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Common Provisions Regulation

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TITLE I

OBJECTIVES AND GENERAL RULES ON SUPPORT

CHAPTER II

Policy objectives and principles for the support of the Funds

Article 4

Policy objectives

1. The ERDF, the ESF+, the Cohesion Fund and the EMFF shall support the following policy objectives:

   (a) a smarter Europe by promoting innovative and smart economic transformation;

   (b) a greener, low-carbon and resilient Europe by promoting clean and fair energy transition, green and blue investment, the circular economy, climate adaptation and risk prevention and management;

   (c) a more connected Europe by enhancing mobility and regional ICT connectivity;

   (d) a more social Europe implementing the European Pillar of Social Rights;

   (e) a Europe closer to citizens by fostering the sustainable and integrated development of all types of territories.

2. The ERDF, the ESF+ and the Cohesion Fund shall contribute to the actions of the Union leading to strengthening of its economic, social and territorial cohesion in accordance with Article 174 of the TFEU by pursuing the following goals:

a) Investment for jobs and growth in Member States and regions, to be supported by the ERDF, the ESF+ and the Cohesion Fund; and

b) European territorial cooperation (Interreg), to be supported by the ERDF.

3. Member States shall provide information on the support for environment and climate objectives using a methodology based on types of intervention for each of the Funds. That methodology shall consist of assigning a specific weighting to the support provided at a level which reflects the extent to which such support makes a contribution to environmental objectives and to climate objectives. In the case of the ERDF, the ESF+ and the Cohesion Fund weightings shall be attached to dimensions and codes for the types of intervention established in Annex I.

4. Member States and the Commission shall promote the coordination, complementarity and coherence between the Funds and other Union instruments and funds. They shall optimise mechanisms for coordination between those responsible to avoid duplication during planning and implementation. Accordingly, Member States and the Commission shall also take into account the relevant country-specific recommendations in the programming and implementation of the Funds.

Article 5

Shared management

1. The Member States and the Commission shall implement the budget of the Union allocated to the Funds under shared management in accordance with Article [63] of Regulation (EU, Euratom) [number of the new financial regulation] (the 'Financial Regulation').

   Member States shall prepare and implement the support from the Funds at the appropriate territorial level, in accordance with their institutional, legal and financial framework.

2. However, the Commission shall implement the amount of support from the Cohesion Fund transferred to the Connecting Europe Facility ('CEF'), the European Urban Initiative, Interregional Innovative Investments**,** the amount of support transferred from the ESF+ to transnational cooperation, the amounts contributed to InvestEU[1] and technical assistance at the initiative of the Commission under direct or indirect management in accordance with [points (a) and (c) of Article 62(1)] of the Financial Regulation.

3. In agreement with the Member State concerned, the Commission may implement outermost regions' cooperation under the European territorial cooperation goal (Interreg) under indirect management.

[1] [Regulation (EU) No […] on […] (OJ L […], […], p. […])].

Article 6

Partnership and multi-level governance

1. Each Member State shall organise and implement a partnership with the involvement of relevant partners in accordance with Commission Delegated Regulation (EU) No 240/2014[2], taking into account specificities of the Funds.

2. At least once a year, the Commission shall consult organisations which represent partners at Union level on the implementation of programmes.

[2] Commission Delegated Regulation (EU) No 240/2014 of 7 January 2014 on the European code of conduct on partnership in the framework of the European Structural and Investment Funds (OJ L 74, 14.3.2014, p. 1).

TITLE II

STRATEGIC APPROACH

CHAPTER I

Partnership Agreement

Article 7

Preparation and submission

1. Each Member State shall prepare a Partnership Agreement which sets out the strategic orientation for programming and the arrangements for using the ERDF, the Cohesion Fund, the ESF+, and the EMFF in an effective and efficient way for the period from 1 January 2021 to 31 December 2027.

   The requirement in the first subparagraph shall not apply where:

   a) the amount of resources for a Member State from the ERDF, the Cohesion Fund and the ESF+ is lower than 2.5bn EUR, or
   b) a Member State does not submit more than three programmes under the Investment for jobs and growth goal.

2. The Member State shall submit the Partnership Agreement to the Commission before or at the same time as the submission of the first programme.

(paragraph 3 is deleted)

4. The Member State shall draw up the Partnership Agreement in accordance with the template set out in Annex II.

5. Interreg programmes may be submitted to the Commission before the submission of the Partnership Agreement.

Article 8

Content

1. The Partnership Agreement shall contain the following elements:

(a) the selected policy objectives indicating by which of the funds covered by the Partnership Agreement and programmes they will be pursued and a justification thereto, and where relevant, a justification for using the delivery mode of the InvestEU, taking into account relevant country-specific recommendations, as well as the principles of the European Pillar of Social Rights;

(b) for each of the selected policy objectives referred to in point (a):

(i) a summary of the policy choices and the main results expected for each of the funds covered by the Partnership Agreement, including where relevant, through the use of InvestEU;

(ii) coordination, demarcation and complementarities between the Funds and, where appropriate, coordination between national and regional programmes;

(iii) complementarities between the funds covered by the Partnership Agreement and other Union instruments and funds;

(c) the preliminary financial allocation from each of the funds covered by the Partnership Agreement by policy objective at national level, respecting Fund-specific rules on thematic concentration;

(d) where relevant, the breakdown of financial resources by category of regions drawn up in accordance with Article 102(2) and the amounts of allocations proposed to be transferred between categories of regions pursuant to Article 105;

(d bis) for technical assistance, the choice of the Member State of the form of Union contribution in accordance with Article 30(3) and, where applicable, the preliminary financial allocation from each of the Funds at national level and breakdown of financial resources by programme and category of regions;

(e) the amounts to be contributed to InvestEU by fund and by category of regions, where relevant;

(f) the list of planned programmes under the funds with the respective preliminary financial allocations by fund and the corresponding national contribution by category of regions;

(g) a summary of the actions which the Member State concerned plans to take to reinforce its administrative capacity of the implementation of the funds covered by the Partnership Agreement.

With regard to the European territorial cooperation goal (Interreg), the Partnership Agreement shall only contain the list of planned programmes.

The Partnership Agreement may also contain a summary of the assessment of the fulfilment of relevant enabling conditions referred to in Article 11 and Annexes III and IV.

2. Where a Partnership Agreement is not prepared pursuant to the second subparagraph of paragraph 1 of Article 7, a comprehensive set of information covering points (c) to (f) of paragraph 1 shall be sent to the Commission in the form of Annex IIbis [tables included in sections 3 to 6 of Annex II] before or at the same time as the submission of the first programme.

Article 9

Approval

1. The Commission shall assess the Partnership Agreement and its compliance with this Regulation and with the Fund-specific rules. In its assessment, the Commission shall, in particular, take into account how the Member State intends to address relevant country-specific recommendations.

2. The Commission may make observations within three months of the date of submission by the Member State of the Partnership Agreement.

3. The Member State shall review the Partnership Agreement taking into account the observations made by the Commission.

4. The Commission shall adopt a decision by means of an implementing act approving the Partnership Agreement no later than four months after the date of submission of that Partnership Agreement by the Member State concerned.

Article 10

Use of the ERDF, the ESF+, the Cohesion Fund and the EMFF delivered through InvestEU

1. Member States may allocate:

   – in the Partnership Agreement or in the comprehensive set of information referred to in Article 8(2); or

   – in the request for an amendment of a programme,

   the amount of ERDF, the ESF+, the Cohesion Fund and the EMFF to be contributed to InvestEU and delivered through budgetary guarantees. The amount to be contributed to InvestEU shall not exceed [5 %] of the total allocation of each Fund, except in duly justified cases. Such contributions shall not constitute transfers of resources under Article 21.

2. For the Partnership Agreement or in the comprehensive set of information referred to in Article 8(2), resources of the current and future calendar years may be allocated. For the request for an amendment of a programme, only resources of future calendar years may be allocated.

3. The amount referred to in paragraph 1 shall be used for the provisioning of the part of the EU guarantee under the Member State compartment.

4. Where a contribution agreement, as set out in Article [9] of the [InvestEU Regulation], has not been concluded by 31 December 2021 for an amount referred to in paragraph 1 allocated in the Partnership Agreement or in the comprehensive set of information referred to in Article 8(2), the Member State shall submit a request for amendment of a programme or programmes to use the corresponding amount.

The contribution agreement for an amount referred to in paragraph 1 allocated in the request of the amendment of a programme shall be concluded simultaneously with the adoption of the decision amending the programme.

5. Where a guarantee agreement, as set out in Article [9] of the [InvestEU Regulation], has not been concluded within nine months from the approval of the contribution agreement, the respective amounts paid into the common provisioning fund as a provisioning shall be transferred back to a programme or programmes and the Member State shall submit a corresponding request for a programme amendment.

6. Where a guarantee agreement, as set out in Article [9] of the [InvestEU Regulation], has not been fully implemented within four years from the signature of the guarantee agreement, the Member State may request that amounts committed in the guarantee agreement but not covering underlying loans or other risk bearing instruments shall be treated in accordance with paragraph 5.

7. Resources generated by or attributable to the amounts contributed to InvestEU and delivered through budgetary guarantees shall be made available to the Member State and shall be used for support under the same objective or objectives in the form of financial instruments.

8. The Commission shall re-budget contributed amounts which have not been used for InvestEU for the year in which the corresponding programme amendment is approved. Such re-budgetisation may not go beyond the year 2027.

The decommitment time limit for the re-budgeted amount in accordance with Article 99 shall start from the year in which the contribution has been re-budgeted.

TITLE III

PROGRAMMING

CHAPTER I

General provisions on the Funds

Article 16

Preparation and submission of programmes

1. Member States shall prepare programmes to implement the Funds for the period from 1 January 2021 to 31 December 2027.

2. Member States shall submit programmes to the Commission no later than 3 months after the submission of the Partnership Agreement or of the comprehensive set of information referred to in Article 8(2). For the AMIF, the ISF and the BMVI, Member States shall submit programmes to the Commission no later than 3 months after the entry into force of [this Regulation] and [the relevant fund-specific Regulation], whichever is later.

3. Member States shall prepare programmes in accordance with the programme template set out in Annex V.

   For the AMIF, the ISF and the BMVI, Member States shall prepare programmes in accordance with the programme template set out in Annex VI.

Article 17

Content of programmes

1. Each programme shall set out a strategy for the programme's contribution to the policy objectives and the communication of its results.

2. A programme shall consist of one or more priorities. Each priority shall correspond to a single policy objective or to technical assistance if it is implemented pursuant to Article 30(4) or Article 32 and may use support from one or more Funds. A priority corresponding to a policy objective shall consist of one or more specific objectives. More than one priority may correspond to the same policy objective.

   For programmes supported by the EMFF, each priority may correspond to one or more policy objectives.

   For programmes supported by the AMIF, the ISF and the BMVI, a programme shall use support from one fund and consist of specific objectives and of technical assistance specific objectives.

3. Each programme shall set out:

   (a) a summary of the main challenges, taking into account:

      (i) economic, social and territorial disparities, except for programmes supported by the EMFF;

      (ii) market failures;

      (ii bis) investment needs and complementarity with other forms of support;

      (iii) challenges identified in relevant country-specific recommendations, in relevant national or regional strategies of that Member State, and, for the AMIF, ISF and BMVI, other relevant Union recommendations addressed to the Member State;

      (iv) challenges in administrative capacity and governance;

(v) lessons learnt from past experience;

(vi) macro-regional strategies and sea-basin strategies where Member States and regions participate in such strategies;

(vii) for programmes supported by the AMIF, the ISF and the BMVI, progress in implementing the relevant Union *acquis* and action plans and a justification for the choice of specific objectives;

Points (i), (ii) and (vi) of paragraph 3(a) shall not apply to programmes supported by the AMIF, the ISF and the BMVI.

(b) a justification for the selected policy objectives, corresponding priorities, specific objectives and the forms of support;

(c) for each priority, except for technical assistance, specific objectives, the types of intervention and an indicative breakdown of the programmed resources by type of intervention or area of support[3];

(d) for each specific objective:

(i) the related types of actions and their expected contribution to those specific objectives and to macro-regional strategies and sea-basin strategies, where appropriate;

(ii) output indicators and result indicators with the corresponding milestones and targets;

(iii) the main target groups;

(iv) indication of the specific territories targeted, including the planned use of integrated territorial investment, community-led local development or other territorial tools;

[3] N.B. The term "areas of support" is to be aligned throughout the text with the finally agreed nomenclature for the EMFF, in line with Annex II of the EMFF Regulation.

(v) the interregional and transnational actions with beneficiaries located in at least one other Member State or outside the Union, where relevant;

(vi) the planned use of financial instruments;

(e) the planned use of technical assistance in pursuant to Article 32 if applicable, and relevant types of intervention;

(e bis) for each priority on technical assistance implemented pursuant to Article 30(4):

(i) the related types of actions;

(ii) output indicators with the corresponding milestones and targets;

(iii) the main target groups;

(vii) the types of intervention and an indicative breakdown of the programmed resources by type of intervention or area of support;

(f) a financing plan containing:

(i) a table specifying the total financial allocations for each of the Funds and for each category of region, where applicable, for the whole programming period and by year, including any amounts transferred pursuant to Article 21;

(ii) for programmes supported by ERDF, ESF+ and the Cohesion Fund, a table specifying the total financial allocations for each priority by Fund and by category of region and the national contribution and whether it is made up of public and private contribution;

(iii) for programmes supported by the EMFF, a table specifying for each type of area of support, the amount of the total financial allocations of the support from the Fund and the national contribution;

(iv) for programmes supported by the AMIF, the ISF and the BMVI, a table specifying, by specific objective, the total financial allocations by type of action, the national contribution and whether it is made up of public and private contribution;

(g) the actions taken to involve the relevant partners referred to in Article 6 in the preparation of the programme, and the role of those partners in the implementation, monitoring and evaluation of the programme;

(h) for each enabling condition linked to the selected specific objective, established in accordance with Article 11, Annex III and Annex IV, an assessment of whether the enabling condition is fulfilled at the date of submission of the programme;

(i) the envisaged approach to communication and visibility for the programme through defining its objectives, target audiences, communication channels, planned budget and relevant indicators for monitoring and evaluation;

(j) the programme authorities and the body or in case of technical assistance pursuant to Article 30(5), where applicable bodies which receive payments from the Commission.

Point (d) of this paragraph shall not apply to the specific objective set out in Article [4(1)(xi)] of the ESF+Regulation.

When submitting the programme for the ERDF, the Cohesion Fund, the ESF+ and the EMFF, this shall be accompanied by a list of planned operations of strategic importance, for information purposes.

If, in accordance with point (j), more than one body is identified, the Member State shall set out the share of the reimbursed amounts between those bodies.

Where a Partnership Agreement is not prepared, the programme shall also include the information set out in points (ii) and (iii) of Article 8(1)(b).

4. By way of derogation from point (b) to (d) of paragraph 3, for each specific objective of programmes supported by the AMIF, the ISF and the BMVI the following shall be provided:

(a) a description of the initial situation, challenges and responses supported by the Fund;

(b) indication of the implementation measures;

(c) an indicative list of actions and their expected contribution to the specific objectives;

(d) where applicable, a justification for the operating support, specific actions, emergency assistance, and actions as referred to in Articles [16 and 17] of the AMIF regulation;

(e) output and result indicators with the corresponding milestones and targets;

(f) an indicative breakdown of the programmed resources by type of intervention.

5. Types of intervention shall be based on a nomenclature set out in Annex I. For programmes supported by the EMFF, AMIF, the ISF and the BMVI, types of intervention shall be based on a nomenclature set out in the Fund-specific Regulations.

(paragraph 6 is deleted)

7. The Member State shall communicate to the Commission any changes in the information referred to in paragraph (3)(j) without requiring a programme amendment.

Article 18

Approval of programmes

1. The Commission shall assess the programme and its compliance with this Regulation and with the Fund-specific Regulations, as well as its consistency with the relevant Partnership Agreement or with the relevant comprehensive set of information referred to in Article 8(2). In its assessment, the Commission shall, in particular, take into account how relevant country-specific recommendations have been addressed.

2. The Commission may make observations within three months of the date of submission of the programme by the Member State.

3. The Member State shall review the programme taking into account the observations made by the Commission.

4. The Commission shall adopt a decision by means of an implementing act approving the programme no later than six months after the date of submission of the programme by the Member State.

Article 19

Amendment of programmes

1. The Member State may submit a motivated request for an amendment of a programme together with the amended programme setting out the expected impact of that amendment on the achievement of the objectives.

2. The Commission shall assess the amendment and its compliance with this Regulation and with the Fund-specific Regulations, including requirements at national level, and may make observations within two month of the submission of the amended programme.

3. The Member State shall review the amended programme and take into account the observations made by the Commission.

4. The Commission shall approve the amendment of a programme no later than four months after its submission by the Member State.

5. For the programmes supported by the ERDF, Cohesion Fund and ESF+, the Member State may transfer during the programming period an amount of up to 8%, of the initial allocation of a priority and no more than 4% of the programme budget to another priority of the same Fund of the same programme. For the programmes supported by the ERDF and ESF+, the transfer shall only concern allocations for the same category of region.

   For the programmes supported by the EMFF, the Member State may transfer during the programming period an amount of up to 10% of the initial allocation of a Union priority to another Union priority;

   For the programmes supported by the AMIF, the ISF and the BMVI, the Member State may transfer during the programming period allocations between types of actions within the same specific objective and, in addition, an amount of up to 15% of the initial allocation of a priority to another priority of the same Fund.

   Such transfers shall not affect previous years. They shall be considered to be not substantial and shall not require a decision of the Commission amending the programme. They shall however, comply with all regulatory requirements. The Member State shall submit to the Commission the revised table referred to under points (f)(ii), (f)(iii) or (f)(iv) of Article 17(3) as applicable.

6. The approval of the Commission shall not be required for corrections of a purely clerical or editorial nature that do not affect the implementation of the programme. Member States shall inform the Commission of such corrections.

7. For programmes supported by the EMFF, amendments to the programmes relating to the introduction of indicators shall not require the approval of the Commission.

Article 20

Joint support from the ERDF, the ESF+ and the Cohesion Fund

1. The ERDF, the ESF+ and the Cohesion Fund may jointly provide support for programmes under the Investment for jobs and growth goal.

2. The ERDF and the ESF+ may finance, in a complementary manner and subject to a limit of 10 % of support from those Funds for each priority of a programme, all or part of an operation for which the costs are eligible for support from the other Fund on the basis of eligibility rules applied to that Fund, provided that such costs are necessary for the implementation.

Article 21

Transfer of resources

1. Member States may request the transfer of up to [5 %] of programme financial allocations from any of the Funds to any other Fund under shared management or to any instrument under direct or indirect management.

2. Transferred resources shall be implemented in accordance with the rules of the Fund or the instrument to which the resources are transferred and, in the case of transfers to instruments under direct or indirect management, for the benefit of the Member State concerned.

3. Requests under paragraph 1 shall set out the total amount transferred for each year by Fund and by category of region, where relevant, shall be duly justified and shall be accompanied by the revised programme or programmes, from which the resources are to be transferred in accordance with Article 19 indicating to which other Fund or instrument the amounts are transferred.

4. After consultation with the Member State concerned, the Commission may object to a request for transfer in the related programme amendment where this would undermine the achievement of the objectives of the programme from which the resources are to be transferred.

5. Only resources of future calendar years may be transferred.

CHAPTER II
Territorial development

Article 22

Integrated territorial development

Where a Member State supports integrated territorial development, it shall do so through territorial or local development strategies in any of the following forms:

(a) integrated territorial investments;

(b) community-led local development;

(c) another territorial tool supporting initiatives designed by the Member State.

Article 23

Territorial strategies

1. Territorial strategies implemented pursuant to points (a) or (c) of Article 22 shall contain the following elements:

   (a) the geographical area covered by the strategy;

   (b) an analysis of the development needs and the potential of the area;

   (c) a description of an integrated approach to address the identified development needs and the potential of the area;

   (d) a description of the involvement of partners in the preparation and in the implementation of the strategy.

   They may also contain a list of operations to be supported.

2. Territorial strategies shall be under the responsibility of the relevant urban, local or other territorial authorities or bodies.

3. Where the list of operations to be supported has not been included in the territorial strategy, the relevant urban, local or other territorial authorities or bodies shall select or shall be involved in the selection of operations.

Selected operations shall comply with the territorial strategy.

4. Where an urban, local or other territorial authority or body carries out tasks falling under the responsibility of the managing authority other than the selection of operations, the authority shall be identified by the managing authority as an intermediate body.

5. Support may be provided for the preparation and design of territorial strategies.

Article 24

Integrated territorial investment

1. Where a strategy implemented in accordance with Article 23 involves investments that receive support from one or more Funds, from more than one programme or from more than one priority of the same programme, actions may be carried out as an integrated territorial investment ('ITI').

Article 25

Community-led local development

1. The ERDF, the ESF+ [, the EAFRD as referred to in Regulation XX/XXXX] and the EMFF may support community-led local development.

2. The Member State shall ensure that community-led local development is:

   (a) focused on subregional areas;

   (b) led by local action groups composed of representatives of public and private local socio-economic interests, in which no single interest group control the decision-making;

   (c) carried out through integrated strategies in accordance with Article 26;

   (d) supportive of networking, innovative features in the local context and, where appropriate, cooperation with other territorial actors.

3. Where support to strategies referred to in paragraph 2(c) is available from more than one Fund, the relevant managing authorities shall organise a joint call for selection of those strategies and establish a joint committee for all the Funds concerned to monitor the implementation of those strategies. The relevant managing authorities may choose one of the Funds concerned to support all preparatory, management and animation costs referred to in points (a) and (c) of Article 28(1) related to those strategies.

4. Where the implementation of such a strategy involves support from more than one Fund, the relevant managing authorities may choose one of the Funds concerned as the Lead Fund.

5. The rules of the Lead Fund shall apply to that strategy. The authorities of other funds shall rely on decisions and management verifications made by the competent Lead Fund authority.

6. The authorities of the Lead Fund shall provide the authorities of other Funds with information necessary to monitor and make payments in accordance with the rules set out in the Fund-specific Regulation.

7. Where the European Agricultural Fund for Rural Development (EAFRD) supports strategies referred to in paragraph 2(c) via LEADER, in accordance with Article [71] of Regulation [CAP Plan], paragraphs 3 to 6 shall also apply to the EAFRD and to the respective programme authorities.

Article 26

Community-led local development strategies

1. The relevant managing authorities shall ensure that each strategy referred to in Article 25(2)(c) sets out the following elements:

   (a) the geographical area and population covered by that strategy;

   (b) the community involvement process in the development of that strategy;

   (c) an analysis of the development needs and potential of the area;

   (d) the objectives of that strategy, including measurable targets for results, and related planned actions;

   (e) the management, monitoring and evaluation arrangements, demonstrating the capacity of the local action group to implement that strategy;

   (f) a financial plan, including the planned allocation from each Fund and programme concerned.

2. The relevant managing authorities shall define criteria for the selection of those strategies, set up a committee to carry out this selection and approve the strategies selected by that committee.

3. The relevant managing authorities shall complete the first round of selection of strategies and ensure the local action groups selected can fulfil their tasks set out in Article 27(3) within 12 months of the date of the approval of the relevant programme or, in the case of strategies supported by more than one Fund, within 18 months of the date of the approval of the last programme concerned.

4. The decision approving a strategy shall set out the allocation of each Fund and programme concerned and set out the responsibilities for the management and control tasks under the programme or programmes.

Article 27

Local action groups

1. Local action groups shall design and implement the strategies referred to in Article 25(2)(c).

2. The managing authorities shall ensure that the local action groups either select one partner within the group as a lead partner in administrative and financial matters, or come together in a legally constituted common structure.

3. The local action groups, exclusively, shall carry out all of the following tasks:

   (a) building the capacity of local actors to develop and implement operations;

   (b) drawing up a non-discriminatory and transparent selection procedure and criteria, which avoids conflicts of interest and ensures that no single interest group controls selection decisions;

(c) preparing and publishing calls for proposals;

(d) selecting operations and fixing the amount of support and presenting the proposals to the body responsible for final verification of eligibility before approval;

(e) monitoring progress towards the achievement of objectives of the strategy;

(f) evaluating the implementation of the strategy.

4. Where local action groups carry out tasks not covered by paragraph 3 that fall under the responsibility of the managing authority those local action groups shall be identified by the managing authority as intermediate bodies in accordance with the Fund-specific rules.

5. The local action group may be a beneficiary and may implement operations in accordance with the strategy.

Article 28

Support from Funds for community-led local development

1. Support from the Funds for community-led local development shall cover:

   (a) capacity building and preparatory actions supporting the design and future implementation of the strategies;

   (b) the implementation of operations, including cooperation activities and their preparation, selected under the local development strategy;

   (c) the management, monitoring and evaluation of the strategy and its animation.

2. The support referred to under point (a) of paragraph 1 shall be eligible regardless of whether the strategy is subsequently selected for funding.

   The support referred to under point (c) of paragraph 1 shall not exceed 25 % of the total public contribution to the strategy.

CHAPTER III

Technical assistance

Article 29

Technical assistance at the initiative of the Commission

1. At the initiative of the Commission, the Funds may support preparatory, monitoring, control, audit, evaluation, communication including corporate communication on the political priorities of the Union, visibility and all administrative and technical assistance actions necessary for the implementation of this Regulation and, where appropriate with third countries.

2. Such actions may cover future and previous programming periods.

3. The Commission shall set out its plans when a contribution from the Funds is envisaged in accordance with Article [110] of the Financial Regulation.

4. Depending on the purpose, the actions referred to in this Article can be financed either as operational or administrative expenditure.

Article 30

Technical assistance of Member States[4]

1. At the initiative of a Member State, the Funds may support actions, which may concern previous and subsequent programming periods, necessary for the effective administration and use of those Funds.

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[4] Changes made in Article 30 entail changes in recital 25 and in the following Articles: 8, 12, 17, 37, 85 and 88 CPR. All changes are included in the core text of this WK or below.

Recital (25) will be amended as follows:

(25) In order to reduce the administrative burden, it should be possible to implement technical assistance linked to programme implementation at the initiative of the Member State through a flat rate based on progress in programme implementation and to cover also horizontal tasks. In order to facilitate financial management, Member States should have the possibility to indicate one or more bodies to which related payments by the Commission should be made. Since these payments are based on the application of a flat-rate, there should be no controls of underlying expenditure.

Nevertheless, where continuity with the 2014-2020 period is preferred, the Member State should also be provided with the possibility to continue to implement technical assistance through a separate programme or priorities within a programme and to receive reimbursement of eligible costs actually incurred by the beneficiary and paid in implementing operations. The Member State should indicate its choice of the form of Union contribution for technical assistance for the entire programming period. However, in order to simplify the implementation for the AMIF, the ISF and the BMVI and for Interreg programmes, only the flat-rate approach should be used. Regardless of the option chosen, technical assistance may be complemented with targeted administrative capacity building measures using reimbursement methods that are not linked to costs. Actions and deliverables as well as corresponding Union payments can be agreed in a roadmap and can lead to payments for results on the ground.

Article 37- transmission of data will be amended as follows:
New sub-paragraph in paragraph 2: This paragraph shall not comprise data for technical assistance implemented pursuant to Article 30(5) and point (b) shall not apply to technical assistance implemented pursuant to Article 32.

Article 85(3)(b) – Payment applications will be amended as follows:
(b) the amount for technical assistance calculated in accordance with Article 30(5)(b) where applicable;

Article 88 – reimbursement based on unit cost, lump sums, flat rates will be amended as follows:
5 (new). This Article shall not apply to the Union contribution for technical assistance reimbursed pursuant to point (e) of Article 46.

The amounts for technical assistance shall not be taken into account for the purposes of thematic concentration in accordance with the fund-specific rules.

2. Each Fund may support technical assistance actions eligible under any of the other Funds.

3. The Union contribution for technical assistance in a Member State shall be made either pursuant to point (b) of Article 46 or pursuant to point (e) of that Article.

The Member State shall indicate its choice of the form of Union contribution for technical assistance in the Partnership Agreement in accordance with Annex II, or as part of the comprehensive set of information in accordance with Annex IIbis. This choice shall apply to all programmes in the Member State concerned for the entire programming period and cannot be modified subsequently.

For programmes supported by the AMIF, the ISF and the BMVI and for Interreg programmes the Union contribution for technical assistance shall be made only pursuant to point (e) of Article 46.

4. Where the Union contribution for technical assistance in a Member State is reimbursed pursuant to point (b) of Article 46, the following elements shall apply:

(a) technical assistance shall take the form of a priority relating to one single Fund in one or more programmes, or of a specific programme, or a combination thereof;

(b) the amount of the Funds allocated to technical assistance is limited to the following:

(i) for the ERDF support under the Investment for jobs and growth goal: 3,5%

(ii) for the Cohesion Fund support: 2,5 %;

(iii) for the ESF+ support: 4% and for programmes under Article 4(1)(xi) of the ESF+ Regulation: 5 %;

(iv) for the ERDF, ESF+ and Cohesion Fund, where the total amount allocated to a Member State under the Investment for jobs and growth goal does not exceed EUR 1 billion: 6%.

(v) for the EMFF support: 6 %.

5. Where the Union contribution for technical assistance is reimbursed pursuant to point (e) of Article 46, the following elements shall apply:

(a) the amount of the Funds allocated to technical assistance shall be identified as part of the financial allocations of each priority of the programme in accordance with point (ii) of Article 17(3)(f) and shall not take the form of a separate priority or a specific programme[5] except for programmes supported by the AMIF, the ISF and the BMVI for which it shall take the form of a specific objective;

(b) the reimbursement is made, by applying the percentages set out in points (i) to (v) to the eligible expenditure included in each payment application pursuant to Article 85(3)(a) or (c) as appropriate and from the same fund to which the eligible expenditure is reimbursed, to one or more bodies which receive payments from the Commission in accordance with Article 17(3)(j);

[5] N.B. To be aligned throughout the text with the finally agreed nomenclature for the EMFF, in line with Annex II of the EMFF Regulation.

(i) for the ERDF support under the Investment for jobs and growth goal: 3,5%

(ii) for the Cohesion Fund support: 2,5 %;

(iii) for the ESF+ support: 4% and for programmes under Article 4(1)(xi) of the ESF+ Regulation: 5 %;

(iv) for the ERDF, ESF+ and Cohesion Fund, where the total amount allocated to a Member State under the Investment for jobs and growth goal does not exceed EUR 1 billion, the percentage reimbursed for technical assistance: 6%.

(v) for the EMFF, the AMIF, the ISF and the BMVI support: 6 %.

(c) the amounts allocated to technical assistance identified in the programme shall correspond to the percentages set out in points (i)-(v) of point (b) for each priority and fund.

6. Specific rules for technical assistance for Interreg programmes shall be set out in the ETC Regulation.

Article 32

Financing not linked to costs for technical assistance of Member States

In addition to Article 30, the Member State may propose to undertake additional technical assistance actions to reinforce the capacity of Member State authorities, beneficiaries and relevant partners necessary for the effective administration and use of the Funds.

Support for such actions shall be implemented by financing not linked to costs in accordance with Article 89. Such support may also take the form of a specific programme containing the elements set out in Article 89(1).

TITLE VI
MANAGEMENT AND CONTROL

CHAPTER I
General rules on management and control

Article 63

Responsibilities of Member States

1. Member States shall have management and control systems for their programmes in accordance with this Title and ensure their functioning in accordance with sound financial management and the key requirements listed in Annex X.

2. Member States shall ensure the legality and regularity of expenditure included in the accounts submitted to the Commission and shall take all required actions to prevent, detect and correct and report on irregularities including fraud.

3. Member States shall, upon request of the Commission, take the actions necessary to ensure the effective functioning of their management and control systems and the legality and regularity of expenditure submitted to the Commission. Where that action is an audit, the Commission officials or their authorised representatives may take part.

4. Member States shall ensure the quality and reliability of the monitoring system and of data on indicators.

5. Member States shall have systems and procedures to ensure that all documents required for the audit trail as set out in Annex XI are kept in accordance with the requirements set out in Article 76.

6. Member States shall make arrangements for ensuring the effective examination of complaints concerning the Funds. The scope, rules and procedures concerning such arrangements shall be the responsibility of Member States in accordance with their institutional and legal framework. Member States shall, upon request by the Commission, examine complaints submitted to the Commission falling within the scope of their programmes and shall inform the Commission of the results of those examinations.

7. Member States shall ensure that all exchanges of information between beneficiaries and the programme authorities can be carried out by means of electronic data exchange systems in accordance with Annex XII.

For programmes supported by the EMFF, the AMIF, the ISF and the BMVI, the first sub-paragraph shall apply as from 1 January 2023.

The first sub-paragraph shall not apply to programmes or priorities under Article [4(1)(xi)] of the ESF+ Regulation.

8. Member States shall ensure that all official exchanges of information with the Commission are carried out by means of an electronic data exchange system in accordance with Annex XIII.

8a. The Member State shall provide, or shall ensure that the managing authorities provide, forecasts of the amount for payment applications to be submitted for the current and subsequent calendar year by 31 January and 31 July, in accordance with Annex VII bis.

9. Each Member State shall have in place, at the latest by the time of submission of the final payment application for the first accounting year and no later than 30 June 2023, a description of the management and control system in accordance with the template set out in Annex XIV. It shall keep that description updated to reflect any subsequent modifications.

10. Annex YZ is setting out the criteria for determining the cases of irregularity to be reported and the data to be provided as well as the format to be used for reporting of irregularities.

Article 64

Commission powers and responsibilities

1. The Commission shall satisfy itself that Member States have management and control systems that comply with this Regulation and that those systems function effectively during the implementation of the programmes. The Commission shall draw up an audit strategy and an audit plan which shall be based on a risk-assessment.

   The Commission and the audit authorities shall coordinate their audit plans.

2. Commission audits shall be carried out up to three calendar years following the acceptance of the accounts in which the expenditure concerned was included. This period shall not apply to operations where there is a suspicion of fraud.

3. For the purpose of their audits, Commission officials or their authorised representatives shall have access to all necessary records, documents and metadata, irrespective of the medium in which they are stored, relating to operations supported by the Funds or to management and control systems and shall receive copies in the specific format requested.

4. For on-the-spot audits, the following shall also apply:

   (a) the Commission shall give at least 12 working days' notice for the audit to the competent programme authority, except in urgent cases. Officials or authorised representatives of the Member State may take part in such audits.

   (b) where the application of national provisions reserves certain acts for agents specifically designated by national legislation, Commission officials and authorised representatives shall have access to the information thus obtained without prejudice to the competences of national courts and in full respect of the fundamental rights of the legal subjects concerned.

(c) the Commission shall transmit the preliminary audit findings no later than 3 months after the last day of the audit, to the competent Member State authority.

(d) the Commission shall transmit the audit report no later than 3 months from the date of receiving a complete reply from the competent Member State authority to the preliminary audit findings.

For the purpose of complying with the time limits set out in points (c) and (d) above, the Commission shall make available the preliminary audit findings and the audit report in at least one of the official languages of the institutions of the Union.

The time limits referred to in points (c) and (d) may be extended upon agreement between the Commission and the competent Member State authority.

Where a time limit is set for a reply by the Member State to the preliminary audit findings or the audit report referred to in points (c) and (d), that time limit shall start upon their receipt by the competent Member State authority in at least one of the official languages of the concerned Member State.

Article 65

Programme authorities

1. For the purposes of Article [63(3)] of the Financial Regulation, the Member State shall identify for each programme a managing authority and an audit authority. Where a Member State entrusts the accounting function to a body other than the managing authority in accordance with Article 66(2), the body concerned shall also be identified as a programme authority. Those same authorities may be responsible for more than one programme.

2. The audit authority shall be a public authority, functionally independent from the auditees.

3. The managing authority may identify one or more intermediate bodies to carry out certain tasks under its responsibility. Arrangements between the managing authority and intermediate bodies shall be recorded in writing.

4. Member States shall ensure that the principle of separation of functions between and within the programme authorities is respected.

5. Where a cohesion policy programme contributes to a programme co-fund as referred to in Article [8] of Regulation EU (…) [*Horizon Europe Rules for Participation*], the body implementing the programme co-fund shall be identified as an intermediate body by the managing authority of the relevant programme, in line with paragraph 3.

6. The Member State, at its own initiative, may set up a coordination body to liaise with and provide information to the Commission and to coordinate activities of the programme authorities in that Member State.[6]

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[6] *New recital:* "(x) The Member State, at its own initiative, should have the possibility to identify a coordinating body to liaise with and provide information to the Commission and to coordinate activities of the programme authorities in that Member State."

CHAPTER II

Standard management and control systems

Article 66

Functions of the managing authority

1. The managing authority shall be responsible for managing the programme with a view to delivering the objectives of the programme. In particular, it shall have the following functions:

   (a) select operations in accordance with Article 67 with the exception of operations referred to in Article 27(3)(d);

   (b) carry out programme management tasks in accordance with Article 68;

   (c) support the work of the monitoring committee in accordance with Article 69;

   (d) supervise intermediate bodies;

   (e) record and store electronically the data on each operation necessary for monitoring, evaluation, financial management, verifications and audits, and shall ensure the security, integrity and confidentiality of data and the authentication of the users.

2. The Member State may entrust the accounting function referred to in Article 70 to the managing authority or to another body.

3. For programmes supported by the AMIF, the ISF and the BMVI, the accounting function shall be carried out by the managing authority or under its responsibility.

4. Annex XYZ sets out the electronic data to be recorded and stored referred to in point (e) of paragraph 1.

Article 67

Selection of operations by the managing authority

1. For the selection of operations, the managing authority shall establish and apply criteria and procedures which are non-discriminatory, transparent, ensure gender equality and take account of the Charter of Fundamental Rights of the European Union and the principle of sustainable development and of the Union policy on the environment in accordance with Articles 11 and 191(1) of the TFEU.

   The criteria and procedures shall ensure the prioritisation of operations to be selected with a view to maximise the contribution of Union funding to the achievement of the objectives of the programme[7].

(paragraph 2 is deleted)

3. In selecting operations, the managing authority shall:

   (a) ensure that selected operations comply with the programme and provide an effective contribution to the achievement of its specific objectives;

   (b) ensure that selected operations which fall within the scope of an enabling condition are consistent with the corresponding strategies and planning documents established for the fulfilment of that enabling condition;

   In the case of policy objective one, as set out in Article 2(1)(a) of the [ERDF and CF Regulation], only operations corresponding to the specific objectives referred to in Article 2(1)(a)(i) and (iv) of that Regulation shall be consistent with the corresponding smart specialisation strategies.

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[7] *Recital 48 to be complemented as follows:* (48) Since the managing authority bears the main responsibility for the effective and efficient implementation of the Funds and therefore fulfils a substantial number of functions, its functions in relation to the selection of operations, programme management and support for the monitoring committee should be set out in detail. Procedures for the selection of operations can be competitive or non-competitive provided that operations selected maximise contribution of the Union funding and are in line with the horizontal principles.

(c) satisfy itself that the beneficiary has the necessary financial resources and mechanisms to cover operation and maintenance costs for operations comprising investment in infrastructure or productive investment;

(d) satisfy itself that where the operations have started before the submission of an application for funding to the managing authority, applicable law has been complied with;

(e) ensure that selected operations fall within the scope of the Fund concerned and, with the exception of the EMFF, are attributed to a type of intervention;

(f) ensure that operations do not include activities which were part of an operation subject to relocation in accordance with Article 60 or which would constitute a transfer of a productive activity in accordance with Article 59(1)(a);

(g) ensure that selected operations are not directly affected by a reasoned opinion by the Commission in respect of an infringement under Article 258 of the TFEU that puts at risk the legality and regularity of expenditure;

(h) ensure that, for investments in infrastructure with an expected lifespan of at least five years, an assessment of expected impacts of climate change is carried out[8].

4. The managing authority shall ensure that the beneficiary is provided with a document setting out all the conditions for support for each operation including the specific requirements concerning the products or services to be delivered, the financing plan, the time-limit for its execution and where applicable, the method to be applied for determining the costs of the operation and the conditions for payment of the support.

[8] Article 2(37) (definition of 'climate proofing') is deleted.

5. For operations awarded a Seal of Excellence certification, or selected under the programme co-fund under Horizon Europe, the managing authority may decide to grant support from the ERDF or the ESF+ directly, provided that such operations meet the requirements set out in points (a), (b) and (e) of paragraph 3.

The co-financing rate of the instrument providing the Seal of Excellence certification or the programme co-fund shall apply and shall be set out in the document referred in paragraph 4.

6. When the managing authority selects an operation of strategic importance, it shall inform the Commission and provide relevant information to the Commission about that operation.

Article 68

Programme management by the managing authority

1. The managing authority shall:

(a) carry out management verifications to verify that the co-financed products and services have been delivered, that the operation complies with applicable law, the programme and the conditions for support of the operation, and:

(i) where costs are to be reimbursed pursuant to Article 48(1)(a), that the amount of expenditure claimed by the beneficiaries in relation to those costs has been paid and that beneficiaries maintain separate accounting records or use appropriate accounting codes for all transactions relating to the operation;

(ii) where costs are to be reimbursed pursuant to points (b), (c) and (d) of Article 48(1), that the conditions for reimbursement of expenditure to the beneficiary have been met;

(b) ensure, subject to the availability of funding, that a beneficiary receives the amount due in full and no later than 90 days from the date of submission of the payment claim by the beneficiary; the deadline may be interrupted if information submitted by the beneficiary does not allow the managing authority to establish whether the amount is due;

(c) have effective and proportionate anti-fraud measures and procedures in place, taking into account the risks identified;

(d) prevent, detect and correct irregularities;

(e) confirm that the expenditure entered into the accounts is legal and regular;

(f) draw up the management declaration in accordance with the template set out in Annex XV;

For point (b) of the first sub-paragraph, no amount shall be deducted or withheld and no specific charge or other charge with equivalent effect shall be levied that would reduce amounts due to beneficiaries.

For PPP operations, the managing authority shall carry out payments to an escrow account set up for that purpose in the name of the beneficiary for use in accordance with the PPP agreement.

2. Management verifications referred to in point (a) of paragraph 1 shall be risk-based and proportionate to the risks identified ex-ante and in writing.

Management verifications shall include administrative verifications in respect of payment claims by beneficiaries and on-the-spot verifications of operations. They shall be carried out at the latest before preparation of the accounts in accordance with Article 92.

3. Where the managing authority is also a beneficiary under the programme, arrangements for the management verifications shall ensure separation of functions.

4. By way of derogation from paragraph 2, the ETC Regulation may establish specific rules on management verifications applicable to Interreg programmes.

Article 69

Support of the work of the monitoring committee by the managing authority

The managing authority shall:

(a) provide the monitoring committee in a timely manner with all information necessary to carry out its tasks;

(b) ensure the follow-up of the decisions and recommendations of the monitoring committee.

Article 70

The accounting function

1. The accounting function shall consist of the following tasks:

   (a) drawing up and submitting payment applications to the Commission in accordance with Articles 85 and 86;

   (b) drawing up and submitting the accounts in accordance with Article 92 and confirming completeness, accuracy and veracity of the accounts;

   (ba) keeping electronic records of all the elements of the accounts and payment applications;

   (c) converting the amounts of expenditure incurred in another currency into euro by using the monthly accounting exchange rate of the Commission in the month during which the expenditure is registered in the accounting systems of the body responsible for carrying out the tasks set out in this Article.

2. The accounting function shall not comprise verifications at the level of beneficiaries.

3. By way of derogation from point (c) of paragraph 1, the ETC Regulation may establish a different method to convert the amounts of expenditure incurred in another currency into euro.

Article 71

Functions of the audit authority

1. The audit authority shall be responsible for carrying out system audits, audits on operations and audits of accounts in order to provide independent assurance to the Commission regarding the effective functioning of the management and control systems and the legality and regularity of the expenditure included in the accounts submitted to the Commission.

2. Audit work shall be carried out in accordance with internationally accepted audit standards.

3. The audit authority shall draw up and submit to the Commission:

   (a) an annual audit opinion in accordance with Article 63(7) of the Financial Regulation and with the template set out in Annex XVI and based on all audit work carried out, covering the following distinct components:

      (i) the completeness, veracity and accuracy of the accounts;

      (ii) the legality and regularity of the expenditure included in the accounts submitted to the Commission;

      (iii) the effective functioning of the management and control system.

   (b) an annual control report fulfilling the requirements of Article 63(5)(b) of the Financial Regulation, in accordance with the template set out in Annex XVII and, supporting the audit opinion referred to in point (a) and setting out a summary of the findings, including an analysis of the nature and extent of errors and deficiencies in the systems as well as the proposed and implemented corrective actions and the resulting total error rate and residual error rate for the expenditure entered in the accounts submitted to the Commission.

4. Where programmes are grouped for the purpose of audits of operations pursuant to Article 73(2), the information required under paragraph (3)(b) may be grouped in a single report.

5. The audit authority shall transmit to the Commission system audit reports as soon as the contradictory procedure with the relevant auditees is concluded.

6. The Commission and the audit authorities shall meet on a regular basis and at least once a year, unless otherwise agreed, to examine the audit strategy, the annual control report, the audit opinion, to coordinate their audit plans and methods and to exchange views on issues relating to the improvement of management and control systems.

Article 72

Audit strategy

1. The audit authority shall prepare an audit strategy based on a risk assessment, taking account of the management and control system description provided for in Article 63(9), covering system audits and audits of operations. The audit strategy shall include system audits of newly identified managing authorities and authorities in charge of the accounting function and such audits shall be carried out within twenty-one months of the Commission's decision approving the programme or the amendment of the programme identifying such an authority. The audit strategy shall be prepared in accordance with the template set out in Annex XVIII and shall be updated annually following the first annual control report and audit opinion provided to the Commission. It may cover one or more programmes.

2. The audit strategy shall be submitted to the Commission upon request.

Article 73

Audits of operations

1. Audits of operations shall cover expenditure declared to the Commission in the accounting year on the basis of a sample. That sample shall be representative and based on statistical sampling methods.

2. Where the population consists of less than 300 sampling units, a non-statistical sampling method may be used on the professional judgement of the audit authority. In such cases, the size of the sample shall be sufficient to enable the audit authority to draw up a valid audit opinion. The non-statistical sampling method shall cover a minimum of 10 % of the sampling units in the population of the accounting year, selected randomly.

   The statistical sample may cover one or more programmes receiving support from the ERDF, the Cohesion Fund and the ESF+ and, subject to stratification where appropriate, one or more programming periods according to the professional judgement of the audit authority.

   The sample of operations supported by the AMIF, the ISF and the BMVI and by the EMFF shall cover operations supported by each Fund separately.

3. Audits of operations shall include on-the-spot verification of the physical implementation of the operation only where it is required by the type of operation concerned.

   The ESF+ Regulation may set out specific provisions for programmes or priorities under Article [4(1)(xi)] of the ESF+ Regulation.

   Audits shall be conducted on the basis of the rules in force at the time when the activities within the operation were carried out.

4. The Commission is empowered to adopt a delegated act in accordance with Article 107 to supplement this Article by setting out standardised off-the-shelf sampling methodologies, and modalities to cover one or more programming periods.

Article 74

Single audit arrangements

1. When carrying out audits, the Commission and the audit authorities shall take due account of the principles of single audit and proportionality in relation to the level of risk to the budget of the Union. In order to avoid duplication of audits and management verifications of the same expenditure declared to the Commission with the objective of minimising the cost of management verifications and audits and the administrative burden on beneficiaries.

   The Commission and audit authorities shall first use all information and records referred to in Article 66(1)(e), including results of management verifications and only request and obtain additional documents and audit evidence from the beneficiaries concerned where, based on their professional judgement, this is required to support robust audit conclusions.

2. For programmes for which the Commission concludes that the opinion of the audit authority is reliable, the Commission's own audits shall be limited to auditing the work of the audit authority.

3. Operations for which the total eligible expenditure does not exceed EUR 400 000 for the ERDF and the Cohesion Fund, EUR 300 000 for the ESF+, EUR 200 000 for the EMFF, the AMIF, the ISF and the BMVI shall not be subject to more than one audit by either the audit authority or the Commission prior to the submission of the accounts for the accounting year in which the operation is completed.

   Other operations shall not be subject to more than one audit per accounting year by either the audit authority or the Commission prior to the submission of the accounts for the accounting year in which the operation is completed. Operations shall not be subject to an audit by the Commission or the audit authority in any year where there has already been an audit in that year by the Court of Auditors, provided that the results of that Court of Auditors' audit for such operations can be used by the audit authority or the Commission for the purpose of fulfilling their respective tasks.

4. Nothwithstanding the provisions of paragraph 3, any operation may be subject to more than one audit, if the audit authority concludes based on its professional judgment, that it is not possible to draw up a valid audit opinion.

5. Paragraphs 2 and 3 shall not apply where:

(a) there is a specific risk of irregularity or an indication of fraud;

(b) there is a need to re-perform the work of the audit authority for obtaining assurance as to its effective functioning;

(c) there is evidence of a serious deficiency in the work of the audit authority.

Recital (51) is complemented as follows: "The audit authority should carry out audits and ensure that the audit opinion provided to the Commission is reliable. That audit opinion should provide assurance to the Commission on three points, namely the legality and regularity of the declared expenditure, the effective functioning of the management and control systems and the completeness, accuracy and veracity of the accounts. Where an audit based on internationally accepted audit standards providing reasonable assurance has been conducted by an independent auditor on the financial statements and reports setting out the use of a Union contribution, that audit should form the basis of the overall assurance the audit authority provides to the Commission, insofar as there is sufficient evidence of the independence and competence of the auditor in accordance with Article 127 of Regulation No. 2018/1046."[9]

[9] This may have to be revisited in line with the agreement on block 6 (financial management)

Article 75

Management verifications and audits of financial instruments

1. The managing authority shall carry out on-the-spot management verifications in accordance with Article 68(1) only at the level of bodies implementing the financial instrument and, in the context of guarantee funds, at the level of bodies delivering the underlying new loans.

2. The managing authority shall not carry out on-the-spot verifications at the level of the European Investment Bank ('EIB') or other international financial institutions in which a Member State is a shareholder.

   However, the EIB or other internationally financial institutions in which a Member State is a shareholder shall provide control reports supporting the payment applications to the managing authority.

3. The audit authority shall carry out system audits and audits of operations in accordance with Articles 71, 73 or 77 at the level of bodies implementing the financial instrument and, in the context of guarantee funds, at the level of bodies delivering the underlying new loans.

4. The audit authority shall not carry out audits at the level of the EIB or other international financial institutions in which a Member State is a shareholder, for financial instruments implemented by them.

   However, the EIB or other international financial institutions in which a Member State is a shareholder shall provide to the Commission and to the audit authority an annual audit report drawn up by their external auditors by the end of each calendar year. This report shall cover the elements included in Annex XVII, and constitute the basis for the Audit Authority's work.

5. The EIB or other international financial institutions shall provide to the programme authorities all the necessary documents to enable them to fulfil their obligations.

Article 76

Availability of documents

1. Without prejudice to the rules governing State aid, the managing authority shall ensure that all supporting documents related to an operation supported by the Funds are kept at the appropriate level for a five-year period from 31 December of the year in which the last payment by the managing authority to the beneficiary is made.

2. This time period shall be interrupted either in the case of legal proceedings or by a request of the Commission.

CHAPTER III

Reliance on national management systems

Article 77

Enhanced proportionate arrangements

The Member State may apply the following enhanced proportionate arrangements for the management and control system of a programme when the conditions set out in Article 78 are fulfilled:

(a) by way of derogation from Article 68(1)(a) and 68(2), the managing authority may apply only national procedures to carry out management verifications;

(b) by way of derogation from Article 71(1) regarding system audits and Article 73(1) and (3) regarding audits of operations, the audit authority may limit its audit activity to audits of operations covering a sample based on a statistical selection of 30 sampling units for the programme or group of programmes concerned;

(c) the Commission, shall limit its own audits to a review of the work of the audit authority through re-performance at its level only, unless available information suggests a serious deficiency in the work of the audit authority.

For the purposes of management verifications referred to in point (a), the managing authority may rely on verifications carried out by external bodies provided that it has sufficient evidence of the competence of those bodies.

For point (b), where the population consists of less than 300 sampling units, the audit authority may apply a non-statistical sampling method in accordance with Article 73(2).

Article 78

Conditions for application of enhanced proportionate arrangements

1. The Member State may apply the enhanced proportionate arrangements set out in Article 77 at any time during the programming period, where the Commission has confirmed in its published annual activity reports for the last two years preceding the Member State's decision to apply the provisions of this Article, that the programme's management and control system is functioning effectively and that the total error rate for each year is below 2 %. When assessing the effective functioning of the programme's management and control system, the Commission shall take into account the participation of the Member State concerned in the enhanced cooperation on the European Public Prosecutor's Office.

   Where a Member State decides to use this option, it shall notify the Commission on the application of the proportionate arrangements set out in Article 77 which shall apply from the start of the subsequent accounting year.

2. At the start of the programming period, the Member State may apply the arrangements referred to in Article 77, provided that the conditions set out in paragraph 1 of this Article are met with respect to a similar programme implemented in 2014-2020 and where the management and control arrangements established for the 2021-2027 programme build largely on those for the previous programme. In such cases, the enhanced proportionate arrangements will apply from the start of the programme.

3. The Member State shall establish or update accordingly the description of the management and control system and the audit strategy described in Articles 63(9) and 72.

Article 79

Adjustment during the programming period

1. Where the Commission or the audit authority conclude, based on the audits carried out and the annual control report, that the conditions set out in Article 78 are no longer fulfilled, the Commission shall request the audit authority to carry out additional audit work in accordance with Article 63(3) and satisfy itself that remedial actions are taken.

2. Where the subsequent annual control report confirms that the conditions continue not to be fulfilled, thus limiting the assurance provided to the Commission on the effective functioning of the management and control systems and of the legality and regularity of expenditure, the Commission shall request the audit authority to carry out system audits.

3. The Commission may, after having given to the Member State the opportunity to present its observations, inform the Member State that the enhanced proportionate arrangements set out in Article 77 shall no longer be applied from the start of the subsequent accounting year.

ANNEX I[10]

Dimensions and codes for the types of intervention for the ERDF, the ESF+ and the Cohesion Fund - Article 17(5)

TABLE 1: CODES FOR THE INTERVENTION FIELD DIMENSION

INTERVENTION FIELD		Coefficient for the calculation of support to climate change objectives	Coefficient for the calculation of support to environmental objectives
POLICY OBJECTIVE 1: A SMARTER EUROPE BY PROMOTING INNOVATIVE AND SMART ECONOMIC TRANSFORMATION			
001	Investment in fixed assets in micro enterprises directly linked to research and innovation activities	0 %	0 %
002	Investment in fixed assets in small and medium-sized enterprises (including private research centres) directly linked to research and innovation activities	0 %	0 %
003	Investment in fixed assets in public research centres and higher education directly linked to research and innovation activities	0 %	0 %
004	Investment in intangible assets in micro enterprises directly linked to research and innovation activities	0 %	0 %
005	Investment in intangible assets in small and medium-sized enterprises (including private research centres) directly linked to research and innovation activities	0 %	0 %
006	Investment in intangible assets in public research centres and higher education directly linked to research and innovation activities	0 %	0 %
007	Research and innovation activities in micro enterprises including networking (industrial research, experimental development, feasibility studies)	0 %	0 %

[10] *N.B.: Annex I to be aligned with the final agreement on the fund-specific regulations.*

008	Research and innovation activities in small and medium-sized enterprises, including networking	0 %	0 %
009	Research and innovation activities in public research centres, higher education and centres of competence including networking (industrial research, experimental development, feasibility studies)	0 %	0 %
010	Digitizing SMEs (including e-Commerce, e-Business and networked business processes, digital innovation hubs, living labs, web entrepreneurs and ICT start-ups, B2B)	0 %	0 %
011	Government ICT solutions, e-services, applications	0 %	0 %
012	IT services and applications for digital skills and digital inclusion	0 %	0 %
013	e-Health services and applications (including e-Care, Internet of Things for physical activity and ambient assisted living)	0 %	0 %
014	Business infrastructure for SMEs (including industrial parks and sites)	0 %	0 %
015	SME business development and internationalisation, including productive investments	0 %	0 %
016	Skills development for smart specialisation, industrial transition and entrepreneurship	0%	0%
017	Advanced support services for SMEs and groups of SMEs (including management, marketing and design services)	0 %	0 %
018	Incubation, support to spin offs and spin outs and start ups	0 %	0 %
019	Innovation cluster support and business networks primarily benefiting SMEs	0 %	0 %
020	Innovation processes in SMEs (process, organisational, marketing, co-creation, user and demand driven innovation)	0 %	0 %
021	Technology transfer and cooperation between enterprises, research centres and higher education sector	0 %	0 %
022	Research and innovation processes, technology transfer and cooperation between enterprises, research centres and universities focusing on the low carbon economy, resilience and adaptation to climate change	100 %	40 %
023	Research and innovation processes, technology transfer and cooperation between enterprises focusing on circular economy	40 %	100 %
POLICY OBJECTIVE 2: A GREENER, LOW CARBON AND RESILIENT EUROPE BY PROMOTING CLEAN AND FAIR ENERGY TRANSITION, GREEN AND BLUE INVESTMENT, THE CIRCULAR ECONOMY, CLIMATE ADAPTATION AND RISK PREVENTION AND MANAGEMENT			
024	Energy efficiency and demonstration projects in SMEs and supporting measures	100 %	40 %
025	Energy efficiency renovation of existing housing stock, demonstration projects and supporting measures	100 %	40 %

026	Energy efficiency renovation of public infrastructure, demonstration projects and supporting measures	100 %	40 %
027	Support to enterprises that provide services contributing to the low carbon economy and to resilience to climate change including awareness-raising measures	100 %	40 %
028	Renewable energy: wind	100 %	40 %
029	Renewable energy: solar	100 %	40 %
030	Renewable energy: biomass	100 %	40 %
031	Renewable energy: water	100 %	40 %
032	Other renewable energy (including geothermal energy)	100 %	40 %
033	Smart Energy Distribution Systems at medium and low voltage levels (including smart grids and ICT systems) and related storage	100 %	40 %
034	High efficiency co-generation, district heating and cooling	100 %	40 %
035	Adaptation to climate change measures, prevention or management of climate related risks: floods and landslides (including awareness raising, civil protection and disaster management systems and infrastructures)	100 %	100 %
036	Adaptation to climate change measures, prevention or management of climate related risks: fires (including awareness raising, civil protection and disaster management systems and infrastructures)	100 %	100 %
037	Adaptation to climate change measures, prevention or management of climate related risks: others, e.g. storms and drought (including awareness raising, civil protection and disaster management systems and infrastructures)	100 %	100 %
038	Risk prevention and management of non-climate related natural risks (i.e. earthquakes) and risks linked to human activities (e.g. technological accidents), including awareness raising, civil protection and disaster management systems and infrastructures	0 %	100 %
039	Provision of water for human consumption (extraction, treatment, storage and distribution infrastructure, efficiency measures, drinking water supply)	0 %	100 %
040	Water management and water resource conservation (including river basin management, specific climate change adaptation measures, reuse, leakage reduction	40 %	100 %
041	Waste water collection and treatment	0 %	100 %

042	Household waste management: prevention, minimisation, sorting, recycling measures	0 %	100 %
	(043 has been deleted)		
044	Commercial, industrial or hazardous waste management	0 %	100 %
045	Promoting the use of recycled materials as raw materials	0 %	100 %
046	Rehabilitation of industrial sites and contaminated land	0 %	100 %
047	Support to environmentally-friendly production processes and resource efficiency in SMEs	40 %	40 %
048	Air quality and noise reduction measures	40 %	100 %
049	Protection, restoration and sustainable use of Natura 2000 sites	40 %	100 %
050	Nature and biodiversity protection, green and blue infrastructure	40 %	100 %
073	Clean urban transport infrastructure	100 %	40 %
074	Clean urban transport rolling stock	100 %	40 %
075	Cycling infrastructure	100 %	100 %
076	Digitalisation of urban transport	40 %	0 %
077	Alternative fuels infrastructure	100 %	40 %
POLICY OBJECTIVE 3: A MORE CONNECTED EUROPE BY ENHANCING MOBILITY AND REGIONAL ICT CONNECTIVITY			
051	ICT: Very High-Capacity broadband network (backbone/backhaul network)	0 %	0 %
052	ICT: Very High-Capacity broadband network (access/local loop with a performance equivalent to an optical fibre installation up to the distribution point at the serving location for multi-dwelling premises)	0 %	0 %
053	ICT: Very High-Capacity broadband network (access/local loop with a performance equivalent to an optical fibre installation up to the distribution point at the serving location for homes and business premises)	0 %	0 %
054	ICT: Very High-Capacity broadband network (access/local loop with a performance equivalent to an optical fibre installation up to the base station for advanced wireless communication)	0 %	0 %
055	ICT: Other types of ICT infrastructure (including large-scale computer resources/equipment, data centres, sensors and other wireless equipment)	0 %	0 %

056	Newly built motorways and roads - TEN-T core network	0 %	0 %
057	Newly built motorways and roads - TEN-T comprehensive network	0 %	0 %
058	Newly built secondary road links to TEN-T road network and nodes	0 %	0 %
059	Newly built other national, regional and local access roads	0 %	0 %
060	Reconstructed or improved motorways and roads - TEN-T core network	0 %	0 %
061	Reconstructed or improved motorways and roads - TEN-T comprehensive network	0 %	0 %
062	Other reconstructed or improved roads (motorway, national, regional or local)	0 %	0 %
063	Digitalisation of transport: road	40 %	0 %
064	Newly built railways - TEN-T core network	100 %	40 %
065	Newly built railways - TEN-T comprehensive network	100 %	40 %
066	Other newly built railways	100 %	40 %
067	Reconstructed or improved railways - TEN-T core network	100 %	40 %
068	Reconstructed or improved railways - TEN-T comprehensive network	100%	40 %
069	Other reconstructed or improved railways	100 %	40 %
070	Digitalisation of transport: rail	40 %	0 %
071	European Rail Traffic Management System (ERTMS)	**4**0 %	40 %
072	Mobile rail assets	40 %	40 %
	(Categories 73-77 moved up to PO2)		
078	Multimodal transport (TEN-T)	40 %	40 %
079	Multimodal transport (not urban)	40 %	40 %
080	Seaports (TEN-T)	40 %	0 %
081	Other seaports	40 %	0 %
082	Inland waterways and ports (TEN-T)	40 %	0 %

083	Inland waterways and ports (regional and local)	40 %	0 %
084	Digitising transport: other transport modes	40 %	0 %

POLICY OBJECTIVE 4: A MORE SOCIAL EUROPE BY IMPLEMENTING THE EUROPEAN PILLAR OF SOCIAL RIGHTS			
085	Infrastructure for early childhood education and care	0 %	0 %
086	Infrastructure for primary and secondary education	0 %	0 %
087	Infrastructure for tertiary education	0 %	0 %
088	Infrastructure for vocational education and training and adult learning	0 %	0 %
089	Housing infrastructure for migrants, refugees and persons under or applying for international protection	0 %	0 %
090	Housing infrastructure (other than for migrants, refugees and persons under or applying for international protection)	0 %	0 %
091	Other social infrastructure contributing to social inclusion in the community	0 %	0 %
092	Health infrastructure	0 %	0 %
093	Health equipment	0 %	0 %
094	Health mobile assets	0 %	0 %
095	Digitalisation in health care	0%	0%
096	Temporary reception infrastructure for migrants, refugees and persons under or applying for international protection	0 %	0 %
097	Measures to improve access to employment	0 %	0 %
098	Measures to promote access to employment of long-term unemployed	0 %	0 %
099	Specific support for youth employment and socio-economic integration of young people	0 %	0 %
100	Support for self-employment and business start-up	0 %	0 %
101	Support for social economy and social enterprises	0 %	0 %
102	Measures to modernise and strengthen labour market institutions and services to assess and anticipate skills needs and to ensure timely and tailor-made assistance	0 %	0 %
103	Support for labour market matching and transitions	0 %	0 %

104	Support for labour mobility	0 %	0 %
105	Measures to promote women's labour market participation and reducing gender-based segregation in the labour market	0 %	0 %
106	Measures promoting work-life balance, including access to childcare and care for dependent persons	0 %	0 %
107	Measures for a healthy and well–adapted working environment addressing health risks, including promotion of physical activity	0 %	0 %
108	Support for the development of digital skills	0 %	0 %
109	Support for adaptation of workers, enterprises and entrepreneurs to change	0 %	0 %
110	Measures encouraging active and healthy ageing	0 %	0 %
111	Support for early childhood education and care (excluding infrastructure)	0 %	0 %
112	Support for primary to secondary education (excluding infrastructure)	0 %	0 %
113	Support for tertiary education (excluding infrastructure)	0 %	0 %
114	Support for adult education (excluding infrastructure)	0 %	0 %
115	Measures to promote equal opportunities and active participation in society	0 %	0 %
116	Pathways to integration and re-entry into employment for disadvantaged people	0 %	0 %
117	Measures to improve access of marginalised groups such as the Roma to education, employment and to promote their social inclusion	0 %	0 %
118	Support to the civil society working with marginalised communities such as the Roma	0 %	0 %
119	Specific actions to increase participation of third-country nationals in employment	0 %	0 %
120	Measures for the social integration of third-country nationals	0 %	0 %
121	Measures to enhancing the equal and timely access to quality, sustainable and affordable services	0 %	0 %
122	Measures to enhancing the delivery of family and community-based care services	0 %	0 %
123	Measures to improve the accessibility, effectiveness and resilience of healthcare systems (excluding infrastructure)	0 %	0 %
124	Measures to improve access to long-term care (excluding infrastructure)	0 %	0 %

125	Measures to modernise social protection systems, including promoting access to social protection	0 %	0 %
126	Promoting social integration of people at risk of poverty or social exclusion, including the most deprived and children	0 %	0 %
127	Addressing material deprivation through food and/or material assistance to the most deprived, including accompanying measures	0 %	0 %
POLICY OBJECTIVE 5: A EUROPE CLOSER TO CITIZENS BY FOSTERING THE SUSTAINABLE AND INTEGRATED DEVELOPMENT OF ALL TYPES OF TERRITORIES[11]			
128	Protection, development and promotion of public tourism assets and related tourism services	0 %	0 %
129	Protection, development and promotion of cultural heritage and cultural services	0 %	0 %
130	Protection, development and promotion of natural heritage and eco-tourism other than Natura 2000 sites	0 %	100 %
131	Physical regeneration and security of public spaces	0 %	0 %
OTHER CODES RELATED TO POLICY OBJECTIVES 1-5			
132	Improve the capacity of programme authorities and bodies linked to the implementation of the Funds	0 %	0 %
133	Enhancing cooperation with partners both within and outside the Member State	0 %	0 %
134	Cross-financing under the ERDF (support to ESF-type actions necessary for the implementation of the ERDF part of the operation and directly linked to it)	0 %	0 %
135	Enhancing institutional capacity of public authorities and stakeholders to implement territorial cooperation projects and initiatives in a cross-border, transnational, maritime and inter-regional context	0 %	0 %
136	Outermost regions: compensation of any additional costs due to accessibility deficit and territorial fragmentation	0 %	0 %
137	Outermost regions: specific action to compensate additional costs due to size market factors	0 %	0 %
138	Outermost regions: support to compensate additional costs due to climate conditions and relief difficulties	40 %	40 %
139	Outermost regions: airports	0 %	0 %
TECHNICAL ASSISTANCE			
140	Information and communication	0 %	0 %

[11] For policy objective 5 all dimension codes under policy objectives 1 to 4 may be chosen in addition to those listed under policy objective 5.

141	Preparation, implementation, monitoring and control	0 %	0 %
142	Evaluation and studies, data collection	0 %	0 %
143	Reinforcement of the capacity of Member State authorities, beneficiaries and relevant partners	0 %	0 %

TABLE 2: CODES FOR THE FORM OF FINANCE DIMENSION

FORM OF FINANCE	
01	Grant
02	Support through financial instruments: equity or quasi-equity
03	Support through financial instruments: loan
04	Support through financial instruments: guarantee
05	Support through financial instruments: ancillary support
06	Prize

TABLE 3: CODES FOR THE TERRITORIAL DELIVERY MECHANISM AND TERRITORIAL FOCUS DIMENSION

TERRITORIAL DELIVERY MECHANISM AND TERRITORIAL FOCUS		
INTEGRATED TERRITORIAL INVESTMENT (ITI)		ITI focused on sustainable urban development
11	Urban neighbourhoods	x
12	Cities, towns and suburbs	x
13	Functional urban areas	x
14	Mountainous areas	
15	Islands and coastal areas	
16	Sparsely populated areas	
17	Other types of territories targeted	
COMMUNITY LED LOCAL DEVELOPMENT (CLLD)		CLLD focused on sustainable urban development
21	Urban neighbourhoods	x
22	Cities, towns and suburbs	x

23	Functional urban areas	x
24	Mountainous areas	
25	Islands and coastal areas	
26	Sparsely populated areas	
27	Other types of territories targeted	
OTHER TYPE OF TERRITORIAL TOOL UNDER POLICY OBJECTIVE 5		Other type of territorial tool focused on sustainable urban development
31	Urban neighbourhoods	x
32	Cities, towns and suburbs	x
33	Functional urban areas	x
34	Mountainous areas	
35	Islands and coastal areas	
36	Sparsely populated areas	
37	Other types of territories targeted	
OTHER APPROACHES[12]		
41	Urban neighbourhoods	
42	Cities, towns and suburbs	
43	Functional urban areas	
44	Mountainous areas	
45	Islands and coastal areas	
46	Sparsely populated areas	
47	Other types of territories targeted	
48	No territorial targeting	

[12] Other approaches undertaken under policy objectives other than policy objective 5 and not in a form of ITI, not in form of CLLD.

TABLE 4: CODES FOR THE ECONOMIC ACTIVITY DIMENSION

ECONOMIC ACTIVITY	
01	Agriculture and forestry
02	Fisheries
03	Aquaculture
04	Other blue economy sectors
05	Manufacture of food products and beverages
06	Manufacture of textiles and textile products
07	Manufacture of transport equipment
08	Manufacture of computer, electronic and optical products
09	Other unspecified manufacturing industries
10	Construction
11	Mining and quarrying
12	Electricity, gas, steam, hot water and air conditioning
13	Water supply, sewerage, waste management and remediation act
14	Transport and storage
15	Information and communication activities, including telecomm
16	Wholesale and retail trade
17	Tourism, accommodation and food service activities
18	Financial and insurance activities
19	Real estate, renting and business services activities
20	Public administration
21	Education
22	Human health activities
23	Social work activities, community, social and personal services
24	Activities linked to the environment
25	Arts, entertainment, creative industries and recreation
26	Other unspecified services

TABLE 5: CODES FOR THE LOCATION DIMENSION

LOCATION	
Code	Location
	Code of region or area where operation is located/carried out, as set out in the Classification of Territorial Units for Statistics (NUTS) in the Annex to Regulation (EC) No 1059/2003 of the European Parliament and of the Council[13], as last amended by Commission Regulation (EU) No 868/2014

TABLE 6: CODES FOR ESF SECONDARY THEMES

ESF SECONDARY THEME		Coefficient for the calculation of support to climate change objectives
01	Contributing to green skills and jobs and the green economy	100%
02	Developing digital skills and jobs	0%
03	Investing in research and innovation and smart specialisation	0%
04	Investing in small and medium-sized enterprises (SMEs)	0%
05	Non-discrimination	0%
06	Gender equality	0%
07	Capacity building of social partners	0%
08	Capacity building of the civil society organisations	0%
09	Not applicable	0%

[13] Regulation (EC) No 1059/2003 of the European Parliament and of the Council of 26 May 2003 on the establishment of a common classification of territorial units for statistics (NUTS) (OJ L 154, 21.6.2003, p. 1).

TABLE 7: CODES FOR THE MACRO-REGIONAL AND SEA BASIN STRATEGIES

MACRO-REGIONAL AND SEA BASIN STRATEGIES	
11	Adriatic & Ionian Region Strategy
12	Alpine Region Strategy
13	Baltic Sea Region Strategy
14	Danube Region Strategy
21	Arctic Ocean
22	Atlantic Strategy
23	Black Sea
24	Mediterranean Sea
25	North Sea
26	Western Mediterranean Strategy
30	No contribution to macro-regional or sea basin strategies

ANNEX II

Template for Partnership Agreement - Article 7(4)

CCI	[15 characters]
Title	[255]
Version	
First year	[4]
Last year	[4]
Commission decision number	
Commission decision date	

1. Selection of policy objectives

Reference: Article 8(a), CPR,

Table 1: Selection of policy objective with justification

Selected policy objective	Programme	Fund	Justification for selection of a policy objective
			[3 500 per PO]

2. Policy choices, coordination and complementarity

Reference: Article 8(b)(i)-(iii), CPR

Text field [60 000]

3. Contribution to the budgetary guarantee under InvestEU with justification

Reference: Article 8(e) CPR; Article 10(a) CPR;

Table 2: Transfer to InvestEU

	Category of regions*	**Window 1** (a)	**Window 2** (b)	**Window 3** (c)	**Window 4** (d)	**Window 5** (e)	**Amount** (f)=(a)+(b)+(c)+(d)+(e))
ERDF	More developed						
	Less developed						
	Transition						
	Outermost and northern sparsely populated						
ESF+	More developed						
	Less developed						
	Transition						
	Outermost and northern sparsely populated						
CF							
EMFF							
Total							

Text field [3500] (justification)

4. Transfer between categories of region with justification

Reference: Article 8(d), Article 105 CPR;

[Table 3. Transfer between categories of region]

Category of region	Allocation by category of region*	Transfer to:	Transfer amount	Share of the initial allocation transferred	Allocation by category of region after the transfer
(a)	(b)	(c)	(d)	(g)=(d)/(b)	(h)=(b)-(d)
Less developed		*More developed*			
		Transition			
More developed		*Less developed*			
Transition		*Less developed*			
		More developed			

** Initial allocation by category of region as communicated by the Commission after transfers referred to in tables 2-4, applicable to ERDF and ESF+ only.*

Text field [3500] (justification)

4bis The form of Union contribution for technical assistance

Reference Article 8(d)bis, CPR

The choice of the form of the Union contribution to technical assistance	☐ Technical assistance pursuant to Article 30(4)*
	☐ Technical assistance pursuant to Article 30(5)**

* If chosen the table 6bis is to be filled in. ** if chosen table 6 is to be filled in

Text field [3500]

5. Preliminary financial allocation by policy objective

Reference: Article 8(c) CPR

Table 4: Preliminary financial allocation from ERDF, CF, ESF+, EMFF by policy objective*

Policy objectives	ERDF	Cohesion Fund	ESF+	EMFF	Total
Policy objective 1					
Policy objective 2					
Policy objective 3					
Policy objective 4					
Policy objective 5					
Technical assistance according to Article 30(4)					
Technical assistance according to Article 30(5)					
Technical assistance according to Article 32					
Total					

* Policy objectives according to Article 4(1), CPR.

Text field [3500] (justification)

6. List of programmes

Reference: Article 8(f), CPR; Article 104

Table 6. List of programmes with preliminary financial allocations*

Title [255]	**Fund**	**Category of regions**	**EU contribution**	**National contribution****	**Total**
Programme 1	ERDF	More developed			
		Transition			
		Less developed			
		Outermost and northern sparsely populated			
Programme 1	CF				
Programme 1	ESF+	More developed			
		Transition			
		Less developed			
		Outermost and northern sparcely populated			
Total	**ERDF, CF, ESF+**				
Programme 2	EMFF				
Total	**All funds**				

* Policy objectives according to Article 4(1), CPR.

Reference Article 8(d)bis CPR

Table 6bis Preliminary financial allocation from each of the Funds to technical assistance at national level and breakdown of financial resources by programme and category of regions

Title [255]	**Fund**	**Category of regions**	**EU contribution**		**National contribution**	**Total**
			EU contribution without TA according to Article 30(4)	**EU contribution for TA according to Article 30(4)**		
Programme 1	ERDF	More developed				
		Transition				
		Less developed				
		Outermost and northern sparsely populated				
Programme 1	CF					
Programme 1	ESF+	More developed				
		Transition				
		Less developed				
		Outermost and northern sparcely populated				
Total	**ERDF, CF, ESF+**					
Programme 2	EMFF					
Total	**All funds**					

Reference: Article 8 CPR

Table 7: List of Interreg programmes

Programme 1	Title 1 [255]
Programme 2	Title 1 [255]

7. A summary of the actions planned to reinforce administrative capacity of the implementation of the funds

Reference: Article 8(g), CPR

Text field [4 500]

8. A summary assessment of the Member State of the assessment of the fulfilment of relevant enabling conditions referred to in Article 11 and Annexes III and IV

Enabling condition	**Fund**	**Selected specific objective**	**Summary assessment**
			[1000]

ANNEX IIbis

Template for the comprehensive set of information - Article 8(2)

1. Contribution to the budgetary guarantee under InvestEU with justification

Reference: Article 8(e) CPR; Article 10(a) CPR;

Table 1: Transfer to InvestEU

	Category of regions*	Window 1	Window 2	Window 3	Window 4	Window 5	Amount
		(a)	(b)	(c)	(d)	(e)	(f)=(a)+(b)+(c)+(d)+(e))
ERDF	More developed						
	Transition						
	Less developed						
	Outermost and northern sparsely populated						
ESF+	More developed						
	Transition						
	Less developed						
	Outermost and northern sparsely populated						
CF							
EMFF							
Total							

Text field [3500] (justification)

2. Transfer between categories of region with justification

Reference: Article 8(d), Article 105 CPR;

[Table 2. Transfer between categories of region]

Category of region	Allocation by category of region*	Transfer to:	Transfer amount	Share of the initial allocation transferred	Allocation by category of region after the transfer
(a)	(b)	(c)	(d)	(g)=(d)/(b)	(h)=(b)-(d)
More developed		*Less developed*			
Transition		*Less developed*			
		More developed			
Less developed		*More developed*			
		Transition			
		More developed			

** Initial allocation by category of region as communicated by the Commission after transfers referred to in tables 2-4, applicable to ERDF and ESF+ only.*

Text field [3500] (justification)

3 The form of Union contribution for technical assistance

Reference Article 8(2); Article 8(d)bis, CPR

The choice of the form of the Union contribution to technical assistance	☐ Technical assistance pursuant to Article 30(4)*
	☐ Technical assistance pursuant to Article 30(5)**

* If chosen the table 5bis is to be filled in. ** if chosen table 6 is to be filled in

Text field [3500]

4. Preliminary financial allocation by policy objective

Reference: Article 8(c) CPR

Table 3: Preliminary financial allocation from ERDF, CF, ESF+, EMFF by policy objective*

Policy objectives	ERDF	Cohesion Fund	ESF+	EMFF	Total
Policy objective 1					
Policy objective 2					
Policy objective 3					
Policy objective 4					
Policy objective 5					
Technical assistance according to Article 30(5)					
Technical assistance according to Article 30(4)					
Technical assistance according to Article 32					
Total					

* Policy objectives according to Article 4(1), CPR.

Text field [3500] (justification)

4. List of programmes

Reference: Article 8(f), CPR; Article 104

Table 5. List of programmes with preliminary financial allocations*

Title [255]	Fund	Category of regions	EU contrubution	National contribution	Total
Programme 1	ERDF	More developed			
		Transition			
		Less developed			
		Outermost and northern sparsely populated			
Programme 1	CF				
Programme 1	ESF+	More developed			
		Transition			
		Less developed			
		Outermost and northern sparcely populated			
Total	ERDF, CF, ESF+				
Programme 2	EMFF				
Total	All funds				

* Policy objectives according to Article 4(1), CPR.

Reference: Article 8 CPR

Reference Article 8(2), Article 8(d)bis, CPR

Table 5bis Preliminary financial allocation from each of the Funds to technical assistance at national level and breakdown of financial resources by programme and category of regions

Title [255]	**Fund**	**Category of regions**	**EU contribution**		**National contribution**	**Total**
			EU contribution without TA according to Article 30(4)	**EU contribution for TA according to Article 30(4)**		
Programme 1	ERDF	More developed				
		Transition				
		Less developed				
		Outermost and northern sparsely populated				
Programme 1	CF					
Programme 1	ESF+	More developed				
		Transition				
		Less developed				
		Outermost and northern sparcely populated				
Total	**ERDF, CF, ESF+**					
Programme 2	EMFF					
Total	**All funds**					

Table 6: List of Interreg programmes

Programme 1	Title 1 [255]
Programme 2	Title 1 [255]

ANNEX V

Template for programmes supported from the ERDF (Investment for Jobs and growth goal), ESF+, the Cohesion Fund and the EMFF – Article 16(3)

CCI	
Title in EN	[255 characters[14]]
Title in national language(s)	[255]
Version	
First year	[4]
Last year	[4]
Eligible from	
Eligible until	
Commission decision number	
Commission decision date	
Member State amending decision number	
Member State amending decision entry into force date	
Non substantial transfer (art. 19.5)	Yes/No
NUTS regions covered by the programme (not applicable to the EMFF)	
Fund concerned	☐ ERDF
	☐ Cohesion Fund
	☐ ESF+
	☐ EMFF

[14] Numbers in square brackets refer to number of characters.

1. Programme strategy: main development challenges and policy responses

Reference: Article 17(3*)(a)(i)-(vii) and 17(3)(b) CPR*

Text field [30 000]

For Jobs and growth goal:

Table 1		
Policy objective	**Specific objective**	**Justification (summary)**
		[2 000 per specific objective or dedicated priority]

For the EMFF:

Table 1A			
Policy objective	**Priority**	**SWOT analysis (for each priority)**	**Justification (summary)**
		Strengths [10 000 per priority]	[20 000 per priority]
		Weaknesses [10 000 per priority]	
		Opportunities [10 000 per priority]	
		Threats [10 000 per priority]	
		Identification of needs on the basis of the SWOT analysis and taking into account the elements set out in Article 6(6) of the EMFF Regulation [10 000 per priority]	

2. Priorities other than technical assistance

Reference: Article 17(2) and 17(3)(c) CPR

Table 1 T: Programme structure*

ID	Title [300]	TA	Basis for calculation	Fund	Category of region supported	Specific Objective selected
1	Priority 1	No		ERDF	More	SO 1
					Transition	
					Less developed	SO 2
					Outermost and sparsely populated	
					More	SO 3
2	Priority 2	No		ESF+	More	SO 4
					Transition	
					Less developed	SO 5
					Outermost and northern sparcely populated	
3	Priority 3	No		CF	N/A	
3	Priority technical assistance	Yes			More Transition Less developed Outermost and northern sparsely populated	NA]

..	Dedicated priority youth employment)	No		ESF+	More Transition Less developed Outermost and northern sparsely populated	
..	Dedicated priority CSRs	No		ESF+	More Transition Less developed Outermost and northern sparsely populated	
..	Dedicated priority Innovative actions	No		ESF+	More Transition Less developed Outermost and northern sparsely populated	SO 8
	Dedicated priority Material deprivation	No		ESF+	More Transition Less developed Outermost and northern sparsely populated	SO 9

** Information on this table will serve as technical input to prefill other fields and tables in the template in the electronic format.Not applicable to EMFF.*

2.1 Title of the priority [300] (repeated for each priority)

☐ This is a priority dedicated to a relevant country-specific recommendation
☐ This is a priority dedicated to youth employment
☐ This is a priority dedicated to innovative actions
☐ This is a priority dedicated to addressing material deprivation**
☐This is a priority dedicated to social integration to the most deprived people[15]

** Table applicable to ESF+ priorities.*

*** If marked go to section 2.1.2*

2.1.1.bis Indicative breakdown of the programme resources (EU) by type of intervention[16] (not applicable to the EMFF) *[This was point 2.1.1.3 in the Commission proposal and has been moved up following changes in Article 17(3)(c) CPR]*

Reference: Article 17(3)(c) CPR

Table 4: Dimension 1 – intervention field				
Priority No	**Fund**	**Category of region[17]**	**Code**	**Amount (EUR)**

Table 5: Dimension 2 – form of financing				
Priority No	**Fund**	**Category of region[18]**	**Code**	**Amount (EUR)**

[15] In case resources under the specific objective set out in point (x) of Article 4(1) of the ESF+ Regulation are taken into account for the purposes of Article 7(4) of the ESF+ Regulation.

[16] [Prior to the mid-term review in 2025 for the ERDF, the ESF+ and the CF, breakdown for the years 2021 to 2025 only.]

[17] Not relevant for CF

[18] Not relevant for CF

Table 6: Dimension 3 – territorial delivery mechanism and territorial focus					
Priority No	**Fund**	**Category of region[19]**	**Code**	**Amount (EUR)**	

Table 7: Dimension 6 – ESF+ secondary themes				
Priority No	**Fund**	**Category of region[20]**	**Code**	**Amount (EUR)**

2.1.1.bis.1 Specific objective[21] (Jobs and Growth goal) or area of support (EMFF) repeated for each selected specific objective or area of support for priorities other than technical assistance

[19] Not relevant for CF
[20] Not relevant for CF
[21] Except for a specific objective set out in Article 4(1)(c)(vii) of the ESF+ Regulation.

2.1.1.1 Interventions of the Funds

Reference: Article 17(3)(d)(i)(iii)(iv)(v)(vi);

The related types of actions – Article 17(3)(d)(i) CPR; Article 6(2) ESF+

Text field [8 000]

The main target groups - Article 17(3)(d)(iii):

Text field [1 000]

Specific territories tageted, including the planned use of territorial tools – Article 17(3)(d)(iv)

Text field [2 000]

The interregional and transnational actions –Article – 17(3)(d)(v)

Text field [2 000]

The planned use of financial instruments – Article – 17(3)(d)(vi)

Text field [1 000]

2.1.1.2 Indicators

Reference: Article 17(3)(d)(ii) CPR and Article 18 ESF+

Table 2: Output indicators								
Priority	**Specific objective (Jobs and growth goal) or area of support (EMFF)**	**Fund**	**Category of region**	**ID [5]**	**Indicator [255]**	**Measurement unit**	**Milestone (2024)**	**Target (2029)**

Table 3: Result indicators											
Priority	**Specific objective (Jobs and growth goal) or area of support (EMFF)**	**Fund**	**Category of region**	**ID [5]**	**Indicator [255]**	**Measurement unit**	**Baseline or reference value**	**Reference year**	**Target (2029)**	**Source of data [200]**	**Comments [200]**

[Point 2.1.1.3 in the Commission proposal has been moved up following changes in Article 17(3)(c) CPR and it is now point 2.1.1.bis]

2.1.2 Specific objective addressing material deprivation

Reference: Article 17(3) CPR and Article 18 ESF+ Regulation

Types of support

Text field [2 000 characters]

Main target groups

Text field [2 000 characters]

Decryption of the national or regional schemes of support

Text field [2 000 characters]

Criteria for the selection of operations[22]

Text field [4 000 characters]

2.T. Technical assistance priority

2.T.1 Priority for technical assistance pursuant to Article 30(4) – repeated for each TA priority

Reference: Article 17(3)(ebis) CPR;

[22] Only for programmes limited to the specific objective set out in Article 4(1)(xi) of the ESF+ Regulation.

The related types of actions – Article 17(3)(e)bis(i)

Text field [8 000]

The main target groups - Article 17(3)(e)bis(iii) CPR

Text field [1 000]

Output indicators with the corresponding milestones and targets – Article 17(3)(e)bis(ii)

Table 2: Output indicators								
Priority	**Specific objective (Jobs and growth goal) or area of support (EMFF)**	**Fund**	**Category of region**	**ID [5]**	**Indicator [255]**	**Measurement unit**	**Milestone (2024)**	**Target (2029)**

Indicative breakdown of the programme resources (EU) by type of intervention - Article 17(3)(e)bis(iv)

Table 8: Dimension 1 – intervention field				
Priority No	**Fund**	**Category of region**	**Code**	**Amount (EUR)**

2.T.2 Priority for technical assistance pursuant to Article 32 – repeated for each TA priority

Reference: Article 17(3)(e);

Description of technical assistance under payments not linked to costs – Article 32

Text field [3 000]

Table 8: Dimension 1 – intervention field				
Priority No	**Fund**	**Category of region**	**Code**	**Amount (EUR)**

3. Financial plan

Reference: Article 17(3)(f)(i)-(iii); Article 106(1)-(3), Article 10; Article 21; CPR,

3.A Transfers and contributions[23]

Reference: Article 10; Article 21; CPR

☐ Programme amendment related to Article 10, CPR (contribution to Invest EU)
☐ Programme amendment related to Article 21, CPR (transfers to instruments under direct or indirect management between shared management funds)

[23] Applicable only to programme amendments in line with Article 10 and 21, CPR.

Table 15: Contributions to InvestEU*

	Category of regions	**Window 1**	**Window 2**	**Window 3**	**Window 4**	**Window 5**	**amount**
		(a)	(b)	(c)	(d)	(e)	(f)=(a)+(b)+(c)+(d)+(e))
ERDF	More developed						
	Transition						
	Less developed						
	Outermost and northern sparsely populated						
ESF+	More developed						
	Transition						
	Less developed						
	Outermost and northern sparsely populated						
CF							
EMFF							
Total							

* Cumulative amounts for all contributions during programming period.

Table 16: Transfers to instruments under direct or indirect management*

Fund	Category of regions	Instrument 1	Instrument 2	Instrument 3	Instrument 4	Instrument 5	Transfer amount
		(a)	(b)	(c)	(d)	(e)	(f)=(a)+(b)+(c)+(d)+(e)
ERDF	More developed						
	Transition						
	Less developed						
	Outermost and northern sparsely populated						
ESF+	More developed						
	Transition						
	Less developed						
	Outermost and northern sparsely populated						
CF							
EMFF							
Total							

* Cumulative amounts for all transfers during programming period.

Table 17: Transfers between shared management funds*

		ERDF				ESF+				CF	EMFF	AMIF	ISF	BMVI	Total
		More developed	Transition	Less developed	Outermost and northern sparsely populated	More developed	Transition	Less developed	Outermost						
ERDF	More developed														
	Transition														
	Less developed														
	Outermost and northern sparsely populated														
ESF+	More developed														
	Transition														
	Less developed														
	Outermost and northern sparsely populated														
CF															
EMFF															
Total															

* Cumulative amounts for all transfers during programming period.

3.1 Financial appropriations by year

Reference: Article 17(3)(f)(i)

Table 10: Financial appropriations by year									
Fund	**Category of region**	**2021**	**2022**	**2023**	**2024**	**2025**	**2026**	**2027**	**Total**
ERDF	More developed								
	Transition								
	Less developed								
	Outermost and northern sparsely populated								
Total									
ESF+	More developed								
	Transition								
	Less developed								
	Outermost and northern sparsely								

	populated								
Total									
Cohesion Fund	N/A								
EMFF	N/A								
Total									

3.2 Total financial appropriations by fund and national co-financing

Reference: Article 17(3)(f)(ii), Article 17(6), Article 30 CPR

For Jobs and growth goal programmes using technical assistance according to Article 30(4)

Table 11: Total financial appropriations by fund and national co-financing

Policy objecive No or TA	**Priority**	**Basis for calculation EU support (total or public)**	**Fund**	**Category of region***	**EU contrubution**	**National contribution**	**Indicative breakdown of national contribution**		**Total**	**Co-financing rate**
							public	**private**		
					(a)	**(b)=(c)+(d)**	**(c)**	**(d)**	**(e)=(a)+(b)****	**(f)=(a)/(e)****
	Priority 1	P/T	ERDF	More developed						
				Transition						

				Less developed						
				Special allocation for outermost and northern sparsely populated regions						
	Priority 2		ESF+	More developed						
				Transition						
				Less developed						
				Special allocation for outermost and northern sparsely populated regions						
	Priority 3		CF							
TA	Priority 4 (Art. 30(4))		ERDF or ESF+ or CF							
TA	Priority 5 (Art. 32)		ERDF or ESF+ or CF							
Total ERDF				More developed						
				Transition						
				Less developed						
				Special allocation for outermost and northern sparsely populated regions						
Total ESF+				More developed						

			Transition						
			Less developed						
			Special allocation for outermost and northern sparsely populated regions						
Total CF		N/A							
Grand total									

* For ERDF: less developed, transition, more developed, and, where applicable special allocation for outermost and northern sparsely populated regions. For ESF+: less developed, transition, more developed and, where applicable, additional allocation for outermost regions. For CF: not applicable. For technical assistance, application of categories of region depends on selection of a fund.

** Where relevant for all categories of region.

For Jobs and growth goal: programmes using technical assistance according to Article 30(5)

Table 11: Total financial appropriations by fund and national co-financing											
Policy objecive No or TA	**Priority**	**Basis for calculation EU support (total or public)**	**Fund**	**Category of region***	**EU contrubution**		**National contribution**	**Indicative breakdown of national contribution**		**Total**	**Co-financing rate**
								public	**private**		
					(a)=(b)+(c)		**(d)=(e)+(f)**	**(e)**	**(f)**	**(g)=(a)+(d)****	**(h)=(a)/(g)****
					EU contribution without flat rate TA **(b)**	**EU contribution for flat rate TA*** (c)**					
	Priority 1	P/T	ERDF	More developed							
				Transition							
				Less developed							
				Special allocation for outermost and northern sparsely populated regions							
	Priority 2		ESF+	More developed							

				Transition							
				Less developed							
				Special allocation for outermost and northern sparsely populated regions							
	Priority 3		CF								
TA	Priority 4 (Art. 32)		ERDF or ESF+ or CF								
Total ERDF				More developed							
				Transition							
				Less developed							
				Special allocation for outermost and northern sparsely populated regions							
Total ESF+				More developed							
				Transition							
				Less developed							
				Special allocation for utermost and northern sparsely populated regions							

Total CF		N/A								
Grand total										

* For ERDF: less developed, transition, more developed, and, where applicable special allocation for outermost and northern sparsely populated regions. For ESF+: less developed, transition, more developed and, where applicable, additional allocation for outermost regions. For CF: not applicable. For technical assistance, application of categories of region depends on selection of a fund.

** Where relevant for all categories of region.

*** According the percentages set out in Article 30(5), CPR

For the EMFF:

Reference: Article 17(3)(f)(iii)

EMFF programmes using technical assistance according to Article 30(4)

Table 11 A						
Priority	**Type of area of support** (nomenclature set out in the EMFF Regulation)	**Basis for calculation of EU support**	**EU contribution**	**National public**	**Total**	**Co-financing rate**
Priority 1	1.1	Public				
	1.2	Public				
	1.3	Public				
	1.4	Public				
	1.5	Public				
Priority 2	2.1	Public				
Priority 3	3.1	Public				
Priority 4	4.1	Public				
Technical assistance (Article 30(4))	5.1	Public				
Technical assistance (Article 32)	5.2	Public				

EMFF programmes using technical assistance according to Article 30(5)

	Table 11 A						
Priority	**Type of area of support (nomenclature set out in the EMFF Regulation)**	**Basis for calculation of EU support**	**EU contribution**		**National public**	**Total**	**Co-financing rate**
			EU contribution without flat rate TA	**EU contribution for flat rate TA***			
Priority 1	1.1	Public					
	1.2	Public					
	1.3	Public					
	1.4	Public					
	1.5	Public					
Priority 2	2.1	Public					
Priority 3	3.1	Public					
Priority 4	4.1	Public					
Technical assistance (Article 32)	5.1	Public					

*** According the percentages set out in Article 30(5), CPR

4. Enabling conditions

Reference: Article 17(3)(h)CPR

Table 12: Enabling conditions							
Enabling conditions	**Fund**	**Selected specific objective** (N/A to the EMFF)	**Fulfilment of enabling condition**	**Criteria**	**Fulfilment of criteria**	**Reference to relevant documents**	**Justification**
			Yes/No	Criterion 1	Y/N	[500]	[1 000]
				Criterion 2	Y/N		

5. Programme authorities

Reference: Article 17(3)(j); Article 65, Article 78 CPR

Table 13: Programme authorities			
Programme authorities	**Name of the institution** [500]	**Contact name** [200]	**E-mail** [200]
Managing authority			
Audit authority			
Body which receives payments from the Commission			
Where appicable, body which receives payments from the Commission in case of technical assistance pursuant to Article 30(5)			
Accounting function in case this function is entrusted to another body than the managing authority			

Reference: 4th subparagraph of Article 17(3)

The repartition of the reimbursed amounts for technical assistance pursuant to Article 30(5)

The portion of the percentages set out in Article 30(5)(b) that would be reimbured to the body which receives payments from the Commission in case of technical assistance pursuant to Article 30(5) (in percentage points)	

6. Partnership

Reference: Article 17(3)(g)

Text field [10 000]

7. Communication and visibility

Reference: Article 17(3)(i) CPR, Article 42(2) CPR

Text field [4 500]

8. Use of unit costs, lump sums, flat rates and financing not linked to costs

Reference: Articles 88 and 89 CPR

Table 14: Use of unit costs, lump sums, flat rates and financing not linked to costs

Intended use of Articles 88 and 89	**YES**	**NO**
From the adoption programme will make use of reimbursement of eligible expenditure based on unit costs, lump sums and flat rates under priority according to Article 88 CPR (if yes, fill in appendix 1)	☐	☐
From the adoption programme will make Use of financing not linked to costs according to Article 89 CPR (if yes, fill in Appendix 2)	☐	☐

Appendix 2a: List of planned operations of strategic importance- Article 17(3)

Text field [2 000]

Appendix 3: **EMFF action plan for small-scale coastal fishing**[24]

Template for submitting data for the consideration of the Commission

Date of submitting the proposal	
Current version	

1. Description of the small-scale coastal fleet

Text field [5 000]

2. General description of the strategy for the development of profitable and sustainable small-scale coastal fishing

Text field [5 000]and indicative overall EMFF amount allocated

3. Description of the specific actions under the strategy for the development of profitable and sustainable small-scale coastal fishing

[24] *N.B.: The obligation to submit this appendix and content of information to be submitted has to be aligned with the decision made in the context of EMFF.*

Description of the main actions	**Indicative EMFF amount allocated (EUR)**
Adjustment and management of fishing capacity *Text field [10 000]*	
Promotion of sustainable, climate resilient and low-carbon fishing practices that minimize damage to the environment *Text field [10 000]*	
Reinforcement of the value chain of the sector and the promotion of marketing strategies *Text field [10 000]*	
Promotion of skills, knowledge, innovation and capacity building *Text field [10 000]*	
Improvement of health, safety and working conditions on board fishing vessels *Text field [10 000]*	
Increased compliance with data collection, traceability, monitoring, control and surveillance requirements	

Text field [10 000]	
Involvment of small-scale operators in the participatory management of the maritime space, including Marine Protected Areas and Natura 2000 areas *Text field [10 000]*	
Diversification of activities in the borader sustainable blue economy *Text field [10 000]*	
Collective organisation and participation of small-scale operators in the decision-making and advisory processes *Text field [10 000]*	

4. Where appropriate, the implementation of the FAO voluntary guidelines for securing sustainable small-scale fisheries

Text field [10 000]

5. Where appropriate, the implementation of the regional plan of action for small-scale fisheries from the General Fisheries Commission for the Mediterranean

Text field [10 000]

6. Indicators

Table 1: Output indicators			
Title of the output indicator	**Measurement unit**	**Milestone (2024)**	**Target (2029)**

Table 2: Result indicators				
Title of the result indicator	**Measurement unit**	**Baseline**	**Reference year**	**Target (2029)**

Appendix 4: **EMFF action plan for each outermost region**

Template for submitting data for the consideration of the Commission

Date of submitting the proposal	
Current version	

1. Description of the strategy for the sustainable exploitation of fisheries and the development of the sustainable blue economy

Text field [30 000]

2. Description of the main actions envisaged and the corresponding financial means

Description of the main actions	**EMFF amount allocated (EUR)**

Structural support to the fishery and aquaculture sector under the EMFF *Text field [10 000]*	
Compensation for the additional costs under Article 21 of the EMFF *Text field [10 000]*	
Other investments in the sustainable blue economy necessary to achieve a sustainable coastal development *Text field [10 000]*	

3. Description of the synergies with other sources of Union funding

Text field [10 000]

4. Description of the synergies with the action plan for small-scale coastal fishing

Text field [10 000]

ANNEX VI

Template of a programme for the AMIF, the ISF and the BMVI – Article 16(3)

CCI number	
Title in English	[255 characters[1]]
Title in the national language	[255]
Version	
First Year	[4]
Last Year	[4]
Eligible from	
Eligible until	
Commission Decision Number	
Commission Decision Date	
Member State amending decision number	
Member State amending decision entry into force date	

[1] Number in square brackets refer to number of characters.

1. Programme strategy: main challenges and policy responses

Reference: Article 17(3)(a)(iibis)-(v) and (vii)

This section explains how the programme will address the main challenges identified at the national level based on local, regional and national needs assessments and/or strategies. It provides an overview of the state of implementation of relevant EU acquis and the progress achieved on EU action plans, and describes how the Fund will support their development through the programming period.

Text field [15 000]

2. **Specific objectives** (repeated for each specific objective other than technical assistance)

Reference: Article 17(2) and 17(4)

2.1. Title of the specific objective [300]

2.1.1. Description of a specific objective

This section describes, for each specific objective, the initial situation, main challenges and proposes responses supported by the Fund. It describes which implementation measures are addressed with the support of the Fund; it provides an indicative list of actions within the scope of Articles 3 and 4 of the AMIF, ISF or BMVI Regulations.

In particular: For operating support, it provides a justification in line with Article 15 of the ISF Regulation, Articles 5 and 6 of the BMVI Regulation or Article 18 of the AMIF Regulation. It includes an indicative list of beneficiaries with their statutory responsibilities, main tasks to be supported.

For specific actions, it describes how the action will be carried out and provides justification for the allocated amount. In addition, for joint specific actions, the lead Member State lists the participating Member States, including their role and, if applicable, their financial contribution.

For emergency assistance, it describes how the action will be carried out and provides justification for the allocated amount.

Planned use of financial instruments, if applicable.

AMIF only: resettlement and solidarity shall be presented separately.

Text field (16 000 characters)

2.1.2 Indicators

Table 1: Output indicators

Specific objective	ID [5]	Indicator [255]	Measurement unit	Milestone (2024)	Target (2029)

Table 2: Result indicators								
Specific objective	**ID [5]**	**Indicator [255]**	**Measurement unit**	**Baseline or reference value**	**Reference year**	**Target (2029)**	**Source of data [200]**	**Comments [200]**

2.1.3 Indicative breakdown of the programme resources (EU) by type of intervention

Reference: Article 17(5), CPR; Article 12(15) of the BMVI Regulation or Article 12(9) of the ISF Regulation or Article 13(9) of the AMIF Regulation

Table 3			
Specific objective	**Type of intervention**	**Code**	**Indicative amount (Euro)**

1.2. Technical assistance

Reference: Article 17(3)(e); Article 30(5) CPR; Article 32 CPR; Article 89 CPR;

Text field [5 000] (Technical assistance under flat rate payments)
Text field [3000] (Technical assistance under payments not linked to costs)

Table 5		
Type of intervention	**Code**	**Indicative amount (Euro)**

3. Financial plan

Reference: Article 17(3)(f)

3.1. Financial appropriations by year

Table 6								
Fund	**2021**	**2022**	**2023**	**2024**	**2025**	**2026**	**2027**	**Total**

3.2 Total financial appropriations from the Fund and national co-financing

Reference: Article 17(3)(f) (iv)

Table 7								
Specific objective	**Type of action**	**Basis for calculation EU support (total or public)**	**EU contribution (a)**	**National contribution (b)=(c)+(d)**	**Indicative breakdown of national contribution**		**Total e=(a)+(b)**	**Co-financing rate (f)=(a)/(e)**
					public (c)	**private (d)**		
Specific objective 1	Actions co-financed in line with Article 11(1) of ISF or BMVI Regulation or Article Article 12(1) of AMIF Regulation							
	Actions co-financed in line with Article 11(2) of ISF or BMVI Regulation or Article 12(2) of AMIF Regulation							

	Actions co-financed in line with Article 11(3) of ISF or BMVI Regulation or Article 12(3) of AMIF Regulation							
	Actions co-financed in line with Article 11(4) of ISF or BMVI Regulation or Article 12(4) of AMIF Regulation							
	Actions co-financed in line with Article 11(5) of ISF or BMVI Regulation or Article 12(5) of AMIF Regulation							
	Actions co-financed in line with Article 16 and 17 of AMIF Regulation							
	Actions co-financed in line with Article 11(5) of ISF or BMVI Regulation or Article 12(5) of AMIF Regulation							
Total for SO 1								
SO 2	Actions co-financed in line with Article 11(1) of ISF or BMVI Regulation or Article 12(1) of AMIF Regulation							
	Actions co-financed in line with Article 11(2) of ISF or BMVI Regulation or Article							

	12(2) of AMIF Regulation							
	Actions co-financed in line with Article 11(3) of ISF or BMVI Regulation or Article 12(2) of AMIF Regulation							
	Actions co-financed in line with Article 11(4) of ISF or BMVI Regulation							
	Actions co-financed in line with Article 11(5) of ISF or BMVI Regulation or Article 12(5) AMIF Regulation							
Total for SO 2								
SO 3	Actions co-financed in line with Article 11(1) of ISF Regulation or Article 12(1) of AMIF Regulation							
	Actions co-financed in line with Article 11(2) of ISF Regulation or Article 12(2) of AMIF Regulation							
	Actions co-financed in line with Article 11(3) of ISF Regulation or Article 12(3) of AMIF Regulation							
	Actions co-financed in line with Article 11(4) of ISF Regulation or Article 12(4) of AMIF							

	Regulation							
	Actions co-financed in line with Article 11(5) of ISF Regulation or Article 12(5) of AMIF Regulation							
Total for SO 3								
TA (Art 30(5) CPR)								
TA (Art 32 CPR)								
Grand total								

Table 8 [AMIF only]	Number of persons per year						
Category	**2021**	**2022**	**2023**	**2024**	**2025**	**2026**	**2027**
Resettlement							
Humanitarian admission							
[other categories]							

4. Enabling conditions

Reference: Article 17(3)(h)CPR

Table 9					
Enabling condition	**Fulfilment of enabling condition**	**Criteria**	**Fulfilment of criteria**	**Reference to relevant documents**	**Justification**
		Criterion 1	Y/N	[500]	[1000]
		Criterion 2			

5. Programme authorities

Reference: Article 17(3)(j); Article 65 and 78 CPR

Table 10	**Name of the institution** [500]	**Contact name and position** [200]	**e-mail [200]**
Managing authority			
Audit authority			
Body which receives payments from the Commission			

6. Partnership

Reference: Article 17(3)(g)CPR;

text field [10 000]

7. Communication and visibility

Reference: Article 17(3)(i) CPR, Article 42(2)CPR

Text field [4 500]

8. Use of unit costs, lump sums, flat rates and financing not linked to costs

Reference: Articles 88 and 89 CPR

Intended use of Articles 88 and 89	**YES**	**NO**
From the adoption programme will make use of reimbursement of eligible expenditure based on unit costs, lump sums and flat rates under priority according to Article 88 CPR (if yes, fill in appendix 1)	☐	☐
From the adoption programme will make Use of financing not linked to costs according to Article 89 CPR (if yes, fill in Appendix 2)	☐	☐

N.B.: appendices 1+2 will be covered under block 4 CPR

ANNEX VII bis

A forecast of the amount for which the Member State expects to submit payment applications for the current and the subsequent calendar year (Article 63(8a))

For each programme, to be filled in by Fund and category of region, where appropriate

Fund	Category of region	Union contribution		
		[current calendar year]		[subsequent calendar year]
		January - October	November - December	January- December
ERDF	Less developed regions	*<type="Cu" input="M">*	*<type="Cu" input="M">*	*<type="Cu" input="M">*
	Transition regions	*<type="Cu" input="M">*	*<type="Cu" input="M">*	*<type="Cu" input="M">*
	More developed regions	*<type="Cu" input="M">*	*<type="Cu" input="M">*	*<type="Cu" input="M">*
	Outermost regions and Northern sparsely populated regions[1]	*<type="Cu" input="M">*	*<type="Cu" input="M">*	*<type="Cu" input="M">*
ETC		*<type="Cu"*	*<type="Cu" input="M">*	*<type="Cu" input="M">*

[1] This should only show the specific allocation for outermost regions / Northern sparsely populated regions.

		input="M">		
ESF	Less developed regions	*<type="Cu" input="M">*	*<type="Cu" input="M">*	*<type="Cu" input="M">*
	Transition regions	*<type="Cu" input="M">*	*<type="Cu" input="M">*	*<type="Cu" input="M">*
	More developed regions	*<type="Cu" input="M">*	*<type="Cu" input="M">*	*<type="Cu" input="M">*
	Outermost regions[2]	*<type="Cu" input="M">*	*<type="Cu" input="M">*	*<type="Cu" input="M">*
Cohesion Fund		*<type="Cu" input="M">*	*<type="Cu" input="M">*	*<type="Cu" input="M">*
EMFF		*<type="Cu" input="M">*	*<type="Cu" input="M">*	*<type="Cu" input="M">*
AMF		*<type="Cu" input="M">*	*<type="Cu" input="M">*	*<type="Cu" input="M">*
ISF		*<type="Cu" input="M">*	*<type="Cu" input="M">*	*<type="Cu" input="M">*
BMVI		*<type="Cu" input="M">*	*<type="Cu" input="M">*	*<type="Cu" input="M">*

[2] This should only show the specific allocation for outermost.

ANNEX X

Key requirements of management and control systems and their classification - Article 63(1)

Table 1 - Key requirements of management and control system		Bodies/authorities concerned
1	Appropriate separation of functions and written arrangements for reporting, supervising and monitoring delegated tasks to an intermediate body	Managing authority
2	Appropriate criteria and procedures for the selection of operations	Managing authority
3	Appropriate information to beneficiaries on applicable conditions for support for the selected operations	Managing authority
4	Appropriate management verifications, including appropriate procedures for checking fulfilment of conditions for financing not linked to costs and for simplified cost options	Managing authority
5	Effective system to ensure that all documents necessary for the audit trail are held	Managing authority
6	Reliable electronic system (including links with electronic data exchange systems with beneficiaries) for recording and storing data for monitoring, evaluation, financial management, verifications and audits, including appropriate processes to ensure the security, integrity and confidentiality of the data and the authentication of users	Managing authority
7	Effective implementation of proportionate anti-fraud measures	Managing authority
8	Appropriate procedures for drawing up the management declaration	Managing authority
9	Appropriate procedures for confirming that the expenditure entered into the accounts is legal and regular	Managing authority
10	Appropriate procedures for drawing up and submission of payment applications and of accounts and confirming completeness, accuracy and veracity of the accounts	Managing authority/ Body carrying out the accounting function

11	Appropriate separation of functions and functional independence between the audit authority (and other audit or control bodies on which the audit authority relies and supervises, if applicable) and the other programme authorities and audit work carried out in accordance with internationally accepted audit standards	Audit authority
12	Appropriate system audits	Audit authority
13	Appropriate audits of operations	Audit authority
14	Appropriate audits of accounts	Audit authority
15	Appropriate procedures for providing a reliable audit opinion and for preparing the annual control report	Audit authority

Table 2 - Classification of management and control systems with regard to their effective functioning

Category 1	Works well. No or only minor improvement needed.
Category 2	Works. Some improvement needed.
Category 3	Works partially. Substantial improvement needed.
Category 4	Essentially does not work.

ANNEX XI

Elements for the audit trail – Article 63(5)

I. Obligatory elements of audit trail for grants:

1.	documentation that allows verification of the application of the selection criteria by the managing authority, as well as documentation relating to the overall selection procedure and the approval of operations;
2.	document**s** (grant agreement or equivalent) setting out the conditions for support signed between the beneficiary and the managing authority/intermediate body;
3.	accounting records of payment claims submitted by the beneficiary, as recorded in the managing authority/intermediate body's electronic system;
4.	documentation on verifications addressing the non-relocation and durability requirements as set out in Articles 59, 60(2) and 67(3)(h);
5.	proof of payment of the public contribution to the beneficiary and of the date the payment was made;
6.	documentation evidencing the administrative and, where applicable, on-the-spot checks carried out by the managing authority/intermediate body;
7.	information on audits carried out;
8.	documentation relating to the follow-up by the managing authority/intermediate body for purposes of management verifications and audit findings;
9.	documentation demonstrating verification of compliance with applicable law;
11.	data in relation to output and result indicators enabling reconciliation with corresponding targets and reported milestones;
12.	documentation related to financial corrections and deductions pursuant to Article 92(5)) made by the managing authority/intermediate body/the body to which the accounting function has been entrusted to the expenditure declared to the Commission;
13.	for grants taking the form set out in Article 48(1)(a), the invoices (or documents of equivalent probative value) and proof of their payment by the beneficiary, as well as accounting records of the beneficiary relating to the expenditure declared to the Commission;
14.	for grants taking the forms set out in Article 48(1)(b), (c) and (d) and as applicable, documents justifying the method of establishing unit costs, lump sums and flat rates; the categories of costs forming the basis for the calculation; documents evidencing costs declared under other categories of costs to which a flat rate applies; the explicit agreement by the managing authority on the draft budget on the document setting out the conditions for support; documentation on the gross employment costs and on calculation of the hourly rate; where simplified cost options are used based on existing methods, documentation confirming compliance with similar type of operations and with documentation required by the existing method, if any.

II. Obligatory elements for audit trail for financial instruments:

1. documents on the establishment of the financial instrument, such as funding agreements, etc;

2. documents identifying the amounts contributed by each programme and under each priority to the financial instrument, the expenditure that is eligible under each programme and the interest and other gains generated by support from the Funds and re-use of resources attributable to the Funds in accordance with Articles 54 and 56;

3. documents on the functioning of the financial instrument, including those related to monitoring, reporting and verifications;

4. documents concerning exits of programme contributions and the winding-up of the financial instrument;

5. documents on the management costs and fees included in the expenditure declared to the Commission;

6. application forms, or equivalent, submitted by final recipients with supporting documents, including business plans and, when relevant, previous annual accounts;

7. checklists and reports from the bodies implementing the financial instrument;

8. declarations made in connection with de minimis aid:

9. agreements signed in connection with the support provided by the financial instrument, including for equity, loans, guarantees or other forms of investment provided to final recipients;

10. evidence that the support provided through the financial instrument is to be/was used for its intended purpose;

11. records of the financial flows between the managing authority and the financial instrument, and within the financial instrument at all levels, down to the final recipients, and, for guarantees, proof that underlying loans were disbursed;

12. separate records or accounting codes for a programme contribution paid or a guarantee committed by the financial instrument for the benefit of the final recipient.

III Obligatory elements for audit trail for reimbursement of the support from the Funds by the Commission to the programme on the basis of simplified cost options or of financing not linked to costs

1. Obligatory elements of audit trail for simplified cost options to be kept at the level of the managing authority/ intermediate body:

a. documents evidencing costs declared under other categories of costs to which a flat rate applies;

b. the categories of costs and the costs forming the basis for the calculation;

c. documents evidencing the adjustment of the amounts, where relevant;

d. documents evidencing the calculation method if Article 88(2)(a) is applied.

2. Obligatory elements of audit trail for financing not linked to costs to be kept at the level of the managing authority/ intermediate body:

a. document setting out the conditions of support signed by the beneficiary and the managing authority/intermediate body stating the form of grant provided to beneficiaries;

b. documents evidencing the ex-ante agreement of the Commission on the conditions to be fulfilled or the results to be achieved and corresponding amounts (programme approval or amendment);

c. documents evidencing the fulfilment of conditions or the achievement of results at each stage if done in steps, as well as before final expenditure is declared to the Commission;

d. documentation relating to the selection and approval of operations covered by the financing not linked to costs.

ANNEX XII

E-Cohesion: electronic data exchange systems between programme authorities and beneficiaries - Article 63(7)

1. Responsibilities of programme authorities regarding the functioning of electronic data exchange systems

1.1 Ensuring the data security, data integrity, data confidentiality, authentication of the sender in accordance with Articles 63(5), 63(7), 66(4) and 76 of this Regulation.

1.2 Ensuring availability and functioning during and outside standard office hours (except during technical maintenance)

1.3 Use of functionalities in the system providing for:

(a) interactive forms and/or forms prefilled by the system on the basis of the data which are stored at consecutive steps of the procedures;

(b) automatic calculations, where applicable;

(c) automatic embedded controls which reduce repeated exchanges of documents or information;

(d) system-generated alerts to inform the beneficiary that certain actions can be performed;

(e) online status tracking allowing the beneficiary to monitor the current status of the project;

(f) all previously available data and documents processed by the electronic data exchange system.

1.4 Ensuring record-keeping and data storage in the system enabling both administrative verifications of payment claims submitted by beneficiaries in accordance with Article 68(2) and audits

2. Responsibilities of programme authorities regarding the modalities for transmission of documents and data for all exchanges

2.1 Ensuring the use of electronic signature compatible with one of the three types of electronic signature defined by Directive 1999/93/EC of the European Parliament and of the Council[1]

2.2 Providing for storing the date of transmission of documents and data by the beneficiary to the programme authorities and vice versa

2.3 Ensuring accessibility directly through an interactive user interface (a web application) or via a technical interface that allows for automatic synchronisation and transmission of data between beneficiaries' and Member States' systems.

2.4 Ensuring the protection of privacy of personal data for individuals and commercial confidentiality for legal entities according to Directive 2002/58/EC of the European Parliament and of the Council[2], Directive 2009/136/EC of the European Parliament and of the Council3 and Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (Text with EEA relevance) of the European Parliament and of the Council[4].

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1 Directive 1999/93/EC of the European Parliament and of the Council of 13 December 1999 on a Community framework for electronic signatures (OJ L 13, 19.1.2000, p. 12).

2 Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (OJ L 201, 31.7.2002, p. 37).

3 Directive 2009/136/EC of the European Parliament and of the Council of 25 November 2009 amending Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks and services, Directive 2002/58/EC concerning the processing of personal data and the protection of privacy in the electronic communications sector and Regulation (EC) No 2006/2004 on cooperation between national authorities responsible for the enforcement of consumer protection laws (OJ L 337, 18.12.2009, p. 11).

4 Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data (OJ L 281, 23.11.1995, p. 31).

ANNEX XIII

SFC2021: electronic data exchange system between the Member States and the Commission – Article 63(8)

1. Responsibilities of the Commission

1.1 Ensuring the operation of an electronic data exchange system ('SFC2021') for all official exchanges of information between the Member State and the Commission. SFC2021 shall contain at least the information specified in the templates established in accordance with this Regulation.

1.2 Ensuring the following characteristics of SFC2021 :

(a) interactive forms or forms pre-filled by the system on the basis of the data already recorded in the system previously;

(b) automatic calculations, where they reduce the encoding effort of users;

(c) automatic embedded controls to verify internal consistency of transmitted data and consistency of this data with applicable rules;

(d) system generated alerts warning SFC2021 users that certain actions can or cannot be performed;

(e) online status tracking of the treatment of information entered into the system;

(f) availability of historical data in respect of all information entered for a programme.

(g) availability of a compulsory electronic signature within the meaning of Directive 1999/93/EC of the European Parliament and of the Council which will be recognised as evidence in legal proceedings.

1.3 Ensuring an information technology security policy for SFC2021 applicable to the personnel using the system in accordance with relevant Union rules, in particular Commission Decision C(2006) 3602[1] and its implementing rules.

1.4 Designating a person or persons responsible for defining, maintaining and ensuring the correct application of the security policy to SFC2021.

[1] Commission Decision C(2006) 3602 of 16 August 2006 concerning the security of information systems used by the European Commission.

2. Responsibilities of Member States

2.1 Ensuring that the programme authorities of the Member State identified in accordance with Article 65(1) as well as the bodies identified to carry out certain tasks under the responsibility of the managing authority in accordance with Article 65(3) of this Regulation enter into SFC2021 the information for the transmission of which they are responsible and any updates thereto.

2.2 Ensuring the verification of information submitted by a person other than the person who entered the data for that transmission.

2.3 Providing arrangements for the above separation of tasks through the Member State's management and control information systems connected automatically with SFC2021.

2.4 Appointing a person or persons responsible for managing access rights to fulfil the following tasks:

(a) identifying users requesting access, making sure those users are employed by the organisation;

(b) informing users about their obligations to preserve the security of the system;

(c) verifying the entitlement of users to the required privilege level in relation to their tasks and their hierarchical position;

(d) requesting the termination of access rights when those access rights are no longer needed or justified;

(e) promptly reporting suspicious events that may bring prejudice to the security of the system;

(f) ensuring the continued accuracy of user identification data by reporting any changes;

(g) taking the necessary data protection and commercial confidentiality precautions in accordance with Union and national rules;

(h) informing the Commission of any changes affecting the capacity of the Member State authorities or users of SFC2021 to carry out the responsibilities referred to in paragraph 1 or their personal capacity to carry out responsibilities referred to in points (a)-(g).

2.5 Providing arrangements for the respect of the protection of privacy and of personal data for individuals and of commercial confidentiality for legal entities in accordance with Directive 2002/58/EC of the European Parliament and of the Council[2], Directive 2009/136/EC of the European Parliament and of the Council[3], Regulation (EU) 2016/679 of the European Parliament and of the Council Directive 1995/46/EC of the European Parliament and of the Council[4] and Regulation (EC) No 45/2001.

2.6 Adopting national, regional or local information security policies on access to SFC2021 based on a risk assessment applicable to all authorities using SFC2021 and addressing the following aspects:

(a) the IT security aspects of the work performed by the person or persons responsible for managing the access rights referred to point 3 of section II in case of application of direct use;

(b) for national, regional or local computer systems connected to SFC2021, through a technical interface referred to in point 1 the security measures for those systems allowing to be aligned with SFC2021 security requirements and covering:

(i) physical security;

(ii) data media and access control;

(iii) storage control;

(iv) access and password control;

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2 Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications) (OJ L 201, 31.7.2002, p. 37).

3 Directive 2009/136/EC of the European Parliament and of the Council of 25 November 2009 amending Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks and services, Directive 2002/58/EC concerning the processing of personal data and the protection of privacy in the electronic communications sector and Regulation (EC) No 2006/2004 on cooperation between national authorities responsible for the enforcement of consumer protection laws (OJ L 337, 18.12.2009, p. 11).

4 Directive 1995/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data (OJ L 281, 23.11.1995, p. 31).

(v) monitoring;

(vi) interconnection with SFC2021;

(vii) communication infrastructure;

(viii) human resources management prior to employment, during employment and after employment;

(ix) incident management.

2.7 Making the document referred to in point 2.6 available to the Commission upon request.

2.8 Appointing a person or persons responsible for maintaining and ensuring the application of the national, regional or local IT security policies and acting as a contact point with the person or persons designated by the Commission and referred to in point 1.4.

3. Joint responsibilities of the Commission and the Member States

3.1 Ensuring accessibility either directly through an interactive user-interface (i.e. a web-application) or via a technical interface using pre-defined protocols (i.e. web-services) that allows for automatic synchronisation and transmission of data between Member States information systems and SFC2021.

3.2 Providing for the date of electronic transmission of the information by the Member State to the Commission and vice versa in electronic data exchange which constitutes the date of submission of the document concerned.

3.3 Ensuring that official data is exchanged exclusively through SFC2021 (with the exception where force majeure occurs) and that information provided in the electronic forms embedded in SFC2021 (hereinafter referred to as 'structured data') is not replaced by non-structured data and that structured data prevails over non structured data in case of inconsistencies.

In the event of *force majeure*, a malfunctioning of SFC2021 or a lack of a connection with SFC2021 exceeding one working day in the last week before a regulatory deadline for the submission of information or in the period from 18 to 26 December, or five working days at other times, the information exchange between the Member State and the Commission may take place in paper form using the templates set out in this Regulation in which case the date of submission is the date of submission of the document concerned. When the cause of the force majeure ceases the party concerned enters in SFC2021 without delay the information already provided in paper form.

3.4 Ensuring compliance with the IT security terms and conditions published in the SFC2021 portal and the measures that are implemented in SFC2021 by the Commission to secure the transmission of data, in particular in relation to the use of the technical interface referred to in point 1.

3.5 Implementing and ensuring the effectiveness of the security measures adopted to protect the data stored and transmitted through SFC2021.

3.6 Updating and reviewing annually the SFC IT security policy and the relevant national, regional and local IT security policies in the event of technological changes, the identification of new threats or other relevant developments.

ANNEX XIV

Template for the description of the management and control system – Article 63(9)

1. GENERAL

1.1. ***Information submitted by:***

– Member State:

– Title of the programme(s) and CCI number(s): (all programmes covered by the managing authority where there is a common management and control system):

– Name and e-mail of main contact point: (body responsible for the description):

1.2. ***The information provided describes the situation on:*** (dd/mm/yy)

1.3. ***System structure*** (general information and flowchart showing the organisational relationship between the authorities/bodies involved in the management and control system)

1.3.1. Managing authority (Name, address and contact point in the managing authority):

1.3.2. Intermediate bodies (Name, address and contact points in the intermediate bodies).

1.3.3. The body carrying out the accounting function (Name, address and contact points in the managing authority or the programme authority carrying out the accounting function)

1.3.4. Indicate how the principle of separation of functions between and within the programme authorities is respected.

2. MANAGING AUTHORITY

2.1. Managing authority – description of the organisation and the procedures related to its functions and tasks

2.1.1. The status of the managing authority (national, regional or local public body or private body) and the body of which it is part.

2.1.2. Specification of the functions and tasks carried out directly by the managing authority.

2.1.3. Where applicable, specification per intermediate body of each of the functions[1] and tasks delegated by the managing authority, identification of the intermediate bodies and the form of the delegation. Reference should be made to relevant documents (written agreements).

2.1.4 Procedures for the supervision of the functions and tasks delegated by the managing authority, if any.

2.1.5. Framework to ensure that an appropriate risk management exercise is conducted when necessary, and in particular in the event of major modifications to the management and control system.

2.1.6 Organisation chart of the managing authority and information on its relationship with any other bodies or divisions (internal or external) that carry out functions and tasks as provided for in Articles 66 to 69.

2.1.7 Indication of planned resources to be allocated in relation to the different functions of the managing authority (including information on any planned outsourcing and its scope, where appropriate).

3. BODY CARRYING OUT THE ACCOUNTING FUNCTION

3.1 ***Status and description of the organisation and the procedures related to the functions of the body carrying out the accounting function***

3.1.1 The status of the body carrying out the accounting function (national, regional or local public or private body) and the body of which it is part, where relevant.

[1] Including the accounting function for the AMIF, ISF and IMBF funds as it falls under the responsibility of the managing authority according to Article 66(3)

3.1.2 Description of the functions and tasks carried out by the body carrying out the accounting function as set out in Article 70.

3.1.2 Description of how the work is organised (workflows, processes, internal divisions), what procedures apply and when, how these are supervised, etc.

3.1.3 Indication of planned resources to be allocated in relation to the different accounting tasks.

4. ELECTRONIC SYSTEM

4.1. ***Description of the electronic system or systems including a flowchart (central or common network system or decentralised system with links between the systems) for:***

4.1.1. Recording and storing, in a computerised form data on each operation, including where appropriate data on individual participants and a breakdown of data on indicators when provided for in the Regulation.

4.1.2. Ensuring that accounting records or codes for each operation are recorded and stored, and that those records or codes support the data required for drawing up payment applications and of the accounts;

4.1.3. Maintaining accounting records or keeping separate accounting codes of expenditure declared to the Commission and the corresponding public contribution paid to beneficiaries;

4.1.4. Recording all amounts withdrawn from payment applications as set out in Article 92.3(b) and deducted from the accounts as set out in Article 92(5) and the reasons for these withdrawals/deductions;

4.1.5. Indicating whether the systems are functioning effectively and can reliably record the data mentioned on the date where this description is compiled as set out in Point 1.2 above;

4.1.6. Describing the procedures to ensure the electronic systems' security, integrity and confidentiality.

ANNEX XV

Template for the management declaration – Article 68(1)(f)

I/We, the undersigned (*name(s), first name(s), title(s) or function(s)*), Head of the managing authority for the programme (*name of the programme, CCI*)

based on the implementation of the (*name of programme*) during the accounting year ended 30 June (*year*), based on my/our own judgment and on all information available to me/us at the date of the accounts submitted to the Commission, including the results from management verifications carried out in accordance with Article 68 of Regulation (EU) No xx/xx and from audits in relation to the expenditure included in the payment applications submitted to the Commission in respect of the accounting year ended 30 June … (year),

and taking into account my/our obligations under Regulation (EU) xx/xx

hereby declare that:

(a) the information in the accounts is properly presented, complete and accurate in accordance with Article 92 of Regulation (EU) No XX,

(b) the expenditure entered in the accounts complies with applicable law and was used for its intended purpose,

I/We confirm that irregularities identified in the final audit and control reports in relation to the accounting year have been appropriately treated in the accounts, in particular to comply with Article 92 for submitting accounts.

I/We also confirm that expenditure which is subject to an ongoing assessment of its legality and regularity has been excluded from the accounts pending conclusion of the assessment, for possible inclusion in a payment application in a subsequent accounting year.

Furthermore, I/we confirm the reliability of data relating to indicators, milestones and the progress of the programme.

I/we also confirm that effective and proportionate anti-fraud measures are in place and that these take account of the risks identified in that respect.

Finally, I/we confirm that I/we am/are not aware of any undisclosed reputational matter related to the implementation of the programme.

ANNEX XVI

Template for the audit opinion – Article 71(3)(a)

To the European Commission, Directorate-General

1. INTRODUCTION

I, the undersigned, representing the [name of the audit authority], independent in the sense of Article 65(2) of Regulation (EU) No [CPR] ., have audited

i) the accounts for the accounting year started on 1 July … [year] and ended 30 June … [year] ([1]) and dated … [date of the accounts submitted to the Commission] (hereafter 'the accounts'),
ii) the legality and regularity of the expenditure for which reimbursement has been requested from the Commission in reference to the accounting year (and included in the accounts), and
iii) the functioning of the management and control system, and verified the management declaration in relation to the programme [name of programme, CCI number] (hereafter 'the programme'),

in order to issue an audit opinion in accordance with Article 71(3).

2. RESPONSIBILITIES OF THE MANAGING AUTHORITY

[name of the managing authority], identified as the managing authority of the programme, is responsible to ensure proper functioning of the management and control system in regard to the functions and tasks provided for in Articles 66 to 69.

In addition, the [name of the managing authority or of the body carrying out the accounting function where relevant], is responsible to confirm the completeness, accuracy and veracity of the accounts, as required in Article 70 of Regulation (EU) No [CPR] .

Moreover, in accordance with Article 68 of Regulation (EU) No [CPR] it is the responsibility of the managing authority to confirm that the expenditure entered in the accounts is legal and regular and complies with applicable law.

3. RESPONSIBILITIES OF THE AUDIT AUTHORITY

As established by Article 71 of Regulation (EU) No [CPR], my responsibility is to independently express an opinion on the completeness, veracity and accuracy of the accounts, whether expenditure for which reimbursement has been requested from the Commission and which are declared in the accounts is legal and regular, and whether the management and control system put in place functions properly.

My responsibility is also to include in the opinion a statement as to whether the audit work puts in doubt the assertions made in the management declaration.

The audits in respect of the programme were carried out in accordance with the audit strategy and complied with internationally accepted audit standards. These standards require that the audit authority complies with ethical requirements, plans and performs the audit work in order to obtain reasonable assurance for the purpose of the audit opinion.

An audit involves performing procedures to obtain sufficient and appropriate evidence to support the opinion set out below. The procedures performed depend on the auditor's professional judgement, including assessing the risk of material non-compliance, whether due to fraud or error. The audit procedures performed are those I believe are appropriate in the circumstances and are compliant with the requirements of Regulation (EU) No [CPR].

I believe that the audit evidence gathered is sufficient and appropriate to provide the basis for my opinion, [*in case there is any scope limitation*:] except those which are mentioned in the paragraph ‘Scope limitation’.

The summary of the main findings drawn from the audits in respect of the programme are reported in the attached annual control report in accordance with point (b) of Article 71(3) of Regulation (EU) No [CPR].

4. SCOPE LIMITATION

Either

There were no limitations on the audit scope.

Or

The audit scope was limited by the following factors:

(a) …

(b) …

(c) ….

[N.B. Indicate any limitation on the audit scope[1], for example any lack of supporting documentation, cases under legal proceedings, and estimate under 'Qualified opinion' below, the amounts of expenditure and contribution the support from the Funds affected and the impact of the scope limitation on the audit opinion. Further explanations in this regard shall be provided in the annual control report, as appropriate.]

5. OPINION

Either

(Unqualified opinion)

In my opinion, and based on the audit work performed:

1) Accounts

— the accounts give a true and fair view;

2) Legality and regularity of the expenditure certified in the accounts

— expenditure included in the accounts is legal and regular[2].

3) The management and control system in place as at the date of this audit opinion

— the management and control system functions properly

The audit work carried out does not put in doubt the assertions made in the management declaration.

Or

(Qualified opinion)

In my opinion, and based on the audit work performed,

[2] Except for the Interreg programmes that fall under the annual sample for audits of operation to be drawn by the Commission as envisaged in Article 48 of the ETC Regulation.

1) Accounts

— the accounts give a true and fair view [where the qualification applies to the accounts, the following text is added:] except in the following material aspects:…….

2) Legality and regularity of the expenditure certified in the accounts

— the expenditure certified in the accounts is legal and regular [where the qualification applies to the accounts, the following text is added:] except for the following aspects:….

The impact of the qualification is limited [or significant] and corresponds to …. (amount in EUR of the total amount of expenditure certified)

3) The management and control system in place as at the date of this audit opinion

—the management and control system put in place functions properly [where the qualification applies to the management and control system, the following text is added:] except for the following aspects:….

The impact of the qualification is limited [or significant] and corresponds to …. (amount in EUR of the total amount of expenditure certified).

The audit work carried out *does not put/puts* [delete as appropriate] in doubt the assertions made in the management declaration.

[Where the audit work carried out puts in doubt the assertions made in the management declaration, the audit authority shall disclose in this paragraph the aspects leading to this conclusion.]

Or

(Adverse opinion)

In my opinion, and based on the audit work performed:

(i) the accounts *give/do **not** give* [delete as appropriate] a true and fair view; and/or

(ii) the expenditure in the accounts for which reimbursement has been requested from the Commission *is/is **not*** [delete as appropriate] legal and regular; and/or

(iii) the management and control system put in place *functions/does **not** function* [delete as appropriate] properly.

This adverse opinion is based on the following aspects:

— in relation to material matters related to the accounts:

and/or [delete as appropriate]

—in relation to material matters related to the legality and regularity of the expenditure in the accounts for which reimbursement has been requested from the Commission:

and/or [delete as appropriate]

—in relation to material matters related to the functioning of the management and control system: ([6])

The audit work carried out puts in doubt the assertions made in the management declaration for the following aspects:

[The audit authority may also include emphasis of matter, not affecting its opinion, as established by internationally accepted auditing standards. A disclaimer of opinion can be foreseen in exceptional cases ([7]).]

Date:

Signature:

([2]) To be included in case of Interreg programmes.

([5]) In case the management and control system is affected, the body or bodies and the aspect(s) of their systems that did not comply with requirements and/or did not function properly shall be identified in the opinion, except where this information is already clearly disclosed in the annual control report and the opinion paragraph refers to the specific section(s) of this report where such information is disclosed.

([6]) Same remark as in previous footnote.

([7]) These exceptional cases should be related to unforeseeable, external factors outside the remit of the audit authority.

ANNEX XVII

Template for the annual control report – Article 71(3)(b)

1. Introduction

1.1 Identification of the audit authority and other bodies that have been involved in the preparation of the report.

1.2 Reference period (i.e. the accounting year).

1.3 Audit period (during which the audit work took place).

1.4 Identification of the programme(s) covered by the report and of its/their managing authority/ies. Where the report covers more than one programme or Fund, the information shall be broken down by programme and by Fund, identifying in each Section the information that is specific for the programme and/or the Fund.

1.5 A description of the steps taken to prepare the report and to draw up the corresponding audit opinion.

Section 1.5 is to be adapted for Interreg programmes in order to describe the steps taken to prepare the report based on the specific rules on audits on operations applicable to Interreg programmes as set out in Article 48 of Regulation EU No [ETC Regulation].

2. Significant changes in management and control system(s)

2.1 Details of any major changes in the management and control systems related to the managing authority's responsibilities, in particular with respect to the delegation of functions to intermediate bodies, to the body to which the accounting function has been entrusted and confirmation of their compliance with Articles 66 to 70 and 75 based on the audit work carried out by the audit authority.

2.2 Information on the application of enhanced proportionate arrangements pursuant to Articles 77 to 79.

3. Changes to the audit strategy

3.1 Details of any changes made to the audit strategy and related explanations. In particular, indicate any change to the sampling method used for the audit of operations (see Section 5 below) and whether the strategy was subject to changes due to the application of enhanced proportionate arrangements pursuant to Articles 77 to 79 of the Regulation.

3.2 Section 1 above is to be adapted for Interreg programmes in order to describe changes to the audit strategy based on the specific rules on audits of operations applicable to Interreg programmes as set out in Article 48 of Regulation EU No [ETC Regulation].

4. System audits (where applicable[1])

4.1 Details of the bodies (including the audit authority) that have carried out audits on the proper functioning of the management and control system of the programme - hereafter 'system audits'.

4.2 A description of the basis for the audits carried out, including a reference to the audit strategy applicable and more particularly, to the risk assessment methodology and the results that led to establishing the audit plan for system audits. If the risk assessment has been updated, this should be described in Section 3 above covering the changes in the audit strategy.

4.3 In relation to the table in Section 9.1 below, a description of the main findings and conclusions drawn from system audits, including the audits targeted at specific thematic areas.

4.4 Indications as to whether any irregularities identified were considered to be of a systemic character, details of the measures taken, including a quantification of the irregular expenditure and any related financial corrections made, in accordance with Article 71(3)(b) and 97 of the Regulation.

[1] This section is voluntary for programmes that fall under the 'enhanced proportionate arrangements' for the accounting year in question.

4.5 Information on the follow up of audit recommendations from system audits from previous accounting years.

4.6 A description of irregularities or deficiencies specific to financial instruments or other types of expenditure or costs covered by particular rules (e.g. State aid, public procurement, simplified cost options, financing not linked to costs), detected during system audits and of the follow up given by the managing authority to remedy these irregularities or deficiencies.

4.7 Level of assurance obtained following the system audits (low/average/high) and a justification.

5. Audits of operations

Sections 5.1 to 5.10 below are to be adapted for Interreg programmes in order to describe the steps taken to prepare the report based on the specific rules on audits on operations applicable to Interreg programmes as set out in Article 48 of Regulation EU No [ETC Regulation].

5.1 Identification of the bodies (including the audit authority) that carried out the audits of operations (as envisaged in Article 73).

5.2 A description of the sampling methodology applied and information whether the methodology is in accordance with the audit strategy.

5.3 An indication of the sampling parameters and other information for statistical or non-statistical sampling procedures, as well as an explanation of the underlying calculations and professional judgement applied. The information should include: materiality level, confidence level, sampling unit, expected error rate, sampling interval, standard deviation, population value, population size, sample size, information on stratification. The underlying calculations for sample selection, total error rate and residual error rate in Section 9.3 below, in a format permitting an understanding of the basic steps taken, in accordance with the specific sampling method used.

5.4 A reconciliation between the amounts included in the accounts, as well as the amounts declared in payment applications during the accounting year and the population from which the random sample was drawn (column 'A' of table in Section 9.2 below). Reconciling items include negative sampling units where financial corrections have been made.

5.5 Where there are negative sampling units, confirmation that they have been treated as a separate population. Analysis of the principal results of the audits of these units, namely focusing on verifying whether the decisions to apply financial corrections (taken by the Member State or by the Commission) have been registered in the accounts as withdrawals.

5.6 Where a non-statistical sampling method is used, specify the reasons for using the method, the percentage of sampling units covered by audits, the steps taken to ensure randomness of the sample bearing in mind that the sample has to be representative.

In addition, define the steps taken to ensure a sufficient size of the sample, enabling the audit authority to draw up a valid audit opinion. A total (projected) error rate should also be calculated a where non-statistical sampling method has been used.

5.7 Analysis of the main findings of the audits of operations, describing:

(1) the number of sampling units audited, the respective amount;

(2) the type of error by sampling unit[2],

(3) the nature of errors found[3]

(4) the stratum[4] error rate and corresponding serious deficiencies or irregularities the upper limit of the error rate, root causes, corrective measures proposed (including those intending to improve the management and control systems) and the impact on the audit opinion.

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[2] Random, systemic, anomalous

[3] For instance: eligibility, public procurement, State aid

[4] The stratum error rate is to be disclosed where stratification was applied, covering sub-populations with similar characteristics such as operations consisting of financial contributions from a programme to financial instruments, high-value items, Funds (in case of multi-Fund programmes).

Further explanations on the data presented in Sections 9.2 and 9.3 below shall be provided, in particular concerning the total error rate.

5.8 Details of any financial corrections relating to the accounting year and implemented by the managing authority before submitting the accounts to the Commission, and as a consequence of the audits of operations, including flat rate or extrapolated corrections leading to a reduction to 2% of the residual error rate of the expenditure included in the accounts pursuant to Article 92.

5.9 Comparison of the total error rate and the residual error rate (as shown in Section 9.2 below) with the materiality level of 2%, in order to ascertain if the population is materially misstated and the impact on the audit opinion.

5.10 Details of whether any irregularities identified were considered to be systemic in nature, and the measures taken, including a quantification of the irregular expenditure and any related financial corrections.

5.11 Information on the follow-up of audits of operations carried out in respect of the common sample for Interreg programmes based on the specific rules on audits on operations applicable to Interreg programmes as set out in Article 48 of Regulation EU No [ETC Regulation].

5.12 Information on the follow-up of audits of operations carried out for previous accounting years, in particular on serious deficiencies of systemic nature.

5.13 A table categorising errors identified by type.

5.14 Conclusions drawn from the main findings of the audits of operations with regard to the proper functioning of the management and control system.

Section 5.14 is to be adapted for Interreg programmes in order to describe the steps taken to draw the conclusions based on the specific rules on audits on operations applicable to Interreg programmes as set out in Article 48 of Regulation EU No [ETC Regulation].

6. Audits of accounts

6.1 Identification of the authorities/bodies that have carried out audits of accounts.

6.2 Description of audit approach used to verify that the accounts are complete, accurate and true. This shall include a reference to the audit work carried out in the context of system audits, audits of operations with relevance for the assurance on the accounts and additional verifications to be carried over the draft accounts before these are sent to the Commission.

6.3 Conclusions drawn from the audits in relation to the completeness, accuracy and veracity of the accounts, including an indication on the corresponding financial corrections made and reflected in the accounts as a follow-up to such conclusions.

6.4 Indication of whether any irregularities identified were considered to be systemic in nature, and of the measures taken.

7. Other information

7.1 Audit authority's assessment of the cases of suspicions of fraud detected in the context of their audits (including the cases reported by other national or EU bodies and related to operations audited by the audit authority), together with the measures taken. Information on number of cases, gravity, and the amounts affected, if known.

7.2 Subsequent events occurred after the end of the accounting year and before the transmission of the annual control report to the Commission and considered when establishing the level of assurance and opinion by the audit authority.

8. Overall level of assurance

8.1 Indication of the overall level of assurance on the proper functioning of the management and control system, and an explanation of how the level was obtained from the combination of the results of the system audits and audits of operations. Where relevant, the audit authority shall take also account of the results of other national or Union audit work carried out.

8.2 Assessment of any mitigating actions not linked to financial corrections that were implemented, financial corrections implemented and an assessment of the need for any additional corrective measures, both from the perspective of improvements of the management and control systems and of the impact on the EU budget.

9. ANNEXES TO THE ANNUAL CONTROL REPORT

9.1 Results of system audits.

Audited Entity	**Fund (Multi-funds programme)**	**Title of the audit**	**Date of the final audit report**	**Programme: [CCI and Name of Programme]**										**Overall assessment (category 1, 2, 3, 4)** **[as defined in Table 2 - Annex X to the Regulation**	**Comments**
				Key requirements (as applicable) **[as defined in Table 1- Annex X to the Regulation**											
				KR 1	**KR 2**	**KR 3**	**KR 4**	**KR 5**	**KR 6**	**KR 7**	**KR 8**	**KR 9**	**KR 10**		
MA															

IB(s)															
Accounting Function (if not performed by the MA)															
Note: The blank parts in the table above refer to key requirements that are not applicable to the audited entity.															

9.2 Results of audits of operations

Fund	Programme CCI number	Programme title	A	B		C	D	E	F	G	H
			Amount in Euros corresponding to the population from which the sample was drawn ([7])	Expenditure in reference to the accounting year audited for the random sample		Amount of irregular expenditure in random sample	Total error rate ([8])	Corrections implemented as a result of the total error rate	Residual total error rate	Other expenditure audited ([9])	Amount of irregular expenditure in other expenditure audited
				Amount ([10])	% ([11])						

([1]) As defined in Article 2 (29) of the Regulation.

([2]) Random, systemic, anomalous.

([3]) For instance: eligibility, public procurement, State aid.

([4]) The stratum error rate is to be disclosed where stratification was applied, covering sub-populations with similar characteristics such as operations consisting of financial contributions from a programme to financial instruments, high-value items, Funds (in case of multi-Fund programmes).

([5]) Total errors minus corrections referred to in point 5.8 above, divided by the total population.

([6]) The overall level of assurance shall correspond to one of the four categories defined in Table 2 of Annex X to the Regulation.

([7]) Column ‘A’ shall refer to the positive population from which the random sample was drawn, i.e. total amount of eligible expenditure entered into the accounting system of the managing authority/accounting function which has been included in payment applications submitted to the Commission less negative sampling units if any. Where applicable, explanations shall be provided in section 5.4 above.

([8]) The total error rate is calculated before any financial corrections are applied in relation to the audited sample or the population from which the random sample was drawn. Where the random sample covers more than one Fund or programme, the total error rate (calculated) presented in column 'D' concerns the whole population. Where stratification is used, further information by stratum shall be provided in section 5.7 above.

([9]) Column 'G' shall refer to expenditure audited in the context of a complementary sample.

([10]) Amount of expenditure audited (in case sub-sampling is applied) only the amount of the expenditure items effectively audited, shall be included in this column).

([11]) Percentage of expenditure audited in relation to the population.

9.3 Calculations underlying the random sample selection, total error rate and total residual error rate

ANNEX XVIII

Template for the audit strategy – Article 72

1. INTRODUCTION

(a) Identification of the programme(s) (title(s) and CCI(s) numbers([1])), Funds and period covered by the audit strategy.

(b) Identification of the audit authority responsible for drawing up, monitoring and updating the audit strategy and of any other bodies that have contributed to this document.

(c) Reference to the status of the audit authority (national, regional or local public body) and the body in which it is located.

(d) Reference to the mission statement, audit charter or national legislation (where applicable) setting out the functions and responsibilities of the audit authority and other bodies carrying out audits under its responsibility.

(e) Confirmation by the audit authority that the bodies carrying out audits have the requisite functional and organisational independence.

2. RISK ASSESSMENT

(a) explanation of the risk assessment method followed; and

(b) internal procedures for updating the risk assessment.

3. METHODOLOGY

3.1. Overview

(a) Reference to the internationally accepted audit standards that the audit authority will apply for its audit work.

(b) Information on how the audit authority will obtain its assurance with regard to programmes in the standard management and control system and for programmes with enhanced proportionated arrangements (description of main building blocks - types of audits and their scope).

(c) Reference to the procedures in place for drawing up the annual control report and audit opinion to be submitted to the Commission in accordance with Articles 71(3) of the Regulation with the necessary exceptions for Interreg programmes based on the specific rules on audits on operations applicable to Interreg programmes as set out in Article 48 of Regulation EU No [ETC Regulation].

(d) Reference to audit manuals or procedures containing the description of the main steps of the audit work, including the classification treatment of the errors detected in the preparation of the annual control report to be submitted to the Commission in accordance with Article 71(3) of the Regulation.

(e) For Interreg programmes, reference to specific audit arrangements and explanation on how the audit authority intends to ensure cooperation with the Commission regarding the audits of operations under the common Interreg sample to be drawn by the Commission set out in Article 48 of Regulation EU No [ETC Regulation].

(f) For Interreg programmes, when additional audit work may be required as set out in Article 48 of Regulation EU No [ETC Regulation] (reference to specific audit arrangements in that respect and to the follow up of that additional audit work).

3.2. Audits on the proper functioning of management and control systems (system audits)

Identification of the bodies/structures to be audited, as well as the relevant key requirements in the context of system audits. The list should include any bodies that have been appointed in the last twelve months.

Where applicable, reference to the audit body on which the audit authority relies to perform these audits.

Indication of any system audits targeted at specific thematic areas or bodies, such as:

(a) quality and quantity of the administrative and on-the-spot management verifications in respect of applicable law such as public procurement rules, State aid rules or environmental requirements;

(b) quality of project selection and of management verifications at the level of the managing authority or intermediate body;

(c) set-up and implementation of financial instruments at the level of the bodies implementing financial instruments;

(d) functioning and security of electronic systems, and their connection with the electronic data exchange system of the Commission.

(e) reliability of data related to targets and milestones and on the progress of the programme in achieving its objectives provided by the managing authority.

(f) financial corrections (deductions from the accounts);

g) implementation of effective and proportionate anti-fraud measures underpinned by a fraud risk assessment.

3.3. Audits of operations

For other than for Interreg programmes

(a) Description of (or reference to internal document specifying) the sampling methodology to be used in line with Article 73 of the Regulation (and other specific procedures in place for audits of operations, namely related to the classification and treatment of the errors detected, including suspected fraud).

(b) A separate description should be proposed for years when the Member States chooses to apply the enhanced proportionate system for one or more programmes as set out in Article 77 of the Regulation.

For Interreg programmes

(a) Description of (or reference to internal document specifying) the treatment of findings and errors to be used in line with Article 48(1) of Regulation EU No [ETC Regulation] and other specific procedures in place for audits of operations, namely related to the common Interreg sample to be drawn up by the Commission each year.

(b) A separate description should be proposed for years when the common sample for audits of operations for Interreg programmes does not include operations or sampling units from of the programme in question and when the audit authority carries out a sampling exercise in line with Article 48(10) of Regulation EU No [ETC Regulation].

In this case, there should be a description of the sampling methodology to be used by the audit authority and other specific procedures in place for audits of operations, namely related to the classification and treatment of the errors detected, etc.

3.4. Audits of the accounts

Description of the audit approach for audits of accounts.

3.5. Verification of the management declaration

Reference to the internal procedures setting out the work involved in the verification of the assertions in the management declaration as drawn up by the managing authority, for purposes of the audit opinion.

4. AUDIT WORK PLANNED

(a) Description and justification of the audit priorities and objectives in relation to the current accounting year and the two subsequent accounting years, together with an explanation of the linkage of the risk assessment results to the audit work planned.

(b) An indicative schedule of system audits, including audits targeted to specific thematic areas, in relation to the current accounting year and the two subsequent accounting years, as follows:

Authorities/Bodies or specific thematic areas to be audited	**CCI**	**Programme Title**	**Body responsible for auditing**	**Result of risk assessment**	**20xx Audit objective and scope**	**20xx Audit objective and scope**	**20xx Audit objective and scope**

5. RESOURCES

(a) Organisation chart of the audit authority.

(b) Indication of planned resources to be allocated in relation to the current accounting year and the two subsequent accounting years (including information on any foreseen outsourcing and its scope, where appropriate).

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(1) Indicate the programmes covered by a common management and control system, in case a single audit strategy is prepared for several programmes.

ANNEX YZ

Criteria for determining the cases of irregularity to be reported and the data to be provided as well as the format to be used for reporting of irregularities - Article 63(10)

ANNEX XYZ

Electronic data to be recorded and stored referred to in point (e) of paragraph 1 - Article 66(4)