



## **APPLICANT'S GUIDE**

### **Corrigendum**

**Call for strategic projects proposals**

**December 2015**

**Deadline for receipt of applications: 15 March 2016**

**[www.romania-serbia.net](http://www.romania-serbia.net)**

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For the purposes of the **Interreg - IPA CBC Romania – Serbia Programme** and its related documents, the following definitions shall apply:

<b>Applicant</b>	Any legal entity meeting the eligible criteria which submits an application to be financed by the programme
<b>Beneficiary</b>	Any applicant whose application has been approved for financing
<b>Biodiversity</b>	The variability of living bodies within the land, sea, continental aquatic ecosystems and ecological complexes; this comprises the intra-specific, inter-specific and ecosystems diversity
<b>Discounting</b>	The process of adjusting the future value of cost and benefits to the present by a discount rate.
<b>Discount rate</b>	The rate at which future values are discounted to the present
<b>Eligible expenditure</b>	Expenditures made by a Beneficiary, related to the projects financed through the programme, which could be financed from the structural instruments, as well as from the state budget and/or own/ private Beneficiary contribution
<b>Eligible area/region</b>	The Romanian counties and Serbian districts located in the border area, as mentioned in the programming document approved by the European Commission
<b>Internal rate of Return (IRR)</b>	The discount rate at which a stream of costs and benefits has a net present value of zero. The internal rate of return is compared with a benchmark in order to evaluate the performance of the proposed project
<b>Investment cost</b>	Capital cost incurred in the construction of the project
<b>Investment project</b>	A project that has an infrastructure component or which grants more than half of its total eligible budget for the purchase of equipment or a project whose results involve the achievement of an objective by investing capital, which means that their main component is to carry out a work, without excluding the procurement of services (as consultancy or technical assistance) or goods (procurement of necessary equipment for the respective objective) related to the respective objective.
<b>Joint Secretariat</b>	The structure responsible for assisting the programme management bodies in carrying out their duties. Regional Cross Border Cooperation Office Timisoara for Romanian Serbian Border is hosting the Joint Secretariat for the Programme.

<b>Lead Beneficiary</b>	A Beneficiary designated by the beneficiaries involved in a project responsible for coordinating the process of development, submission and implementation of that specific project
<b>Managing Authority</b>	The structure responsible for managing the operational programme. The Romanian Ministry of Regional Development and Public Administration is the Managing Authority for the Programme
<b>National Authority</b>	The counterpart of the Managing Authority in the partner state. The Serbian European Integration Office is the National Authority for the Programme
<b>National Legislation</b>	The legislation of the state on whose territory the beneficiary is located
<b>Natural protected area</b>	Land, aquatic and/or underground area hosting savage fauna and flora species, bio-geographical, landscape, geological, pale-ontological, speleological or other elements and systems with outstanding ecological, scientific or cultural value, governed by special preservation and protection rules in compliance with legal provisions
<b>Net Present Value (NPV)</b>	The sum that results when the expected costs of the investment are deducted from the discounted value of the expected benefits
<b>Operating costs</b>	Cost incurred in the operation of an investment, including cost of routine and extraordinary maintenance but excluding depreciation or capital costs
<b>Partnership Agreement</b>	A document that formalises relationship between project partners and the Lead Beneficiary. Mutual rights and obligations regarding cooperation in project are laid down in the agreement, also including provisions guaranteeing the sound financial management of the funds allocated to the project.
<b>Potential applicant</b>	Any legal entity meeting the eligible criteria for submitting an application to be financed by the programme
<b>Potential beneficiary</b>	Any applicant or potential applicant is a potential beneficiary until the decision for financing its project has been issued
<b>Project</b>	An operation comprising a series of works, activities or services intended in itself to accomplish an indivisible task of a precise economic or technical nature, which has clearly identified goals, expressed as the application form and its annexes.

<b>Reference period</b>	The number of years for which forecasts are provided in the cost benefit analysis
<b>Residual value</b>	The net present value of assets at the final year of the reference period selected for evaluation analysis
<b>Revenue generating project</b>	Any project involving an investment in infrastructure, the use of which is subject to charges borne directly by users, and any project involving the sale or rent of land or buildings or the provision of services against payment
<b>Revenues</b>	Income to be expected from an investment through pricing or charges
<b>Subsidy contract</b>	Contract between the Managing Authority and the Lead Beneficiary. It determines the rights and responsibilities of the Lead Beneficiary and the Managing Authority, the scope of activities to be carried out, terms of funding, requirements for reporting and financial controls, etc.

Glossary of Acronyms	
AA	Audit Authority
RO	Romania
CA	Certifying Authority (the Managing Authority took the role of Certifying Authority)
CBC	Cross-Border Cooperation
CBA	Cost Benefit Analysis
EC	European Commission
IPA	Instrument of Pre-accession
EU	European Union
GD	Government Decision
ICT	Information and Communication Technology
IRR	Internal Rate of Return
IT	Information Technology
JMC	Joint Monitoring Committee
JS	Joint Secretariat
MA	Managing Authority
MRDPA	Ministry of Regional Development and Public Administration
SEIO	Serbian European Integration Office
MPF	Ministry of Public Finance(Romania)
MEF	Ministry of European Funds
MS	Member States
NA	National Authority
NGO	Non-Governmental Organization
NUTS	Nomenclature of Territorial Units for Statistics

OP	Operational Programme
PSC	Project Steering Committee
Programme	Interreg - IPA CBC Romania - Serbia Programme
R&D	Research and Development
RTD	Research and Technological Development
RO CBC	Regional Office for Cross Border Cooperation for Romania-Republic of Serbia Border
SWOT	Strengths, Weakness, Opportunities, Threats
VAT	Value Added Tax

## Legal basis

Commission Decision No. 5667/2015 approving the Interreg - IPA CBC Romania – Serbia Programme for 2014-2020 period;

Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006;

Regulation (EU) No 1299/2013 of the European Parliament and of the Council of 17 December 2013 on specific provisions for the support from the European Regional Development Fund to the European territorial cooperation goal;

Regulation (EU) No 231/2014 of the European Parliament and of the Council of 11 March 2014 establishing an Instrument for Pre-accession Assistance (IPA II) (hereafter IPA II Regulation);

Regulation (EU) No 236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external actions;

Commission implementing regulation (EU) No 447/2014 of 2 May 2014 on the specific rules for implementing Regulation (EU) No 231/2014 of the European Parliament and of the Council establishing an Instrument for Pre-accession assistance (IPA II);

Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002;

Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union

Commission Delegated Regulation (EU) No. 481/2014 of 4 March 2014 supplementing Regulation (EU) No. 1299/2013 of the European Parliament and of the Council of 17 December 2013 on specific provisions for the support from the European Regional Development Fund to the European territorial cooperation goal;

Other relevant national and European legislation (Annex G).

### Applicable law:

Projects must be in line with all relevant national and European legislation, including legislation on equal opportunities, environmental protection, public procurement (art. 45 of Commission Implementing Regulation 447/2014, art. 8 and 10 of the European Parliament and of the Council Regulation (EU) No 236/2014 must be observed) and state aid rules. Projects must observe the European legislation provisions on information and publicity.

**Please note that all these legal provisions must also be observed by the applicants during both project elaboration and implementation phases.**



# 1. General information

The Applicant's guide aims to give practical information for project applicants to the Interreg - IPA CBC Romania – Serbia Programme. It helps applicants to submit projects under this Programme as it offers a range of information on how to fill in an application, budget and related forms, the application procedure, the project selection criteria, the decision making procedure and other aspects.

## 1.1. Overview of Romania- Serbia Interreg IPA Cross-Border Cooperation Programme 2014-2020

The Interreg - IPA CBC Romania - Serbia Programme has been prepared in line with the *Regulation (EU) No 231/2014* of the European Parliament and of the Council of 11 March 2014 establishing an Instrument for Pre-accession Assistance (IPA II) (hereafter referred to as the “IPA Regulation”), *Regulation (EU) No 236/2014* of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action, *Commission implementing regulation (EU) No 447/2014* of 2 May 2014 on the specific rules for implementing Regulation (EU) No 231/2014 of the European Parliament and of the Council establishing an Instrument for Pre-accession assistance (IPA II) (hereafter referred to as the “IPA Implementing Regulation”). The Programme is the result of a co-operative effort by the Romanian and Serbian national, regional and local authorities.

The Interreg - IPA CBC Romania - Serbia Programme 2014-2020 has been approved by the European Commission on 6 August 2015 and focuses on the development of the border area through improvement of the accessibility to the labour market and promoting employment, environment protection and tourism.

The Romania-Republic of Serbia IPA Cross-border Cooperation for 2007-2013 programming period, the 2003 Phare External Border Initiative Programme for Romania and the Neighbourhood Programme Romania- Serbia & Montenegro 2004-2006 paved the way for the new integrated cross-border instrument to be implemented at EU external borders as of 2007, therefore conditions for cross-border cooperation are already in place and this IPA Cross-Border Cooperation Programme can concentrate on its strategic goal of achieving a more balanced sustainable socio-economic development of the Romania-Republic of Serbia border area.

## 1.2. Programme strategy

The Interreg - IPA CBC Romania - Serbia Programme provides the opportunity for both countries to continue their cross-border cooperation under the new instrument. The analysis set out in the Joint Programming Document shows that even if there is very uneven economic development within the border area, this area of cooperation is characterized by similar agricultural, economic and industrial assets on both sides of the border, and thus common challenges can and should be tackled in part by joint actions.

The programme strategy focuses on the key challenges of the border region and the responses that are available to address problems that exist, namely:

- Overcoming specific issues related to the connectedness of the region, both internally between the border regions, and crucially also externally between the border region and neighbouring areas
- Tackling the lack of competitiveness which is a common issue affecting the economy of the border area as a whole, with negative impacts in both the Romanian and Serbian border areas. This includes issues such as entrepreneurship and business activity, innovation, and levels of investment
- Addressing key issues of rural development which are characteristic of the regions on both sides of the border, and which would benefit from joint cross-border action in relation to key areas such as (inter alia) agriculture, rural tourism development, and specific labour market challenges in rural areas.
- Dealing with the significant common challenges in the environment and in specific aspects of local/regional preparedness in relation to cross-border emergency situations
- Overcoming the border as a perceived “division”, and promoting greater cooperation and contact between regions and communities on both sides of the border

### 1.1.2 Programme objectives

<b>Priority Axis 1</b> <b>Employment promotion and basic services strengthening for an inclusive growth</b>	<b>Specific objective</b>
1-1 "Employment and labour mobility"	To enhance the potential of the programme area for an inclusive growth, improving across border access to the labour market and employment opportunities in the programme eligible area.
1-2 "Health and social infrastructure"	To enhance the potential of the programme area for an inclusive growth, based on the improvement of quality of life to all residents on the two sides of the border through joint cross border actions for the access to modern and efficient health care services, social services, services supporting access to primary education.

1-3 "Social and cultural inclusion"	To enhance the potential of the programme area for an inclusive growth, increasing cultural and social integration in the cross-border area and reducing the impact of constraints due to remoteness and marginalisation of border areas.
<b>Priority Axis 2: Environmental protection and risk management</b>	
2-1 "Environmental protection and sustainable use of natural resources"	Enhancing protection and sustainable use of natural resources, with the improvement of capacities of competent bodies and promotion of cross border networks for education and studies on environmental resources.
2-2 "Environmental risks management and emergency preparedness"	Enhancing preparedness and awareness to face environmental risks and emergencies, enabling cross-border interoperability and joint actions for innovative systems of environmental protection, mitigation and prevention of environmental accidents and disasters and emergency reaction.
<b>Priority Axis 3: Sustainable mobility and accessibility</b>	
3-1 "Mobility and transport infrastructure and services"	Promote the achievement of improved quality standard in public transport and mobility services in the eligible area across the border and the integration in the main EU transport corridors, complying to EU Environmental legislation and sustainability principles, especially in remote and disadvantaged areas.
3-2 "Public utilities infrastructure"	Promote the achievement of improved and homogenous quality standard in public infrastructures for basic services, especially in remote areas through improved and enlarged access to modern and efficient public utilities services (incl. Internet, energy).



***România - 3 counties:***

- Timiș
- Caraș-Severin
- Mehedinți

***Republic of Serbia - 6 districts:***

- Severnobański
- Srednjebański
- Južnobański
- Podunavski
- Braničevski
- Borski

#### 1.1.4 Programme Priority Axes

*Four priority axes* have been identified as the basis for intervention in order to address common challenges facing regions in both Romania and Republic of Serbia:

***Priority Axis 1: Employment promotion and basic services strengthening for an inclusive growth***

***Priority Axis 2: Environmental protection and risk management***

***Priority Axis 3: Sustainable mobility and accessibility***

***Priority Axis 4: Attractiveness for sustainable tourism***

**For further details on programme strategy please refer to the Programme Document for  
Interreg - IPA CBC Romania – Serbia Programme**

### 1.1.5 Programme indicators

#### PRIORITY AXIS LEVEL INDICATORS

##### Priority Axis 1 - Programme specific result indicators

ID	Indicator	Measurement unit	Baseline value	Baseline year	Target value (2023)	Source of data	Frequency of reporting
PA1-RI1	Active population more satisfied of the access to labour market.  (Innovative services assisting job seekers permanently established, information on job opportunities available in marginal areas, disadvantaged groups receiving assistance and information about job opportunities through information points and dedicated tutors.)	Ranking on qualitative scale (1-7)	3.4	2015	4.25	Survey among stakeholders. Association of entrepreneurs, local administrators, NGOs, educational organizations	2017/2018 2020/2021 2023

PA1-RI2	<p>Population experiencing access to improved basic services in health care and education.</p> <p>Innovative, high quality services permanently created and available in marginal areas, preventive care, cultural activities and services, sport activities.</p>	Ranking on qualitative scale (1-7)	3.28	2015	4.92	Survey among stakeholders. Local administrators, NGOs, health care centres, educational organizations.	2017/2018 2020/2021 2023
PA1-RI3	<p>Population experiencing lively cultural life in a cross border setting.</p> <p>Population, especially in marginal areas, accessing various opportunities for cultural and social activities, permanently offered in joint initiatives across the border.</p>	Ranking on qualitative scale (1-7)	4.45	2015	5.56	Survey among target groups. Students, Cultural Organizations, NGOs, Sport Associations.	2017/2018 2020/2021 2023

**Priority Axis 1 - Programme specific output indicators**

<b>ID</b>	<b>Indicator (<i>name of indicator</i>)</b>	<b>Measurement unit</b>	<b>Target value (2023)</b>	<b>Source of data</b>	<b>Frequency of reporting</b>
<b>PA1.OI1</b>	Citizens involved in project activities in cultural, social health care services.	Units	at least 3000	Monitoring system and projects reports	Annual
<b>PA1.OI2</b>	Cross border cooperation structures supported in the field of labour market.	Units	at least 20	Monitoring system and projects reports	Annual
<b>PA1.OI3</b>	Investment in health care and social services infrastructure.	Units	at least 5	Monitoring system and projects reports	Annual
<b>PA1 OI4</b>	Disadvantaged persons involved in projects activities.	Units	at least 2000	Monitoring system and projects reports	Annual
<b>PA1OI5</b>	Joint actions targeting vulnerable groups (youth, women, disabled, ethnic minorities) established for the prevention of early school leaving, for cultural inclusion	Units	at least 20	Monitoring system and projects reports	Annual



<b>PA10I6</b>	Joint actions targeting smart (green) growth opportunities	Units	At least 10	Monitoring system and projects reports	Annual
<b>COI_1</b>	Population covered by improved health services	Persons	10.000	Monitoring system and projects reports	Annual
<b>COI_2</b>	Number of participants in projects promoting gender equality, equal opportunities and social inclusion across borders	Persons	2.000	Monitoring system and projects reports	Annual

#### Priority Axis 2 - Programme specific result indicators

<b>ID</b>	<b>Indicator</b>	<b>Measurement unit</b>	<b>Baseline value</b>	<b>Baseline year</b>	<b>Target value (2023)</b>	<b>Source of data</b>	<b>Frequency of reporting</b>
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PA2-RI 1	<p>Awareness on the potential of environmental resources and the benefits of protection.</p> <p>Resident population informed on quality and quantity of environmental resources in the eligible area, and on the benefits of protection actions.</p>	Qualitative indicator on Ordinal scale value (1 -7)	4.09	2015	5.31	<p>Survey among stakeholders. Youth, residents in areas close to natural resources and environmental hotspots.</p>	<p>2017/2018 2020/2021  2023</p>
PA2-RI2	Capacity for emergency interventions and management in case of natural disasters and environmental accidents	Qualitative indicator Ordinal scale value (1-7)	3.65	2015	4.74	<p>Survey among stakeholders.</p> <p>Institutions for environmental protections, NGOs, local administrations, educational institutions.</p>	<p>2017/2018 2020/2021  2023</p>

PA2-RI3	Potential for cross-border interoperability for environmental protection and emergency interventions, based on shared procedures and technologies	Qualitative indicator Ordinal scale value (1-7)	3.88	2015	5.43	Survey among stakeholders.  Institutions for environmental protections, NGOs, local administrations, educational institutions.	2017/2018 2020/2021  2023
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Priority axis 2 - Programme specific output indicators					
ID	Indicator ( <i>name of indicator</i> )	Measurement unit	Target value (2023)	Source of data	Frequency of reporting
PA2.OI1	Infrastructure, equipment built/ installed/ modernized in the field of cross border services for environmental protection	Units (No)	at least 10	Monitoring system and projects reports	Annual
PA2.OI2	Participants to project initiatives and events for information and awareness rising	Units (No)	at least 5.000	Monitoring system and projects reports	Annual
PA2OI3	Studies in the field of environmental protection and emergency management. (technical and scientific studies, researches in the relevant fields)	Units	at least 5	Monitoring system and projects reports	Annual
PA2.OI4	Participants to capacity building initiatives	units (No)	at least 200	Monitoring system and projects reports	Annual

<b>PA2.OI5</b>	Monitoring systems established/ extended/ modernized in the eligible area in the field of environmental protection and emergency management.	Units	at least 3	Monitoring system and projects reports	Annual
<b>COI_3</b>	Population benefiting from flood protection measures	Persons	50.000	Monitoring system and projects reports	Annual

Priority axis 3 - Programme specific result indicators							
ID	Indicator	Measurement unit	Baseline value	Baseline year	Target value (2023)	Source of data	Frequency of reporting
PA3-RI1	<p>Population accessing to sustainable and efficient public mobility and transport services.</p> <p>Population having access to improved local transport infrastructures, faster connections to main corridors, efficient border crossing services, transport services using innovative technologies.</p>	<p>Qualitative indicator described on an ordinal scale (1-7)</p>	3.98	2015	5.17	Survey among stakeholders.	2017/2018 2020/2021 2023
PA3-RI2	<p>Vehicles crossing the border.</p> <p>Traffic across the border for social, commercial and touristic activities and exchanges.</p>	Total number of vehicles per day	950	2013	1.187	NIS, Border police statistics. Romania and Serbia	2017/2018 2020/2021 2023

Priority axis 3 - Programme specific result indicators							
ID	Indicator	Measurement unit	Baseline value	Baseline year	Target value (2023)	Source of data	Frequency of reporting
PA3-RI3	<p>Population accessing sustainable and efficient public utilities networks (energy, water, ICT).</p> <p>Access to improved utility services based on innovative technologies, access to efficient and sustainable energy sources, especially in marginal and remote territories.</p>	Percentage of households with access to the utility networks (Index based on arithmetic averages of indicators for the various networks)	57%	2015	82.6%	NIS of Romania and Serbia. County and district level statistics on access to utilities	2017/2018 2020/2021 2023

Priority axis 3 - Programme specific output indicators					
ID	Indicator ( <i>name of indicator</i> )	Measurement unit	Target value (2023)	Source of data	Frequency of reporting
PA3.OI1	Cross border cooperation structures supported in the field of transport and public utilities	Units (No)	10	Monitoring	Annual
PA3.OI2	Studies related to the implementation of selected projects or the realisation of actions in the field of transport and mobility infrastructure	Units (No)	5	Monitoring	Annual
PA3.OI3	Investments in transport and utilities infrastructure, including improvement, enhancement of existing infrastructure	Units (No)	7	Monitoring	Annual
PA3.OI4	Participants to information/ training/ awareness raising initiatives in the field of transport and public utilities.	Units (No)	1000	Monitoring	Annual



<b>PA3.OI5</b>	Joint initiatives on improvements of public transport and intermodal connections	Units (No)	5	Monitoring	Annual
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#### Priority axis 4 - Programme specific result indicators

ID	Indicator	Measurement unit	Baseline value	Baseline year	Target value (2023)	Source of data	Frequency of reporting
PA4-RI1	Number of tourists arrivals in the eligible area.  Flows of visitors in the area for all forms of tourism activities and cross border networks.	Units	600.000	2012	810.000	National statistical offices - Statistics on tourism	2017/2018 2020/2021  2023
PA4-RI2	Nights spent by tourists in the eligible area.  Time spent by tourists in the cross border area, for all types of touristic activities	Units	1.600.000	2012	1.920.000	National statistical offices - Statistics on tourism	2017/2018 2020/2021  2023

PA4-RI3	New “touristic products” created as a result of programme actions in the field of promotion and information on integrated touristic networks in the CBC area.	Units	Baseline measured referring to current and past cross border activities:  17	2015	24.6	Monitoring system on projects implemented	2017/2018 2020/2021  2023
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**Priority axis 4 - Programme specific output indicators**

ID	Indicator ( <i>name of indicator</i> )	Measurement unit	Target value (2023)	Source of data	Frequency of reporting
PA4.OI1	Cross border cooperation structures/ initiatives supported in the field of tourism	Units (No)	At least 20	Monitoring	Annual

<b>PA4.OI2</b>	Studies related to the implementation of selected projects or research and studies in the field of natural and cultural resources	Units (No)	At least 5	Monitoring	Annual
<b>PA4.OI3</b>	Number of participants attending training initiatives	Units (No)	At least 500	Monitoring	Annual
<b>PA4 OI4</b>	Joint actions and communication instruments created	Units (No)	At least 4	Monitoring	Annual
<b>PA4 OI5</b>	Partnerships for the exchange of good practices and the promotion of joint initiatives established	Units (No)	At least 10	Monitoring	Annual

**For further details on programme indicators please refer to the Programme Document for Interreg - IPA CBC Romania - Serbia Programme**

### 1.1.6 Horizontal Themes

The following horizontal themes shall be observed by all applicants in the development and implementation of their projects:

- a) **Equal opportunities** – a fundamental right, a shared value and a key objective of the European Union – represents a priority fully taken on board by the programme and consequently all the financed projects are expected to observe it when developing the project objectives, target groups, activities and results.

Equal opportunities refers to preventing any discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation or on any other similar criterion.

- b) **Sustainable development** – meeting the present needs while thinking of those of the future generations – should be regarded from the ecologic, economic and social point of view. In designing and implementing the project, the applicants should aim at a balanced use of resources, appropriate choice of logistics and raising public awareness on sustainable development issues (e.g. by inserting messages on printed materials or in the e-mails).
- c) **Climate change** – a great concern at global and EU level – should be another key element of which the applicants should be aware of. The main factors contributing to climate change are greenhouse gases deployed in the atmosphere from energy and non-energy sources. Projects should at least avoid making use of such sources and additionally support the fight against climate change.

The observance of the horizontal themes shall be taken into account during projects evaluation. Projects which propose explicit measures with positive impact on one or more of them, even in terms of raising public awareness, shall be awarded additional points.

#### 1.1.6.1 Environmental monitoring indicators

Indicators
<ul style="list-style-type: none"><li>• Contribution to energy efficiency, renewable energy use and reduction of greenhouse gas (GHG) emissions</li></ul>
<ul style="list-style-type: none"><li>• Contribution to efficient water supply, waste-water treatment and water reuse</li></ul>
<ul style="list-style-type: none"><li>• Application of green public procurement in a systematic manner</li></ul>

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Indicators
<ul style="list-style-type: none"><li>• Contribution to efficient waste management, re-use and recycling</li></ul>
<ul style="list-style-type: none"><li>• Contribution to the development of green infrastructures including sound management of Natura 2000 sites on the Romanian side and equivalent natural protected areas on the Serbian side;</li></ul>
<ul style="list-style-type: none"><li>• Contribution to sustainable mobility and intermodality;</li></ul>
<ul style="list-style-type: none"><li>• Contribution to enhanced awareness of adaptation to climate change and risk prevention;</li></ul>
<ul style="list-style-type: none"><li>• Contribution to more employment opportunities, education, training and support services in the context of environment protection, risk management and sustainable development etc.</li></ul>

The above environmental criteria will be used within the project evaluation and selection and later for environmental monitoring of the project. Monitoring and summarising the single projects' monitoring results, will provide an overview of the overall environmental effect on the relevant environmental issues.

### 1.1.6.2 Horizontal themes monitoring indicators

*Is the operation contributing to the promotion of sustainable development? (See section 1.1.6)*

*Is the operation contributing to the promotion of equal opportunities and non-discrimination?*

- The inclusion of relevant indicators related to the profile of persons involved in the projects, e.g. on gender, ethnic origin, age, occupation and education level, disabilities etc.,
- The evaluation of actions for the involvement of potentially discriminated groups in Programme Implementation e.g. related to flexible working arrangements, deputy arrangements, provisions for persons with disabilities, etc.)
- Consideration of the different needs and intended and unintended impact of the project on different groups (e.g. vulnerable population with disabilities, minorities, returning and internal migrants, minorities of different religious beliefs and people of different sexual orientation etc.);

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- Consideration of equal opportunities and non-discrimination in project implementation, e.g. concerning the establishment of an Equal Opportunities Action Plan, definition of equal opportunity targets, provision of equal opportunities training or diversity management courses, provision of supporting services;
- Provisions for an equal access to the operation's outputs and benefits for all members of the society;
- Counting the number of women and men participating in project;
- Assessing the number of women and men benefiting from funding;
- Assessing how much support and for which projects women and men are receiving funding (broken down by types of project).
- Consideration of the different starting positions of the target groups based on sex and gender (existence and extent of differences between women and men and the implications of these differences for the specific policy area etc.) and intended and unintended impact of the operation project on those groups in the project concept;
- Consideration of equality between men and women in project implementation, e.g. through inclusion of gender mainstreaming provisions, concerning the special needs and circumstances of men and women employees, introducing flexible, individual arrangements for female employees including childcare, information about these provisions in advertisements for job opportunities.

## 1.2 Programme implementation structures

**Managing Authority** - the *Romanian Ministry of Regional Development and Public Administration* is responsible for managing and implementing the Programme in accordance with the principle of sound financial management.

**National Authority** - the *Serbian European Integration Office* is the counterpart of the Managing Authority being responsible for programming, planning and implementing the Programme in Republic of Serbia, ensuring national co-financing at programme level, first level control for the expenditures made in Republic of Serbia.

**Audit Authority** – within the *Court of Accounts of Romania*. The main responsibilities of the AA consist in ensuring that audits are carried out to verify the effective functioning of the management and control system and ensuring that audits are carried out on operations on the basis of an appropriate sample to verify expenditure declared. The Audit Authority for the programme shall be assisted by a group of auditors which will assist the Audit Authority in carrying out its duties.

**Joint Monitoring Committee (JMC)**, is formed by representatives from both participating states in the Programme (representatives from the national, regional and local level and other economic, social and environmental partners), and ensures the effectiveness and quality of the implementation of the Programme, having specific tasks related to the monitoring of the Programme. The JMC plays also a very important role in the selection of the operations, due to the fact that it approves/revises the criteria

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for selecting the operations financed by the Programme and is responsible for selecting the operations.

**Joint Secretariat (JS)** is based in Timișoara within the **Regional Office for Cross-Border Cooperation Timișoara**. The JS is responsible for the day-to-day implementation of the Programme according to the provisions of the implementing agreement concluded between the Managing Authority and Regional Office for Cross-Border Cooperation Timișoara and according to the provisions of national and EU legislation. The JS is responsible for fulfilling all the tasks delegated by the MA for the implementation of the Programme with regard to the JMC secretariat, project generation, evaluation and selection of the projects, technical, economic and financial monitoring and control of the projects, information and publicity.

**Antenna of the JS** is located in **Vršac, Republic of Serbia**, having as its main role to serve as a local contact point for Serbian potential beneficiaries/ project partners and to disseminate information at regional level, to support projects development in the Republic of Serbia.

### 1.3 Financial allocation for the call for proposals

Following the territorial analysis and consultations with the stakeholders and potential beneficiaries, it has been decided by the Joint Monitoring Committee of the Programme that the share of IPA resources dedicated to the strategic projects is within 30% of the IPA funds allocated to the programme.

The total amount allocated to this call for strategic projects proposals is broken down as follows:

	<b>IPA 85%</b>	<b>National Co- financing* 15%</b>	<b>Total funding (1)+(2) 100%</b>
<b>Priority Axis 1, 2, 3 and 4</b>	<b>22,471,874</b>	<b>3,965,625</b>	<b>26,437,499</b>

\*Includes the contributions from state budgets, local budgets and contribution of partners from both countries.

The IPA contribution will be allocated for the reimbursement of eligible expenses, duly justified and certified.

Within one single project, the IPA financing for each partner from Republic of Serbia and Romania is 85% of the eligible budget for each partner.

For Republic of Serbia, the remaining 15% must be covered by the partner; for Romania, the remaining 15% can be covered by the national public funds and the partner. National public co-financing at the state level in Romania shall be provided by the MRDPA to project partners from Romania participating in approved projects.

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Based on the subsidy contract concluded between the Lead Beneficiary and the MA, the Lead Beneficiary (Romanian or Serbian) may receive an advance payment in an amount of maximum 15% from the value of the subsidy contract.

The advance shall be paid out of the IPA funds received from the EC as pre-financing at programme level and shall be granted, at the written request of the Lead Beneficiary, according to the provisions of the subsidy contract.

### 1.4 State aid<sup>1</sup>

State aid refers to financial support that can distort competition and intra-community market trade. In order to meet the requirements of the European Commission and in order to allow a smooth implementation of the Programme and its approved projects, in the framework of Interreg - IPA CBC Romania – Serbia, **State Aid is not permitted.**

**In case that during project implementation or during 5 years after the end of project implementation period, illegal state-aid incidence is discovered the MA may apply a correction up to 100% financial correction for the respective project, including penalties and debts from the date of grant award to date.**

For state aid to take place the recipient of project funding must be an undertaking. The term "undertaking" is in this context used in a wide sense as any entity which has an activity of an economic nature and which offers goods and services on the market, regardless the legal form and the way of financing of this entity. Also if an entity is not profit-oriented, state aid rules will apply as long as it competes with companies that are profit-oriented. Therefore, not only private companies are subject to state aid rules but also public authorities if they carry out an economic activity on the market.

The next step in establishing state aid is to use the set of four criteria **that all have to be fulfilled** cumulatively in order to be state aid. Two of those (the existence of state resources and selectivity) always apply for Interreg - IPA CBC Romania – Serbia programme projects. Thus state aid exists if the remaining two conditions are also met:

❑ **Economic advantage:** The project support is an economic advantage that the undertaking would not have received in the normal course of business. Such an economic advantage can be assumed if the undertaking does not provide for any market-driven consideration (e.g. it promises to create jobs in return for state funds received or it buys land from the state for a price lower than the market price).

- **an indirect advantage** may also be granted (indirect State aid) if the funds received by entities which are direct beneficiaries of the Programme are channeled to identifiable undertakings/groups of

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<sup>1</sup> In accordance with Article 26 of the Commission implementing regulation (EU) No 447/2014 on the specific rules for implementing Regulation (EU) No 231/2014 of the European Parliament and of the Council establishing an Instrument for Pre-accession assistance (IPA II): "beneficiary" means a public or private body, responsible for initiating or initiating and implementing operations; in the context of State aid schemes (as defined in Article 2(13) of Regulation (EU) No 1303/2013 of the European Parliament and of the Council (1)), the term 'beneficiary' means the body which receives the aid, as far as cross-border cooperation programmes involving Member States are concerned." It means that State aid rules must be applied under the IPA II Programme both in Member States and IPA II Country.



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undertakings (e.g. if the funds received by a direct beneficiary are used for building up infrastructure that is to be used for economic activities and the operation of this infrastructure is not granted through a public, open, unconditional tender, or if the funds are used by the beneficiary to train the employees of certain undertakings etc.).

❑ **Effect on competition and trade:** This criterion is already fulfilled if an aid has potential effect on competition and trade between Member States. It is sufficient if it can be shown that the beneficiary is involved in an economic activity and that it operates in a market in which there is trade between Member States. As a general rule, no effects on competition and trade are to be expected in case of purely local activities or legal monopolies.

Considering the activities financed under the current call, activities for which the beneficiaries do not act as economic operators and for which there are no considerations to assume that the competition will be distorted, the projects shall not be subject to state aid rules.

To this end, the following provisions **shall be fulfilled by each project**:

- All expenditure must be made according to the relevant laws on public procurement in force at the time of the grant award. This condition applies to all partners. The procurement procedure (performed by either Romania/Serbian partners) has to be open (to allow all interested and qualified bidders to participate in the process), transparent, sufficiently well-publicized, non-discriminatory and unconditional. When a tender procedure complies with these principles, it can be presumed that the transactions are in line with normal market conditions. For direct procurements the market price level is observed (try to refer to any well-known suppliers available at national level - print screen from websites are accepted and recommended).
- The project must not create an economic advantage to an economic operator/undertaking. The undertakings are defined as entities engaged in an economic activity, regardless of their status and the way in which are financed. The classification of a particular entity as an undertaking thus depends entirely on the nature of its activities. This general principle has three important consequences:

First, the status of the entity under national law is not decisive. For example, an entity that is classified as an association or a sports club under national law may nevertheless have to be regarded as an undertaking within the meaning of Article 107(1) of the Treaty. The only relevant criterion in this respect is whether it carries out an economic activity.

Secondly, the application of the state aid rules as such does not depend on whether the entity is set up to generate profit.

Thirdly, the classification of an entity as an undertaking is always relative to a specific activity. An entity that carries out both economic and non-economic activities

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is to be regarded as an undertaking only with regard to the former. Any activity consisting in offering goods and services on a market is an economic activity.

- A service that is reimbursed at market price is not conveying an advantage. All studies or other results of the non-investment research and development projects shall be made available for free to all interested individual or legal persons, in a non-discriminatory way.

In the field of research & development & innovation activities, the following activities are generally of a non-economic character:

a) primary activities of research organisations and research infrastructures, in particular:

education for more and better skilled human resources. Public education organised within the national educational system, predominantly or entirely funded by the State and supervised by the State is considered as a non-economic activity

independent R&D for more knowledge and better understanding, including collaborative R&D where the research organisation or research infrastructure engages in effective collaboration

wide dissemination of research results on a non-exclusive and non-discriminatory basis, for example through teaching, open-access databases, open publications or open software.

b) knowledge transfer activities, where they are conducted either by the research organisation or research infrastructure (including their departments or subsidiaries) or jointly with, or on behalf of other such entities, and where all profits from those activities are reinvested in the primary activities of the research organisation or research infrastructure. The non-economic nature of those activities is not prejudiced by contracting the provision of corresponding services to third parties by way of open tenders.

Where a research organisation or research infrastructure is used for both economic and non-economic activities, public funding falls under state aid rules only insofar as it covers costs linked to the economic activities. Where the research organisation or research infrastructure is used almost exclusively for a non-economic activity, its funding may fall outside state aid rules in its entirety, provided that the economic use remains purely ancillary, that is to say corresponds to an activity which is directly related to and necessary for the operation of the research organisation or research infrastructure or intrinsically linked to its main non-economic use, and which is limited in scope. This should be considered to be the case where the economic activities consume exactly the same inputs (such as material, equipment, labour and fixed capital) as the non-economic activities and the capacity allocated each year to such economic activities does not exceed 20 % of the relevant entity's overall annual capacity. Making the project results available only for certain individual or legal persons is strictly forbidden! Also, the project results should not create an economic advantage to a certain undertaking/activity/the production of certain goods.

- Any other categories of services, apart from those above mentioned, which are relevant and included in the projects financed by the respective ETC programme, shall be provided freely or at market value.

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**Making the project results available only for certain individual or legal persons is strictly forbidden!**

- The existence of state aid is excluded where the State acts by exercising public power or where authorities emanating from the State act in their capacity as public authorities. Any entity may be deemed to act by exercising public powers where the activity in question is a task that forms part of the essential functions of the State or is connected with those functions by its nature, its aim and the rules to which it is subject. Generally speaking, unless the Member State concerned has decided to introduce market mechanisms, activities that intrinsically form part of the prerogatives of official authority and are performed by the State do not constitute economic activities. Examples are activities related to: the army or the police; air navigation safety and control; maritime traffic control and safety; anti-pollution surveillance and the organisation, financing and enforcement of prison sentences.

**The State Aid Self-Assessment Form – Annex A.7. of the Application Form will be duly completed.**

If the project self-assessment shows a possibility of state aid, the project should consult the JS at the earliest stage possible. The JS will support the project applicants in the assessment of the existence of state aid and guide on how to proceed.

If during the check following grant award and corresponding national contribution, the relevant Authority (Managing Authority, Audit Authority or the relevant services of the European Commission) verifies an irregularity in the rules of the granting, in contrast with applicable regulation on the State aid or an irregularity in the grant award, it will be possible at Programme level to make a financial correction in compliance with the specific Community Regulation in force at the time of the grant award, and the part of “illegal aid” shall be subject to the recovery procedure.

## **2 RULES OF THE CALL FOR PROPOSALS**

### **2.1 Type of call for proposals**

The financing under the Interreg - IPA CBC Romania – Serbia Programme shall be made available to potential beneficiaries through a competitive process. The Managing Authority together with the National Authority and the Joint Secretariat are launching the present call for proposals with deadline for submitting the applications. Nevertheless, the applicants may submit their applications, until the mentioned deadline.

These specific guidelines are tailored for the call for strategic projects proposals. The present call for proposal, under the present guidelines, has the goal of establishing large and balanced partnerships on the two sides of the border, extended to a substantial part of the eligible territory and economic or social system, by financing strategic

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projects.

All projects must observe the relevant national provisions regarding the elaboration, financing and approving (see **Annex G-** Relevant national and EU legislation).

***The maximum number of beneficiaries in a project will be five (5), including the Lead Beneficiary!***

## 2.2 Eligibility Criteria

The submission of projects is open to all potential beneficiaries that meet the eligibility criteria set-out below. These eligibility criteria shall apply for the entire programme duration.

In order to be eligible for funding under the programme, a project should meet all three criteria set out below: the eligibility of *applicants*, *activities* and *expenditures*.

### 2.2.1 Eligibility of applicants

In order to be eligible for a grant, applicants must **be organized as non-profit making bodies and must** fulfil the following criteria:

Be compliant with the provisions of art. 40 of the Commission Implementing Regulation No. 447/2014 and art. 8 and 10 of the Regulation No. 236/ 2014;

Be legally established according to national legislation of the state on whose territory they are located;

Be legally organized as:

Regional and local public authorities/ **bodies registered and functioning in the eligible area** (County Councils, Local Councils/ Municipalities, etc.);

National/ provincial/ regional public authorities/ **bodies** functioning in the eligible area;

Other public bodies governed by public law registered and functioning in the eligible area (Prefectures, health care institutions, educational **and research** institutions);

Offices - branches of National/Regional Public Authorities/ **bodies** active on the themes of the priority in the eligible area (registered and functioning in the eligible area);

Be directly responsible for the preparation and management of the action together with their partners and not acting only as an intermediary;

All projects must have at least one partner on the other side of the border, which must fulfill the same eligibility criteria.

The maximum number of partners in one operation is 5 (five). Not observing this provision will lead to the rejection of applications.

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Have stable and sufficient sources of finance to ensure the continuity of their organization throughout the project and, if necessary, to play a part in financing it;

Be experienced and able to demonstrate their capacity to manage their share of activities of the project for which the subsidy is requested;

Be experienced and able to demonstrate their knowledge of the eligible area of the Programme;

Have not received financing support from public funds in the past 5 years before the deadline for submitting the applications under this call for proposals for the same type of operation in terms of objectives, activities and results.

For infrastructure actions, the applicants must prove they have the legal right to perform the project activities in the specific location, through the following documents which must be provided by the applicant and that the following rules are observed:

- the legal act (e.g. government decision, law, government ordinance, decision of local counties, etc.) stating the fact that the land and/or building/ item of infrastructure is in concession/on long term contract/ in administration/ bailment contract/rent contract/ publicly owned by the applicant/ they hold a right under the real property law over the land and/ or building/ item of infrastructure;
- it must be proved that the land and/ or building/ item of infrastructure is publicly owned or that the duration of the concession/ long term contract/ administration contract/ bailment contract/ rent contract/ any other right under the real property law is for at least 5 years after the completion of the operation and that the owner has given it's written agreement saying that the applicant may perform the infrastructure actions on/ in the relevant land/ building/ item of infrastructure. Such a contract should last for at least 5 years after the completion of the operation.
- declaration from the land and/or building/ item of infrastructure owner that the land and/or building/ item of infrastructure is:
  - o free of any encumbrances;
  - o not the object of a pending litigation;
  - o not the object of a claim according to the relevant national legislation.
- documents related to the registration of the land and/or building/ item of infrastructure in the relevant public registers.

***Partnerships not involving strong commitment and contributions from the part of all partners shall be rejected!***

***Projects must observe all four cooperation criteria. Joint development, joint implementation criteria, joint financing and joint staffing.***

***Political parties are not eligible as either applicant or partner!***

**Potential applicants shall be excluded from participation in calls for proposals if:**

- (a) they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- (b) they, or persons having powers of representation, decision making or control over them, have been convicted of an offence concerning their professional conduct by a judgment of a competent authority of a Member State which has the force of *res judicata*;
- (c) they have been guilty of grave professional misconduct proven by any means which the contracting authority can justify, including by decisions of the EIB and international organisations;
- (d) they are not in compliance with their obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the contracting authority or those of the country where the contract is to be performed;
- (e) they, or persons having powers of representation, decision making or control over them, have been the subject of a judgment which has the force of *res judicata* for fraud, corruption, involvement in a criminal organisation, money laundering or any other illegal activity, where such illegal activity is detrimental to the Union's financial interests;
- (f) they are subject to an administrative penalty referred to in Article 109(1) of the EU Financial Regulation 966/2012.

Applicants are also excluded from participation in calls for proposals or the award of financial support if, at the time of the call for proposals, they:

- (g) are subject to a conflict of interests; the conflict of interests represents any circumstances that may affect the evaluation or implementation process, in an objective and impartial manner. Such circumstances may result from economic interests, political or national preferences or family connections.
- (h) are guilty of misrepresentation in supplying the information required by the Managing Authority/ Joint Secretariat as a condition of participation in the call for proposals or fail to supply this information which might have led to a different decision

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of the evaluators/ Managing Authority during the evaluation process;

(i) have attempted to obtain confidential information or influence the evaluation bodies or the Managing Authority during the evaluation process of current or previous calls for proposals;

In the cases referred to in points (a) to (i) above, the exclusion applies for a maximum period of ten years, from the time when the infringement is established or from the date of notification of the judgment.

In the signed "Declaration of eligibility" included in the application form, applicants must declare that they do not fall into any of the above categories (a) to (i).

The Managing Authority or the Joint Secretariat may request, at any time, additional documentary evidence and argumentations regarding the eligibility of applicants.

### **Indicative examples of potential applicants<sup>2</sup>:**

Regional and local public authorities/ bodies registered and functioning in the eligible area (County Councils, Local Councils/ Municipalities, etc.); National/ provincial/ regional public authorities/ bodies functioning in the eligible area; Other public bodies governed by public law registered and functioning in the eligible area (Prefectures, health care institutions, educational and research institutions); Offices - branches of National/Regional public authorities/ bodies active on the themes of the priority in the eligible area (registered and functioning in the eligible area);

## **2.2.2 Eligibility of actions (operations)**

### **Strategic character of the projects**

- The project will ensure a relevant contribution to one or more of the Programme objectives, addressing the key needs and development challenges identified by the programme partners.
- A project can assume a strategic value when based on a large and balanced partnership on the two sides of the border, extended to a substantial part of the eligible territory and economic or social system.
- A strategic project should produce a long lasting effect, creating permanent structures and services, producing permanent shifts in the local markets, capable to ensure a long term growth.
- A strategic project should produce tangible impact (due to the fact that the new programming period builds upon measurable results and tangible impact, the

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<sup>2</sup> Conflict of interest must be avoided. It is essential that there is a clear separation of functions between the part of organization applying for funding and the people from the same organization involved in the assessment (i.e independent evaluators). They cannot be directly subordinated to one another.

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projects to be selected for financing shall also comply with this requirement)

As a general rule, activities for which funding is sought, have to be carried out in the eligible area of the programme and applicants are asked to demonstrate that those activities have cross-border impact on the Programme area.

As an exception operations may be implemented outside the eligible area observing the provisions of art. 44, para. 2 of the Regulation 447/ 2014

The project must be in line with the priority axes, objectives and specific objectives as stipulated in the Interreg - IPA CBC Romania – Serbia Programme.

The indicative types of activities financed under each objective, as well as projects duration and budget limits are described below.

**For all operations it is compulsory that the applicant has among its attributions, according with its statute or according to the national legislation, the implementation of the proposed activities or that the applicant has a partnership agreement with the institutions able to implement such activities, according with its statute or according to the national legislation.**

### 2.2.3 Project duration:

All strategic projects must have the project duration between 12 - 60 months from the starting date of the project, on condition that the final reimbursement claim is submitted before the 31st of July 2021.

### 2.2.4 Project Budget:

The IPA funds requested for one project will range between 2,500,000 EURO and 12,000,000 EURO.

- EU funding shall finance 85% of the eligible expenditure;
- Romanian state budget shall provide an additional 13% to the Romanian public bodies;
- The remaining amount represents own private contribution of Romanian project partners (2%);
- For Serbian partners the amount representing own private contribution shall cover 15% of the eligible expenditure to the project.

**For projects financed under Priority Axis 4 – “Attractiveness for sustainable tourism”, the total budget of an item of infrastructure within a project shall be limited to 5,000,000 EURO.**



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### **2.2.5 Indicative types of activities**

#### **2.2.5.1 Priority Axis 1 – Employment promotion and basic services strengthening for an inclusive growth**

##### **Objective 1.1 - "Employment and labour mobility":**

Indicative eligible actions:

- Set up of joint initiatives and smart growth mechanisms, including cross border networks for the identification of potentials of employment, including in the innovative sectors and the removal of obstacles to the access to adequate education, training and ultimately to the labour market by the target group including disadvantaged groups.
- Set up of joint initiatives, including integrated services targeting young people, to promote their access to the labour market;
- Set up of cross border initiatives for the capitalization of potentials and facilitation of cross border mobility in the local labour markets.
- Joint initiatives, cooperation, exchange of information/experience, coordination of activities and services among professional associations for the promotion of employment, vocational training and entrepreneurial initiatives, especially among young unemployed, women, disadvantaged groups.
- Development of cross-border services for adult trainings, assistance to job seekers, assistance to returning emigrants for the re-integration in the local labour market.

**The above lists of eligible actions are informative.**

**NOTE:** The eligibility of an action does not confer eligibility on the expenditure made for the implementation of that activity.

##### **Objective 1.2 - "Health and social infrastructure":**

Indicative eligible actions:

- Set up of cross-border platforms and networks for planning and provision of health and social services, targeting also remote communities and disadvantaged groups.
- Set up of monitoring services for the identification of needs and the quantification of demands for new social and health services generated by demographic and social dynamics, like aging, and internal migration flows and returning migrants.
- Development and modernization (including procurement of equipment) of public social services and centres;
- Construction, rehabilitation, modernization (including procurement of equipment) of health centres, hospitals and health services improvement;

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**The above lists of eligible actions are informative.**

**NOTE:** The eligibility of an action does not confer eligibility on the expenditure made for the implementation of that activity.

### **Objective 1.3 - "Social and cultural inclusion"**

Indicative eligible actions:

- Set up of cross-border frameworks, and networks for the strengthening of the cross-border cultural exchange;
- Design cross-border actions for social, educational and cultural inclusion through innovative solutions such as social enterprises, voluntary organisations, special interest groups etc.
- Creation of partnerships for joint actions for the promotion of access to tertiary education, through information, mentoring and tutoring services offered specially to students completing secondary education.
- Investments in infrastructure and equipment for cross-border actions for sport, education and cultural activities, to facilitate and promote social inclusion.
- Joint actions for a better participation of all social groups, actors and users in the design and delivery of cultural services, educational services, childhood education, and services of general interest.
- Set up models and test pilot actions for the prevention of early school leaving, including among disadvantaged groups.
- Set-up of joint planning groups for cooperation between public services organizations;

**The above lists of eligible actions are informative.**

**NOTE:** The eligibility of an action does not confer eligibility on the expenditure made for the implementation of that activity.

### **2.2.5.2 Priority Axis 2– Environmental protection and risk management**

#### **Objective 2.1 - " Environmental protection and sustainable use of natural resources"**

Indicative eligible actions:

- Set up of cross-border frameworks, platforms and networks for the exchange of experience, and the identification of needs and the joint implementation of conservation and restoration actions for entities involved or interested in environmental protection and especially in implementation of Natura 2000 and Emerald networks;
- Development of joint training and actions, including awareness programmes and capacity and institutional development for relevant organisations and the

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general public, including educational institutions in the field of waste management, environmental protection and use of natural resources;

- Establishment and enhancement of cross border partnerships and networks in the field of natural resources and especially water protection and water management, waste management, ecosystems and biodiversity, technologies for environmental protection, for the identification and transfer of innovations tailored to the local needs;
- Establishment and enhancement of cross border partnerships and networks in the field of energy efficiency and use of renewable energy sources (such as geothermal hot springs, water, sun and wind power), including investments in infrastructure and equipment based on common and tailored technical solutions;
- Investment in infrastructure and equipment for environmental protection, particularly public waste and water management infrastructure, as well as "hard" conservation and restoration actions in order to fulfil local, national and international biodiversity goals;
- Establishment of networks and partnerships for joint training actions for public entities and local communities in the field of environmental protection, enhancement of environmental monitoring strategies and systems; conduction of joint trainings and maintenance of interoperability including the purchase of compatible equipment;
- Restoration of natural areas (e.g. woods and river banks) to prevent floods and land-slides;
- Joint activities for the protection of endangered species.

**The above lists of eligible actions are informative.**

**NOTE:** The eligibility of an action does not confer eligibility on the expenditure made for the implementation of that activity.

### **Objective 2.2 - "Environmental risks management and emergency preparedness"**

Indicative eligible actions:

- Development of joint structures and partnerships for the integration of the involved entities on initiatives in relation to the EUSDR (Danube River Basin Management, ICPDR initiatives, European Floods Alert System etc.) and the Union Civil Protection Mechanism, including investments in infrastructure and equipment;
- Establishment and enhancement of cross border liaison in the environmental planning of the involved entities including joint risk mapping of accident risk spots, risk assessment and evaluation exercises;
- Ensuring and promotion of data availability and the integration of management approaches in national and international networks;
- Establishment of networks and partnerships for joint training actions for public entities and local communities in the field of management of environmental

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emergencies; joint trainings and maintenance of interoperability including the purchase of compatible equipment;

- Establishment of joint services for the management and control of risks generated by hazardous activities which may cause industrial accidents with possible trans-boundary effects;
- Joint initiatives and investments in infrastructure and equipment for the implementation of technologies for the control of pollution and rehabilitation of rivers and brown fields and industrial areas with common problems on the two sides of the border;
- Joint actions dedicated to preparing children/ youth to respond to emergency situations, including i.e. school camps, trainings;
- Capacity and institutional development support for organizations, authorities and networks involved in Environmental risks management and emergency preparedness;
- Investments in infrastructure and equipment for risk management and emergency preparedness.

The above lists of eligible actions are informative.

**NOTE:** The eligibility of an action does not confer eligibility on the expenditure made for the implementation of that activity.

### 2.2.5.3 Priority Axis 3– Sustainable mobility and accessibility

#### Objective 3.1 - "Mobility and transport infrastructure and services"

Indicative eligible actions:

- Establishment and enhancement of cross-border partnerships of the relevant authorities for the planning physical infrastructure;
- Joint studies for the preparation of cross-border infrastructure investments with emphasis on multimodal solutions;
- Construction/ rehabilitation/ widening of the cross-border crossing points and/ or the road infrastructure leading to the cross-border crossing points, also using ICT based innovative technologies.
- Improvement/ acceleration of procedures linked to mobility of persons and goods within the eligible area Construction/ rehabilitation/ widening of cross-border roads connecting settlements alongside the border and/or small remote villages with main road, which leads to the border;
- Construction/ rehabilitation/ widening of roads linking to the national/ international systems as well as to economic sites of cross-border interest;
- Construction/ rehabilitation/ widening Rehabilitation/ widening of roads connecting settlements within the eligible area;
- Creation, rehabilitation/ modernization of information/promotion centres on cross-border economic cooperation;

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- Design/ Creation of ICT based solutions for smart urban development and mobility, especially in cross border networks.
- Development and implementation of an integrated and environmentally friendly cross-border transport connections, including the introduction of demand management, IT monitoring, control and information systems;
- Creation of public cross-border cooperation networks;
- Creation or modernization of cross-border logistics facilities/ centres; including the introduction of demand management, IT control and information systems
- Development of inter-modal transport services within the eligible area;
- Development of transport on the Danube and on other rivers within the eligible area, including investments in infrastructure and purchase of equipment for ports and water related mobility
- Construction/ rehabilitation/ widening of the road infrastructure and cross-border crossing points;

**The above lists of eligible actions are indicative.**

**NOTE:** The eligibility of an action does not confer eligibility on the expenditure made for the implementation of that activity.

### **Objective 3.2 - "Public utilities infrastructure"**

Indicative eligible actions:

- Set up cross-border frameworks, platforms and networks for the exchange of experience and the identification of needs for public services organizations/service providers Development and implementation of locally adapted solutions for investments in public utilities infrastructure (e.g. small-scale water treatment, access to ICT, renewable energy) within the areas facing similar challenges on both sides of the border;
- Creation of necessary internet infrastructure for cross-border cooperation networks;
- Creation of other types of ICT infrastructure/large-scale computer resources/equipment (including e-infrastructure, data centres and sensors; also where embedded in other infrastructure such as research facilities, environmental and social infrastructure)
- Studies for cooperation with the scope of better resources usage for improving public services/utility delivering;
- Support cooperation among public services organizations;

**The above lists of eligible actions are informative.**

**NOTE:** The eligibility of an action does not confer eligibility on the expenditure made for the implementation of that activity.

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### **2.2.5.4 Priority Axis 4– Attractiveness for sustainable tourism**

#### **Objective 4.1 - "Investments for the growth of the demand of local tourism networks and promotion of innovative tourism activities"**

##### **Indicative eligible actions:**

- Organization of knowledge transfer, exchange of good practice examples, networking and development of innovations for protection of natural and cultural heritage and sustainable tourism;
- Development of a cross-border regional image, brand and joint marketing initiatives,
- Development of distinct tourism products (e.g. monasteries, Roman heritage, wine routes, etc.) and integrated tourism services;
- Joint implementation of actions recording and promoting shared traditional features (music, language, folklore, etc.) including joint cultural events (festivals conferences, etc.) in relation to the aforementioned indicative actions.
- Investments in cross-border infrastructure for tourism services (tourist centres, welcome centres, info-points, service centres in the touristic sector)
- Investments in the touristic sector for the provision of innovative services, including infrastructure, for specific forms of tourism, like cultural tourism, thematic tourism, etc.
- Promotion of tourism infrastructure and touristic objectives;
- Development and rehabilitation of specific tourism routes, including installation of road signs and bilingual tourist information signs;
- Construction/ rehabilitation/ widening of access infrastructure to tourism attractions e.g. tourist roads within tourism areas, roads providing access to these areas, walking and cycle paths, facilities for adventure tourism;
- Investments in upgrading and rehabilitation of natural and cultural sites (e.g: religious monuments, traditional buildings and settlements, historical and archaeological sites, etc.).
- Development, modernization of infrastructure of tourism attractions/ objectives;

**The above lists of eligible actions are informative.**

**NOTE:** The eligibility of an action does not confer eligibility on the expenditure made for the implementation of that activity.

#### **Objective 4.2 - "Capacity building initiatives for the improvement of quality and innovation of tourism services and products"**

##### **Indicative eligible actions:**

- Establishment of partnership for research and studies on natural and cultural heritage in the area;
- Support of the creation of common brand and the improvement of quality standards of the services offered'
- Support for the development of cross-border tourist offers;
- Trainings for the improvement of tourism services;
- Strategies, exchange of experience in touristic sector;

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The above lists of eligible actions are informative.

**NOTE:** The eligibility of an action does not confer eligibility on the expenditure made for the implementation of that activity.

### Rules applicable to all projects

#### Cooperation criteria:

***Projects must observe all four cooperation criteria. Joint development, joint implementation criteria, joint financing and joint staffing.***

*Joint development* – (mandatory) means that the project must be designed in common by partners from both sides of the border. This means that project proposals must clearly integrate the ideas, priorities and actions of stakeholders on both sides of the border. The Lead Beneficiary is the coordinator of this process but should include other partners from the beginning of the development process;

*Joint implementation* – (mandatory) means that activities must be carried out and coordinated among partners on both sides of the border. It is not enough that activities run in parallel. There must be clear content-based links between what is happening on either side of the border and regular contact between the two sides. The Lead Beneficiary is responsible for ensuring that activities are properly coordinated, that schedules are kept and that the right quality levels are achieved;

*Joint financing* – (mandatory) means that there will be only one contract per project and there must therefore be one joint project budget. The budget should be divided between partners according to the activities carried out. There is also only one project bank account for the EU contribution (held by the Lead Beneficiary) and payments representing EU support are made from the programme to this account. The Lead Beneficiary is responsible for administration and distribution of these funds and for reporting on their use. Funding should come from both sides of the border and illustrates the commitment by each partner to the joint project. The distribution of financial resources should reflect tasks and responsibilities of the partners.

*Joint staffing* – (mandatory) means that the project should not duplicate functions on either side of the border. Therefore, regardless of where the person is located, there should be one joint project manager, one joint financial manager etc., (of course more staff may be required for larger projects). These

## Applicant's Guide

staff will be responsible for project activities on both sides of the border.

*The project must include activities for information and publicity, according to the European Commission Regulations and observing the Visual Identity Manual of the Programme (available at [www.romania-serbia.net](http://www.romania-serbia.net)).*

### 2.2.6 Eligibility of expenditure

The detailed budget of the application should always be prepared on the basis of the activities needed to meet the projects' objectives and the resources required to carry out these activities within the time allowed.

Only "eligible costs" can be taken into account for financial support. The budget is therefore both a cost estimate and a maximum ceiling for "eligible costs". Note that the eligible costs must be based on real costs. The eligibility of expenditure applies to both public and own private contribution, so it is not possible to consider an ineligible expenditure as own private contribution.

It is therefore in the applicant's interest to provide a **realistic and cost-effective budget**. Specific details regarding eligible expenditure are available in **Annex F** List of eligible expenditure.

**Net-revenues generating projects are not eligible under this call.**

'Net revenue' means cash in-flows directly paid by users for the goods or services provided by the operation, such as charges borne directly by users for the use of infrastructure, sale or rent of land or buildings, or payments for services less any operating costs and replacement costs of short-life equipment incurred during the corresponding period. Operating cost-savings generated by the operation shall be treated as net revenue unless they are offset by an equal reduction in operating subsidies.

**General Note:** The Lead Beneficiary/ Partner cannot act as a supplier (contractor or sub-contractor that provides services and products against payment). Neither the Lead Beneficiary/ Partner employees nor the Lead Beneficiary/ Partner organisations can act or get paid as external experts for the work done in the project.

## 3 HOW TO APPLY

**Lead Beneficiary and partnership rules:**

*The Lead Beneficiary shall be established in one of the participating countries to the programme.*



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### **Partnership rules:**

Appoint, for each project, a Lead Beneficiary among the project partners, which bears the overall responsibility and liability for the entire project implementation and management. The tasks of the Lead Beneficiary are provided in article 40 of the Commission Implementing Regulation No. 447/2014, in the subsidy contract (Annex C) and in the Partnership Agreement (Annex E), as following:

Laying down the arrangements with other beneficiaries in an agreement comprising provisions that, inter alia, guarantee the sound financial management of the funds allocated to the operation, including the arrangements for recovering amounts unduly paid;

Assuming responsibility for ensuring implementation of the entire operation;

Ensuring that expenditure presented by all beneficiaries has been incurred in implementing the operation and corresponds to the activities agreed between all the beneficiaries, and in accordance with the document provided by the managing authority;

Ensuring that the expenditure presented by other beneficiaries has been verified by a controller(s) where this verification is not carried out by the managing authority in accordance with Article 23(1) of Regulation (EU) No 1299/2013.

***Concerning the retention of all documents related to the implementation of a project, the partner must retain and make them available until at least December 31, 2029.***

***All partners in a project must sign a partnership agreement before the signing of the subsidy contract with the MA that stipulates the rights and duties of the partners. A model of partnership agreement is annexed to the present Guide.***

***The partners may decide, with prior agreement of the MA, to stipulate additional or more restrictive provisions from those mentioned in the model partnership agreement, Annex E. The minimum provisions of the partnership agreement provided in the model- Annex E must be included in the signed partnership agreement.***

***According to the Partnership Agreement, after the signing of the subsidy contract, the parties must establish a Project Steering Committee composed of representatives of all partners, having the role of approving progress reports and payment requests before submitting them to JS and performing any other tasks stipulated in the respective agreement or assigned by project partners. The partners may choose to establish the Project Steering Committee in the project development phase, in order to have a better continuity with the implementation phase.***

All partners should dispose of the knowledge, resources and capacity to fulfil their designated tasks. The applicants must state their financial and administrative capacity to manage their share of the project.

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The applicants must attach Annex A4 - Declaration of Commitment, Annex A1 Budget Form to the Application Form and must also attach the latest Balance Sheet of the organization and the latest budgetary execution account, both checked by the Financial administration from the country where the Lead beneficiary/ beneficiary is located, as specified in the list of Annexes after Section 5 of this Applicants Guide below.

The value of the own private contribution by the applicant and by each of the partners to the project is shown in subsection 3 – Financing Sources of Annex A1 - the Budget Form.

**According to the Annex 4 Declaration of Commitment, the applicants shall state that:**

- *they know the application and accept to be a partner;*
- *they will provide their own private contribution to the eligible expenditure in the amount shown in the application and will ensure the temporary availability of funds until they are reimbursed by the programme;*
- *they will participate in the project activities as shown in the application*
- *they will cover all non-eligible expenditures corresponding to their activities incurred during project implementation.*

### 3.1 How to get the Application Form

The Applicant's Guide contains the Application Form and its annexes. These are the official forms that should be submitted when applying for financial support under the programme. The Applicant's Guide provides potential partners with detailed guidelines on the application for funding process.

The Applicant's Guide, Application Form and Annexes are available on the following websites:

- Programme website ([www.romania-serbia.net](http://www.romania-serbia.net));
- Managing Authority's website ([www.mdrap.ro](http://www.mdrap.ro));
- National Authority's website ([www.seio.gov.rs](http://www.seio.gov.rs); [www.evropa.gov.rs](http://www.evropa.gov.rs))

The Applicant's Guide, Application Form and Annexes can also be provided in electronic form (CD or other memory device) from the:

- JS within the Regional Office for Cross-border Cooperation Timișoara (address: Proclamația de la Timișoara Street, no. 5, Timisoara, Timiș County, România, Phone. +40.356.426.360, Fax +40.356.426.361, E-mail: [ipacbc@brct-timisoara.ro](mailto:ipacbc@brct-timisoara.ro))

and

- Antenna of the JS in Vršac, Republic of Serbia (address: Dimitrija Tucovica Street, no. 17, 26300 Vrsac, Phone: +381 13 834567, [estanimirov@seio.gov.rs](mailto:estanimirov@seio.gov.rs) [pgrubor@seio.gov.rs](mailto:pgrubor@seio.gov.rs))

## Applicant's Guide

### 3.2 How to fill in the Application Form and its Annexes

Please find below the guidelines for filling in the Application Form and its Annexes.

***Make sure you fill in by computer, correctly and completely, the application form and its annexes (see below) and add all related documents. The annexes are part of the Application Form.***

***Applications and annexes must be submitted using the forms included in the Applicant's Pack.***

***The application and its annexes must be filled in using English. The page number (which will continue from the Application Form until the last page of the last annex) should be written, in the lower right corner on all annexes. The first and last page number of each annex should be specified in the Table of contents.***

***When a maximum number of characters is indicated for completing a certain field, the number does not include spaces.***

***Modifying the standard application form or its annexes will result in the rejection of your application.***

***All documents should be valid at the date of submitting the application form!***

#### A. Application Form

**The clarifications provided in the evaluation phase cannot bring new elements that would alter the initial content of the application form.**

##### I. Project identification:

Project title			
Project acronym			
Name of the lead beneficiary organization native and English language			
Project duration	Start date	DD.MM.YYYY	Nr of months
	End date	DD.MM.YYYY	
Programme priority			

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Programme priority specific objective	
---------------------------------------	--

**Project Summary:** Please give a short overview of the project and describe the common challenge of the programme area you are jointly tackling in your project, the overall objective of the project and the expected change your project will make to the current situation, the main outputs you will produce and who will benefit from them, the approach you plan to take and why is cross-border/transnational approach needed, what is new/original about it.

**Project registration:** the project number will be filled in by the JS/ electronic system.

### **Partner information**

Partner role in the project: Lead Beneficiary, Partner

Name of the organisation in original language/Name of the organisation in English

Abbreviation of organization (if any)

Department/unit/division

Address: street, number, postal code, city, e-mail

Country: Romania/ Serbia

County/ District

### **Legal and Financial Information**

Type of partner: one of the types of beneficiaries indicated in the Guidelines for applicants.

Legal Status: public.

Indicative Examples:

- Regional and local public authorities (County Councils, Local Councils/ Municipalities, etc.);
- National/ provincial/ regional public authorities functioning in the eligible area;
- Other public bodies governed by public law registered and functioning in the eligible area (Prefectures, health care institutions, educational institutions);
- Offices – branches of National/Regional Public Authorities active on the themes of the priority in the eligible area (registered and functioning in the eligible area);

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VAT number: Is your organisation entitled to recover VAT based on national legislation for the activities implemented in the project?

Legal Representative: Title, name

Contact Person (project manager): Title, name, e-mail Address, Telephone

Which are the organisation's experiences and thematic competences and experiences relevant for the project?

Which are the organisation's thematic competences and experiences relevant for the project?

What is the benefit for the organisation from participating in the project?

What is the benefit for the organisation from participating in the project?

Other international projects (if applicable).

If applicable, describe the organisation's experience in participating in and/or managing EU co-financed projects or other international projects.

The names of all partner organizations should be stated both in their native language and in English. The same type of information is needed for all partners.

**The contact data must be filled in accurately!** The entire correspondence during the project evaluation will be carried out with the Lead Beneficiary by fax and e-mail and therefore it is at most importance to provide accurate contact data.

## **II. Project description**

### **Relevance:**

#### **Territorial Challenge**

What are the common territorial challenges that will be tackled by the project? Please describe the relevance of your project for the programme area in terms of common challenges and/or joint assets addressed?

#### **Project Approach**

What is the project's approach in addressing these common challenges and/or joint assets and what is new about the approach the project takes? Please describe new solutions that will be developed during the project and/or existing solutions that will be adopted and implemented during the project lifetime and in what way the approach goes beyond existing practice in the sector/programme area/participating countries.

#### **Cooperation Reason**

Why is cross-border cooperation needed to achieve the project's objectives and results?

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Please explain why the project goals cannot be efficiently reached acting only on a national/regional/local level and/or describe what benefits the project partners/target groups/project area gain in taking a cross-border/transnational approach.

### ***Focus***

Please describe the project main overall objective.

Please name one programme result indicator your project will contribute to.

What are the project results and how do they link to the programme result indicator?

Specify one or more project results and describe their contribution to the programme result indicator.

Project specific objectives

Which are the specific objectives the project will be working towards?

Define max. 3 project specific objectives.

### ***Context***

Project Context

How does the project contribute to other strategies and policies?

Please describe the project's contribution to relevant strategies and policies; in particular, those concerning the project or programme area

Synergies

What are the synergies with other past or current EU and other - projects or initiatives the project makes use of?

Knowledge

How does the project build on available knowledge?

Please describe the experiences/lessons learned the project draws on, and other available knowledge the project capitalises on.

### ***Horizontal principles***

Please indicate which type of contribution to horizontal principles applies to the project, and justify the choice.

Sustainable development: neutral, positive, negative effects

Equal opportunity and non-discrimination: neutral, positive, negative effects

Equality between men and women: neutral, positive, negative effects

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Environmental protection: neutral, positive, negative effects

Please describe how the project is contributing to horizontal principles and/ or to one or more of the environmental programme indicators.

### III. **Project activities**

#### 1. Workplan

- Management: Please define the responsible partner and the role of other partners and give a description of activities foreseen
- Implementation: Please define the responsible partner and the role of other partners and give a description of activities foreseen
- Communication: Please define the responsible partner and the role of other partners and give a description of activities foreseen
- Investments: Please define the responsible partner and the role of other partners and give a description of activities foreseen

2. Target groups: Please indicate the target groups to which the project is directed.

3. Reporting periods: Project reporting periods are 3-months periods from the project start date until the project end date.

4. Activities outside the programme area: Please describe the activities to be performed outside the eligible area. Please observe the rules set out in art. 44, para. 2 of Regulation 447/ 2014:

*The managing authority may accept that all or part of an operation is implemented outside the programme area, provided that all the following conditions are satisfied:*

*(a) the operation is for the benefit of the programme area;*

*(b) the total amount allocated under the cross-border cooperation programme to operations located outside the programme area does not exceed 20 % of the support from the Union at project and programme level;*

*(c) the obligations of the managing and audit authorities in relation to management, control and audit concerning the operation are fulfilled by the cross-border cooperation programme authorities.*

### IV. **Project budget (EUR)**

The budget must be filled in for each partner (budget lines – reporting periods – work packages), and also as an aggregated total project budget. The information must be accurate, only 2 decimals must be used and cost effectiveness, efficiency and economy must be observed when drawing up the budget.

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Please check the list of eligible expenditure, annexed to the Applicant Guidelines in order to properly budget the expenditure (e.g if a certain item is eligible or not, under which lines and what are the limits - where applicable).

Concentrate your resources towards achieving results and check coherence with activities.

**! All direct staff costs must be budgeted under Staff costs budget line, only in the WP Management based on the real costs principle!**

**! All indirect staff costs must be budgeted under Office and administration.**

**Direct staff costs** are those salaries paid for the staff involved in the main activities of the project (e.g project manager, financial manager, technical staff such as engineer, laboratory staff, etc).

**Indirect staff costs** are those paid for the staff involved only in administrative tasks (e.g driver, secretary, account of the beneficiary institution, cleaning personnel).

**NB:** The staff employed in the Republic of Serbia can be contracted through a originally named “Уговор о делу” in line with the Opinion of the Ministry of work, employment and social politics dated April 5th, 2010 and in accordance with the Law on public procurement of the Republic of Serbia, Article 7 (2), (1) and also in accordance with the Law on Ratification of Framework Agreement between the Government of the Republic of Serbia and the Commission of the European Communities on the Rules for Co-operation Concerning EC Financial Assistance to the Republic of Serbia in the Framework of the Implementation of the Assistance under the Instrument for Pre accession Assistance II (IPA II).

*Attachments which MUST be sent with the Application Form:*

### 1. Declaration of Submission (Annex A.1)

This declaration should be filled in, signed and stamped by the Lead Beneficiary organization.

**2. Project budget:** all the sheets of the Excel file should be filled in completely and correctly. Please be aware that the budget stated in the application form is maximal and cannot be increased based on further findings of the applicants.

**3. Job descriptions** of the project management team (the positions that have a role in the implementation of the project) should be attached; if the project partners intend to partially contract the project management to a sub-contractor, the Terms of Reference for selecting the project management sub-contractor should be annexed. CV of the Project Manager is mandatory.

**4. Legalized mandates** of delegation from the legal representatives of partners (in case the application form and annexed declarations are not signed by the legal representatives of the Lead Beneficiary/partners) – **original document and its English translation.**

**5. Declaration of Eligibility (Annex A.4),** issued by each project partner, in original,



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stating that the applicant fulfils the criteria stipulated at II.2.i.

**6. Declaration of Commitment (Annex A.5)**, issued by each project partner, in original, stating that **the applicant shall:**

- provide its own private contribution to the eligible expenditure and ensure temporary availability of funds until they are reimbursed by the programme (amounts that will be spent by the partners in advance of reimbursement);
- cover all non-eligible expenditures corresponding to its activities incurred during project implementation;
- ensure that the representatives in the project management team are available throughout the entire implementation period.

**7. Partnership declarations from all project partners, in original**, stating their willingness to participate in the project and to sign the Partnership Agreement after the project is approved.

**8. State-aid self-assessment.** This questionnaire has been developed to help the beneficiaries to make an initial assessment of whether State aid is involved in their project and the options for dealing with this.

**9. Schedule of reimbursement requests** (one per project).

The general principle of IPA funding is the reimbursement of the expenses already made by the partners. However, considering that the partners might have difficulties in providing their own resources for starting project implementation, the programme shall make advance payments to the Lead Beneficiaries within the limits of the IPA funds existent in the Managing Authority accounts.

The amount of the advance payment as well as the criteria and conditions for its approval shall be established through legal acts and shall be brought to the knowledge of partners by all means available, including publication on programme website.

However, the partners shall draft the Schedule of requests for payments based solely on the reimbursement principle, the advance payment being regarded as an additional support from the programme to the partners.

At the same time, the applicants should bear in mind that one reimbursement claim per project, aggregating the requests of all partners, should be submitted every three months by the Lead Beneficiary. To this end, all partners should present all supporting documents to the controllers in order to be verified before requesting the payments. Please take into account that a period of two months is allocated for the controllers to check the payment claim and the associated supporting documents of each partner.

**10. Feasibility studies/ General (main) project design or Project Design Idea (Idejni projekat) for Serbian partners for the new investments or the specific documentation for the interventions to the already existing investments, according**

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### to national legislation requirements (for infrastructure projects only)

In order to evaluate the technical characteristics of an infrastructure project, the applicants must annex the feasibility studies/ General (main) project design or Project Design Idea for Serbian partners, for the works envisaged to the application form. The elaboration and approval of the feasibility studies/ main project design/ Project Design Idea for Serbian partners must observe the national provisions in this matter (see Annex G - Relevant national/ and EU legislation).

The Feasibility Study should not have been elaborated or updated more than one year before the deadline for the present call for proposals (the document must bear the date of elaboration/revision). Feasibility Study should be submitted in English, as an annex to the application form and should be accompanied by the legal agreements and approvals according to national legislation in force.

In case of General (Main) Project Design /Project Design Idea for the Serbian partners only the General description (textual part of documentation) and Bill of Quantities has to be English.

For Romanian partners, according with the provisions of Government Decision 941/2013, regarding the Organization and functioning of the Technico - Economic Committee for the Informational Society, all projects comprising IT&C investments with a value higher than 2,500,000 RON must obtain, before submitting the Application Form or starting the procurement procedures, the permit from the Technico - Economic Committee for the Informational Society.

### 11. Legal documents for border crossing points

For projects that include construction/ rehabilitation/ widening/ modernisation of the border crossing points, the applicants must submit the written agreement signed/ modified between the two countries, according with the applicable law, specifying the nature and statute of the border-crossing point.

During the eligibility check of the project proposals, at the request of the Joint Evaluation Committee, the following documents **MUST** be submitted:

**1. Legal documents of the applicants:** documents proving the establishing of the project partner entities (law, decree, government decision, statute, registration act, Certificate of Registration, Article of Association, Fiscal Registration Certificate and Tax Payment Certificate for the proof of payment of taxes to the state consolidated budget and local budget, etc.) – copies of the relevant documents must be provided and English translation for relevant provisions.

#### **2. Financial situation of all partners (copies and English translation):**

- Latest balance sheet checked by the Financial Administration;
- Latest budgetary execution account checked by the relevant Financial Administration from the country where the Lead beneficiary/ beneficiary is located, as specified in the list of Annexes after Section 5 of this Applicants Guide

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### **1. Documents certifying the ownership status of the land and/or building:**

- the legal act (e.g. government decision, law, government ordinance, decision of local counties, etc.) stating the fact that the land and/or building/ item of infrastructure is in concession/on long term contract/ in administration/ bailment contract/rent contract/ publicly owned by the applicant/ they hold a right under the real property law over the land and/ or building/ item of infrastructure;
- it must be proved that the land and/ or building/ item of infrastructure is publicly owned or that the duration of the concession/ long term contract/ administration contract/ bailment contract/ rent contract/ any other right under the real property law is for at least 5 years after the completion of the operation and that the owner has given it's written agreement saying that the applicant may perform the infrastructure actions on/ in the relevant land/ building/ item of infrastructure. Such a contract should last for at least 5 years after the completion of the operation.
- declaration from the land and/or building/ item of infrastructure owner that the land and/or building/ item of infrastructure is:
  - o free of any encumbrances;
  - o not the object of a pending litigation;
  - o not the object of a claim according to the relevant national legislation.
- documents related to the registration of the land and/or building/ item of infrastructure in the relevant public registers.

During the **pre-contracting phase**, at the request of the Joint Secretariat, the following documents must be submitted:

#### **1. Urban planning/ constructions and works permit (for infrastructure actions)**

In case the project involves construction/rehabilitation/modernization of infrastructure, the applicant must present the Urban planning/ constructions and works permit or, according to national legislation in force, approval/consent from the relevant authority to perform works for which building permit is not required (except in cases when, according to national legislation in force, such approval/consent is not needed).

#### **2. Environment agreement (for infrastructure actions)**

The applicants must present an official act from the competent environment authority stating that the project observes the legal provisions of environment protection.

The Serbian applicants must submit a suitable Environmental Impact Assessment (Statement) covering the proposed development or a written confirmation from the environmental Office of the Local authority that such a document is not required.

#### **3. Documents which are the object of the own responsibility statements. For Serbian**

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Beneficiaries two documents are to be submitted: Tax Certificate issued by Tax Administration of Ministry of Finance for Legal Entities Regarding Fees and Taxes and Tax Certificate for Legal Entities Regarding Local Fees and Taxes.

**4. Bank accounts especially opened for the implementation of the project**

**5. Partnership agreement signed and stamped by all project partners (see Annex E Model Partnership Agreement).**

**6. The decisions of the empowered bodies** (county council, board of directors etc.) **regarding the availability of own resources, temporary availability of funds for their activities until reimbursement and appointing their representatives in the project management team must be provided by each Partner.** This would include copies of the original documents appointing the employees to work on the project and its English translation. These documents must be provided in the pre-contractual phase.

**7. Criminal record**, which shows that the beneficiary was/ is not convicted or was/ is not in one of the situations presented in the Applicant Guide under eligibility of applicants. For beneficiaries in Serbia Criminal record consists of two documents, one is issued by relevant Basic Court and the other by Higher Court in Belgrade, Special Department (for organized crime).

**8. Financial identification forms (EUR and RON/ RSD accounts) and account balance.** The euro account identification form must be accompanied by a bank statement regarding the balance of the account which must be 0,00 euro.

**9. Declaration of gratuitousness.**

In order to satisfy itself of the sound management of the contracting process, at any stage the MA may request additional documents from the beneficiary. The JS must ensure that the documents are submitted to the MA in due time according to specific MA requirements.

## 3.3 Where and how to send the applications

The application forms will be submitted before the deadline for submission to the JS's premises, located within the Timișoara Regional Cross-Border Cooperation Office.

Filling in and submitting the application form will be done by the applicant.

When drafting the application form, the applicant must comply with the standard format of the application form, as mentioned in the Applicant's Guide. The applicant will

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attach to the application form the administrative and technical documents requested by this form and by the Applicant's Guide.

The applicant may contact the JS in order to receive more clarifications regarding the completion of the application form until 15 working days before the deadline for submission. The JS will answer until 10 working days before the deadline for submission.

After completion, the application form and its annexes, containing the administrative and technical documents:

- will be signed and stamped by the legal representative of the applicant, on the first page, in the right down corner.
- will be copied on an electronic support (CD or DVD **in both editable and non-editable versions**).
- will be bound (together with its annexes) in the way that pages could not be taken away from a whole set, and placed in a sealed package; on the package the following shall be mentioned: "Not to be opened before the opening session".

**In case of differences, the paper version will prevail.**

For the original documents which, according to the law, remain to the partners, the paper copy must be signed by the applicant on the first page and stamped on each page.

Applications must be received in a sealed envelope by registered mail, private courier service or by hand-delivery (a signed and dated certificate of receipt will be given to the deliverer) at the address below:

**Postal address, Address for hand delivery or by courier service**

BRCT Timișoara

5 Proclamația de la Timișoara Street, Timișoara, Timiș County.

Applications sent by any other means (e.g. by fax or by e-mail) or delivered to other addresses will be rejected.

The application form (one original version and one copy **uploaded on an electronic support – CD or DVD in both editable and non-editable versions**) to be submitted to the JS, in a sealed package, by post (registered letter) or will be submitted directly to the

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JS premises in Timișoara. It is mandatory that the external part of the sealed package bears a label containing the following information:

<b>„Application form for Interreg - IPA CBC Romania – Serbia Programme” STRATEGIC PROJECT</b>	
Priority Axis	
Objective	
Name of the institution where the application form is submitted	
Applicant Name/address	
Project title	
Location of the project	

**In case the project will be selected for financing, the Lead Beneficiary will submit to the Joint Secretariat 4 copies on paper of the entire application form, including its annexes and supporting documents.**

### *Deadline for receipt of applications*

Applications may be submitted to the JS at any time during the period from the launching day of the present call for proposals and until **15 March 2016 (16<sup>00</sup> o'clock, Romanian local time)**.

***The deadline for the receipt of applications is 15 March 2016 (16<sup>00</sup> o'clock, Romanian local time).***

Any application registered after the deadline will automatically be rejected, even if the postmark indicates a date preceding the deadline or if the delay is due to the courier service.

### 4 Evaluation of Applications

All the project proposals submitted between the first day of call for proposals and the deadline for submitting applications will be included in the evaluation process. Any project proposal, arriving after the deadline indicated in the Applicant's Guide, shall not be taken into consideration for the evaluation process. Project proposals submitted after the deadline will be opened only if the outer envelope does not contain sufficient identification data in order to contact the applicants.

All projects will be assessed and selected according to the evaluation criteria previously approved by JMC.

An Evaluation Committee shall perform the assessment of the project proposals and the JMC shall select the project proposed for financing based on the ranking given by the Evaluation Committee.

The evaluation will be carried out in two steps:

First, opening session, administrative compliance and eligibility check carried out by internal assessors from the MA/JS/NA.

Second, technical/ and financial assessment and state aid incidence carried out by external assessors contracted by the JS by public procurement procedure in accordance with Regulation (EU, Euratom) No 966/2012 and Delegated Regulation (EU) No 1268/2012.

Verification of the compliance of project application with eligibility criteria can be made all through the evaluation process and failure to comply with the established eligibility criteria can lead to the rejection of the application in any stage of the evaluation process.

In order to be proposed for financing, the applications must respect the administrative and eligibility criteria and receive at least 70 points at the technical and financial evaluation and state aid incidence.

Only projects with a score of at least **70 points** will be proposed for approval.

#### **The solution of the appeals during the project assessment and selection process**

The decision of the EC can be appealed by the applicants, by sending the notifications to the JS. Only the project's Lead Beneficiary as the one representing the project partnership affected by the funding decision is entitled to file a complaint. It is therefore the task of the Lead Beneficiary to collect and bring forward the complaint reasons from all project partners.

The right to complain against a decision regarding the project selection applies to the Lead Beneficiary whose project application was not selected for the Programme co-financing during the administrative and eligibility check.

**The appeal must be submitted by the Lead Beneficiary in no more than 5 working days following the date of the rejection letter sent by JS.**

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Any appeals received later than 5 working days from the date when the notification was received by the Lead Beneficiaries will not be taken into consideration.

The complaint is to be lodged against the communication issued by the JS as the JS's communication is the only legally binding act towards the Lead Beneficiary during the project assessment and selection process.

The complaint can be lodged only against the following criteria:

- a. the outcomes of administrative and eligibility assessment of the project application, based on the selection criteria approved by the Joint Monitoring Committee, do not correspond to the information provided by the Lead Beneficiary during the project assessment and selection process; and/or
- b. the project assessment and evaluation failed to comply with specific procedures laid down in the Programme Call documents and national, European and any other relevant programme rules that materially affected or could have materially affected the decision.

**If a project is rejected based on state aid assessment, the decision cannot be further appealed.**

The complaint should be lodged in writing by mail or fax to the JS of the Programme within maximum 5 working days after the Lead Beneficiary had been officially notified by the JS about the results of the project assessment process.

1. The complaint shall include:
  - a. name and address of the Lead Beneficiary;
  - b. reference number of the application which is a subject of the complaint;
  - c. clearly indicated reasons for the complaint, including listing of all elements of the assessment which are being complaint and/or failures in adherence with procedures limited to those criteria mentioned above;
  - d. signature of the legal representative of the Lead Beneficiary;
  - e. any supporting documents;
2. The relevant documentation shall be provided for the sole purpose of supporting the complaint and may not alter the quality or content of the assessed application.
3. No other grounds for the complaint than indicated above will be taken into account during the complaint procedure.

A complaint will be rejected without further examination if submitted after the deadline set above or if the formal requirements are not observed. In case the complaint is rejected, the JS conveys this information within 5 working days to the Lead Beneficiary and informs the Managing Authority.



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Within 3 working days after the receipt of the complaint the JS confirms to the Lead Beneficiary in writing having received the complaint and notifies the Managing Authority. The complaint will then be examined on the basis of the information brought forward by the Lead Beneficiary in the complaint, and technical examination will be performed by the Complaint Panel to be convened for this purpose.

The decision if the complaint is justified or to be rejected is taken by the Complaint Panel by consensus and if this is not possible to be reached by qualified majority. In case it is justified, the case will be sent back to the Evaluation Committee to review the project application and its assessment.

If, following the appeal, it is concluded that the appeal has foundation and that the project proposal corresponds to all the administrative & eligibility requirements, it shall be taken into consideration for the respective phase and proposed for evaluation for the next stage of the evaluation process.

The decision of the Complaint Panel is final, binding to all parties and not subject of any further complaint proceedings within the Programme based on the same grounds and in the same Phase of the procedure.

**The complaint procedure – from the receipt of the complaint by the JS to the communication of the Complaint Panel's decision to the Lead Beneficiary – should be resolved within maximum 30 calendar days.**

## **5 The selection of projects**

The Evaluation Committee will prepare the list of all the evaluated projects, in a descending order according to the scores that have been granted and the list of rejected projects.

The projects proposed for financing are those projects which have obtained the minimum score (70 points) in the technical and financial evaluation **and state aid incidence** and whose budgets contain eligible expenses which do not exceed the limit set forth for the present call.

The projects which have scored less than 70 points are considered rejected.

**The list of projects proposed for financing shall be approved at the first meeting of the Joint Monitoring Committee, organised following the completion of the evaluation and selection process.**

Within maximum 3 working days after the decision of JMC, the JS sends notification letters to all the Lead Beneficiaries who have submitted project proposals which were analysed within the respective evaluation session.

The Decision of the Joint Monitoring Committee is final and mandatory for all applicants. This Decision does not allow any right of appeal.

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The decision of the Joint Monitoring Committee is followed by the pre-contractual phase and then the contracts will be concluded.

### Pre-Contractual conditions

After the issuance of the decision of the selected/ rejected projects by the Joint Monitoring Committee the MA and JS shall begin the contracting process.

As a general rule, during the contracting stage the JS shall ensure all communication with beneficiaries in view of gathering all necessary supporting documents and provide all the support to them in order to perform this task. The JS shall ensure that all documents received from the beneficiaries are correct before submitting them to the MA. The JS shall make all the necessary endeavours so that beneficiaries are aware of the fact that all documents addressed to the MA are to be processed by the JS for conformity and correctness.

Supporting documents submitted by beneficiaries shall be in the national language of the applicant, in full or in part, depending on the situation, accompanied by the translation in English, the official language of the programme.

Following the decision of the JMC regarding the selected projects JS shall perform on site visits to all lead beneficiaries and the selected partners for the purpose of establishing the coherence of the application form with the actual state of fact at beneficiary's premises and prevent contracting errors or frauds.

Within 3 working days from the issuance of the decision of the JMC for the project selection/rejection, JS will send to the beneficiaries letters regarding the selection/ rejection of their projects and request additional contracting documentation according to the Applicant's guide. Beneficiaries have 10 working days to submit documents requested by the JS. Documents issued by third parties that cannot be submitted within the deadline set will be submitted by the Lead Beneficiaries during the pre-contracting on-site visits.

During the preparation phase of the on-site visits recommendations of Evaluation Committee shall be introduced (e.g. recommendations of the Evaluation Committee regarding the project, budget cuts, correction of arithmetical errors etc.). The beneficiary shall be informed as soon as possible about the necessary changes decided by the Evaluation Committee and shall provide the JS the modified documents during the on the site visits.

In order to satisfy itself of the sound management of the contracting process, at any stage the MA may request additional documents from the beneficiary. The JS must ensure that the documents are submitted to the MA in due time according to specific MA requirements. **If other modifications are to be performed, that are not recommended by the Evaluation Committee, the Joint Monitoring Committee approval will be required for each modification.**

Before signing the contracts, other documents may be requested by the JS/MA (e.g. proof that there are no debts to the consolidated budgets, proof that the VAT is non-recoverable from other sources etc.) and on-the-spot visits may also take place. On-the-spot visits may be performed by the MA, NA, JS and by any other body with responsibilities in the implementation of the programme. All partners have the

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obligation to provide all necessary documents and to be available for the on-the-spot visits in order for the contracts to be signed (e.g. partnership agreement - see Annex E for model - must be presented to the MA/JS before the signing of the contract).

The decisions of the empowered bodies (county council, board of directors etc.) regarding the availability of own resources, temporary availability of funds for their activities until reimbursement and appointing their representatives in the project management team **must** be provided. This would include copies of the original documents appointing the employees to work on the project and its English translation. **These documents must be provided in the pre-contractual phase.**

The subsidy contracts will be signed by the MA, Serbian NA and Lead Beneficiaries. The partners and Lead Beneficiaries will be invited to the Joint Secretariat to sign the contract until a certain deadline.

## 6 Annexes

### Annex A. Application Form and its annexes

Annex A.1. Budget

Annex A.2. Declaration of submission

Annex A.3. Declaration of eligibility

Annex A.4. Declaration of commitment

Annex A.5. Partnership declaration

Annex A.6. Declaration on gratuitousness

Annex A.7. State-aid self-assessment

### Annex B. Evaluation grids

### Annex C. Framework subsidy contract

### Annex D. Model co-financing contract

### Annex E. Model Partnership Agreement

### Annex F. List of eligible expenditure

### Annex G. Relevant national and EU legislation

### Annex H. Environmental impact report

***The contracts annexed to this Guide are only indicative; the final version of all contracts (subsidy contract, co-financing contract and partnership agreement will be presented by the Contracting Authority to the beneficiaries of the selected projects in the pre-contractual phase).***