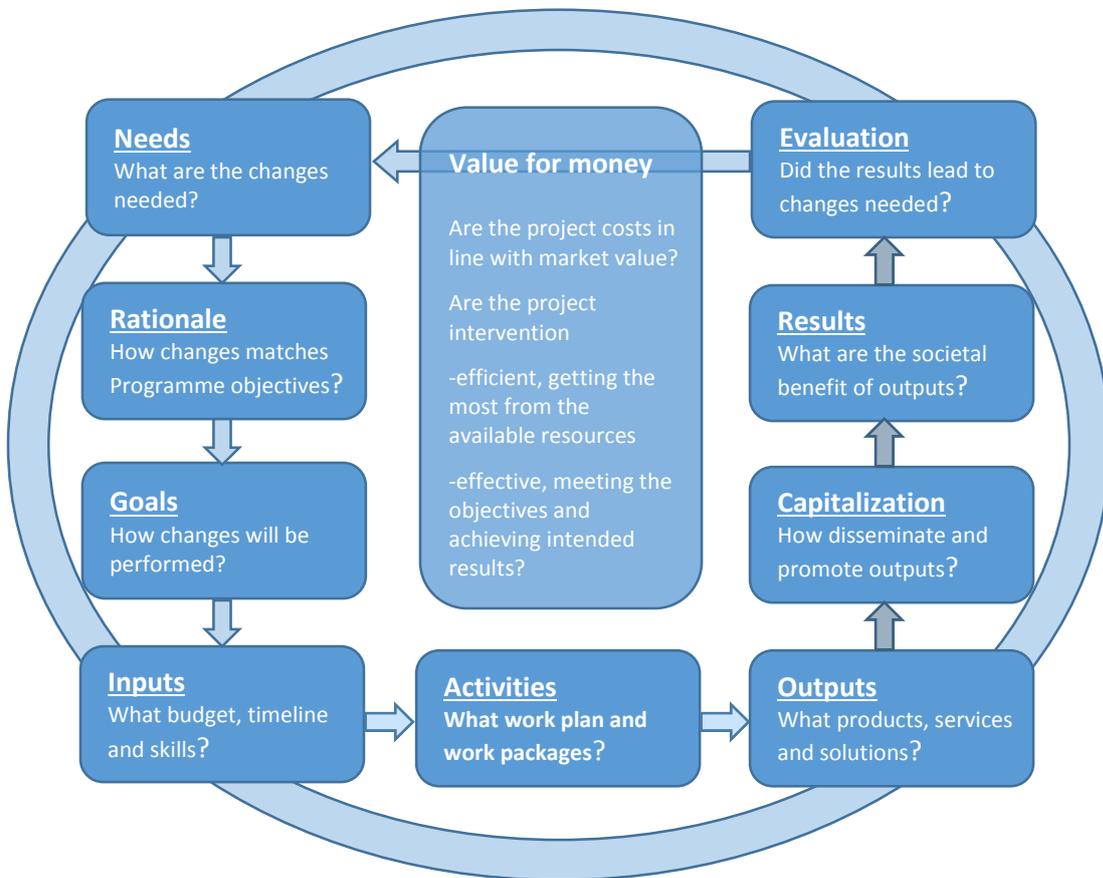
Projects must:

- ✓ Contribute to Programme results;
- ✓ Apply under one specific objective of the Programme only;
- ✓ Clearly target its goals on the chosen Programme specific objective;
- ✓ Choose activities, outputs and indicators linked to the targeted specific objective.
- ✓ Identify the relevant target groups within the thematic field of the objective;

Programme results are achieved through **quality projects** which must be clearly linked to the Programme's strategy and intervention logic.

A project is an undertaking that must be structured according to a particular intervention logic.

The Programme uses the following **project intervention logic**:



2.2. What makes a quality project?

2.2.1. Cooperation according to the basics of ETC's regulation

The EU Regulation stipulates **four cooperation criteria** that specifically characterise territorial cooperation projects². The four cooperation criteria provide guidelines and help applicants to improve their proposal:

1. **Joint development**: the project idea and scope are jointly developed by the partners.
2. **Joint implementation**: the activities, outputs and results are jointly realised by the partners.

² Article 12.4 of [Regulation \(EU\) No 1299/2013](#)

3. Joint staffing: all partners have equal responsibility for joint staffing roles and their application within the project.

4. Joint financing: all partners contribute financially to the project resources.

Atlantic Area projects are required to meet all four criteria.

A condition of funding a project will be that it will improve something on the territory and that a segment of the population will benefit from the project in the long run. The project has to show how partners will work together towards a common goal. If the project could happen without this cooperation, then it is not an Interreg Atlantic Area Project.

2.2.2. DRAFTING A PROPOSAL: SOME CONCEPTS AND GUIDELINES

1. Definition of needs and strategic relevance

Projects should address a common challenge across the Programme area and how best to utilise joint assets: a real need must be demonstrated. Projects should demonstrate how they will deliver wider strategies (EU/national/regional/local) including Regional Smart Specialisations Strategies when applicable. They should illustrate how they will use knowledge, expertise and skills across the Programme. Projects must therefore demonstrate both the need and its strategic relevance to qualify for Programme funding. The Programme will not support basic research projects or purely academic networking.

2. Transnational and Territorial relevance

This concept is one of the key requirements for a project to be funded. Each project has to clearly contribute to the chosen Programme specific objective, tackling development needs and territorial challenges that are shared across the regions participating in the project. It means that:

- The problems identified cannot be efficiently solved by individual regions or countries working on their own. This could be either:
 - o An issue affecting a clearly defined transnational geographical area (e.g. environmental risk management), or
 - o A common issue of interest for which transnational cooperation leads to more innovative and efficient solutions;

- Solutions, products, services and processes are jointly developed by organisations in different Member States (MS) working together in a project, thereby showing a clear transnational added value going beyond the mere addition of results independently achievable in the involved regions.
- Projects have to demonstrate an integrated approach to regional development, where possible, combining thematic and territorial dimensions;
- Where relevant, the link to Regional Smart Specialisation Strategies must be set.

Project outputs should be embedded in a transnational working approach. All partners have to actively participate in the project according to their functions and expertise, in order to achieve the collective project results.

A genuine transnational approach implies that each project partner is allocated a specific role in the project, that there be a balanced involvement of partners from both the financial and activity point of view spread over the different MS of the Programme area.

Projects are not considered transnational if they just consist of a series of local actions which are linked only through a vague thematic relationship and/or an ex-post exchange of experience among partners without any joint implementation.

Projects that do not address an issue of transnational relevance or that cover only regional or cross-border issues will not be supported by the Atlantic Area Programme.

The transnational co-operation character and territorial relevance has to be clearly demonstrated throughout the entire project (including the project approach and work plan)

3. Partnership structure

In order to achieve tangible project results it is essential to involve the relevant partners who best suit the needs and targets of the project. All partners must be able to drive the project forward in their specialist area (i.e.: Capacities in development or implementation, etc.).

The partnership should reflect the integrated territorial approach to regional development which requires multi-disciplinary and cross-sectoral partnerships.

- All partners have to be involved in a way that demonstrates the joint implementation and transnational added value of the project;
- Partners should demonstrate complementary expertise and seek to provide a balanced relevant representation in terms of: Member States, governance levels

(European, national, regional and local), and sectors (e.g. public, private and third sector).

4. Management system

Management procedures and structures should fit the financial size of the project and the number of partners. An efficient and effective involvement of all partners is crucial.

Procedures should be clearly set up outlining rights, duties of partners and Lead Partner, tools available, and incorporate a risk management plan in order to mitigate any risks to achieve their goals. The Lead Partner must have previous experience in managing EU-funded or similar projects and set up a sound internal communication system within the partnership.

A principle of good project management is the monitoring of its implementation processes and results. Ongoing evaluations (either internal or external as part of project management) must be integrated into the action plan in such a way that lessons learnt and recommendations can be applied during the project's lifetime.

It is considered crucial that the project must have proper risk and quality management systems in place

5. Communication of outcomes

Targeted and tailored communication will help projects to achieve aims and ensure transparency of the use of the EU funds. Communication activities are an important and integral part of the project implementation and require thorough planning as well as adequate resources.

From the application phase projects are expected to demonstrate how communication contributes to the success of the project.

Projects will have to prepare a communication plan which must reflect the strategic approach in relation to the activities, outputs, target audiences and partners' responsibilities for each work package.

When drafting the communication plan and actions, applicants will need to ensure consistency with the project objectives, proposed work plan and the main outputs and results.

Dissemination: to increase the impact of projects, all of them must include a result/outcome dissemination plan targeting project wider stakeholders/the relevant public in the participating regions.

The relevant target groups and stakeholders must be reached and shall be informed of the project outputs and results

6. Budget and value for money

The project should be adequately funded to properly implement its activities, and to effectively achieve its outputs and results. Value for money needs to be assured throughout the duration of the project. The budget must clearly show the relationship between resources employed and outputs delivered in terms of quantity, quality and timing aiming to achieve objectives and results. Note that the project budget has to be used in accordance with the principles of economy, efficiency and effectiveness.

The budget per partner must be adequate to the work they have to carry out. The resources needed by each organisation for its activities should be made available in due time, in appropriate quantity and quality and at the best price.

Economy and efficiency concerns minimising the cost and getting the most from the available resources. Effectiveness meets the objectives and achieves the results.

7. Work plan

The distribution of tasks among the partners should be appropriate and reasonable in view of partners' experience, budget, etc. The timetable should be realistic and take into account potential contingencies. The proposed activities are relevant and will lead to delivery of planned outputs and results. Further information in Section 2.7

8. Projects' sustainability

The Atlantic Area Programme will finance projects that deliver measurable outputs, generate tangible outcomes and provide opportunities to deliver lasting results. Projects should therefore demonstrate the potential of the proposed operation to continue activity beyond the lifetime of the Programme thereby capitalising on long-term benefits and maximising territorial impact.

Three dimensions of sustainability can be considered:

- **Financial sustainability:** Financing resources for follow-up activities and investments or for covering future operating and maintenance costs will be available?
- **Institutional sustainability:** What structures will allow the results of the project to continue to be in place after the project end? And how?
- **Political sustainability:** What structural impact will the project have? Will it lead to improved policies, legislation, plans, codes of conduct, methods, etc.?

9. Project innovation

Innovation is a cross-cutting theme but also a priority Axis (PA1) of the Programme. It is also considered as one of the most important driving forces for regional and economic development. It can be described as a process through which knowledge is created and translated into new products, services or processes of the private and the public sector. Innovation is conceived in a variety of contexts, such as technology, economy, social systems, policy development etc. and can be process-oriented, goal-oriented or context-oriented. Innovation should be a key driver of Atlantic Area projects.

The Atlantic Area will play a role in the intermediate stages of the innovation chain that goes from fundamental research, to the commercialisation of a product or service, or the application of a new process. Projects should focus on applied research and include a testing or implementation phase, while commercialisation should be left to the market.

Ensure you keep up to date with recent developments and results achieved in your project's sector or field and build on these within your project. Make sure you explain in the application form why the project requires transnational cooperation to take the sector or field forward.

10. Indicators

The Programme indicators system will allow projects to demonstrate their achievements towards the project and Programme objectives both in terms of outputs (how much and how well did the project do?) and results (is anyone better off and has anything improved?).

Information on the Programme indicator system is in Annex VI of the Operational Programme. Projects will be asked to quantify their inputs, activities and outputs in the Application Form (to be published in the stage 2 complete manual).

11. Capitalisation

Experience shows that projects do not necessarily start from scratch but take into account lessons learnt or research from previous projects at regional/national or European levels demonstrating their added value.

Projects are therefore encouraged to build on previous experiences. For a number of specific objectives in the Cooperation Programme, the aim is indeed to implement or apply existing solutions by optimising, adapting or improving them.

Note that duplication of activities carried out by other projects or Programmes will not be supported.

2.3. Partnership (Principles, types, roles, size, geographical eligibility)

2.3.1. General principles

As a general rule, all the partners should contribute to an efficient implementation of the project and the scope and size of the partnership should reflect its objectives.

All partners should have the capacity and knowledge in the project subject area to participate fully and to contribute to deliver the intended products and/or services.

The quality of a partnership's composition is also related to the relative involvement of its different partners. Projects should ensure a balanced participation from their partners drawing on their specific relevant expertise.

In the Atlantic Area Programme, projects must bring together partners from at least three different countries of the cooperation area.

2.3.2. Types of partners

Partners participating in projects and receiving funding from the Atlantic Area Programme must belong to one of the following categories:

- A. National, regional, or local public bodies
- B. Education and research institutions
- C. Not-for-profit organisations
- D. Private companies

E. International, transnational and cross-border organisations

Categories	Examples
A. National, regional, or local public bodies	Local public authority: Municipality, etc.
	Regional public authority: Regional council, etc.
	National public authority: Ministry, State Agencies etc.
	Sectoral agency: Local or regional development agency, environmental agency, energy agency, employment agency, etc.
	Infrastructure and (public) service provider: Public transport, utility company (water supply, electricity supply, sewage, gas, waste collection, etc.), airport, port, railway, etc.
B. Education and research institutions	Higher education and research: University faculty, college, research institution, RTD facility, research cluster, etc.
	Education/training centre and school : Primary, secondary, pre-school, vocational training and education, etc.
C. Not-for-profit organisations	Interest groups: NGO, trade union, foundation, charity, voluntary association, club, etc.
	Not for profit organizations: Voluntary sector, charity organizations, cooperatives, etc.
	Business support organisations: Chamber of commerce, chamber of trade and crafts, business incubator or innovation centre, business clusters, etc.
D. Private companies	Micro, small, medium sized enterprises
F. International, transnational and cross-border organisations	EEIG (European Economic Interest Grouping), EGTC (European Grouping of Territorial Cooperation), Duero-Douro EGTC; etc.
	International organisation under national law, under international law

Bodies governed by public law (as defined in Article 2.1(4) of Directive 2014/24/EU on public procurement) are eligible partners under category “A” above if they comply with all the following criteria:

- ✓ They are established for the specific purpose of meeting needs in the general interest, not having an industrial or commercial character;
- ✓ They have legal personality;
- ✓ They are financed, for the most part, by the State, regional or local authorities, or by other bodies governed by public law; or are subject to management supervision by those authorities or bodies; or have an administrative, managerial or supervisory board, more than half of whose members are appointed by the State, regional or local authorities, or by other bodies governed by public law.

Private sector partners including profit-making partners (e.g. SMEs) can participate in the Atlantic Area Programme. However, only not-for-profit private partners (this means that the entire business is not-for-profit and not only the aspect relating to the project delivery) can be Lead Partners.

Economic activities performed by the partners influence the State Aid relevance of the project. If the project activities are regarded as State Aid relevant, additional restrictions (lower co-financing rate, ceiling of ERDF contribution etc.) might be applied. (for more information see Chapter 4)

Private sector partners should also be aware that:

- ✓ They will have to follow public procurement principles (transparency, non-discrimination and equal treatment);
- ✓ There may be some restrictions on retaining Intellectual Property Rights. See Chapter 4
- ✓ In order to be reimbursed, costs will need to comply with the eligibility rules set out in Chapter 4
- ✓ Participating partners cannot act as external experts to other partners in the same project.
- ✓ Cash flow issues may arise from lengthy payment procedures due to possible controls, audits legal proceedings etc. In such cases, partners (and not only private ones) should consider higher liquidity levels.
- ✓ They will undergo a solvency check before the approval of the application in STAGE 2. Potential (lead) partners are asked to inform the National Correspondent and/or Contact Points of the concerned country as soon as it becomes clear that a private partner might join the partnership. See Chapter 4.
- ✓ Not-for-profit organisations acting as lead partners must comply with minimum criteria of financial capacity, as described in Chapter 4

Please note that private consultancy and/or management organisations, services suppliers, etc. whose main scope of activities, as well as their project role, consists of solely project coordination, management, communication, knowledge management or other activities that are of a mere executive or supporting character (service providers) cannot be involved as project partners. Compliance with this requirement will be checked during the quality assessment of project proposals which, on a case-by-case basis, could lead to the exclusion of such partners.

International organisations acting under international law can participate in projects only upon their explicit acceptance of all requirements deriving from the Treaty³ and the regulations applicable in the framework of the Atlantic Area Programme, including – but not limited to – the following:

³ Treaty for the Functioning of the European Union (TFEU), available on <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:12012E/TXT>

- ✓ Adherence to applicable Community policies, including the respect of rules on public procurement;
- ✓ Acceptance of controls and audits by all those bodies entitled to carry out such controls in the framework of the Atlantic Area Programme, including the Managing Authority (MA) and Joint Secretariat (JS), the Audit Authority (AA) and the European Court of Auditors as well as the relevant national authorities of the MS in which the international organisation acting as project partner is located.
- ✓ To ensure access all documents required for audits purposes must be stored within the geographical area covered by the Atlantic Area Programme
- ✓ Final financial liability for all sums wrongly paid out.

2.3.3. Partners roles

Lead Partner

The “lead partner principle” applies to the Atlantic Area Programme, in compliance with Article 13 of Regulation (EU) 1299/2013. The partnership appoints one organisation to act as lead partner. The Lead partner takes **full financial and legal responsibility** for the implementation of the entire project.

Lead partner organisations can be public bodies, universities, education and research organisations, private institutions (not-for profit) and international organisations acting under national law.

The Lead Partner must be located in the Programme area. (See 2.3.5 Geographical location of partners).

It is the responsibility of the lead partner:

- To submit the **application form**;
- To sign a **Subsidy Contract** with the MA (CCDR-N) defining the responsibilities of the Lead Partner. This must be done within one month following the notification of Monitoring Committee (MC) approval by the JS to the Lead Partner
- To establish the **Partnership Agreement** defining the partners’ mutual responsibilities between project partners.
- To coordinate **the project** during the implementation phase and to ensure sound financial and project management. This includes submission of progress reports and financial claims of eligible expenditure, as required by the Programme.

- To maintain a **good communication flow in the partnership** to enable the successful delivery of the project outputs;
 - To ensure sound **communication with the Programme bodies**, especially with the JS.
- Before signing the Subsidy Contract Not-for-profit private organisations acting as Lead Partners will be asked to provide proofs of their **financial solvency**.

Project partners

Project partners are the institutions or organisations actively and directly involved in the delivery of the project and providing their own financial contribution.

Project partners have the following tasks:

- ✓ Undertaking the actions and contributing to the activities foreseen in the AF
- ✓ Delivering project outputs planned in the Application Form and agreed in the Partnership Agreement;
- ✓ Ensuring the durability of the main outputs and results;
- ✓ Assuming responsibility for any irregularity in the expenditure claimed;
- ✓ Contributing to the delivery of the progress reports;
- ✓ Carrying out information and communication activities in line with the communication plan and the Programme's publicity requirements.

Associated partners

Associated partners are organisations acting as observers, having no right to ERDF, or acting as external financiers, providing co-financing without any concrete participation in the implementation of project activities.

2.3.4. Size and balance of the partnership

The partnership must **involve at least three partners who must be located within three different Atlantic Area Programme regions of three different Member-states**.

Whilst there are no formal upper limits to the number of partners the number of partners depends on the key challenge and impact the project wants to achieve to support the objectives of the Programme. The size of the partnership should reflect an optimum capacity to deliver its objectives a balanced distribution of roles and funding

among partners, and cover the various countries of the Atlantic area. Therefore the size of the partnership is flexible and should reflect the scope of the project while remaining manageable; as this has a direct impact on the efficiency of project implementation, particularly in terms of reporting and financial management where large amounts of information will need to be collected.

It must be emphasized that a large partnership requires adequate resources for its management; as it can affect project costs, in addition communication activities among partners may be more difficult to organise and may have an impact on the stability of the project. As a point of reference in the 2007-2013, Atlantic Area Programme the average partnership size was 9 partners.

2.3.5. Geographical location of partners

The Atlantic Area Programme supports cooperation between project partners located in the Programme area while project benefits must be relevant to the area.

However 20% of overall Programme funding may be used for partners outside the INTERREG Atlantic Area Programme area, consequently partners whether from the EU or third countries may be allowed to participate if it is demonstrated that they bring the following to the project:

- ✓ Additional expertise that cannot be found within the Programme area
- ✓ Justification on the need to involve a partner outside the Programme area
- ✓ Clear benefits to be achieved on the involvement of partners outside of the Programme area

Lead partners must not be located outside the Programme area

Partners from a Member State outside the Atlantic Area are only allowed to participate once an agreement between the MA and the organisation based in the country of the partner is signed, ensuring the relevant management control procedures can be implemented in that country.

The MA is responsible for drafting, approving and obtaining the relevant signatures on the agreement, which must happen prior to the signing of the Subsidy Contract with the Lead Partner.

The MA is responsible for monitoring of the ERDF allocation outside the eligible Programme area which may not exceed 20 % of the total ERDF Programme contribution, pursuant to Article 20 of Regulation (EU) N° 1299/2013 - ETC

Should the activities to be carried out by partners located in a Member State outside the Programme area be considered as state aid relevant, the participation of these partners will not be allowed due to the impossibility for the Programme MC to validate the result of the state aid assessment on behalf of a MS not participating in the Programme.

2.3.6. Geographical location of Activities

In line with the requirements for the geographical location of partners, and as a basic principle, the Atlantic Area Programme supports project activities taking place in the Programme area. This principle applies both to lead partners and partners, core project activities must therefore be implemented in the regions of the Programme area, with the exception of the necessary management activities.

However up to 20% of the Programme funding may be dedicated to activities outside the Programme area in the EU or third countries, including the participation in missions, study visits and events – which can exceptionally be accepted in duly justified cases. For such activities all the following requirements must be respected:

1. The activities are for the benefit of the Programme area;
2. The activities are essential for project implementation;
3. The activities are outlined in the application form or, if not, have previously been authorised by the MA/JS.

2.4. Budget size and funding

There is no pre-established lower or upper limit to project budgets, as a general indication, the average total approved amount per project in the 2007-2013 Atlantic Area Programme was € 2.300.000. Budgets must be commensurate with the activities and the number of partners, while evidencing value for money.

Partners must ensure that the project budget adequately reflects the activities foreseen in the work plan and that it is based on the principles of sound financial management.

To ensure that operations have a robust transnational feature, a strong and balanced coverage of partners and funding over the different countries of the entire Programme area must be sought by projects.

Expenditure is considered eligible if it complies with EU, national and Programme rules and the established legal limits, if it is directly related to the project, respects the principles of economic efficiency and cost-effectiveness and if it is incurred in the eligibility period of the Programme. Further details provided in Chapter 4.

2.5. Project duration

The average project duration is between **18 and 36 months**. However, if justified by the project scope and the planned activities, a longer implementation period up to maximum 48 months could be acceptable. When preparing the work plan calendar and the project duration, applicants must take into account the time period for both the project set up and project closure, which will consist of a couple of months.

2.6. Project co-financing

The Atlantic Area Programme is financed by the European Regional Development Fund (ERDF). Regardless of partner's location, the co-financing rate is up to 75% of eligible project costs

ERDF contribution to project lead partners and partners might be reduced following the application of State Aid rules. For further information please see Chapter 4.

The match funding shall be guaranteed by each project lead partner and partners by means of co-financing, which can be provided as follows:

- 1. Public co-financing** - public funding at national, regional or local level, obtained via specific co-financing schemes set up by the MS or provided directly with own funds by the partners having a public status. Co-financing of international organisations also falls under this category.
- 2. Private co-financing** - the amount of own funds provided as match funding by private institutions.

The contribution of the lead partner and of each project partner must be confirmed by a formal declaration in stage 2 of the application process.

2.7. Work plan organisation

The Project follows a work plan that consists of a set of work packages. Each work package will be broken down into identified activities linked to deliverables, i.e. a product or service that contributes to the development of the project's main output.

The main outputs must clearly contribute to the Programme's output indicators, which the project must select in the Application Form.

A project can have a maximum of 8 work packages, and must include the 3 mandatory packages listed below:

1. Project management
2. Communication
3. Project long term effects/sustainability

The Project can then design up to 5 thematic work packages the titles of which decided by the partnership.

For each work package, one of the project partners will be responsible for coordinating the delivery of the related activities.

The work plan may include some capital investments if they are necessary, particularly as pilot or demonstration actions to deliver the project's objectives. However the Atlantic Area Programme is not primarily an infrastructure investment Programme therefore investments are limited in terms of size and budget and must be thematically specific. They must also be proportionate to the work plan and budget, and represent good value for money.

For detailed information, see Chapter 3 "Applying for Atlantic Area Project" below.

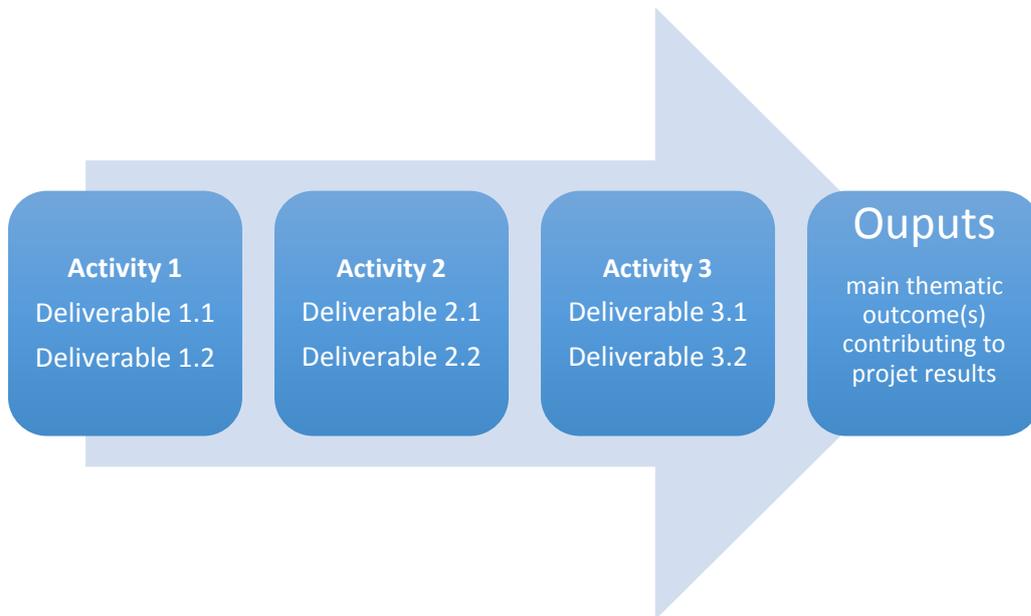
2.7.1. Work Plan and packages

Work packages include several aspects and are structured according to:

- ✓ Objective
- ✓ Definition of partners roles and responsibilities ;
- ✓ A set of activities and actions (no more than 6 actions per work package)
- ✓ Deliver one output at least (for thematic work packages only)

- ✓ A start and an end date;
- ✓ Connection and interaction with the other work packages in order to achieve an objective, a result, etc.

The following figure diagram illustrates the relationship between project activities, outputs and deliverables (applicable to thematic work packages).



2.7.2. Outputs, activities and deliverables

	<p>OUTPUTS</p> <p>Are the outcomes obtained following the implementation of project activities (i.e. strategy/action plan, tool, pilot action, etc.). Each output should be linked to a Programme output indicator and contribute to project results. Each thematic work package must foresee at least one output.</p>
	<p>ACTIVITIES</p> <p>Each work package (except for WP preparation and investment specification) should be divided into actions (not more than 6). Activities have to lead to the development of one or more project outputs. For each activity the start and the end month as well as the indicative cost must be specified.</p>
	<p>DELIVERABLES</p> <p>Each action should include one or more deliverables (e.g. analysis report, feasibility study etc.) that contribute to the achievement of project outputs. All small steps of a single action, such as stakeholder meeting documentations, working groups etc., do not need to be listed as separate deliverables, but should be aggregated into one deliverable, e.g. a qualitative report describing the stakeholder involvement.</p>

2.7.3. Types of outputs

The Atlantic Area Programme has pre-defined five categories of project outputs which put emphasis on policy support and implementation-oriented approaches:

- ✓ Case studies and pilot actions
- ✓ Technical and scientific publications
- ✓ Policy, strategy and operational instruments
- ✓ Dissemination actions and capitalisation of results
- ✓ Participants in actions for the dissemination and results capitalisation

For each Programme specific objective a set of Programme output indicators has been established. In order to provide project applicants with practical guidance and a common understanding of the definition of output indicators, more detailed information is provided in annex VI of the Operational Programme.

Project output and deliverable must be quantified and the foreseen delivery date have to be provided in the application form. Each thematic work package must have at least one output. Nevertheless, a work package can contain several outputs of the same type (e.g. 7 pilot actions in 7 different regions participating in a project).

Attention should be paid to how outputs can be used by the target groups addressed, as well as to their durability and transferability in order to achieve the intended results.

In this context the main target groups for the work package outputs have to be chosen from a list of pre-defined target groups. It should be also described how those target groups and other stakeholders will be involved in the development of the foreseen outputs.

3. Applying for Atlantic Area Projects

3.1. Programme's support to generation and development of proposals

Projects generation refers to the process of creating project ideas, aiming to systematise common needs and challenges and start discussions about strategic responses. The generation and dissemination of projects ideas is the cornerstone to start exchanges between different regions and stakeholders facing common problems and challenges, to develop the most appropriate and effective responses.

Quality project ideas are one of the key elements of developing high quality projects. A second key factor is the mobilization of key players, with a full range of relevant stakeholders and a well-balanced involvement of regions and a good geographical spread. The participation of a wide and diversified range of organisations is a fundamental building block for an effective and successful Programme delivery. The partnership should involve relevant organisations from the public, private and third sector (associations, charities, cooperatives etc.), from research institutions to the business sector.

Projects should be developed according to the type of actions that the Programme wants to support and be focused on results, tangibility, territorial and economic impact in the Atlantic Area.

The Programme provides a web platform for applicants to submit or search for project ideas and profiles of potential partners. If you wish you can request feedback on your project idea from the Joint Secretariat (JS).

Workshops for project promoters

Throughout the lifetime of the Programme workshops will be organized by JS and National Authorities/Contact Points to inform potential applicants about the Programme priorities, application process requirements, procedures and timeline.

3.2. Frequency of calls for proposals

The Programme intends to announce calls for proposals on an annual basis from 2016 to 2020. Potential applicants are encouraged to submit their project proposals following careful preparation and at the appropriate time to maximise project implementation.

3.3. Types of calls

The call for project proposals will be managed through a two-stage application process, this will be delivered through the online Programme Information System.

For Stage 1 applicants are asked to submit an Expression of Interest (EOI) which outlines the project overall objectives and challenges together with details of the partnership and a budget outline.

Successful applicants at Stage 1 will be invited to progress to Stage 2, and asked to complete a full application form, which if selected for approval, will be awarded project funding.

The Programme does however reserve the right to implement a one-stage application process or other type of calls should this be needed.

3.4. Call for Proposals procedure

Opening a call for proposals is a decision taken by the Monitoring Committee (MC). **The Programmes aims to launch one call for proposals per year from 2016.**

The application form submitted at stage 1 (EOI) and the full application form at stage 2, will be the only documents on which the project will be assessed, for the eligibility and quality of the project.

Once the project has been selected for funding, the approved full application form from stage 2, will form part of the subsidy contract, and will be used as the tool for monitoring the project implementation.

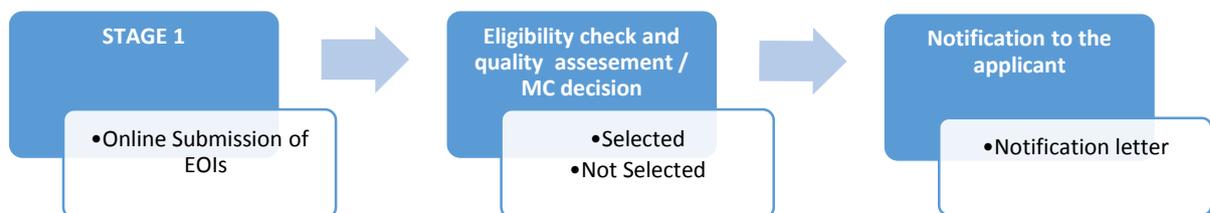
The elements required for each section of the application form are presented in the sections below. The beginning of each section highlights which information has to be provided at stage 1 (EOI), and which additional information is to be provided at stage 2 for the full application form.

3.4.1. STAGE 1 - Submission of Expression of Interest (EOI)

- 1. Opening of the call for Expression of Interest:** The MA/JS publishes the call for EOI announcement on the Programme website defining the specific conditions of the call;

2. **Development of the EOI:** The call will remain open for approximately one month to prepare the EOI.
3. **Eligibility check and quality assessment:** The JS carries out the eligibility check against the formal requirements. EOIs failing the eligibility check will be rejected and will not be assessed by the JS/MC against the quality criteria. The main focus of the quality assessment will be the overall relevance, the proposed project outputs and results, the budget and the project partnership.
4. **Communication of results in stage 1:** Applicants will receive an approval or rejection notification letter. Explanations on the rejection will be provided. In the case of successful Expressions of Interest, the JS notification may include a set of requirements to further improve the project proposal that must be taken into account by the applicants when preparing the full project application.

The entire process, from the opening of the call for proposals to the approval and contracting process is managed online and documents can be downloaded through the Programmes website www.atlanticarea.eu



3.4.2. Stage 1 - Expression of Interest application form

The following section presents the EOI template:

- The application form must be completed in English
- The project title and the brief description of the project must be completed in all four Programme Languages

STAGE 1 – EXPRESSION OF INTEREST (EOI) TEMPLATE

1 Project identification			
1.1 Acronym	Abbreviation of project title (3 to 20 characters)	1.0 Code number	Automatic code number
1.2 Title	To be provided in the four Programme languages with 30 to 100 characters		
1.3 Project duration	1.3.1 Start date	1.3.2 End date	1.3.3 Number of Months
1.4 Indicative budget	1.4.1 Amount (€)	1.4.2 Explanation	Indicative amount of the total expenditure foreseen for the project
1.5.1 Programme Priority	1.5.2 Programme objective	1.5.3 Key words	1.6 Project has started? 1.7 languages used to fill the application?
2 Project partnership			
2.0 Partner code number	Sequential order number	2.1 Position	Lead partner, partner or associated partner
2.2 Entity	2.2.0 Tax ID	2.2.1 Organisation acronym	2.2.5 Type of organization 2.2.6 Legal status
2.2.2 Organization name	2.2.3 Organisation name (in english)		2.2.4 Department
2.3 Location	2.3.1 Country	2.3.2 Region	2.4 Roles (development, implementation, staffing and financing)
2.5 Contact person	2.5.1 Name	2.5.2 Email	2.5.3 Phone
3 Brief Summary			
Short description with a maximum of 500 characters, to be provided in the four Programme languages identifying the scope of the project and its main objectives and expected results with relevance for the Atlantic Area.			
4 Project Description			
4.1 Overall objective	Description of the overall objective and the expected impact of the project to the current situation (1500 characters)		
4.2 Common Challenge	The common challenge of the Programme area to be jointly tackled by the project (1500 characters)		
4.3 Transnational approach	Why is a Transnational approach needed? How it will be set up? (1500 characters)		
4.4 What is new?	What is new/original/Innovative about the project? (1500 characters)		
4.5 Partnership consistency	How relevant is the planned composition of the partnership to deliver the envisaged results ? (1500 characters)		
4.6 Main outputs and results	What are the main outputs and results the project will produce and who will benefit from them (1500 characters)		
4.7 Long-term effects	How will the project ensure long-term effects? Describe the main elements of your strategy to disseminate capitalize results (1500 characters)		
4.8 Budget preparation	Describe the methodology to be used for the preparation of realistic budgets ensuring good value for money? (1000 characters)		

3.4.3. STAGE 1 - Project assessment

EOI eligibility check

Eligibility is an administrative check listed below which focuses on the requirements that each application must meet. It is carried out by the JS and each Member State can also provide information to support this process.

Eligibility criteria Stage 1		
Nº	Criteria	Yes/No
1	The application was submitted within the deadline set in the Call for Proposals announcement through Programme online submission system	
2	All sections of the EOI have been completed	
3	The project involves at least 3 partners located in Atlantic Area regions and from 3 different Member-states	
4	The Lead partner is an organisation within the eligible Programme area	
5	The Lead Partner is a public, not for profit or public-similar organisation	
6	The lead partner and partners will cooperate in the development, implementation, staffing and financing	
7	The Project has chosen a single Programme priority and specific objective open for funding within the call for proposals	
8	The Project title and brief summary are provided in the 4 Programme languages.	
9	The brief summary is consistent with all four Programme languages versions and with Projects description details	

Proposals failing in any of the above criteria will be considered as not eligible.

Since all application forms are submitted online via the online submission system, most of the above formal/administrative requirements will be automatically checked by the system during the submission of the application in order to help applicants avoid making mistakes.

In case that lead applicants fail to complete the application form within the timeframe defined in the call for proposals announcement, the project proposal shall be considered as ineligible.

If the application is considered eligible it will then be assessed against a number of **quality assessment criteria**, which look at the strategic fit with the Programme and at the overall quality of the project application.

EOI quality assessment criteria

The aim of the quality assessment is to provide the MC information on how each of the EOI complies with the quality assessment criteria. EOIs are assessed against 6 quality criteria by JS officers as follows:

Code	Stage 1 – EOI Quality Assessment Criteria	Scores
C1	Clarity, consistency and relevance	15
C2	Transnationality	15
C3	Value for money	15
C4	Partnership consistency	15
C5	Relevance to Programme intervention logic	15
C6	Sustainability and results	25

EOI scoring

A scoring system will be used to rank EOI. Based on the JS analysis using the scale below, each EOI quality criteria assessment item will be score on a 1 to 4 scale as follows:

4	Excellent	The application fulfils the criterion to an excellent level and provides clear and coherent information
3	Good	The application complies with the criterion; however the provided information includes minor shortcomings
2	Weak	The application has serious shortcomings in fulfilling the criterion and/or the provided information is of low quality
1	Insufficient	The application does not fulfil the criterion or information required is missing (e.g. the EOI addresses issues that are not relevant for the Cooperation Programme; the proposed activities are out of the Programme's scope such as, for example, pure research activities or pure training activities; the information in the EOI is unclear)

In order to ensure equal treatment of all the EOIs, the quality assessment is carried out by the JS on the basis of the information provided. No additional clarification will be requested during the quality assessment process.

Each EOI will be ranked based on a score going from 0 to 100, which results from an aggregation of EOI criteria scores.

EOI decision process

The MC selects the EOIs to be further developed into Full applications (AF). The approval of the MC may contain requirements which must be fulfilled by the applicants selected for participation in the second stage. The MC may:

1. Select an EOI;
2. Not select an EOI

An overall comment highlighting the strengths and weaknesses of each EOI will also be provided. National Authorities/Contact Points must provide the JS with all relevant information about constraints resulting from national law, regulations and policies that should be taken into consideration.

The JS submits a quality assessment report to MC members containing the aforementioned information.

Changes between EOI and full application

A degree of flexibility in the partnership and budget is allowed, provided that the balance of transnationality, competencies and skills appropriate for project implementation is not jeopardized. The Full application must therefore not imply major changes resulting in a modification of the nature, scope and objectives of the EOI. Changes in the partnership improving or completing the EOI can be accepted. Substantial EOI to full Application changes will be the subject of the eligibility check performed in the second stage and may result in the project not being ineligible.

3.4.4. STAGE 2 – Submission of the Full Application (FA)

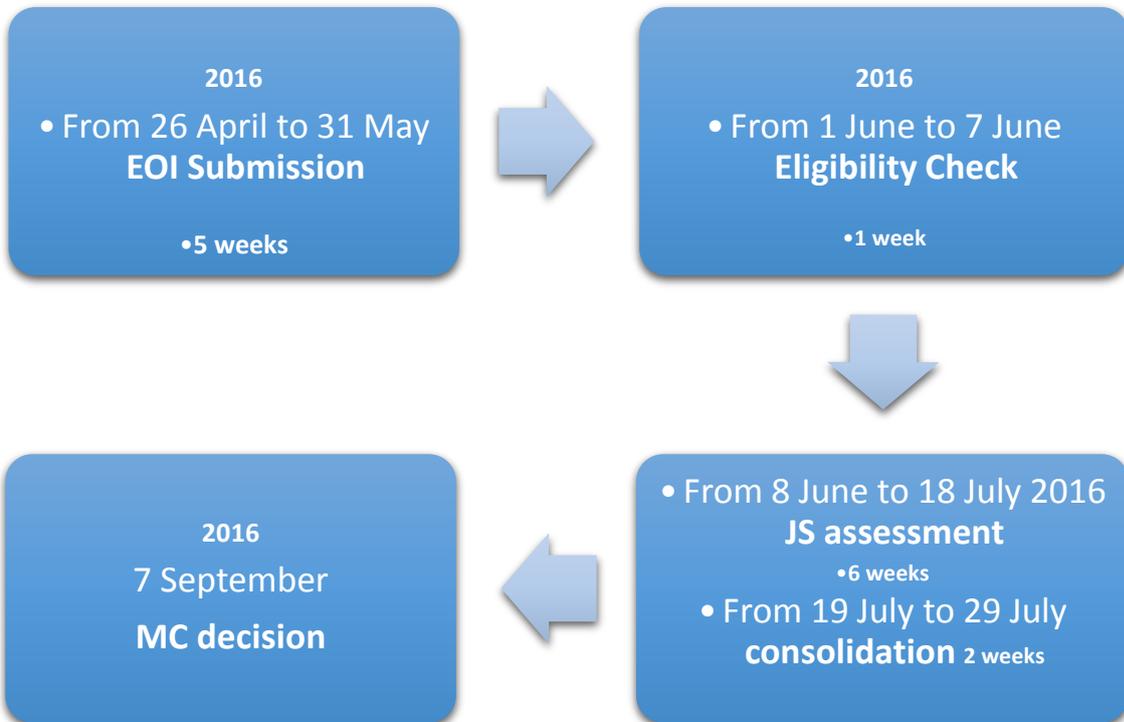
Successful Applicants will be invited to apply to Stage 2 Full Application, and will be assessed against a second set of eligibility and quality assessment criteria:

- 1. Submission of the full application:** The applicants must submit the full application through the Programme website;
- 2. Eligibility check and quality assessment:** The JS verifies the completeness and eligibility of the submitted documents. This procedure is followed by a quality assessment of the application;
- 3. Approval of the full application:** The MC selects the projects. The approval of the MC may contain conditions which have to be fulfilled before the contracting phase;

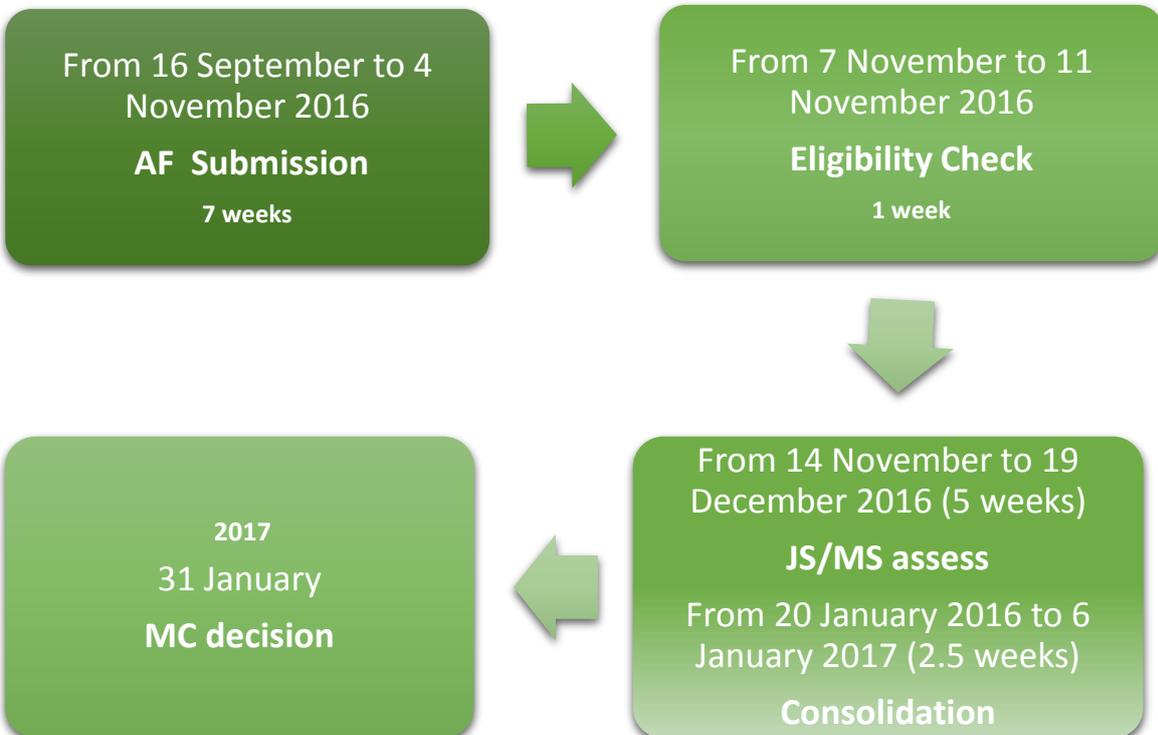
If the full application is approved and it does not include the signed Partnership Agreement the notification will contain a deadline for its submission within 1 month from the Monitoring Committee approval. Once the deadline has lapsed the approval will be withdrawn after Monitoring Committee final consultation.

Two-stage application calendar

STAGE 1 – 5 months: Expression of Interest



STAGE 2 - 4.5 months: Full Application



4. Eligibility and implementing rules

This chapter sets indicatively information about eligibility and implementing rules. Such descriptions are provisory and not essential for stage 1 of the application process (expression of interest). Eligibility and implementation procedures and rules may change and will be definitively adopted within the complete Programme Manual to be available later for the stage 2 of the application process.

4.1. General eligibility rules

In order to receive funding, all of the costs reported must be correctly calculated and entered accurately in the partner organisation's book-keeping system. They must also be eligible, i.e. compliant with the rules governing EU expenditure.

There are different levels of eligibility rules for expenditure (hierarchy of rules):

1. The European level: EU regulations
2. The Programme level: specific rules decided for the Atlantic Area Programme;
3. The national level: national rules applicable in each Member State;
4. The partner institutional level: internal rules applicable to each partner organisation.

The stricter rule prevails if there are differences between rules at different levels.

4.1.1. Eligibility period

The start date is the date of notification of Monitoring Committee's (MC) approval by MA/JS. Costs paid prior to this date are not eligible, except for:

- ✓ Costs related to project preparation;
- ✓ Purchase of equipment items for which depreciation during project lifetime is eligible.
- ✓ Purchase of land or equipment subsequently provided in kind to the project

The end date indicated in the application form is the date by which:

- ✓ All project activities must have been completed.

Generally and according to the project cycle the following costs are eligible:

- ✓ Costs for the preparation of an approved project can be reimbursed through a lump sum under the terms and conditions further explained.
- ✓ Costs for the implementation of an approved project are eligible from the notification of approval date until the project end date as set in the application form, and subsequent revisions. On this basis, partners may decide at their own expense and risk to start the implementation of the project before the MC approval/funding decision.
- ✓ Costs for project closure (e.g. preparation and submission of the last progress report, final report and costs for control of expenditure) are eligible, and must be paid before the deadline for submission of the final report (i.e. three months after project end).

4.1.2. Overarching eligibility requirements

All expenditure in the allowed budget categories has to be project-related, i.e. clearly connected to project activities traceable in the approved application form. Furthermore, the expenditure has to be incurred, accounted for and paid during the project period as defined in the Subsidy Contract. For expenditure to be considered eligible the procedure followed to procure goods and services should be fully documented at each stage of the process to demonstrate compliance in full with the applicable public procurement or other rules.

Generally speaking, to be eligible the following principles would apply. **Project costs must be:**

- ✓ Related to activities and be included in the estimated budget set out in the application form and subsequent revisions;
- ✓ Necessary for carrying out the activities and for achieving the project objectives;
- ✓ Related to items that did not receive support from other EU Funds or other contributions from third parties;
- ✓ Reasonable, justified, consistent with the applicable rules of the partner, the Programme, national/regional and the EU rules, and be in accordance with the principles of sound financial management;
- ✓ Not in contradiction with any specific eligibility criterion applicable to the respective budget line;
- ✓ In line with the relevant public procurement rules;
- ✓ Incurred and paid by the beneficiary concerned in the period between the project start and end date, as defined in the approved application form and subsequent revisions;

- ✓ Identifiable, verifiable, plausible and determined in accordance with the relevant established accounting principles;
- ✓ Supported with sufficient evidence to allow identification and checking.
- ✓ Registered in a separate project specific account or identified using an adequate accounting code set in place specifically for the project;
- ✓ Validated by an authorised national controller.

When expenditure is reimbursed on the basis of an agreed lump sum or calculated using a flat rate that does not require supporting evidence of actual expenditure the last three principles do not apply.

4.1.3. Non-eligible expenditure

Non-eligible expenditure is set out in the chapter “Budget lines”. Nevertheless, the following items of expenditure are never considered eligible:

- ✓ In kind contributions not meeting requirements defined in Article 69(1) of regulation (EU) No. 1303/2013;
- ✓ Fines, financial penalties and expenditure on legal disputes and litigation;
- ✓ Costs of gifts are not eligible, promotion, merchandising, communication, publicity or information items are not considered gifts;
- ✓ Alcoholic beverages other than those served at project meals and receptions
- ✓ Costs arising from fluctuation in foreign exchange rate;
- ✓ Interest on debt;
- ✓ Purchase of land in excess of 10% or 15% (In accordance with Art. 69(3)(b) of the Common Provisions Regulation
- ✓ Recoverable VAT;
- ✓ Shared costs;
- ✓ Charges for national financial transactions;
- ✓ Discounts not considered when claiming the costs (only the discounted amount is to be regarded as eligible);
- ✓ Fees between beneficiaries of a same project for services, equipment and work carried out within the project;

- ✓ Any other cost not eligible according to general provisions on eligibility (as well as specific provisions at budget line level).

4.1.4. Preparation costs

Approved projects which have signed the subsidy contract with the MA are entitled to claim a lump sum payment in recognition of costs that would have been incurred in the preparation of the project proposal. The reimbursement of these costs will follow the principles detailed below:

- ✓ The lump sum will be calculated as follows: a fix amount of €10 200 + (€ 800 x number of partners).
- ✓ The lump sum covers all costs linked to the preparation of the project until the date of the notification of the project approval by the MA.
- ✓ Depending on their nature, the costs would be included in the corresponding budget line, they must be identified within a specific activity of the work plan.
- ✓ The partnership should share the lump sum in a fair and transparent way among partners reflecting the level of their involvement in the preparation of the application.
- ✓ No supporting documents would be required to justify preparation costs.

The lead applicant has to include this expenditure in the project budget, split by partner and item (staff costs, external expertise and services and travel and accommodation are allowed).

After the signature of the subsidy contract and start of project activities, preparation costs may be claimed through the standard reimbursement procedure.

4.1.5. In kind Contribution

Contributions in kind are eligible if they comply with the applicable rules in the EU Regulations provided they do not contravene any applicable national rules.

In kind contributions in the form of provision of works, goods, services, land and real estate for which no cash payment supported by invoices, or documents of equivalent probative value, has been made, and may be eligible according to Article 69 of Regulation No 1303/2014, which sets also a number of specific conditions⁴:

⁴ Art. 69.1 Common Provisions Regulation (EU) No 1303/2013

1. The ERDF amount paid to the operation (not individual partners) does not exceed the total eligible expenditure minus the in kind contributions, at the end of the operation;
2. The value attributed to contributions in kind does not exceed the costs generally accepted on the market in question;
3. The value and the delivery of the contribution can be independently assessed and verified;
4. In kind contributions in the form of equipment can be deemed eligible insofar as the item of equipment was not previously paid for or co-financed by European funds;
5. In the case of land and real estate, the value must reflect the nature of the transaction (transfer of ownership or leasehold) and be certified by an independent qualified expert or duly authorised official body;
6. In the case of provision of land or real estate, a cash payment, for the purposes of a lease agreement of a nominal amount per annum not exceeding a single unit of the currency of the MS, may be made.

In the case in kind contributions in the form of unpaid work, the value of that work is determined by taking into account the verified time spent and the rate of remuneration for equivalent work.

Audit Trail

- ✓ Document independently verifying the market value of the activity/asset
- ✓ Timesheets and hourly rates for the task.

4.1.6. Revenues

Definition

According to the Art. 61 of the Common Provisions Regulation⁵ net revenues after project completion are cash in-flows directly paid by users for goods or services provided by a project, such as charges borne directly by users for the use of infrastructure, sale or rent of buildings, or payment for services less any operating costs and replacement costs of short-life equipment incurred during the corresponding period.

⁵ Art. 61 – Regulation (EU) 1303/2013

How to deal with project revenues?

At the project application stage:

- ✓ The eligible expenditure shall be reduced in advance taking into account the potential of the project to generate net revenue over a specific period covering both the implementation of the project and the period after its completion.
- ✓ When the amount of net revenues is known at the application stage, it must be specified in the Application Form, in the in the item net revenue generated by the project.
- ✓ Note that net revenues will be deducted from the total eligible expenditure and will consequently decrease the ERDF contribution. If the net revenues are only partially generated due to the eligible expenditure they should be reported on the pro-rata basis.

At the project implementation stage

- ✓ All revenues (including those not foreseen at the application stage) generated during the project's implementation as detailed in Art 65(8) of the CPR must be reported in the project progress reports before the closure of the project.
- ✓ Project partners are responsible for keeping account of all the revenues and to have the necessary documentation available (e.g. for control purposes). Please refer also to exemptions in Art. 65 (8) of Regulation (EU) 1303/2013.

After the completion of the project

- ✓ If revenues are expected to be generated after the project end date (e.g. to ensure durability of the results), it must be estimated and deducted from the budget at the application stage.
- ✓ Where it is objectively not possible to estimate the revenue in advance, the net revenue generated within 3 years of the completion of the project or by the Programme closure deadline, whichever is earlier, shall be reported to the JS and deducted from the expenditure declared by the Programme to the EC.

Please note

If the project is subject to State aid rules (de minimis/general block exemption/ notification was made) the net revenues will not be deducted unless national rules request otherwise.

4.1.7. Exchange rate

In accordance with Article 28 b) of Regulation (EU) No 1299/2013, and by way of derogation from Article 133 of Regulation (EU) No 1303/2013, expenditure incurred in a currency other than the euro shall be converted into euro by the beneficiaries in the month during which the expenditure was submitted for verification to the First Level Controller in accordance with Article 23 of this Regulation; the relevant Commission Calculator link will be used to calculate the rate:

http://ec.europa.eu/budget/contracts_grants/info_contracts/inforeuro/inforeuro_en.cfm

The conversion shall be verified by the controller in the MS or third country in which the beneficiary is located.

4.1.8. Grant rate

The maximum grant rate for all projects is 75%.

Within a project, different grant rates are allowed among project partners on condition that the maximum grant rate of 75% established at project level is not exceeded.

The difference between the total project budget and the Interreg-grant is called match-funding and must be provided by each individual project partner, as self-financing or as external financing by an associated partner.

4.2. Budget lines

Project budget must be structured according to the following budget lines:

4.2.1. Staff costs

4.2.2 Office and administrative expenditure

4.2.3. Travel and accommodation

4.2.4. External expertise and services

4.2.5. Equipment (including, laboratory goods, consumables, etc.)

4.2.6. Small Infrastructure and works

Please note

- ✓ These budget lines apply to all work packages, excluding the management and communication work packages where budget line 6 is not applicable.
- ✓ Investment expenditure must be included under budget lines 5 and/or 6.

4.2.1. Staff costs

Definition

This category covers expenditure of staff members directly employed by the partner organisation engaged to formally work full time or part time on the project, for activities that otherwise would not be carried out if the project did not happen.

They include costs of employment in line with the employment/work contract, and costs of natural persons working for the partner organisation under a contract other than an employment/work contract and receiving salary payments.

Overheads and any other office & administrative expenditure cannot be included in this budget line.

The Staff Costs can be calculated with two different methods.

Partners must choose one of the two following methods:

- a) **Flat rate:** calculated as 20% of the direct eligible costs of the total project budget excluding staff costs. No supporting documents will be required when this method is chosen.
- b) **Direct costs:** based on real and project related staff expenditure. This option will require supporting documentation according to the following table:

DIRECT COSTS		
Calculation	Working hours	Audit Trail
1. Full Time Assignment		
100% of working time allocated to the project	No obligation regarding the use of time sheets	<ol style="list-style-type: none">1. Employment/work contract or an appointment decision/contract considered as an employment document demonstrating that the person is exclusively working FT on the project;2. Job description providing information on responsibilities related to the project;3. Payslips or other documents of equivalent probative value;4. Proof of payment of salaries and the employers contribution as well as pension contributions5. Evidence of pay scales applicable to the post within the organisation

DIRECT COSTS		
Calculation	Working hours	Audit Trail
2. Part Time Assignment		
2.1 With a fixed monthly percentage of time worked on the project		
The percentage fixed in the employment/work contract or other equivalent document is multiplied by the monthly gross employment costs of the employee.	Time sheets signed by the employee and supervisor indicating the hours worked for the project and the related tasks on a daily basis. <u>Exception:</u> No need to provide timesheets if part time hours are fixed and contracted. The time registration system must cover 100% of the working time of the employee.	<ol style="list-style-type: none"> 1. Employment/work contract or an appointment decision/contract considered as an employment document as well as the hourly rate; 2. Authorised salary scales for the post within the organisation 3. Document setting out the % of time to be worked on the project per month (if not specified in the contract) 4. Job description providing information on responsibilities related to the project (can be included in the employment/work contract) 5. Payslips or other documents of equivalent probative value; 6. Proof of payment of salaries and the employers contribution and pension contribution;
2.2 With a flexible hourly basis		
The employee's hourly rate as indicated in the employment contract is multiplied by the number of hours worked in the project.	Timesheets signed by the Employee are required and must cover 100% of the hours worked by the employee (including the working time not related to the project).	<ol style="list-style-type: none"> 1. Employment/work contract or an appointment decision/contract considered as an employment document as well as the hourly rate; 2. Document setting out the % of time to be worked on the project per month (if not specified in the contract) 3. Job description providing information on responsibilities related to the project (can be included in the employment/work contract) 4. Payslips or other documents of equivalent probative value; 5. Proof of payment of salaries, the employers and pension contribution as well as authorised salary scales for the post within the organisation.

Please note:

- ✓ Under this budget line it is suggested not to exceed 60% of the total project budget.

4.2.2. Office and administrative expenditure

Definition

This category covers operating and administrative expenses of the partner organisation that support delivery of project activities. They are to be budgeted, calculated, and reported as a flat rate of 15% of staff costs⁶.

⁶ Article 68 (1) (b) of Regulation (EU) No 1303/2013)

Expenditures under this category cover the following⁷:

- ✓ Office rent;
- ✓ Insurance and taxes related to the buildings where the staff is located and to the equipment of the office (e.g. fire, theft insurances) ;
- ✓ Utilities (e.g. electricity, heating, water) ;
- ✓ Office supplies (e.g. stationary);
- ✓ General accounting provided inside the beneficiary organisation;
- ✓ Archives;
- ✓ Maintenance, cleaning and repairs;
- ✓ Security;
- ✓ IT systems (e.g. administration and management of office hard- and software);
- ✓ Communication (e.g. telephone, fax, internet, postal services, business cards);
- ✓ Bank charges for opening and administering the account or accounts where the implementation of an operation requires a separate account to be opened;
- ✓ Charges for transnational financial transactions.

In situations where an external expert is contracted to carry out specific content related tasks concerning the development, modifications or updates of a specific project IT system or a website, such costs will be accepted under the budget line External expertise and services. The cost of IT software/hardware is eligible under the budget line equipment.

Audit Trail

The calculations based on the flat rate for office and administrative costs will be done automatically in every progress report taking into account the amount of staff costs. The expenditure covered under this budget line will not require any documentation from the project partners (i.e. invoices, payment proofs).

⁷ Article 4 of Regulation (EU) No 481/2014

4.2.3. Travel and accommodation

Definition

May be included under this budget line only the travel and accommodation costs of project staff.

As a general rule, travel must be related with the project activities and the delivery of the project outputs.

Principles

According to Commission Delegated Regulation⁸ expenditure on travel and accommodation costs is limited to the following items:

- ✓ Travel costs (e.g. tickets, travel and car insurance, fuel, car mileage, toll and parking fees);
- ✓ Costs of meals (other than catering);
- ✓ Accommodation costs;
- ✓ Visa costs;
- ✓ Daily allowances.

Any expenditure item defined as travel costs, accommodation, meals or visa already covered by a daily allowance is not eligible in addition to the daily allowance

When travel costs are directly paid by a project partner employee, the expenditure will have to be supported by proof of reimbursement of the employee.

Audit Trail

The following main documents must be available for control purposes:

- ✓ Agenda or similar document (e.g. report) of the meeting/seminar/conference, participants list and sign in sheets or registration to the conference/event, if applicable;
- ✓ Travel documents proving that the journey actually took place (for example, boarding passes or rail tickets, etc.);

⁸ Article 5 of Regulation (EU) No 481/2014

- ✓ Paid invoices (e.g. hotel bills, travel tickets) and, if applicable, the employee's expense report with a proof of authorisation and reimbursement by the employer to the employee;
- ✓ Daily allowance claims (if applicable), including proof of reimbursement by the employer to the employee;
- ✓ Proof of approved travel rates and thresholds applicable to the organisation.

Please note:

- ✓ Travel and accommodation expenses related to individuals other than staff directly employed by the beneficiaries of the project (such as consultants, experts, observers, guests, service providers, speakers and Chairpersons), have to be included under the 'external expertise and service' budget line ⁴.
- ✓ Travel costs outside the Union part of the Programme area are eligible according to Delegated Regulation⁹. Costs of travel and accommodation related to activities outside the Programme area are only eligible, if they have been included in the approved Application Form or approved by the Programme following a request for travel. In all cases, benefits of such activities to the Programme area must be demonstrated.
- ✓ Maximum daily rates for hotel and subsistence should be respected, in accordance with the national legislation. When national legislation doesn't exist, internal policy of the partner organisation applies. In that situations it shall be evidenced the existent documents describing internal rules, in which such expenditure is based on.
- ✓ The most economic transport means should be used.

4.2.4. External expertise and services

Definition

External expertise and service costs include expenditure paid on the basis of contracts or written agreements and against accounting valid invoices or requests for reimbursement to external service providers who are subcontracted to carry out certain tasks/activities linked to project delivery (e.g. studies and surveys, translation, website development, coordination, financial management, first level control).

Expenditures for this category is limited to the following items¹⁰:

9 Article 5 of Regulation (EU) No 481/2014

10 Article 6 of Regulation (EU) No 481/2014

- ✓ Studies or surveys (e.g. evaluations, strategies, concept notes, design plans, handbooks);
- ✓ Training;
- ✓ Translations;
- ✓ IT systems and website development, modifications and updates;
- ✓ Promotion, communication, publicity or information linked to a project or to a cooperation programme as such;
- ✓ Financial management;
- ✓ Services related to the organisation and implementation of events or meetings (including rent, catering or interpretation);
- ✓ Participation in events (e.g. registration fees);
- ✓ Legal consultancy and notarial services, technical and financial expertise, other consultancy and accountancy services;
- ✓ Intellectual property rights (see section);
- ✓ Verifications under Article 125(4)(a) of Regulation (EU) No 1303/2013 and Article 23(4) of Regulation (EU) No 1299/2013 (i.e. Control of expenditures);
- ✓ The provision of guarantees by a bank or other financial institution where required by Union or national law or in a programming document adopted by the MC;
- ✓ Travel and accommodation for external experts, speakers, chairpersons of meetings, observers, guests and service providers;
- ✓ Other specific expertise and services needed for operations.

Principles

- ✓ The work carried out by external experts and service providers must be essential to the project;
- ✓ No sub-contracting between project partners is allowed;
- ✓ Each partner organisation (including private partners) is responsible for ensuring that EU, national and internal established public procurement and other rules are respected and that all contracts comply with the principles of transparency, non-discrimination and equal treatment as defined in the EC Treaty and the Commission Interpretative Communication on the Community law applicable to contract awards below the EU thresholds¹¹;

¹¹ http://ec.europa.eu/internal_market/publicprocurement/docs/keydocs/communication_en.pdf

- ✓ All costs of external expertise and services that are linked to an investment in infrastructure must be included under this budget line, e.g. feasibility studies, legal fees;
- ✓ All additional costs related to external experts (e.g. travel and accommodation expenses for external experts) must be foreseen in the service contract and recorded under this budget line.

Audit Trail

The following main documents must be available for control purposes:

- ✓ When applicable, evidence of the selection process, in line with EU, national and internal procurement rules or the EU public procurement rules depending on the amount contracted;
- ✓ A contract or a written agreement laying down the services to be provided with a clear reference to the project. For experts paid on the basis of a daily fee, the daily rate together with the number of days contracted and the total amount of the contract must be provided. Any changes to the contract must comply with the public procurement rules and must be documented;
- ✓ An invoice or a request for reimbursement providing all relevant information and supporting evidence in line with the contract/agreement and applicable accountancy rules;
- ✓ Outputs of the work of external experts or service deliverables;
- ✓ Proof of payment.

Please note:

- ✓ External expertise and services purchased for the purpose of the project control, FLC and audit, and communication must be included under this budget line;
- ✓ Project partners cannot enter into contracts with one another in relation to activities required as part of the same project. If a project partner cannot implement a certain task, the task may be reallocated to another partner or procured to an external service provider;
- ✓ Subcontracting in-house or to other affiliated companies must be done on a real costs basis and reported. Where a service is provided by an internal service inside a different legal entity, this service must be included in the external expertise and services budget line. In this case, the award of contract must be in compliance with applicable procurement rules. In case of an internal audit department carrying out first level

control, time spent on checking the claims must be reported as staff costs, provided that the rules applicable to staff costs are fulfilled.

- ✓ The costs of services contracted by project partners for arranging the travel and accommodation of their own staff members (e.g. travel agencies, etc.) must be claimed under the budget line 'travel and accommodation'.
- ✓ Renting costs for equipment do not fall under this budget line, but in 'equipment costs' line.

4.2.5. Equipment

Definition

Expenditure for the financing of equipment purchased, rented or leased by a partner, and necessary to achieve the objectives of the project, in condition they were approved within the application form or in subsequent amendments. This includes costs of equipment already owned by the partner organisation and used to carry out project activities.

According to the Commission Delegated Regulation¹² equipment expenditure is limited to the following items:

- ✓ Office equipment;
- ✓ IT hardware and software;
- ✓ Furniture and fittings;
- ✓ Laboratory equipment;
- ✓ Machines and instruments;
- ✓ Tools or devices;
- ✓ Vehicles
- ✓ Other specific equipment needed for operations.

Principles

- ✓ Costs of equipment are eligible if they have been approved by the Programme;
- ✓ Costs of equipment are eligible if no other EU funds have contributed towards financing of the same expenditure item, i.e. no double funding is permissible¹³;

12 (EU) No 481/2014 Article 7

13 Article 65 11 Common Provisions Regulation (EU) No 1303/2013

- ✓ All purchases are subject to applicable public procurement rules and each partner organisation is responsible for ensuring that these rules are respected;
- ✓ Full purchase cost of equipment is eligible, if it is used solely for the purpose of the project or the target group in line with objectives of the project and incurred and paid within the eligible period;
- ✓ For equipment purchased before the project approval but used solely for the project or equipment purchased during the project lifetime but used partially for the project, only a pro rata cost related to the project (duration, degree of use) is eligible. This share has to be calculated according to a justified and equitable method in line with the legislation or general accounting policy of the partner organisation;
- ✓ The purchase should be made in principle during the first 12 months of the projects;
- ✓ The purchase of vehicles must respond to specific project requirements linked to the innovative, testing, demonstration and transnational character; it will be authorised on a case-by-case basis;
- ✓ Depreciation applies if the economic life-time of equipment exceeds the duration of the project¹⁴. The cost has to be calculated in accordance with the legislation and general accounting policy of the partner organisation that has bought the equipment and is claiming for depreciation;
- ✓ Full purchase cost of equipment that is not depreciable (e.g. low-value asset according to the rules of the partner's MS), if used 100% for the project, is eligible;
- ✓ Purchase cost of second-hand equipment is eligible, provided the equipment complies with project's needs, applicable norms and standards, its price does not exceed the generally accepted price on the market and has not previously received EU funding;
- ✓ In the case of fixed investments in equipment and when equipment forms part of an investment in infrastructure, full cost of equipment as approved by the Programme in the application form, is eligible, i.e. no depreciation is eligible;
- ✓ Equipment cannot be purchased, rented or leased from another partner;
- ✓ Provision of equipment as in kind contribution is eligible¹⁵ provided that the value of the contribution does not exceed the generally accepted price on the market and it can be independently assessed and verified.

Audit Trail

- ✓ When applicable, the following main documents must be available for control purposes:

14 Ref: Art. 69.2 Common Provisions Regulation (EU) No 1303/2013

15 Art. 69.1 Common Provisions Regulation (EU) No 1303/2013)

- ✓ Evidence of the procurement process (announcement, selection, award) in line with the national procurement rules or the EU procurement rules depending on the amount of the contract;
- ✓ Invoice (or a supporting document having equivalent probative value to invoices, in case of depreciation) providing all relevant information in line with the applicable accountancy rules;
- ✓ Methodology for calculation of depreciation;
- ✓ Proof of payment;
- ✓ A reliable basis for valuation of second hand equipment.
- ✓ Sellers' declaration that second hand equipment has not previously been EU funded.

Please note:

Rented equipment: any equipment necessary for the implementation of project activities needs to be budgeted and reported in this budget line. Renting costs for equipment do not fall under the budget line 'external expertise and services costs'.

Second hand equipment: costs of second-hand equipment may be eligible under the following conditions:

A. no other assistance has been received for it from the European Structural and Investment Funds;

B. its price does not exceed the generally accepted price on the market in question;

C. it has the technical characteristics necessary for the project and complies with applicable norms and standards

4.2.6. Small infrastructures and construction works

Definition

Expenditure for the financing of infrastructure and construction works. "Infrastructure and works" covers costs related to investments in infrastructure that do not fall into the scope of other budget lines.

- ✓ Purchase/provision of land (limited to maximum 10% of the project budget and 15% for brownfield industrial sites)
- ✓ Purchase/provision of real estate

- ✓ Site preparation
- ✓ Delivery
- ✓ Handling
- ✓ Installation construction
- ✓ Renovation
- ✓ Other costs necessary to the implementation of construction works

Principles

In order to be eligible, small infrastructure and construction works must be the result of transnational cooperation activities specifically directed at improving the development of the Programme area. The transnational dimension and added value must be evident.

Infrastructure and construction works will be financed only if they are crucial for the achievement of the project's outputs and results, and if they are described in one or more investment work packages described in the Application Form.

Full costs of infrastructure and construction works forming part of the project are eligible, i.e. no depreciation is eligible.

Expenditure under this category is eligible if no other EU funds have contributed towards financing of the same expenditure item, i.e. no double funding is permissible. All expenditure is subject to applicable public procurement rules and each partner organisation is responsible for ensuring that these rules have been respected.

All investments in infrastructure must comply with the applicable EU and Programme information and publicity rules.

- ✓ Documents specifying the ownership of land and/or buildings where the works will be carried out must be provided;
- ✓ All compulsory requirements set by the EU and national legislation related to the respective investment in infrastructure must be fulfilled (e.g. feasibility studies, environmental impact assessments, building permission, etc.).

Purchase of land cannot exceed 10% of the total eligible expenditure of the project. In the case of derelict sites and sites formerly in industrial use which comprise buildings, the purchase price cannot exceed 15% of the total eligible expenditure.

In exceptional and duly justified cases, a higher percentage may be permitted for projects concerning environmental conservation, provided it has been approved by the Programme

(ref: Article 69.3(b) Common Provisions Regulation (EU) No 1303/2013). In kind contribution is also eligible under this budget line, insofar as the requirements of Article 69 of Regulation No 1303/2014 are fulfilled (for further information see below “Focus on In kind contribution”) and approved by the Programme.

All investments with costs claimed under this budget line have to comply with criteria set out by the EU regulation¹⁶. This means that up to 5 years after the final payment to the beneficiary, the investment:

- ✓ Must be still in operation;
- ✓ Must not have been outside the Programme area;
- ✓ Must not have had substantial changes (e.g. different use than indicated in the Application Form);
- ✓ Must not have changed ownership giving an undue advantage to a firm or a public organization

There will be no exceptions to this rule for different kind of partners. Should the investment fail to comply with any of those criteria; any unduly paid sums will be recovered in proportion to the period of non-fulfilment

Audit Trail

The following main documents must be available for control purposes:

- ✓ Evidence of the procurement process (announcement, selection, award) in line with the national procurement rules or the EU procurement rules depending on the amount of the contract;
- ✓ Documents pertaining to the work may be required such as feasibility studies, environmental impact assessment and planning permission;
- ✓ Contract laying down the works/infrastructure to be provided, with clear reference to the project and the Programme. For contracts based on a daily fee, such fee together with the number of days contracted and the total amount of the contract must be provided;
- ✓ Invoice providing all relevant information in line with the contract/agreement and applicable accountancy rules;
- ✓ Proof of payment and delivery;
- ✓ Proof of ownership of the property.

¹⁶ Article 71 Common Provisions Regulation (EU) No 1303/2013

Please note:

- ✓ In the case of land and real estate purchase (or provision in the form of in kind contribution), a certificate from an independent qualified evaluator or duly authorised official body confirming that the cost is in line with the market value;
- ✓ In the case of land and real estate provided in the form of in kind contribution, evidence of compliance with the applicable rules in the field of in kind contribution;
- ✓ Proof of commitment to establish and maintain an inventory of all fixed assets acquired, built or improved under the ERDF grant.

4.3. Implementing rules (condensed version for the call for EOIs)

4.3.1. Advance payments

A mechanism of advance payments for projects partners will be in place. The pre-financing payment may amount to up to **5%** of the approved **ERDF budget of the project and will be recovered in the first payment claims of partners concerned**. The allocation of 5% ERDF advance shall be agreed and laid down in the partnership agreement.

4.3.2. Costs outside the eligible area

In the framework of transnational cooperation Art. 4 of REGULATION (EU) No 1299/2013 authorises expenditure incurred outside the Programme area up to a maximum of 20% of the ERDF Programme budget.

However as a general principle, project activities co- financed by the ERDF must be implemented in within the Programme area. In the case of transnational programmes the scope of a projects might require cooperation and joint actions with organisations from countries on the European Union territory but outside the Programme area as well as in third countries.

As a consequence the MC may accept that a part of an operation is implemented outside the Programme area, provided that all the following conditions are satisfied:

- ✓ The activity and/or event are for the benefit of the Programme area;
- ✓ The activity and/or event are essential for the project implementation;
- ✓ The implementation and/or the relevance of the activity or the event have been approved within the application form or subsequent amendments.

- ✓ The total amount allocated under the cooperation programme to operations located outside the Union part of the programme area does not exceed 20 % of the support from the ERDF at programme level ¹⁷.

Determining whether an activity falls in or outside the Programme area:

The location of the activity is the decisive factor when determining whether the implementation of an activity is outside the Union part of the Programme area.

Establishing the location of an activity is relatively simple. For example, for investments or infrastructure the determining factor is the location of the infrastructure. Whereas for accommodation and catering the determining factor is whether the accommodation is located/the catering is delivered inside or outside the Union part of the Programme area. For other activities, which are of non-material nature, the determining factor is the location of the project partner that incurred the costs.

Financial threshold and monitoring

No more than 20% of the ERDF allocated to the Programme can be spent on activities and events outside the Union part of the Programme area. This threshold also includes the ERDF funds allocated to project partners located outside the Programme area. Activities having a promotional and/or capacity building character will not be calculated into this threshold.

In order to be able to monitor the threshold the MA/JS will follow up the generation of expenditure outside the Union part of the Programme area at project level in progress reports. In this respect, a section will be dedicated to the relevant data to be introduced by project partners.

Application phase

At the phase 2 of application, organisations located in third countries or in MS outside the Union part of the Programme are requested to present a partner declaration and a State aid self-declaration confirming the legal status, ERDF co-financing and the own contribution to the partner budget as well as the project partner responsibilities.

However, after the submission of the stage 2 application by the lead applicant, organisations located in third countries or in MS outside the Union part of the Programme area have to contact their responsible national authorities and obtain the official confirmation of the eligibility of their legal status. This should be done as soon as possible since the document has

¹⁷ Art. 4 REGULATION (EU) No 1299/2013

to be presented before the final approval of the MC of the respective call. This procedure will be carried out by the potential project partner with the support of the MA/JS.

If the eligibility confirmation by the responsible country is not provided to the MA/JS by the fixed deadline, the partner concerned will be excluded from the project and the subsidy contract will be signed without its participation

Implementation phase

After receipt of the confirmation of the technical eligibility and the approval of the project by the MC, the MA/JS will contact the country where the project partner is located to receive a signed agreement on the management, control and audit responsibilities. This agreement will be similar to the one signed by all the other participating countries in the Programme. It will outline the FLC system, national supervision body responsibilities as well as the liability in case of any irregularities.

The signed agreement has to be obtained, at the latest, by the submission deadline of the first progress report.

Condition: In case the responsible national institution does not provide the signed agreement and requested information by the set deadline, the partner organisation concerned will automatically be excluded from the project. Should such a situation occur, the lead partner has to initiate a change procedure for the exclusion of the said partner organisation MA/JS will offer assistance throughout the whole process.

4.3.3. Ownership and intellectual property rights (IPR)

European Territorial Cooperation (Interreg) fosters collaboration, joint results and joint activities, therefore outputs and results known as foreground Intellectual Property must be owned by the partnership as a whole. In addition, and as a general principle of serving general interest with ERDF public funding of project outputs (e.g. processes leading to new products or services, studies, policy recommendations, good practice guides) are expected to be freely available to the public. A wide dissemination of project outputs and results amongst a wide European public is necessary.

However -in exceptional cases- partnerships might have good reasons to protect their project outputs and results. These cases must be part of the assessment process before approval of the project and should therefore be mentioned in the Partnership Agreement. Access-rights to foreground will be granted on a royalty-free basis.

In case of revenues generated by the intellectual property rights, all applicable provisions in terms of revenue generating projects and state aid must be respected.

Please note

- ✓ Projects should make use of the Partnership Agreement (PA) to make the necessary provisions for questions on ownership and intellectual property rights. The PA template includes a paragraph, which indicates shared ownership among all project partners.
- ✓ IPR are governed by national rules.

4.3.4. Public procurement

During the implementation of a project, the majority of projects partners buy goods and services externally. For example, external auditors are hired to carry out the first level control; a project, finance and communication manager are hired to assist the Lead Partner with the organisational and administrative aspects of project implementation; catering and technical equipment for conferences and meetings is ordered, etc. Whenever purchases are made and contracts are awarded to external suppliers, the public tendering principles must be observed so that project partners demonstrate efficient use of public funds.

The public procurement rules define tendering procedures applicable to different threshold values. Each contract should be awarded on the basis of objective criteria that ensure compliance with the principles of transparency, non-discrimination and equal treatment and which guarantee that tenders are assessed under the conditions of effective competition.

Public authorities and other institutions falling under the scope of application of the procurement rules¹⁸ must comply with the applicable rules on public procurement.

Organisations (namely under private law) not falling under the scope of application of the public procurement laws (e.g. private companies for most procurement activities as defined under the EU regulation) are exempt from the application of public procurement laws. Nevertheless, given the involvement of public resources, they shall observe the national public procurement rules, in view of ensuring the best value for money. Such organisations shall check national and EU rules and guidelines in this respect.

How to comply with public procurement rules?

When dealing with public procurement rules, three levels have to be taken into consideration:

- ✓ The EU public procurement directives;¹⁹
- ✓ National rules²⁰;
- ✓ Internal rules of the partner organisation.

¹⁸ “Contracting authorities” in the meaning of Directive 2014/24/UE.

¹⁹ More information on EU rules on public procurement can be found at the following link:
http://ec.europa.eu/internal_market/publicprocurement/index_en.htm

²⁰ National rules include laws on public procurement, related delegated or implementing acts or any other generally applicable legally binding rules and decisions

As a matter of principle, the stricter rules must always be applied. In the case national rules set stricter requirements (such as for publicity, free competition, lower thresholds) than those established by the European directives, then the former must be applied. The same principle goes for internal rules.

Audit Trail

Central to ensuring adherence to the public tender rules is the tender documentation, which usually consists of the following:

- ✓ Terms of reference (sufficiently specified, including clear information to candidates on award and weighting criteria)
- ✓ Request for offers or procurement publication/notice
- ✓ Offers/quotes received
- ✓ Report on assessment bids (evaluation/selection report) including:
 - Justification for the procedure chosen in the light of the identified needs
 - Evaluation of the offers in the light of the previously announced award and weighting criteria
 - Letters of acceptance and rejection
- ✓ Contract, including any amendments and/or renewals (with evidence that these did not modify the economy on the market and that there was no modification of the object of the initial contract)
- ✓ Evidence that the payments made match the contract (invoices and proof of payment);
- ✓ Proof of delivery of goods or services

Where there are doubts about the specific rules applying to the specific case, the Joint Secretariat recommends that projects refer to the following sources:

- ✓ The internal market website:
http://ec.europa.eu/internal_market/publicprocurement/index_en.htm
- ✓ National approbation body
- ✓ The National public procurement authority
- ✓ The legal department of the relevant project partner organisation

Please Note

- ✓ Public procurement rules and principles are applicable to all public authorities and bodies governed by public law and therefore also apply in the context of their participation in an Interreg AA project.
- ✓ Private bodies participating in an Interreg AA project, and receiving ERDF and/or other national/regional/local funding, have to follow the public procurement procedures, according to the European, national and internal rules.
- ✓ Evidence has to be available that the choice made regarding publicity requirements (sufficient degree of advertising) is in compliance with the EU Directives and the national applicable legislation (depending on the thresholds). Project partners must keep a record of every step of the public procurement procedure for first level control and audit purposes.

4.3.5. State aid

State aid refers to public financial support that can distort competition and the internal market. For State aid rules to be applicable the recipient of project funding must be an undertaking, i.e. any entity carrying an activity having an economic nature and offering goods and services on the market, regardless of its legal form and the way it is financed. Even if an organisation is not profit-oriented, State aid rules will apply as long as it competes with profit-oriented companies. Therefore, not only private companies are subject to State aid rules but also public organisations, if they carry out an economic activity on the market.

State aid relevance depends on the following criteria being met:

- ✓ Existence of public aid: this rule applies to all partners involved in projects financed by the Programme;
- ✓ Selection of beneficiaries: it is the general rule adopted by the Programme to finance projects;
- ✓ Economic advantage: The project support is an economic advantage that the undertaking would not have received in the normal course of business;
- ✓ Effect on competition and trade: The project support constitutes a potential and significant advantage for the competitive capacity of the involved beneficiaries on the internal market.

State aid is in principle forbidden because it may distort competition by favouring certain undertakings or the production of certain goods (which is incompatible with the internal

market). However, there are **several exceptions** that allow for aid in certain areas, up to a certain amount (de **minimis**) or for certain undertakings that are crucial for the European economy as they perform certain activities, such as those activities specified in the General Block Exemption Regulation (**GBER**). These exception measures allowed organisations to be exempt from prior notification to the European Commission. In other situations the general rule of **notification to the European Commission** shall be the rule in order to seek the ex-ante authorisation of State aid.

De minimis rule

The 'de minimis' rule allows State aid relevant activities, but only those having a minimal financial importance, up to a set threshold. The amounts of de minimis aid granted to a single undertaking within the last 3 financial years cannot exceed €200,000 (Regulation (EU) No 1407/2013), including the ERDF support. The organisation awarding the de minimis aid bears all responsibility for monitoring the limits.

General Block Exemption Regulation (GBER)

Another possibility is to use one of the exemptions offered by the General Block Exemption Regulation. This can happen for example if the de minimis quota has already been exhausted or the beneficiary is applying for an ERDF amount above €200,000. However, GBER may also be used directly without considering the application of de minimis. Under GBER different exemption rules are foreseen covering, for example, SMEs participating in European Territorial Cooperation projects, aid for research and development, aid for innovation clusters, and other. Restrictions shall be taken in consideration, especially on the maximum grant rate, maximum ERDF ceiling or scope of activities to be co-financed.

Notification to the European Commission

In all other cases, where neither de minimis nor GBER can be applied, the notification to the European Commission shall be the rule. Project partners must however take into account that it is a burdensome and lengthy administrative process. The project activities will be allowed to be implemented only once the European Commission approves the State aid scheme. If exemptions rules are not applicable, the ex-ante notification to the European Commission is required. Any State aid relevant public support approved without EC ex-ante authorisation is automatically considered illegal.

Atlantic Area procedures to assess State aid compliance

Each Member State is responsible to check State aid rules. If a MS concluded that a project application is State aid relevant, the approval and contracting of such projects are subject, as

appropriate, to compliance to exemption rules or to the ex-ante authorisation of the European Commission. In any case, Member States shall define and implement the procedures to be followed by beneficiaries located on their national territory. When de minimis or GBER rules apply, it is also up to each Member State to check that the de minimis limits are not exceeded and the GBER compliance.

Partners involved in **project proposals** shall check the State aid implications. In the work package and budget plan descriptions, for each partner, the origin and amounts potentially subject to State aid rules and which rules apply shall be identified. If State aid relevant activities are identified, project partners should take into account that some restrictions may be applied (e.g. there will be a maximum ERDF contribution or the grant rate will be lowered). It is the responsibility of the project partners to provide such information. An in-depth State aid assessment will be performed by the JS in collaboration with MS. The conclusions and implications will be reported in the project assessment reports.

All **projects approved** for Programme support will be asked to provide a self-declaration (according to a template provided by the JS) describing the State aid relevancy of each project partner and details (namely EC ex-ante authorisations, listings of all de minimis aids received within the last 3 fiscal years, GBER conditionalities, etc.). Before the signature of the subsidy contracts, the JS will verify, in collaboration with MS, the conformity of such declarations and the compliance with Programme, EU and national rules (maximum ERDF grant rate, nature of expenditures etc.), and propose potential adjustments, namely in terms of the contract or in the approved application specifications.

During project **implementation**, beneficiaries are responsible to check that the Programme support is granted in compliance with State aid procedures and rules, and propose any required amendments to project specifications to comply with such rules. First level controllers and national control supervision shall check the compliance of project partner's expenditures and activities with State aid rules and provide the relevant certification. The JS shall ensure that all State aid rules verifications established at national level were duly performed.

Please note

- ✓ All entities engaged in an economic activity fall under the State aid rules, regardless of their legal status and regardless of whether they aim to make a profit: both public and private partners are affected by State aid if they perform economic activities and such activities are State aid relevant;
- ✓ The participation of an SME in a project does not necessarily mean that its activities will be State aid relevant.

- ✓ State aid granted by a project partner downstreaming it to other organisations is not allowed.
- ✓ If the project self-assessment shows a possibility of State aid, the project should consult the JS at the earliest stage possible²¹.

Audit trail

- ✓ State aid related information provided within project applications and projects amendments of operations approved and contracted.
- ✓ JS and MS assessment reports in State aid rules applied to projects partners.
- ✓ State aid self-declarations provided by partners of approved projects.
- ✓ Control reports and declarations of FLC, national control supervisors and JS concerning payments and reporting State aid verifications.

4.3.6. Projects penalties

Taking into account the need of the Programme to generate impact in the Atlantic area to be measured through the Programme results indicators, and the need to avoid the release of funds by projects, stricter rules will apply that foresee penalties for delays in the submission of financial claims and reports. Provisions for such penalties will be laid down in the subsidy contract.

Experience shows that project spending is delayed in the first months and that an underspending of 10% can be considered within normal parameters. Projects whose implementation phase is half-way and their underspending equals or exceeds 30% compared to the spending plan in the Subsidy Contract, may be penalized. This will be done through a de-commitment specifically applied to the project resulting in adjustment of project budget.

The decommitment penalty decision - will be based on an assessment of the project's spending plan as set in the subsidy contract and the actual project spending rate.

21 Refer to Regulation (EU) 651/2014 :

Art. 4 (1)(f) – Threshold of €2m per ETC –funded undertaking for notification;

Art. 9 (1) (c) – Obligation to publish aid granted to ETC projects on a Member State website;

Art. 11 – Transmission of information to the EU Commission on ETC aid measures exempted under the regulation by the Member State in which the MA is located;

Art. 12 – Maintenance of records on ETC aid granted by the Member State in which the MA is located

Art. 20 – Aid intensity for SMEs participating in ETC projects is subject to a limit of 50%