

**INSTRUCTION No. 14**  
**FOR BENEFICIARIES**  
**on the closure of projects financed under the Interreg V-A Romania-Bulgaria**  
**Programme**

Having in mind the provisions of art. 7 Rights and duties of the parties, section Managing Authority of the subsidy contract, art. 7 Rights and duties of the parties, section Managing Authority of the co-financing contract, art. 6 Rights and duties of the parties, section Managing Authority of the monitoring agreement, paragraphs related to the right of the Managing Authority to modify the provisions of the contract unilaterally through instructions issued by the Head of the Managing Authority,

Considering the Commission Notice - Guidelines on the closure of operational programmes adopted for assistance from the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and cross-border cooperation programmes under the Instrument for Pre-accession Assistance (IPA II) (2014-2020) 2022/C 474/01,

The Monitoring Committee written consultation procedure regarding the MC approval of the Action Plan for Closure of the Interreg V-A Romania-Bulgaria Programme (Monitoring Committee Decision no.288/20.02.2023),

The necessity to timely address the necessary measures concerning the closure of projects financed under the Interreg V-A Romania - Bulgaria Programme and in order to meet the dead-lines set up in regulations and EC closure guidelines, for a smooth closure of the Programme,

the Managing Authority issues the following:

**INSTRUCTION FOR BENEFICIARIES**

**Article 1** The final date for eligibility of expenditure (including payment), of the implementation period under Interreg V-A Romania - Bulgaria Programme according to the EC Regulation 1303/2013 article 65(2) is **31<sup>st</sup> of December 2023**. **All expenditure incurred or paid after the respective date cannot be requested for reimbursement and shall be supported by the lead beneficiaries and partners from their own budget.**

In addition, the beneficiaries should request opening of partner report/s in order to include the suspended costs (costs considered in "Sitting ducks" in eMS) in order to apply the final decision for establishing of financial correction, if any, within 5 working days after receiving the final decision (NA/Court decision).

**Article 2** - Based on the stage of implementation of the project, the legal representative of each lead partner of the projects under implementation, shall submit to the JS **until 15<sup>th</sup> of October** a statement declaring either that:

- a) All projects' activities shall be finalized and the indicators and results shall be achieved **until the latest 31<sup>st</sup> of December 2023**;

or

- b) The project activities are estimated to be finalized **after 31<sup>st</sup> of December 2023 but until 30<sup>th</sup> of April 2024** (with the possibility to exceed this date, **until the latest 31<sup>st</sup> of December 2024**), from their own budget, in order to ensure the project functionality;

or

- c) The project activities are estimated to be implemented and some of the indicators and results shall be achieved **after 31<sup>st</sup> of December 2023, but until the latest 31<sup>st</sup> of December 2026** from their own budget.

In all cases (a, b or c), the lead beneficiaries shall fill in and attach to the above-mentioned statement, the Annex 1 to the present Instruction, including relevant information regarding the status of the project's implementation and the contribution to the indicators.

**Article 3** - In case of projects falling in the situation foreseen in article 2, point b) above, the Lead Beneficiaries shall initiate, by the latest on 15<sup>th</sup> of November 2023, modification requests for amending the subsidy contract in order to set a new deadline for completion of the project, to fully its objectives and to ensure its full functionality, by bearing from their own resources (budget) all the expenses incurred after 31<sup>st</sup> of December 2023. The beneficiaries have the obligation to complete the project/operation in question and to submit the final project implementation report by the latest 31<sup>st</sup> of December 2024. The respective requests shall be duly justified, shall include a clear and realistic deadline for finalization of the project, shall be accompanied by a decision of the empowered person/body for approval of the non-eligible costs (incurred and paid after 31<sup>st</sup> of December 2023) and shall be subject of approval by the Monitoring Committee of the Interreg V-A Ro-Bg Programme. The projects in this category shall be included by the Programme on the list of the non-finalized projects.

**Article 4** - In case of projects falling in the situation foreseen in article 2, point c) above, the Lead Beneficiaries shall initiate, by the latest on 15<sup>th</sup> of November 2023, modification requests for amending the subsidy contract in order to set a new deadline for completion of the project, for fulfilling its objectives and indicators and to ensure its full functionality, by bearing from their own resources (budget) all the expenses incurred after 31<sup>st</sup> of December 2023. The beneficiaries have the obligation to fully implement the project/operation in question and to submit the final project implementation report by the latest 31<sup>st</sup> of December 2026. The respective requests shall be duly justified, shall include a clear and realistic deadline for finalization of the project, shall be accompanied by a decision of the empowered person/body for approval of the non-eligible costs (incurred and paid after 31<sup>st</sup> of December 2023) and shall be subject of approval by the Monitoring Committee of the Interreg V-A Ro-Bg Programme. The projects in this category shall be included in the list of non-functional projects in the legal conditions foreseen by art.7 within the Commission Notice - Guidelines on the closure of operational programmes 2014-2020 (2022/C 474/01).

**Article 5** - 15<sup>th</sup> of January 2024 represents the final date until the project partners may request from the First Level Control structures from Romania and Bulgaria verification of all expenditure paid until 31<sup>st</sup> of December 2023. The project partners are recommended and should make all efforts in completing their reporting activities within the deadline set at Programme level. Therefore, it is recommended to request immediately the first level control validation of the expenditure (given that the thresholds for reporting are met), and not to wait until the final request. Thus, many clarifications that might appear during the control process should be clarified before the final first level control request. Failure of the beneficiaries to submit the requests for First Level Control by 15<sup>th</sup> of January 2024 or failure to answer the FLC request for clarifications within the given deadlines or refusing to accept the on the spot verification on the date notified by FLC will result in the FLC declaring all the requested expenditure as non-eligible.

**Article 6 - 15<sup>th</sup> of February 2024** - represents the deadline for the Romanian and Bulgarian First Level Control Units to finalize their verification and issue the final control reports. In case of justified needs the last first level control validation might deviate from the deadline set at Programme level with few days, without jeopardising the performance of follow-up activities.

**Article 7 - 15<sup>th</sup> of March 2024** represents the last date for the Lead beneficiaries to submit the last project reports to Joint Secretariat for the administrative verification. The Lead beneficiary shall take the necessary measures in order to ensure that all partners are submitting their mandatory contributions / reports for drafting the last project report. The Lead beneficiaries are also recommended to start collecting and aggregating the contributions from the project partners even before receiving the final control reports. Considering the short period for verification, the JS may perform on the spot monitoring visits, even before the submission of the final report by the Lead Beneficiary, between 1<sup>st</sup> of January - 15<sup>th</sup> of March 2024. Failure of the Lead Beneficiaries to submit the final report in the eMS system until 15<sup>th</sup> of March 2024 or failure to answer the JS request for clarifications within the given deadlines or refuse to accept the on the spot verification on the date notified by JS may result in total or partial termination of the Subsidy contract.

In case of justified needs the **last project report** might deviate from the deadline set at Programme level with few days, without jeopardising the performance of follow-up activities.

#### OVERVIEW FOR BENEFICIARIES

**31.12.2023**

- Final date of the implementation period
- Final date until the project partners can pay expenditure made within the projects in order to be considered eligible under Interreg V-A Romania-Bulgaria

**15.01.2024**

- Final date until the project partners may request First Level Control verification from the FLC structures from the Romania and Bulgaria for the expenditures paid until 31<sup>st</sup> of December 2023

**15.03.2024**

- Last date for projects to submit the final project report to JS

**Iulia HERTZOG**  
Head of the Managing Authority for  
Interreg V-A Romania-Bulgaria Programme