



**Contracting Authority:**  
Ministry of Regional Development of Poland,  
Territorial Cooperation Department  
(Joint Managing Authority)

European Neighbourhood and Partnership Instrument  
EC Decision no C(2008)6411 of 6 November 2008

CROSS-BORDER CO-OPERATION PROGRAMME  
POLAND-BELARUS-UKRAINE 2007-2013

## **GUIDELINES FOR GRANT APPLICANTS**

JMA REFERENCE: **PBU2**  
EuropeAid REFERENCE: **EuropeAid/131508/M/ACT/MULTI**

**DEADLINE FOR SUBMISSION OF PROPOSALS:**  
**30 SEPTEMBER 2011**



## NOTICE

This is an open Call for Proposals, where all documents are submitted at one stage (full proposal). First, all documents shall be subject to administrative check and eligibility evaluation. Thereafter, for the applicants whose applications met all the administrative and eligibility criteria, the quality evaluation of the full proposal will be carried out.

**Please note that English version of the documents was approved by the Joint Monitoring Committee (JMC) and take precedence over other language versions (Polish, Russian or Ukrainian).**



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## 1. CROSS BORDER CO-OPERATION PROGRAMME POLAND-BELARUS-UKRAINE 2007-2013

### 1.1 BACKGROUND

The Cross-border Cooperation Programme Poland-Belarus-Ukraine 2007-2013 being implemented in the frame of the European Neighbourhood and Partnership Instrument (ENPI) continues and extends the cooperation in the border areas of the three countries. The level of co-operation between the regional and local administration, different institutions, schools, NGO's and people in the Programme Area needs further improvement in order to realise and utilise the full social and economic potential of the region. The programme based on the good practice gained during the implementation of the Neighbourhood Programme Poland-Belarus-Ukraine INTERREG IIIA / Tacis CBC 2004–2006 focuses on the increasing competitiveness and improving the quality of life within the programme area by supporting entrepreneurship and developing the main transport and environmental infrastructure. The second aim is to encourage and support local initiatives in various different activities between the people and communities of the neighbouring border areas to create a good relations and background for the further co-operation.

The legal framework of the programme constitute the following documents:

- The Regulation (EC) No 1638/2006 of the European Parliament and of the Council of 24 October 2006 laying down general provisions establishing a European Neighbourhood and Partnership Instrument;
- The Commission Regulation (EC) No 951/2007 of 9 August 2007 laying down implementing rules for cross-border co-operation programmes financed under Regulation (EC) No 1638/2006 ;
- The Cross-Border Co-operation Programme Poland-Belarus-Ukraine approved by the European Commission on 6 November 2008.
- Practical Guide to Contract procedures for EU external actions (**PRAG**)<sup>1</sup> applicable as from 3 November 2010.

### 1.2 OBJECTIVES OF THE PROGRAMME AND PRIORITY ISSUES

The main objective of the Programme is to support cross-border development processes. The Programme objectives will be implemented through the activities within the following priorities and measures:

- Priority 1. Increasing competitiveness of the border area:
  - Measure 1.1. Better conditions for entrepreneurship;
  - Measure 1.2. Tourism development;
  - Measure 1.3. Improving access to the region;
- Priority 2. Improving the quality of life:

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<sup>1</sup> [http://ec.europa.eu/europeaid/work/procedures/implementation/practical\\_guide/documents/2010\\_prag\\_en.pdf](http://ec.europa.eu/europeaid/work/procedures/implementation/practical_guide/documents/2010_prag_en.pdf)



- Measure 2.1. Natural environment protection in the borderland;
- Measure 2.2. Efficient and secure borders;
- Priority 3. Networking and people-to-people cooperation:
  - Measure 3.1. Regional and local cross-border cooperation capacity building;
  - Measure 3.2. Local communities' initiatives;

The global objective of this Call for Proposals is to implement the programme goals through support the projects within all three programme priorities. However, they do not cover neither the “strategic projects” described in the programme nor the projects to be supported within the Measure 3.2 Local communities’ initiative (such projects shall be subject to a different set of guidelines).

The **specific objectives** of this Call for Proposals are as follows (explained in the programme document);

### ***Measure 1.1. Better conditions for entrepreneurship***

Measure 1.1 aims at improving the conditions for business development. Improvement of the quality and accessibility of infrastructure, including new technologies infrastructure, contributes to increasing the area’s investment attractiveness, for both internal and external investors. Measure 1.1 will also promote soft-type activities aimed at the socio-economic development of the eligible area. Support will be provided to activities targeting among others: regional marketing, trade and investment promotion, SME development, the development of local and regional labour markets, the development of an information society, new technologies, improvement of cooperation between research and business institutions, the socio-economic and environmental rehabilitation of technologically transformed and contaminated areas.

### ***Measure 1.2. Tourism development***

The main goal of Measure 1.2 is to improve and fully utilise the tourist potential of the region. The Programme Area has potential for the development of tourism, including agro-tourism, due to various natural environmental conditions and cultural heritage objects, but the tourist infrastructure is requires improvement. Therefore, the support will focus on the development of tourist infrastructure and services. Measure 1.2 will also promote soft-type activities targeting, among others: regional promotion, tourism and agro-tourism development, and the protection of cultural heritage.

### ***Measure 1.3. Improving access to the region***

The geographical location of the Programme Area has advantages in terms of the development potential for transport and this might contribute substantially to its economic development, but the existing transport and border infrastructure needs upgrading. Therefore, activities supported within the Measure 1.3 include improvements in the quality and accessibility of the social and economic infrastructure, with a focus on transport, energy, logistic systems, transport safety and water supply. Infrastructure development will improve potential investors’ access to the area, raise the living standards of inhabitants, and boost tourist and economic attractiveness of the border area.



### ***Measure 2.1. Natural environment protection in the border land***

Measure 2.1 aims to protect and improve the quality of the natural environment. Improvement of the quality of natural environment contributes to increasing the inhabitants' living standards as well as boosting the area's tourist and investment attractiveness. This goal will be achieved mainly through investments in the environmental infrastructure for regional or local impact and the improvement of cross-border cooperation in environmental protection. This measure will promote activities focusing on environmental protection and natural heritage, especially on: improving solid waste management and wastewater treatment, monitoring of environmental conditions and preventing environmental threats, prevention of cross-border pollution displacement and pollution reduction. Systemic solutions and other activities for the management environmental emergency situations will be supported, as well as the development and modernisation of the natural emergencies management system. Activities promoting the wider use and development of renewable energy sources will also be supported.

### ***Measure 2.2. Efficient and secure borders***

Measure 2.2 has the objective of increasing the efficiency of border infrastructure and procedures and to improve border security. A higher throughput capacity at border crossing points and their security are critical for the achievement of the programme's objectives. In order to better utilise and expand the social and economic potential within the Programme Area, it is necessary to alleviate the administrative, institutional and infrastructural obstacles to the free movement of goods, services and people across borders. Support is planned for activities that increase the transparency and efficiency of border controls and customs procedures. These activities must aim at speeding up border procedures and result in fast and secure border passage. The measure will also support activities concerning local border traffic, including those implemented under the Local Border Traffic Regulation. Border-related services should also be developed. Support will be provided for the construction of new border crossings in addition to the border infrastructure development projects financed within the External Borders Fund. Measure 2.2 will also cover activities aimed at increasing border security, especially focusing on the prevention and eradication of illegal migration and trafficking, the countering of organised crime, and the prevention of spreading human, animal and plant diseases, as well as prevention and elimination of illegal trade in rare and endangered species.

### ***Measure 3.1. Regional and local cross-border cooperation capacity building***

The goal of Measure 3.1 is to improve the cross-border cooperation capacity at the local and regional level. Support is planned mainly for activities aimed at increasing the institutional cooperation. It is expected to develop as a result of the creation of institutional forms of cross-border cooperation. Information exchange, experience sharing and networking cooperation will be promoted, including internet-based projects. Cooperation among public institutions, especially territorial self-governments, is of high importance, particularly in the area of strategic and spatial planning. Joint initiatives in the respective areas will be promoted with a view to increasing the degree of integration of the Programme's eligible areas. Within the Programme's scope, particular stress will be laid on the dissemination of "good practices".



Additionally it is planned to support the development and use of information and communication technologies for cross-border cooperation.

### 1.3 FINANCIAL ALLOCATION PROVIDED BY THE JOINT MANAGING AUTHORITY

The overall indicative amount made available under this call for proposals is **88 143 349,25** EUR. The JMC reserves the right not to award all available funds.

<b>Priority</b>	<b>EU allocation per priority in EUR</b>	<b>% of the total budget allocation</b>
<u>Priority 1</u> : Increasing competitiveness of the border area	43 034 293,21	48,82%
<u>Priority 2</u> : Improving the quality of life	17 173 289,05	19,48%
<u>Priority 3</u> : Networking and people-to-people cooperation	27 935 766,99	31,70%
<b>Total</b>	<b>88 143 349,25</b>	<b>100,00%</b>

#### Size of grants (= ENPI funding)

Any grant awarded under this Call for Proposals must fall between the following minimum and maximum amounts:

- minimum amount: 100 000 EUR
- maximum amount: 4 000 000 EUR

No grant may exceed 90% of the total eligible costs of the action (see also section 2.1.4). The balance must be financed from the applicant's and / or partners' own resources, or from sources other than the European Community budget.



## 2. RULES FOR THIS CALL FOR PROPOSALS

These guidelines set out the rules for the submission, selection and implementation of actions financed under this Call, in conformity with the provisions of the Practical Guide to contract procedures for EU external actions, which is applicable to the present call (available on the Internet at this address: [http://ec.europa.eu/europeaid/work/procedures/implementation/practical\\_guide/documents/2010\\_prag\\_en.pdf](http://ec.europa.eu/europeaid/work/procedures/implementation/practical_guide/documents/2010_prag_en.pdf)).

### 2.1 ELIGIBILITY CRITERIA

There are three sets of eligibility criteria, relating to:

- applicant(s) which may request a grant (2.1.1), and their partners (2.1.2);
- actions for which a grant may be awarded (2.1.3);
- types of expenses which may be taken into account in setting the amount of the grant (2.1.4).

#### 2.1.1 *Eligibility of applicants: who may apply?*

(1) In order to be eligible for a grant, applicants **must**:

- be legal persons or an entity without legal personality<sup>2</sup> **and**
- be non profit making<sup>3</sup> **and**
- be specific types of organisations such as: non-governmental organisations, public sector operators, local authorities, bodies governed by public law, international (inter-governmental) organisations as defined by Article 43 of the Implementing Rules to the EC Financial Regulation<sup>4</sup> **and**
- be nationals<sup>5</sup> of Poland, Belarus or Ukraine. This obligation does not apply to international organisations **and**

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2 Applicable only for Polish partners (e.g. schools, museums etc). Subject to the prior approval of the relevant services of the JMA, grant applications may be eligible if submitted by entities which do not have legal personality under the applicable national law, provided that their representatives have the capacity to undertake legal obligations on their behalf, and assume financial liability.

3 According to Directive 2004/18/EC, Art. 1 means any body:(a) established for the specific purpose of meeting needs in the general interest, not having an industrial or commercial character;(b) having legal personality; and (c) - financed, for the most part, by the State, regional or local authorities, or other bodies governed by public law; - or subject to management supervision by those bodies; - or having an administrative, managerial or supervisory board, more than half of whose members are appointed by the State, regional or local authorities, or by other bodies governed by public law.

4 International organisations are international public-sector organisations set up by intergovernmental agreements as well as specialised agencies set up by them; the International Committee of the Red Cross (ICRC) and the International Federation of National Red Cross and Red Crescent Societies, European Investment Bank (EIB) and European Investment Fund (EIF) are also recognized as international organisations.

5 Such nationality being determined on the basis of the organisation's statutes which should demonstrate that it has been established by an instrument governed by the national law of the country concerned. In this respect, any legal



- be directly responsible for the preparation and management of the action with their partners, not acting as an intermediary **and**
- be registered and located in the eligible area of the programme.

(2) Potential applicants may not participate in calls for proposals or be awarded grants if they are in any of the following situations:

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 have been convicted of an offence concerning their professional conduct by a judgment which has the force of *res judicata*; (i.e. against which no appeal is possible);

c) they have been guilty of grave professional misconduct proven by any means which the Contracting Authority can justify;

d) they have not fulfilled 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 have been the subject of a judgment which has the force of *res judicata* for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Communities' financial interests;

f) they are currently subject to an administrative penalty referred to in Article 96(1) of the Financial Regulation (BUDGET)/ Article 99 of the Financial Regulation (10th EDF).

Points (a) to (d) shall not apply in the case of purchase of supplies on particularly advantageous terms from either a supplier which is definitively winding up its business activities, or the receivers or liquidators of a bankruptcy, through an arrangement with creditors, or through a similar procedure under national law.

The cases referred to in point (e) applicable are the following:

- 1) cases of fraud as referred to in Article 1 of the Convention on the protection of the European Communities' financial interests drawn up by the Council Act of 26 July 1995;
- 2) cases of corruption as referred to in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, drawn up by the Council Act of 26 May 1997;
- 3) cases of participation in a criminal organisation, as defined in Article 2(1) of Joint Action 98/733/JHA of the Council;

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entity whose statutes have been established in another country cannot be considered an eligible local organisation, even if the statutes are registered locally or a "Memorandum of Understanding" has been concluded.



4) cases of money laundering as defined in Article 1 of Council Directive 91/308/EEC.

In section V of the grant application form (*“Declaration by the applicant”*), applicants must declare that they do not fall into any of these situations.

For each project, a **lead partner (the applicant)** shall be appointed by all partners among themselves before submitting the project application. The project is to be presented by the lead partner who acts as the **only** direct contact between the project and the joint structures implementing the programme. It is the responsibility of the lead partner to create an effective partnership ensuring the proper and sound implementation of the project.

The lead partner only submits the project application, signs a grant contract with the Joint Managing Authority and assumes full legal and financial responsibility for project implementation vis-à-vis that authority. It alone is responsible to the Joint Managing Authority and it is directly accountable to the authority for the operational and financial progress of activities.

The lead partner (applicant) shall thus assume the following responsibilities:

- a) it shall lay down the arrangements for its relations with the partners participating in the project in the partnership agreement comprising, *inter alia*, provisions guaranteeing the sound financial management of the funds allocated to the project, including the arrangements for recovering amounts unduly paid, sign a Partnership Agreement (corresponding to Annex H of these Guidelines “Assumptions to the Partnership Agreement”) with each partner as a prior condition for concluding the Grant Contract with the JMA), in particular it shall ensure that the provisions of the General Conditions to the Grant Contract which are applicable to partners are included in the Partnership Agreement;
- b) it shall submit the project application;
- c) it shall sign the Grant Contract with the JMA for the whole project budget. Consequently it will have the financial responsibility for the ENPI funds and co-financing for all partners, including liability to the JMA for the total amount of the ENPI grant;
- d) it shall be responsible for ensuring the implementation of the entire project, i.e. the project management and overall co-ordination of the project activities;
- e) it shall ensure the monitoring and reporting about progress of the project;
- f) it shall ensure that the expenditure presented by the partners participating in the project has been incurred for the purpose of implementing the project, is eligible and corresponds to the activities agreed between the partners;
- g) it shall receive the financial contribution from the Joint Managing Authority and it shall be responsible for transferring a part of the grant to the partners participating in the project;
- h) it shall reimburse the JMA for the amounts unduly paid for the project;
- i) it shall facilitate the audit trail by all relevant European Community authorities, Joint Managing Authority and national authorities, including keeping of documents as requested by Article 45 of Commission Regulation EC No 951/2007 / and the relevant provisions of PRAG.

### 2.1.2 Partnerships and eligibility of partners

Applicants must act with partner organisations as specified hereafter.

#### Partners



Applicants' partners participate in designing and implementing the action, and the costs they incur are eligible in the same way as those incurred by the grant beneficiary. They must therefore satisfy the eligibility criteria as applicable to the applicant himself, listed in section 2.1.1 however in duly justified cases the partners may come from the outside Programme Area<sup>6</sup>.

The partner in a project shall assume the following responsibilities:

- a) it shall be responsible for ensuring the implementation of the part of the project under its responsibility, according to the project plan and to the partnership agreement signed with the beneficiary (lead partner);
- b) it shall cooperate with the beneficiary (lead partner) in the implementation of the project, reporting and monitoring;
- c) it shall assume responsibility in the event of any irregularity in its own declared expenditures, and must repay the beneficiary (lead partner) the amounts unduly paid;
- d) it shall facilitate the audit trail by all relevant European Community authorities, Joint Managing Authority and national authorities, including keeping of documents as requested by Article 45 of Implementing Rules and the relevant provisions of PRAG;
- e) Shall sign a Partnership Agreement (corresponding to Annex H "Assumptions to the Partnership Agreement") with the Applicant as a prior condition for concluding the Grant Contract with the JMA.

It is to be taken into account that the cross-border partnership and the real involvement of the partners in the project is one of the crucial elements of the project assessment. Each project must fulfill at least two of the following criteria. Priority will be given to the integrated projects that will fulfill all of them (all four):

- the project has been jointly prepared (e.g. the partners were working together on the preparation of the project proposal e.g. agreed the project idea, the division of tasks and responsibilities and elaborated the full application form with all annexes);
- the project will be jointly implemented (all or most of the project's activities will be carried out by partners in close cooperation);
- the project will have shared staff (the implementation of the project activities will be coordinated together by the representatives of the partners);
- the project will be jointly financed by at least two partners (the project is co-financed by partners coming from different countries and budget expenditures are proportionally divided between partners).

#### Composition of the partnership:

The partners in every project must establish one of the following compositions:

1. Poland-Ukraine or
2. Poland-Belarus or
3. Poland-Belarus-Ukraine.

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<sup>6</sup> Subject to approval of the JMC in the framework of these Guidelines for Grant Applicants. This exception can only be applied on the basis of a substantial justification showing that the Action cannot be implemented or would have difficulties in achieving its objectives without that partner's participation as mentioned in art. 40(2) of Regulation (EC) No 951/2007. The proposal will be evaluated by the Evaluation Committee under the technical evaluation stage and it will be up to the JMC to decide on the necessity of the involvement of a partner located outside the eligible area of the programme and grant the exception.



There may be more than one partner in the project from any of the above countries and the costs they incur are eligible as those incurred by the lead partner.

### Partnership Statement

In order to ensure that the project runs smoothly, all project partners, except for the lead partner (the applicant), have to acknowledge their responsibilities within the project by signing a separate partnership statement. Any application not containing the partnership statements signed, stamped and dated by each partner will be rejected.

The Partnership statement is an integral part of the Application Form (part III.2 of the Application Form) and must be signed, stamped and dated by each partner, except for the lead partner, before the application is submitted to the JTS. The lead partner (the applicant) will acknowledge to the principles of good partnership practice by signing the declaration by the applicant (part V of the Application Form).

### Partnership Agreement

This document shall stipulate the rights and duties of each partner (*define the functions and tasks in the project implementation, mutual obligations and responsibilities*) in line with Annex H to the Guidelines for Applicants “Assumptions to the Partnership Agreement”.

The Partnership Agreement is to be signed after the project is approved by the JMC but before signing the Grant Contract. The JMA may sign the Grant Contract with the lead partner only if the Partnership Agreement has already been signed by all the relevant project partners. One Partnership Agreement must be signed for the implementation of the respective project between all partners. The partners are free to choose one of the following languages of the Partnership Agreement: English, Polish, Ukrainian, Russian. The JMA/JTS reserves the right to ask the lead partner to submit the working translation of the Partnership Agreement into English if the document will be provided in the national language.

All entities indicated by the lead partner as those who participate in implementation of the project are treated as partners and shall satisfy all requirements applicable for partners.

- Contractors<sup>7</sup>

The grant beneficiaries and partners have the possibility to award contracts. Contractors are not partners and are subject to the procurement rules.

Tendering procedures at the level of projects depend on the nationality of the beneficiary (lead partner) or of the partner launching the tender. Lead partners and partners based in Poland have to comply with Polish law on public procurement as compliant with Community directives applicable to procurement procedures. Lead partners and partners based in Belarus and Ukraine have to

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<sup>7</sup> “Contractor” within the meaning of the Guidelines and the PRAG (version from November 2010) corresponds to the “subcontractor” within the meaning of the relevant Ukrainian legislation.



comply with Annex IV to the standard grant contract. All tender procedures must be procured in accordance with the best international practice (i.e. the rules described by the PRAG).

The applicant will act as the lead partner and, if selected, as the contracting party (the "Beneficiary") within the meaning of PRAG.

### 2.1.3 *Eligible actions: actions for which an application may be made*

Definition: An action (or project) is composed of a set of activities.

#### Duration

The planned duration of an action may not exceed 24 months.

#### Location

Within this programme, every action (project) must be implemented in the Programme Area: cooperation and adjacent areas (see the map of the programme area – Annex I). In exceptional cases and if necessary to achieve the projects' objectives some activities may take place in other regions from the outside Programme area, but on the territory of Poland, Belarus or Ukraine. These activities must be listed and fully justified in the Application Form point 1.10 "Methodology". Such activities are subject to the prior acceptance by the Evaluation Committee and JMC.

#### Cooperation areas:

##### Poland:

Krośnieńsko-przemyski sub-region (*in Podkarpackie voivodship*): Districts: bieszczadzki, brzozowski, jarosławski, jasielski, krośnieński, lubaczowski, przemyski, przeworski, sanocki, strzyżowski, leski, District of the City of Krosno, District of the City of Przemyśl;

Białostocko-suwałski subregion (*in Podlaskie voivodship*): Districts augustowski, białostocki, bielski, hajnowski, moniecki, sejneński, siemiatycki, sokółski, suwałski, District of the City of Białystok, District of the City of Suwałki;

Białskopodlaski and Chelmsko-zamojski suregions (*in Lubelskie voivodship*): Districts bialski, parczewski, radzyński, włodawski, Powiat m. Biała Podlaska and powiat biłgorajski, chełmski, hrubieszowski, krasnostawski, tomaszowski, zamojski, District of the City of Chełm and District of the City of Zamość;

Ostrołęcko-siedlecki sub-region (*in Mazowieckie voivodship*): Districts: łosicki, makowski, ostrołęcki, ostrowski, przasnyski, pułtuski, siedlecki, sokołowski, węgrowski, wyszkowski, District of the City of Ostrołęka and District of the City of Siedlce

##### Belarus:

Grodno Oblast, Brest Oblast, seven western districts of Minsk Oblast: Miadel, Vileika, Molodechno, Volozhin, Stolbtsy, Niesvizh, Kletsk

##### Ukraine:

Lvivska, Volynska, Zakarpatska Oblasts



### Adjacent cooperation areas:

#### Poland:

Rzeszowsko-tarnobrzesci sub-region (in Podkarpackie voivodship): Districts: dębicki, kolbuszowski, leżajski, łańcucki, mielecki, niżański, ropczycko-sędziszowski, rzeszowski, stalowowolski, tarnobrzesci, District of the City of Rzeszów and District of the City of Tarnobrzeg.

Łomżyński, sub-region (in Podlaskie voivodship): Districts: grajewski, kolneński, łomżyński, wysokomazowiecki, zambrowski, District of the city of Łomża.

Lubelski sub-region (in Lubelskie voivodship): Districts: janowski, kraśnicki, lubartowski, lubelski, łęczyński, łukowski, opolski, puławski, rycki, świdnicki, District of the City of Lublin.

#### Belarus:

Eastern part of the Minsk Oblast (15 districts Berezino, Borisov, Dzherzhinsk, Kopyl, Krupki, Logojsk, Luban, Minsk, Slutsk, Smolevichi, Soligorsk, Staryje Dorogi, Uzda, Cherven, and Puhovichskij), the city of Minsk and Gomel Oblast.

#### Ukraine:

Rivnenska, Ternopilska and Ivano-Frankivska Oblasts.

Infrastructure projects and infrastructure activities will be financed only in the cooperation areas.

The total value of activities financed in the adjacent cooperation areas may not be higher than 20% of total programme budget (such activities and their value must be clearly indicated and described in the Application Form).

### Types of action

Projects can be of three types:

1. **integrated projects**, where each partner carries out a part of the activities of the joint project on its own territory;
2. **symmetrical projects**, where similar activities are carried out in parallel on both sides of the border;
3. **simple projects** with a cross-border effect, taking place mostly or exclusively on one side of the border but for the benefit of both partners.

The integrated projects and the projects with a balanced budget division between applicant and partner(s) will be prioritized and encouraged.

Projects with negative impact on environment or not respecting other EU horizontal policy rules cannot receive funding within the programme.

### **Character of actions**

Infrastructure project is defined as:



- each project which requires building permission or its equivalent (e.g. notification of works component – zgłoszenie robot budowlanych, Decision of complex state expertise) according to the national legislation in force for the country where works take place or
- each project including infrastructure activities (defined in the Budget as works line 6) with a total value over 50 000 EUR.

Investment projects is defined as:

- project with supplies of fixed assets (e.g. equipment like: computers, machines, tools etc.) worth more 50 000 EUR.

Other projects not defined as “infrastructure” or “investment” are regarded as soft.

**Note that the grant should not have the purpose or effect of producing a profit for the beneficiary or partners.**

In the case of a grant, profit is defined as a surplus of receipts over the costs incurred by the Beneficiary/Partners when the request is made for final payment.

Sectors or themes:

The sectors or themes are described under the priorities 1, 2 and 3 of the programme document (*see subchapters 4.2, 4.3, 4.4*).

**Please note that this call for proposals is a limited one and refers only to the following priorities/ measures:**

### **Priority 1. Increasing competitiveness of the border area**

#### ***Measure 1.1. Better conditions for entrepreneurship***

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

- Joint initiatives aiming at regional marketing, trade and investment promotion
- Joint initiatives of intermediary support structures for SMEs (development agencies, business foundations, chambers of commerce and industry, chambers of crafts, technological parks, business incubators etc.) aimed at improving absorption of innovations and increased competences in the business sector
- Joint initiatives aiming at strengthening networks for better liaising between small and medium sized enterprises in the programme area
- Joint actions to promote and support cooperation between research and business institutions and enhancement of research networks (universities and R&D institutions) towards their better linkages to enterprises and local and regional governments
- Joint initiatives aiming at development of practical solutions increasing application of international research findings in a concrete business environment
- Joint actions to promote and support the socio-economic and environmental rehabilitation of technologically transformed and contaminated areas



- Joint actions by labour market institutions dedicated to an increase of the mobility and quality of the labour force
- Joint actions by labour market institutions dedicated to counteracting negative processes on the cross-border labour market (e.g. 'brain-drain', youth unemployment, exclusion of gender or age groups, ageing of the population etc.)
- Joint actions by labour offices, business organisations, unions and educational institutions, to prepare practical solutions in the field of education and lifelong learning, adaptable to changing requirements of the labour market
- Joint initiatives aiming at development of practical solutions to improve accessibility of educational services and availability of new forms of education (e.g. e-learning) on the labour markets in the programme area

### ***Measure 1.2. Tourism development***

#### **Indicative actions:**

- Preparation and implementation of investments enhancing tourism and agrotourism infrastructure and services
- Joint actions aiming at protection and promotion of cultural heritage
- Joint creation of sustainable tourism products (e.g. cross-border thematic routes) respecting protection needs for natural and cultural heritage
- Joint actions promoting the programme area as a tourist destination.

### ***Measure 1.3. Improving access to the region***

#### **Indicative actions:**

- Investment in the quality and accessibility of the social and economic infrastructure, with a focus on transport, energy, logistic systems, transport safety and water supply
- Preparation and implementation of feasibility studies for transport systems in the programme area
- Joint actions by infrastructure owners, cargo owners and traffic operators dedicated to quality improvement of transport connections and creation of new links
- Provision of practical solutions to increase the sustainability and quality of passenger and cargo transport services in the programme area

## **Priority 2. Improving the quality of life**

### ***Measure 2.1. Natural environment protection in the borderland***

#### **Indicative actions:**

- Investment in the environmental infrastructure for regional or local impact with particular attention for water and waste management
- Joint actions to enhance local and regional preparedness and response in case of natural and/or environmental disasters, including cross-border risk management systems and related infrastructure
- Competence building and co-operation between local and regional authorities in the field of local contingency planning and modern water management
- Exchange of knowledge, preparation and implementation of joint action plans on renewable energy sources and energy saving patterns
- Joint research, testing and preparation of small-scale pilot investments in the field of renewable energy

- Development of cross-border strategies for preservation and use of natural sites, areas and landscapes
- Creation and management of cross-border protected areas.

### ***Measure 2.2. Efficient and secure borders***

#### **Indicative actions:**

- Joint activities that increase the transparency and efficiency of border controls and customs procedures;
- Joint activities aimed at increasing border security, especially focusing on the prevention and eradication of illegal migration and trafficking, the countering of organised crime, and the prevention of spreading human, animal and plant diseases;

### **Priority 3. Networking and people-to-people cooperation**

#### ***Measure 3.1. Regional and local cross-border cooperation capacity building***

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

- Joint actions to create cross-border co-operation structures
- Establishment and development of durable networks between NGOs and nonprofit organisations within specific fields of interest, e.g. culture and cultural heritage, environment and natural heritage, youth, social and health care, local community development etc.
- Capacity-building actions targeting cross-border networks of authorities responsible for management of specific fields of interest, e.g. culture and cultural heritage, tourism, environment and natural heritage, youth, social and health care, economic and social development etc.

Within all the above priorities and measures, the following types of action are ineligible:

- actions concerned only or mainly with individual sponsorships for participation in workshops, seminars, conferences, congresses;
- actions concerned only or mainly with individual scholarships for studies or training courses;
- actions that have already been approved for financing from other sources, including other EC programmes. If full or part of the action has been proposed for financing from other sources, the Joint Managing Authority should be informed by the Beneficiary of the application;
- actions that have the purpose or effect of producing a profit for the beneficiary or partners;
- actions concerned only or mainly on charitable events;
- actions in which the Applicant and partners re-grant the funding;
- regular events. Please note that as a rule regular events can be supported only during its start-up phase. Regular editions of events are eligible only if innovative elements are included in the project's schedule. Such activities must be duly described and justified in the application form.



### Number of applications and grants per applicant

An applicant may submit more than one application but may not be awarded more than 3 grant(s) under this call for proposals.<sup>8</sup> An applicant may at the same time be partner in another application.

Partners may take part in more than one application.

The Evaluation Committee may decide to limit the number of grants awarded to one Applicant and shall justify its decision in the Evaluation Report.

#### *2.1.4 Eligibility of costs: costs which may be taken into consideration for the grant*

Only "eligible costs" can be taken into account for a grant. The costs must be presented in the project budget (Annex B). The categories of costs considered as eligible and non-eligible are indicated below. The budget is both a cost estimate and a ceiling for "eligible costs". Note that the eligible costs must be based on real costs based on supporting documents (as a rule no flat-rate financing is envisaged).

It is therefore in the applicant's interest to provide a **realistic and cost-effective budget**.

For information purposes the JMA will develop specific guidelines that would define eligible costs and the methodology for calculating eligible indirect costs (overheads) within the programme.

#### Eligible direct costs

To be eligible under the Call for Proposals, costs must comply with the provisions of article 14 of the General Conditions to the Standard Grant Contract (see Annex E of the Guidelines).

Eligible costs are costs actually incurred by the beneficiary of this grant which meet all the following criteria:

- a) they are incurred during the implementation of the action as specified in Article 2 of the Special Conditions with the exception of costs relating to final reports, expenditure verification and evaluation of the action, whatever the time of actual disbursement by the Beneficiary and/or its partners. Procedures to award subcontracts for goods/services/works used/provided/delivered during the implementation period, may have been initiated but contracts may not be concluded by the Beneficiary or its partners before the start of the implementation period of the Action,
- b) must be indicated in the estimated overall budget of the action,
- c) must be necessary for the implementation of the action which is the subject of the grant,

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<sup>8</sup> According with PRAG provisions (Section 6.4.8.6), where several proposals submitted by the same Applicant are selected for financing, but the Applicant does not prove to have the necessary capacity required to implement all selected proposals for which grants may be awarded, the Evaluation Committee shall reject the proposal(s) which has (have) been awarded a lower score, and select the proposal(s) that the Applicant has the capacity to implement.



- d) they are identifiable and verifiable, in particular being recorded in the accounting records of the beneficiary and determined according to the applicable accounting standards of the country where the beneficiary is established and according to the usual cost accounting practices of the beneficiary,
- e) must be reasonable, justified and comply with the requirements of sound financial management, in particular regarding economy and efficiency,

The following direct costs of the Beneficiary and its partners shall be eligible:

- the cost of staff assigned to the Action, corresponding to actual gross salaries including remuneration-related costs; salaries and costs must not exceed those normally borne by the Beneficiary or its partners, as the case may be, unless it is justified by showing that it is essential to carry out the action;
- travel and subsistence costs for staff and other persons taking part in the Action, provided they do not exceed those normally borne by the Beneficiary or its partners, as the case may be. The costs must not exceed the EC rates published at [http://ec.europa.eu/europeaid/work/procedures/implementation/per\\_diems/index\\_en.htm](http://ec.europa.eu/europeaid/work/procedures/implementation/per_diems/index_en.htm)
- purchase or rental costs for equipment and supplies (new or used) specifically for the purposes of the Action, and costs of services, provided they correspond to market rates;
- costs of consumables;
- contracting expenditure;
- costs deriving directly from the requirements of the Contract (dissemination of information, evaluation specific to the Action, audits, translation, reproduction, insurance, etc.) including financial service costs (in particular the cost of transfers and financial guarantees);
- any other cost necessary for the implementation of the Action, in line with the Programme legal basis and the budget of the action.

#### Contingency reserve

A contingency reserve not exceeding 5% of the direct eligible costs may be included in the Budget of the Action. It can only be used with the **prior written authorisation** of the JMA.

#### Eligible indirect costs (overheads)

If no separate project office is rented, a proportion of the office rent can be budgeted in the overheads <applicable when (lead) partner(s) is/are already renting an office for its ongoing activities>. The calculation is to be done on the basis of the actual costs according in a duly justified, fair and equitable method.

The indirect costs incurred in carrying out the action may be eligible for funding (based on real costs, not flat-rate) fixed at not more than 7% of the total eligible direct costs. Indirect costs are eligible provided that they do not include costs assigned to another heading of the budget of the standard grant contract. The applicant may be asked to justify the requested percentage before contracting. As a rule the flat-rate funding in respect of indirect costs does not need to be supported by accounting documents. However appropriate clarifications will be required. In the application



form – description of applied methodology and list of planned expenditures and during reporting – list of expenditures and printouts from the bookkeeping system.

### Contributions in kind

Contributions in kind are not considered actual expenditure and are not eligible costs. The contributions in kind may not be treated as co-financing by the Beneficiary and his partners.

The cost of staff assigned to the Action is not a contribution in kind and may be considered as co-financing in the Budget of the Action when paid by the Beneficiary or his partners.

Notwithstanding the above, if the description of the action as proposed by the Beneficiary foresees the contributions in kind, such contributions have to be clearly presented in the application form but must not be presented in the project budget.

**Please note that the expenditure verification will have to be ensured within the project therefore it is recommended to include such costs in the budget of the action.**

### **Ineligible costs**

The following costs are not eligible:

- re-granting;
- debts and debt service charges;
- provisions for losses or potential future liabilities;
- interest owed;
- costs declared by the beneficiary and covered by another action or work programme;
- purchases of land or buildings;
- currency exchange losses;
- contributions in kind;
- taxes, including VAT, unless the Beneficiary (or the Beneficiary's partners) cannot reclaim them and the applicable regulations do not forbid coverage of taxes;
- credit and loans to third parties;
- fines.



## 2.2 HOW TO APPLY AND THE PROCEDURES TO FOLLOW

### 2.2.1 Application form

The applicants (lead partners) are obliged to submit the full grant application form which contains:

- 1) Application form (Annex A).
- 2) Budget of the project (Annex B)<sup>9</sup>;
- 3) Logical framework project (Annex C);
- 4) Project summary in English (Annex D);

and the following supporting documents:

**Annex A1** Statutes or other relevant documents e.g. internal regulations of the applicant and all partners – not applicable for public institutions from Poland and Ukraine. For Belarusian public bodies – a copy of relevant National Resolution (relevant legislative act relating to establishing and functioning of the institution) should be provided. If necessary for conducting a reliable evaluation - the JTS and the Evaluation Committee may ask for additional clarifications/documents regarding the legal status of each applicant and partner;

**Annex A2** Applicant's external audit reports for the previous year (where the grant requested exceeds EUR 500 000; not applicable to international organisations nor to the public institutions);

**Annex A3** Copies of the profit and loss account and the balance sheets or other relevant fiscal documents for the last 3 years (if available) for the applicant and partner with financial contribution to the project, showing their financial standing (not applicable for public institutions);

**Annex A4** The applicant's declaration on ensuring the funds necessary to project implementation (the total of the project co-financing);

**Annex A5** If applicable authorisation from the applicant that the person has the right to sign the Application Form (if the Application Form shall be signed not by the Head of the organisation). In case of entity without legal personality a written statement on having the capacity to undertake legal obligations (including signing the grant contract) issued by Supervisory Institution will be required;

**Annex A6** Register document applicable for the applicant/partners:

FOR POLISH PARTNERS: Extract from the National Court Register - Krajowy Rejestr Sądowy - issued not earlier than 6 months before the submission of the Application Form (not applicable for public institutions);

FOR UKRAINIAN PARTNERS:

*for public institutions:* a copy of the Certificate of state registration of legal person certified as a true to the original by the relevant issuing authority or by a notary;

*for non-public institutions:* 1) a copy of the Certificate of state registration of legal person certified as a true to the original by the relevant issuing authority or by a notary and 2) an extract from the Register of non-profit institutions issued by Tax Inspection of Ukraine;

FOR BELARUSIAN PARTNERS: a copy of the Certificate of state registration of legal person certified as a true to the original by the relevant issuing authority or by a notary (not applicable for public institutions);

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<sup>9</sup> The complete Annex B **must** consist of sheets : B1- Budget for the action, B2 – Justification of costs and B3 Sources of Funding



**Annex A7** Declaration on the entitlement to the recovery of VAT (applicable only for Polish partners);

**Annex A8 (for all investment and infrastructure projects as mentioned in point 2.1.3 of the Guidelines)** – Brief Feasibility Study (containing the following elements: the executive summary, project background, definition of demand/ development needs and goals, implementation part, financial needs analysis and risk analysis). Brief Feasibility Study shall be submitted in original language accompanied *with English summary*, reflecting the main content of the document. The translation into English should be with the following remark: TRUE TO THE ORIGINAL and be signed and stamped by the Applicant. Brief Feasibility Study shall be submitted for all infrastructure projects and investment projects only;

**Annex A9 (only for infrastructural projects as mentioned in point 2.1.3 of the Guidelines)** – FOR POLISH AND BELARUSIAN PARTNERS: the building permission or its equivalent (e.g. notification of works component – *zgłoszenie robot budowlanych*) – should be provided if available at the stage of project submission but not later than before signing of the grant contract.

If the project implementation does not require a building permission or its equivalent a self declaration with the reference to the relevant National regulation should be annexed that the works activities are not the subject of a building permission or its equivalent;

FOR UKRAINIAN PARTNERS: the positive *Decision of complex state expertise* should be provided before signature of the Grant Contract, and then after signing of Grant Contract but before first installment the Building permission should be provided.

If the project implementation does not require a building permission or its equivalent a self declaration with the reference to the relevant National regulation should be annexed that the works activities are not the subject of a building permission or its equivalent;

**Annex A10 (for all investment and infrastructural projects as mentioned in point 2.1.3 of the Guidelines)** – Declaration of the Applicant/Partner on the right for the land/real estate disposal for the construction/supplies purposes;

**Annex A11 (for infrastructural project as mentioned in point 2.1.3 of the Guidelines)** – Maps, project location sketches (simply presenting the location of the action);

**Annex A12 (for infrastructural project as mentioned in point 2.1.3 of the Guidelines)** – if available at the stage of project submission but not later than before signing of the grant contract:

FOR POLISH PARTNERS: Decyzja o środowiskowych uwarunkowaniach. If not applicable – written statement issued by the relevant institution must be provided not later than before the grant contract signature.

FOR UKRAINIAN PARTNERS:

1. Conclusion of the State Ecological Expertise issued by the Ministry for Ecology and Natural Resources of Ukraine (EN)Висновок державної екологічної експертизи виданий Міністерством екології та природних ресурсів України (UKR) and
2. Environmental Impact Assessment as the part of Technical Documentation according to National Construction Standards A.2.2-1-2003 (ДБН А.2.2-1-2003) (EN) – Оцінка впливу на навколишнє середовище як частина технічної документації згідно ДБН А.2.2-1-2003 (UKR)

If not applicable – written statement issued by the relevant institution must be provided not later than before the grant contract signature.

FOR BELARUSIAN PARTNERS:

1. Conclusion of the State Ecological Expertise issued by the Ministry (or its regional bodies) for Natural Resources and Environmental Protection of the Republic of Belarus (Russian: Заключение государственной экологической экспертизы, выданное Министерством природных ресурсов и охраны окружающей среды Республики Беларусь либо его территориальными органами) and



2. Report on the Environmental Impact Assessment (Russian: Отчет о результатах проведения оценки воздействия на окружающую среду).

In case the above mentioned documents are not obligatory, the relevant letter, issued by the Ministry for Natural Resources and Environmental Protection of the Republic of Belarus (or its regional bodies), should be submitted.

**ADDITIONAL REMARK FOR UKRAINIAN AND BELARUSIAN PARTNERS:**

If the action is listed in Annex I or Annex II of the EIA Directive (*Council Directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment*) and the following documents as proof of the compliance with the EIA Directive should be provided:

- a) a copy of the non-technical summary - a document which has been used during the public consultations,
- b) information about the consultation with the public (when, where, information about public hearings, etc) and the environmental authorities, as well as other Member States, if Transboundary consultations are applicable;
- c) information in accordance with Article 9(1) of the Directive, i.e. a copy of the development consent, the information about mitigation and compensatory measures, and main considerations on which the decision is based including information about the public participation process.

If the action is covered by Annex II and the competent authority has determined that there is no need for the full EIA procedure for the project, the partners have to provide an explanation on the reasons and to give the thresholds, criteria or case by case examination carried out to reach the conclusion that the project has no significant environmental effects.

**Annex A13** Other necessary documents required by Polish/Belarusian/Ukrainian law – please specify and add next point e.g. A13, A14 etc.

#### 2.2.1.1 Submission of the Application form

Please, complete the full application form carefully and as clearly as possible so that it can be assessed properly.

Applicants must submit the application (Annex A) and its Annexes in one of the following languages: Polish, Ukrainian, Russian or English. Budget (Annex B) and logical framework (Annex C) shall be filled in the language of the application form and in English. Annex D Project summary in English must be in English. Annexes A1-A12 shall be submitted in Polish, Ukrainian or Russian.

The full grant application form must be computer-typed and delivered to the JTS in the paper version. Hand-written applications will not be accepted. In addition to the paper version, the electronic format (e.g. CD/DVD) of the following annexes must be attached in a separate and unique file (e.g. the application form must not be split into several different files):

- Application form (Annex A);
- Budget (Annex B);
- Logical Framework (Annex C);
- Project summary in English (Annex D);



The electronic format must contain exactly the same application as the paper version enclosed. The paper version is considered as an official application.

Each original and copy of the application must be bound separately. The original application should have an inscription “original” on its first page. The copy should be marked as “copy” on its first page.

Each page must be numbered. The following information must be presented on the last page of the application package: the total number of pages, name, position and signature of the head of the applicant’s organisation or his/her authorised representative, date and the organisation’s stamp. Additionally, in case of copies of the application, inscription “the copy is true to the original” shall be added.

The supporting documents must be supplied in originals or duly certified copies. In case of photocopies or scanned versions they must be certified as a true copy by the authorised person in applicant/partner organisation.

The applicant must prove that the project is ready for implementation. The required documents depend on the nature of the project (“soft” or infrastructure/investment projects). They are listed in point 1.12 of the Grant Application Form.

#### 2.2.2 *Where and how to send the Applications*

Applications must be submitted in one original and two copies in A4 size, each bound separately. Both original and copies must consist of the complete application form and all relevant annexes/supporting documents.

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

Joint Technical Secretariat  
Cross-border Cooperation Programme  
Poland-Belarus-Ukraine 2007-2013  
Centre for European Projects  
39a Domaniewska St.  
02-672 Warsaw, Poland

The outer envelope must bear the **reference number and the title of the call for proposals**, together with the title and number of the priority, the full name and address of the applicant, and the words "Not to be opened before the opening session" and "Proszę nie otwierać przed sesją otwarcia".

Where an applicant sends several different applications, each one has to be sent separately.



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

**Applicants must verify that their application is complete using the checklist (section IV of part B of the grant application form). Incomplete applications may be rejected.**

### *2.2.3 Deadline for submission of Applications*

**The deadline for the submission of applications is 30 September 2011** as evidenced by the date of dispatch, the postmark or the date of the deposit slip. In the case of hand-deliveries, the deadline for receipt is **at 15.00 hours local time** as evidenced by the signed and dated receipt. Any application submitted after the deadline will automatically be rejected.

However, for reasons of administrative efficiency, the JTS may reject any application received after the effective date of approval of the first evaluation step (administrative and eligibility check).

### *2.2.4 Further information for the Application*

Information sessions on this call for proposals will be held after the call for proposals launch. The detailed information concerning the information sessions will be provided at the Programme website: **<http://www.pl-by-ua.eu>**.

Questions in writing may in addition be sent by mail or e-mail no later than 21 days before the deadline for the submission of applications to the below address(es), indicating clearly the reference of the call for proposals:

E-mail address: **[pbu@cpe.gov.pl](mailto:pbu@cpe.gov.pl)**

JMA/JTS has no obligation to provide further clarifications to questions received after this date.

Replies in writing will be given no later than 11 days before the deadline for the submission of applications.

**In the interest of equal treatment of applicants, the JMA/JTS cannot give a prior opinion on the eligibility of an applicant, a partner, an action or specific activities.**

Questions that may be relevant to other applicants, together with the answers, will be published on the internet at the JTS website: **<http://www.pl-by-ua.eu>**. It is therefore highly recommended to regularly consult the abovementioned website in order to be informed of the questions and answers published.



## 2.3 EVALUATION AND SELECTION OF APPLICATIONS

Administrative and eligibility check is carried out by the Joint Technical Secretariat employees acting as assessors. The results of this assessment will be approved by the Evaluation Committee. The quality evaluation will be provided by Evaluation Committee chaired by the JMA with the possible assistance of internal and external assessors.

If the examination of the application reveals that the proposed action does not meet the eligibility criteria stated in paragraph 2.1.3, the application may be rejected on this sole basis.

All projects submitted by applicants will be assessed according to the following steps and criteria:

### (1) STEP 1: OPENING SESSION AND ADMINISTRATIVE/ELIGIBILITY CHECK

At this stage full Application Form shall be checked.

The following will be assessed:

- The submission deadline has been respected. If the deadline has not been respected the application will automatically be rejected.
- The Full Application Form must satisfy all the criteria specified below. If any of the requested information is missing or is incorrect, the applicant may be given the opportunity to correct the documents within the deadline set by the JTS but not later than within 14 calendar days since the request for clarification was sent by JTS via email and fax (but if the project or the partner proves to be ineligible, the project is to be rejected on that **sole** basis and the application will not be evaluated further). The correction may refer only to clarification of the controversial issues, formal correction/completion of a missing document and may not be treated as a chance to improve the quality of the project.
- This stage is subdivided into the following elements:

#### A/ ADMINISTRATIVE COMPLIANCE

The following aspects shall be assessed:

ADMINISTRATIVE CHECKLIST			
1.	The deadline has been respected	YES	NO
2.	The full Grant Application Form together with supporting documents have been submitted in closed and sealed envelope	YES	NO
3.	The correct grant application form, published for this call for proposals, has been used (the proposal keeps strictly to the format of the application form template)	YES	NO
4.	One original and 2 copies are included	YES	NO
5.	The proposal is complete and filled out in accordance with the Guidelines for Applicants (note: all required annexes enclosed):	YES	NO
	The proposal is computer typed	YES	NO
	The proposal is bound, pages are numbered	YES	NO
	The last page of the proposal is signed, stamped, dated and the total number of	YES	NO



	pages is indicated		
	Are the next points of the proposal filled in: 1.4 - “Summary”, 1.5 - “Objectives”, 1.6 - “Relevance of the action to the Programme”, 1.7 - “Description of the action and its effectiveness”, 1.8 - “Cross border impact”, 1.10 - “Methodology” and 1.13 - “Sustainability”.	YES	NO
6.	The proposal is in Polish/Russian/Ukrainian or English	YES	NO
7.	The e-version is enclosed:	YES	NO
	An electronic version (CD/DVD) of the relevant Annexes is enclosed: A -Application Form, B - Budget for the Action, C -Logical Framework and D - Project description in English)	YES	NO
	The electronic and paper versions of relevant Annexes are the same: A - Application Form, B - Budget for the Action, C - Logical Framework and D - Project description in English)	YES	NO
8.	Budget of the Action – Annex B is enclosed:	YES	NO
	Are all budget sheets (budget (b1), justification of expenditure (b2) and expected sources of funding (b3)) presented?	YES	NO
	Are all budget sheets presented in the format requested?	YES	NO
	Are the costs expressed in EUR currency?	YES	NO
	Are all budget sheets presented in the national language and in English?	YES	NO
9.	The logical framework (Annex C) is enclosed:	YES	NO
	Is the logical framework presented?	YES	NO
	Is the logical framework presented in the format requested?	YES	NO
	Is the logical framework presented in national language and in English	YES	NO
10.	Is the project summary in English (Annex D) presented and completed in the format requested?	YES	NO
11.	The Declaration by the applicant has been submitted, has been filled in and has been signed by the head of the organisation or another authorised person (s) (in this case the authorisation is enclosed) (as part V of the Application Form)	YES	NO
12.	The Partnership statement has been submitted, filled in and signed by all partners (except for the lead partner) by the head of the organisation or another authorised person (s)	YES	NO
13.	All required supporting documents are included ( <i>as listed in point 2.2.1 of the Guidelines for Applicants</i> ). Supporting documents are valid and in compliance with <Polish/Ukrainian/Belarusian> legal system	YES	NO
	Annex A1 Statutes or other relevant documents e.g. internal regulations of the applicant and all partners are presented (if applicable according to point 2.2.1 of the Guidelines for Applicants)	YES	NO
	Annex A2 Applicant’s external audit reports for the previous year has been submitted? (if applicable)	YES	NO
	Annex A3 Copies of the profit and loss account and the balance sheets or other relevant fiscal documents for the last 3 years (if available) for the applicant and partner with financial contribution to the project, showing their financial standing – have been submitted ? (if applicable)	YES	NO
	Annex A4 The applicant’s declaration on ensuring the funds necessary to project	YES	NO



	implementation (the total of the project co-financing) – has been provided, filled in correctly and signed by the authorised person?		
Annex A5	The relevant authorisation from the applicant that the person has the right to sign the Application Form has been submitted (if applicable)	YES	NO
Annex A6	Register document for the applicant/partner(s) is provided (if applicable)	YES	NO
Annex A7	Declaration on the entitlement to the recovery of VAT is provided (if applicable)	YES	NO
Annex A8	Brief Feasibility Study accompanied <i>with English summary</i> , reflecting the main content of the document has been submitted (if applicable)?	YES	NO
Annex A9	Building permission/its equivalent (e.g. notification of works component – zgłoszenie robot budowlanych)/ the positive Decision of complex state expertise/a self declaration with the reference to the relevant National regulation that the works activities are not the subject of a building permission or its equivalent has been provided (if applicable).	YES	NO
<i>Note: To be submitted not later than before the contract signature</i>			
Annex A10	Declaration of the Applicant/Partner on the right for the land/real estate disposal for the construction/supplies purposes has been provided (if applicable)	YES	NO
Annex A11	Maps, project location sketches have been provided (if applicable)	YES	NO
Annex A12	is provided (if applicable). To be submitted not later than before the contract signature	YES	NO
	FOR POLISH PARTNERS: Decyzja o środowiskowych uwarunkowaniach. If not applicable – written statement issued by the relevant institution must be provided not later than before the grant contract signature.	YES	NO
	FOR UKRAINIAN PARTNERS: 1. Conclusion of the State Ecological Expertise issued by the Ministry for Ecology and Natural Resources of Ukraine (EN) Висновок державної екологічної експертизи виданий Міністерством екології та природних ресурсів України (UKR) and 2. Environmental Impact Assessment as the part of Technical Documentation according to National Construction Standards A.2.2-1-2003 (ДБН А.2.2-1-2003) (EN) – Оцінка впливу на навколишнє середовище як частина технічної документації згідно ДБН А.2.2-1-2003 (UKR) If not applicable – written statement issued by the relevant institution must be provided not later than before the grant contract signature.		
	FOR BELARUSIAN PARTNERS: 1. Conclusion of the State Ecological Expertise issued by the Ministry (or its regional bodies) for Natural Resources and Environmental Protection of the Republic of Belarus (Russian: Заключение государственной экологической экспертизы, выданное Министерством природных ресурсов и охраны окружающей среды Республики Беларусь либо его территориальными органами) and 2. Report on the Environmental Impact Assessment (Russian: Отчет о результатах проведения оценки воздействия на окружающую среду). In case the above mentioned documents are not obligatory, the relevant letter, issued by the Ministry for Natural Resources and Environmental Protection of the Republic of Belarus (or its regional bodies), should be submitted.		
	FOR UKRAINIAN AND BELARUSIAN PARTNERS:		



	<p>If the action is listed in Annex I or Annex II of the EIA Directive (<i>Council Directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment</i>) and the following documents as proof of the compliance with the EIA Directive should be provided:</p> <ul style="list-style-type: none"> <li>a) a copy of the non-technical summary - a document which has been used during the public consultations,</li> <li>b) information about the consultation with the public (when, where, information about public hearings, etc) and the environmental authorities, as well as other Member States, if Transboundary consultations are applicable;</li> <li>c) information in accordance with Article 9(1) of the Directive, i.e. a copy of the development consent, the information about mitigation and compensatory measures, and main considerations on which the decision is based including information about the public participation process.</li> </ul>		
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## B/ ELIGIBILITY VERIFICATION

The following aspects shall be assessed:

ELIGIBILITY VERIFICATION			
1.	The applicant and partners are eligible according to points: 2.1.1 and 2.1.2. of the Guidelines for applicants:	YES	NO
	are legal persons or an entity without legal personality	YES	NO
	are non profit making (according to Directive 2004/18/EC, Art. 1): <ul style="list-style-type: none"> <li>a) the institution has been established for the purposes of public interest or for the specific purpose of meeting needs in the general interest,</li> <li>b) not having an industrial or commercial character,</li> <li>c) financed, for the most part, by the State, regional or local authorities, or other bodies governed by public law;</li> <li>d) subject to management supervision by those bodies or having an administrative, managerial or supervisory board, more than half of whose members are appointed by the State, regional or local authorities, or by other bodies governed by public law</li> </ul>	YES	NO
	are specific types of organisations such as: <ul style="list-style-type: none"> <li>a) non-governmental organisations,</li> <li>b) public sector operators,</li> <li>c) local authorities,</li> <li>d) bodies governed by public law,</li> <li>e) international (inter-governmental) organisations as defined by Article 43 of the Implementing Rules to the EC Financial Regulation</li> </ul>	YES	NO
	are nationals of Poland, Belarus or Ukraine. This obligation does not apply to international organisations and	YES	NO
	are directly responsible for the preparation and management of the action with their partners, not acting as an intermediary and	YES	NO
	are registered and located in the eligible area of the Programme (core and adjacent area can be listed here also)	YES	NO
2.	At least one partner is from Poland and one from Ukraine or Belarus.	YES	NO



3.	The action is to be implemented in the eligible area according to the point 2.1.3 of the Guidelines for applicants	YES	NO
4.	At least two (out of four) partnership cooperation requirements as listed in point 2.1.2 of the Guidelines for Applicants are satisfied: a) the project has been jointly prepared; b) the project will be jointly implemented; c) the project will have joint staff; d) the project will be jointly financed.	YES	NO
5.	The costs are not regarded as ineligible according to point 2.1.4 of the Guidelines for Applicants	YES	NO
6.	The proposed Action is covered by Programme. The activities correspond to the priorities and measures of Programme	YES	NO
7.	The priority and measure of the Action is in line with those set in the Call for proposals	YES	NO
8.	The duration of the action is equal to or lower than 24 months	YES	NO
9.	The requested EU contribution is within limits available:	YES	NO
	The requested EU contribution is equal to or higher than 100.000 EURO	YES	NO
	The requested EU contribution is equal to or lower than 4.000.000 EURO	YES	NO
	The requested EU contribution is equal to or lower than 90% of the total eligible costs	YES	NO
10.	The applicant's (and partners', if applicable) financial contribution is equal to or higher than 10% of the total eligible costs (minimum percentage required)	YES	NO
11.	Compliance with state aid provisions (i.e. project does not constitute state aid) according to point 7 of the Application Form	YES	NO
12.	No overlapping or duplication with other aid programmes (e.g. EU programmes, EEA Financial Mechanism and Norwegian Financial Mechanism, Swiss- Polish Cooperation Programme) according to point 7 of the Application Form	YES	NO

Following the opening session, the JTS will inform all applicants via e-mail, whether their application was submitted prior to the deadline, and the reference number they have been allocated.

If some of the criteria are not satisfied the application will be rejected or the applicant will be invited to submit clarifications. Clarifications will be requested when information provided is unclear, thus preventing the JTS from conducting an objective assessment.

The clarifications must be sent within the deadline set out by the JTS but not later than within 14 calendar days since the request was sent by the JTS. The JTS will send the request for clarifications via fax and e-mail. The Applicants will send their answers by fax and e-mail which should be followed with originals sent by registered mail (date on the envelope), private courier service or by hand-delivery.

Other rules concerning the delivery of the corrected/complemented documents are the same as for the full project application (e.g. they must be submitted in paper in 1 original and 2 copies, date of dispatch is decisive etc.)

The applicants may introduce **solely** the information requested by the JTS. The correction may refer only to clarification of the controversial issues, formal correction/completion of a missing documents and may not be treated as a chance to improve the quality of the project proposal.

If any of partner proves to be ineligible, the project is to be rejected on that **sole** basis and the application will not be evaluated further.



The project proposal will be automatically rejected without asking for clarification in any of following cases:

1. The relevant points in Annex A are not filled in: 1.4 - “Summary”, 1.5 - “Objectives”, 1.6 - “Relevance of the action to the Programme”, 1.7 “Description of the action and its effectiveness”, 1.8 - “Cross border impact“, 1.10 - “Methodology” and 1.13 - “Sustainability”;
2. The partnership is not in line with point 2.1.2 of the Guidelines for Applicants;
3. Budget of the action (Annex B - sheet B1) is not attached:

After verification of the documents complemented or corrected by the applicant and after the Evaluation report on the Administrative and Eligibility check is signed by the Evaluation Committee, the JTS shall draw up a list indicating which projects have been recommended for further evaluation and which have been rejected and on which basis. The JTS will send a letter to all applicants, indicating whether their application has been recommended for further evaluation. In case the application is rejected the JTS will provide the relevant explanation regarding the reasons of the rejection.

## (2) **STEP 2: EVALUATION OF THE FULL APPLICATION (QUALITY EVALUATION)**

An evaluation of the quality of the full applications, including the proposed budget, and of the capacity of the applicant and its partners, will be carried out in accordance with the evaluation criteria set out in the Evaluation Grid included below. There are two types of evaluation criteria: selection and award criteria.

**The selection criteria** are intended to help evaluate the applicants' financial and operational capacity to ensure that they:

- have stable and sufficient sources of finance to maintain their activity throughout the period during which the action is being carried out and, where appropriate, to participate in its funding;
- have the management capacity, professional competencies and qualifications required to successfully complete the proposed action. This also applies to any partners of the applicant.

**The award criteria** allow the quality of the applications submitted to be evaluated in relation to the set objectives and priorities, and grants to be awarded to actions which maximise the overall effectiveness of the call for proposals. They enable the selection of applications which the JMA can be confident will comply with its objectives and priorities and guarantee the visibility of the Community financing (see [http://ec.europa.eu/europeaid/work/visibility/index\\_en.htm](http://ec.europa.eu/europeaid/work/visibility/index_en.htm)). They cover such aspects as the relevance of the action, its consistency with the objectives of the call for proposals, quality, expected impact, sustainability and cost-effectiveness.

### *Scoring:*

The evaluation criteria are divided into sections and subsections. Each subsection will be given a score between 1 and 5 in accordance with the following guidelines: 1 = very poor; 2 = poor; 3 = adequate; 4 = good; 5 = very good.

## Evaluation Grid

<b>1. Financial and operational capacity</b>	<b>Max. Score</b>
1.1 Do the applicant and partners have sufficient <b>experience of project management</b> ?	/ 5
1.2 Do the applicant and partners have sufficient <b>technical expertise and management capacity</b> ? <i>Note 1:</i> Including staff, equipment, knowledge and ability to handle the budget for the action	/ 5
1.3 Does the applicant and financial partner have stable and sufficient sources of <b>finance</b> ?	/ 5
<b>Total score:</b>	<b>/ 15</b>
<b>2. Relevance</b>	<b>Max. Score</b>
2.1 How relevant is the proposal to the <b>objectives</b> and one or more of the <b>priorities</b> of the call for proposals? <i>Note 1:</i> A score of 5 (very good) will only be allocated if the proposal specifically addresses at least <b>one priority</b> . <i>Note 2:</i> A score of 5 (very good) will only be allocated if the proposal contains specific added-value elements, such as promotion of gender equality and equal opportunities, innovative approaches, models for good practice, information and communication technology, economical impact, social impact etc.	/ 5x2*
2.2 Cross-border impact. How does the project contribute to the straightening of cross-border co-operation ( <i>e.g. creates basis to develop cross border co-operation/ results benefits both sides of the border/ demonstrate clear links to future cross-border co-operation</i> )	/ 5x2*
2.3 How relevant to the particular <b>needs and constraints</b> of the target country/countries or region(s) is the proposal? (including <i>regional</i> strategies/ plans or other relevant documents, avoidance of duplication and synergy with other EC initiatives.)	/ 5
2.4 How clearly defined and strategically chosen are those involved (final beneficiaries, <b>target groups</b> )? Have their <b>needs</b> been clearly defined and does the proposal address them appropriately?	/ 5
<b>Total score:</b>	<b>/ 30</b>
<b>3. Methodology</b>	<b>Max. Score</b>
3.1 Are the <b>activities</b> proposed appropriate, practical, and consistent with the objectives and expected results? Does the action demonstrate innovative approach?	/ 5
3.2 How coherent is the overall design of the action? Is the <b>action plan</b> clear and feasible? (in particular, does it reflect the analysis of the problems involved, take into account external factors and anticipate an <b>evaluation</b> )? <i>Note:</i> a score 10 ( <i>very good</i> ) may only be allocated if the project is ready for implementation	/ 5x2*



3.3 . Is the partners' and/or other stakeholders' <b>level of involvement and participation in the action</b> satisfactory?	/ 5
3.4 Does the proposal contain <b>objectively verifiable indicators</b> Have the indicators been properly chosen?	/ 5
<b>Total score:</b>	<b>/ 25</b>
<b>4. Sustainability</b>	<b>Max. Score</b>
4.1 Is the action likely to have a tangible <b>impact</b> on its target groups? Is the proposal likely to have <b>multiplier effects</b> ? (including scope for replication and extension of the outcome of the action and dissemination of information.)	/ 5
4.2 Are the expected results of the proposed action <b>sustainable</b> : - financially ( <i>how will the activities be financed after the EC funding ends?</i> ) - institutionally ( <i>will structures allowing the activities to continue be in place at the end of the action? Will there be local "ownership" of the results of the action?</i> ) - environmentally (where applicable) ( <i>will the action have a negative/positive environmental impact?</i> )	/ 5
<b>Total score:</b>	<b>/ 10</b>
<b>5. Budget and cost-effectiveness</b>	<b>Max. Score</b>
5.1 Is the ratio between the estimated costs and the expected results satisfactory?	/ 5
5.2 Is the proposed expenditure <b>necessary</b> for the implementation of the action? Is the budget transparent and adequately related to the planned actions?	/ 5
<b>Total score:</b>	<b>/ 10</b>
<b>6. Partnership</b>	<b>Score</b>
6.1 How satisfactory is the level of involvement and activities of the cross-border partners, the project has been: <ul style="list-style-type: none"> <li>▪ jointly prepared;</li> <li>▪ the project will be jointly implemented;</li> <li>▪ the project will have shared staff;</li> <li>▪ the project will be jointly financed.</li> </ul> <p><b>Note 1:</b> a score of 5 (<i>very good</i>) may only be allocated if the project fulfils all above mentioned criteria (partners participate in preparation, implementation of the project, have financial contribution <i>-eligible costs only- and joint staff</i>) and only to the projects with the balanced division of the budget between the project partners.</p> <p><b>Note 2:</b> a score of 1 (<i>very poor</i>) may be allocated if partner participated only in activities (e.g. partner take part in the training/conference but is not involved in event's preparation, coordination etc.).</p>	/ 5x2*
<b>Total score:</b>	<b>/ 10</b>
<b>Maximum total score:</b>	<b>100</b>

\*the scores are multiplied by 2 because of their importance

*Note on Section 1. Financial and operational capacity*



If a total score lower than “adequate” (9 points) is obtained for section 1, the proposal will be eliminated by the Evaluation Committee. The evaluation grid must nevertheless be completed.

*Note on Section 2. Relevance*

If a total score lower than 24 points is obtained for section 2, the proposal will be eliminated by the Evaluation Committee. The evaluation grid must nevertheless be completed.

*Provisional selection*

Following the evaluation, a table listing the applications ranked according to their score and within the available financial envelope will be established as well as a reserve list following the same criteria.

The minimum score an application has to achieve in order to be taken into consideration for possible financing is **65 points**.

## **2.4 GRANT AWARD DECISION**

Following each step of evaluation the secretary of the Evaluation Committee draws up a full report that includes information on all the projects submitted and the outcome of their evaluation.

A ranking list of projects reflecting the scores given by the Evaluation Committee and with the division on Priorities is annexed to the Evaluation report of the Full Application form. Projects recommended for support are those that following the quality evaluation received the minimum scoring envisaged for the whole project as well as for the required sections.

The final decision is made by the JMC. No project proposal failing to pass the quality assessment thresholds may be approved to be financed. If the JMC decides not to follow all or part of the recommendations of the Evaluation Committee, it shall explain its decision in writing. The decision shall then be sent via the JMA to the European Commission for prior approval.

The JMC may approve the projects with recommendations. If the recommendations are not fulfilled by the applicant in the given timeframe before signing the grant contract with the JMA, the project shall not be supported under the programme.

The JMC may also establish a reserve list of projects, ranked by the scoring. If the applicant awarded a grant does not decide to follow the recommendations of the JMC or decides not to implement its project, the support may be recommended to a reserve project from the same priority and measure, starting from the project ranked on the first place.

Following the JMC decision on the grant award, the JTS shall inform all applicants in writing whether the given application was approved for support. If the financing decision is negative, the reasons for it are given in the letter. In addition, a list of signed grant contracts and the amounts granted shall be published on the JTS website (award-notice).



## 2.4.1 Appeals

Applicants believing that they have been harmed by an error or irregularity during the assessment or in case the Applicant does not agree with the final decision of the JMC, the Applicant is entitled to file a complaint. The complaint can be filed in case the decision:

- infringes the rights stipulated in the Regulations of the European Union and PraG;
- presents an encroachment to the Call for proposals published or the procedures regulating the assessment process.

A complaint shall be submitted to the JMA via JTS (which is the body responsible for handling the complaint) not later than 21 calendar days (as evidenced by the date of dispatch, the postmark or the date of the deposit slip) after the respective letter from the JTS was sent by fax or e-mail. Any complaint submitted after the deadline will automatically be rejected.

The complaint has to be:

- written in English or in the language in which the project was submitted;
- sent to the JMA via JTS by fax (+48 22 201 97 25) or e-mail (all\_pbu@cpe.gov.pl) which should be followed with original sent by the regular mail at:

Joint Technical Secretariat  
Cross-border Cooperation Programme  
Poland-Belarus-Ukraine 2007-2013  
Centre for European Projects  
39a Domaniewska St.  
02-672 Warsaw, Poland

- signed by the legal representative of the Applicant;
- contain clear and articulate reference to the nature of the encroachment based on EU Regulations, PRAG and programme procedures or the Call for proposals.

The JMA shall answer within 45 calendar days of receipt of the complaint by fax or e-mail (which should be followed by the regular mail).

The reply to the appeal represents the final decision of the JMA regarding the application.

## **2.5 CONDITIONS APPLICABLE TO IMPLEMENTATION OF THE ACTION FOLLOWING THE JMC'S DECISION TO AWARD A GRANT**

Following the decision to award a grant, the Beneficiary will be offered a contract based on the standard grant contract (see Annex E of these Guidelines). By signing the Application form (Annex A of these Guidelines), the applicant declares accepting, in case where it is awarded a grant, the contractual conditions as laid down in the Standard Grant Contract.

Recommendations to award a grant are always subject to the condition that the checking process which precedes the signing of the contract does not reveal problems requiring changes to the budget (for instance arithmetical errors, inaccuracies or unrealistic costs and other ineligible costs). The



checks may give rise to requests for clarification and may lead the JMA to impose modifications or reductions to address such mistakes or inaccuracies. The amount of the grant and the percentage of co-financing as a result of these corrections may not be increased.

If the successful applicant is an international organisation, the model Contribution Agreement with an international organisation or any other contract template agreed between the international organisation concerned and the European Commission will be used instead of the standard grant contract provided that the international organisation in question offers the guarantees provided for in article 53d (1) of the Financial Regulation, as described in Chapter 6 of the Practical Guide to contract procedures for EU external actions.

The final eligibility costs verification will be conducted by the JTS and JMA before the signature of the grant contract. The Applicant may be asked to remove any ineligible cost from the budget or to provide any additional information regarding the eligibility of costs and any other issues regarding the implementation of the project.

### Procurement rules

Where implementation of the action requires the Beneficiary to award procurement contracts, it must award the contract to the tenderer offering the best value for money, that is to say, the best price-quality ratio, in compliance with the principles of transparency and equal treatment for potential contractors, care being taken to avoid any conflict of interests. Tendering procedures at the level of projects depend on the nationality of the beneficiary (lead partner) or of the partner launching the tender. Beneficiaries (lead partners) and partners based in Poland have to comply with Polish law on public procurement as compliant with Community directives applicable to procurement procedures. Beneficiaries (lead partners) and partners based in Belarus and Ukraine have to comply with the procedures set out in Annex IV of the grant contract. All tender procedures must be procured in accordance with the best international practice (i.e. the rules described by the PRAG).

### External verification of project expenditure

The purpose of the **verification of project expenditure** is to verify that the expenditure claimed by the beneficiary for the action financed by the contract has occurred ('reality'), is accurate ('exact') and eligible. This verification will be done for every project and it may include on-the-spot check. The verification will be executed by external auditors. Thus every project partner (the lead partner and the project partners) must envisage in the Application Form (Annex B: Budget) costs of external verification as eligible costs of the project..

## **2.6 PAYMENTS AND FINANCIAL VERIFICATION:**

Payment procedures will correspond to one of the three options below. For details please look at the grant contract – Special Conditions.



#### OPTION 1:

Applicable for soft actions with an implementation period not exceeding 12 months and where the financing provided by the JMA does not exceed EUR 300 000

The JMA will pay the grant to the Beneficiary in the following manner:

- pre-financing of 80% of the sum referred to in Article 3.2 of the Special Conditions following the provisions in Article 4.3 of the Special Conditions accompanied by:
  - a request for payment conforming to the model in Annex V;
  - a financial guarantee if required under Article 15.7;
- the balance within 45 days of the JMA approving the final report in accordance with Article 15.2, accompanied by a request for payment of the balance conforming to the model in Annex V, an expenditure verification report under Article 15.6 – model in Annex VII and tender documentation<sup>10</sup> (if applicable).

#### OPTION 2:

Applicable for soft actions where the financing provided by the JMA is more than EUR 300 000 and for all investment and infrastructure actions.

2a/

The JMA shall pay the grant to the Beneficiary in the following manner:

- an initial pre-financing installment of 30% of the sum, as specified in Article 3.2 of the Special Conditions, following the provisions in Article 4.3 accompanied by:
  - a request for payment conforming to the model in Annex V,
  - a financial guarantee if required under Article 15.7;
- further pre-financing installments, representing maximum 40% of the amount specified in Article 3.2 of the Special Conditions within 45 days of the JMA approving an interim report in accordance with Article 15.2, accompanied by:
  - a request for payment conforming to the model in Annex V,
  - an expenditure verification report under Article 15.6 - model in Annex VII,
  - a financial guarantee if required under Article 15.7;
  - tender documentation (if applicable);
- the balance within 45 days of the JMA approving the final report in accordance with Article 15.2, accompanied by:
  - a request for payment of the balance conforming to the model in Annex V,
  - an expenditure verification report required under Article 15.6 – model in Annex VII,
  - remaining tender documentation (if applicable);

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<sup>10</sup> tender documentation means all tender documents issued in accordance with national legislation and where applicable with PRAG (e.g. requests for offers, tender dossiers, tender/offer evaluation reports, purchase/service orders, contract signed between the beneficiary/partners and contractors etc.). Tender documentation must be drafted in accordance with the best international practice.



or

2b/

The JMA shall pay the grant to the Beneficiary in the following manner:

- an initial pre-financing installment of 30% of the sum, as specified in Article 3.2 of the Special Conditions, following the provisions in Article 4.3 accompanied by:

- a request for payment conforming to the model in Annex V,
- a financial guarantee if required under Article 15.7;

- Second pre-financing installment, representing maximum 30% of the amount specified in Article 3.2 of the Special Conditions within 45 days of the JMA approving an interim report in accordance with Article 15.2, accompanied by:

- a request for payment conforming to the model in Annex V,
- an expenditure verification report under Article 15.6 - model in Annex VII,
- a financial guarantee if required under Article 15.7;
- tender documentation (if applicable);

- Third pre-financing installment, representing maximum 30% of the amount specified in Article 3.2 of the Special Conditions within 45 days of the JMA approving an interim report in accordance with Article 15.2, accompanied by:

- a request for payment conforming to the model in Annex V,
- an expenditure verification report under Article 15.6 - model in Annex VII,
- a financial guarantee if required under Article 15.7;
- remaining tender documentation (if applicable);

- the balance within 45 days of the JMA approving the final report in accordance with Article 15.2, accompanied by:

- a request for payment of the balance conforming to the model in Annex V,
- an expenditure verification report required under Article 15.6 – model in Annex VII,
- remaining tender documentation (if applicable);

### OPTION 3

Applicable only at the beneficiary's request.

In case of all activities the action will be pre-financed by the beneficiary/partners and the expenditures incurred will be reimbursed.

The grant shall be paid to the Beneficiary by the JMA in one payment within 45 days of the JMA approving the final report in accordance with Article 15.2 of General Conditions, accompanied by:

- a request for payment of the balance conforming to the model in Annex V of the grant contract,
- an expenditure verification report if required under Article 15.6 of General Conditions,
- tender documentation (if applicable);

Please note that a report on the verification of the Action's expenditure, produced by an approved auditor who meets the specific conditions presented in Annex VII for the expenditure verification, shall be attached to:



- any further pre-financing payments;
- any final report.

The beneficiary will be obliged to present the name of the auditor that will carry out a report on the verification of the Action's expenditure at the stage of signing the grant contract. When tendering procedure is required this information will be provided after successful tender results approved by the JMA.

Payments from JMA will be made on the Beneficiary's account nominated in EUR in accordance with the Financial Identification Form which must be provided to the JTS after the project is approved by the JMC but before signing the Standard Grant Contract.



### 3. LIST OF ANNEXES

#### DOCUMENTS TO BE SUBMITTED

ANNEX A: GRANT APPLICATION FORM (WORD FORMAT) TOGETHER WITH:

SUPPORTING DOCUMENTS:

**Annex A1** Statutes or other relevant documents e.g. internal regulations of the applicant and all partners – not applicable for public institutions from Poland and Ukraine. For Belarusian public bodies – a copy of relevant National Resolution (relevant legislative act relating to establishing and functioning of the institution) should be provided. If necessary for conducting a reliable evaluation - the JTS and the Evaluation Committee may ask for additional clarifications/documents regarding the legal status of each applicant and partner;

**Annex A2:** Applicant's external audit reports for the previous year (where the grant requested exceeds EUR 500 000; not applicable to international organisations nor to the public institutions);

**Annex A3:** Copies of the profit and loss account and the balance sheets or other relevant fiscal documents for the last 3 years (if available) for the applicant and partner with financial contribution to the project, showing their financial standing (not applicable for public institutions);

**Annex A4:** The applicant's declaration on ensuring the funds necessary to project implementation (the total of the project co-financing);

**Annex A5:** If applicable authorisation from the applicant that the person has the right to sign the Application Form (if the Application Form shall be signed not by the Head of the organisation). In case of entity without legal personality a written statement on having the capacity to undertake legal obligations (including signing the grant contract) issued by Supervisory Institution will be required.

**Annex A6** Register document applicable for the applicant/partners:

FOR POLISH PARTNERS: an extract from the National Court Register -Krajowy Rejestr Sądowy - issued not earlier than 6 months before the submission of the Application Form (not applicable for public institutions);

FOR UKRAINIAN PARTNERS:

*for public institutions:* a copy of the Certificate of state registration of legal person certified as a true to the original by the relevant issuing authority or by a notary;

*for non-public institutions:*

1) a copy of the Certificate of state registration of legal person certified as a true to the original by the relevant issuing authority or by a notary and

2) an extract from the Register of non-profit institutions issued by Tax Inspection of Ukraine;

FOR BELARUSIAN PARTNERS: a copy of the Certificate of state registration of legal person certified as a true to the original by the relevant issuing authority or by a notary (not applicable for public bodies).

**Annex A7** Declaration on the entitlement to the recovery of VAT (applicable only for Polish partners).



**Annex A8 (for all investment and infrastructure projects as mentioned in point 2.1.3 of the Guidelines)** – Brief Feasibility Study (containing the following elements: the executive summary, project background, definition of demand/ development needs and goals, implementation part, financial needs analysis and risk analysis). Brief Feasibility Study shall be submitted in original language accompanied *with English summary*, reflecting the main content of the document. The translation into English should be with the following remark: TRUE TO THE ORIGINAL and be signed and stamped by the Applicant. Brief Feasibility Study shall be submitted for all infrastructure projects and investment projects only. –

**Annex A9 (only for infrastructural projects as mentioned in point 2.1.3 of the Guidelines)**  
FOR POLISH AND BELARUSIAN PARTNERS: the building permission or its equivalent (e.g. notification of works component – *zgłoszenie robot budowlanych*) – should be provided if available at the stage of project submission but not later than before signing of the grant contract.

If the project implementation does not require a building permission or its equivalent a self declaration with the reference to the relevant National regulation should be annexed that the works activities are not the subject of a building permission or its equivalent;

FOR UKRAINIAN PARTNERS: the positive *Decision of complex state expertise* should be provided before signature of the Grant Contract, and then after signing of Grant Contract but before first installment the Building permission should be provided. If the project implementation does not require a building permission or its equivalent a self declaration with the reference to the relevant National regulation should be annexed that the works activities are not the subject of a building permission or its equivalent;

**Annex A10 (for all investment and infrastructural projects as mentioned in point 2.1.3 of the Guidelines)** – Declaration of the Applicant/Partner on the right for the land/real estate disposal for the construction/supplies purposes Annex A10

**Annex A11 (for infrastructural project as mentioned in point 2.1.3 of the Guidelines)**- Maps, project location sketches (simply presenting the location of the action)– Annex A11.

**Annex A12 (for infrastructural project as mentioned in point 2.1.3 of the Guidelines)** – if available at the stage of project submission but not later than before signing of the grant contract.

FOR POLISH PARTNERS: Decyzja o środowiskowych uwarunkowaniach. If not applicable – written statement issued by the relevant institution must be provided not later than before the grant contract signature.

FOR UKRAINIAN PARTNERS:

1. Conclusion of the State Ecological Expertise issued by the Ministry for Ecology and Natural Resources of Ukraine (Ukrainian: Висновок державної екологічної експертизи виданий Міністерством екології та природних ресурсів України) and
2. Environmental Impact Assessment as the part of Technical Documentation according to National Construction Standards A.2.2-1-2003 (ДБН А.2.2-1-2003) (Ukrainian: Оцінка впливу на навколишнє середовище як частина технічної документації згідно ДБН А.2.2-1-2003).

If not applicable – written statement issued by the relevant institution must be provided not later than before the grant contract signature.

FOR BELARUSIAN PARTNERS:



1. Conclusion of the State Ecological Expertise issued by the Ministry (or its regional bodies) for Natural Resources and Environmental Protection of the Republic of Belarus (Russian: Заключение государственной экологической экспертизы, выданное Министерством природных ресурсов и охраны окружающей среды Республики Беларусь либо его территориальными органами) and
2. Report on the Environmental Impact Assessment (Russian: Отчет о результатах проведения оценки воздействия на окружающую среду).

In case the above mentioned documents are not obligatory, the relevant letter, issued by the Ministry for Natural Resources and Environmental Protection of the Republic of Belarus (or its regional bodies), should be submitted.

**ADDITIONAL REMARK FOR UKRAINIAN AND BELARUSIAN PARTNERS:**

If the action is listed in Annex I or Annex II of the EIA Directive (*Council Directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment*) and the following documents as proof of the compliance with the EIA Directive should be provided:

- d) a copy of the non-technical summary - a document which has been used during the public consultations,
- e) information about the consultation with the public (when, where, information about public hearings, etc) and the environmental authorities, as well as other Member States, if Transboundary consultations are applicable;
- f) information in accordance with Article 9(1) of the Directive, i.e. a copy of the development consent, the information about mitigation and compensatory measures, and main considerations on which the decision is based including information about the public participation process.

If the action is covered by Annex II and the competent authority has determined that there is no need for the full EIA procedure for the project, the partners have to provide an explanation on the reasons and to give the thresholds, criteria or case by case examination carried out to reach the conclusion that the project has no significant environmental effects.

**Annex A13 etc.** Other necessary documents required by Polish/Belarusian/Ukrainian law – please specify and add next point e.g. A13, A14 etc.

**OTHER ANNEXES:**

ANNEX B: BUDGET (EXCEL FORMAT)

ANNEX C: LOGICAL FRAMEWORK (EXCEL FORMAT)

ANNEX D: PROJECT DESCRIPTION IN ENGLISH

**DOCUMENTS FOR INFORMATION**

ANNEX E: STANDARD GRANT CONTRACT

- ANNEX II: GENERAL CONDITIONS APPLICABLE TO EUROPEAN COMMUNITY-FINANCED GRANT CONTRACTS FOR EXTERNAL ACTIONS
- ANNEX IV: CONTRACT AWARD PROCEDURES
- ANNEX V: STANDARD REQUEST FOR PAYMENT
- ANNEX VI: MODEL NARRATIVE AND FINANCIAL REPORT



- ANNEX VII: MODEL REPORT OF FACTUAL FINDINGS AND TERMS OF REFERENCE FOR AN EXPENDITURE VERIFICATION OF AN EC FINANCED GRANT CONTRACT FOR EXTERNAL ACTIONS
- ANNEX VIII: MODEL FINANCIAL GUARANTEE

ANNEX F: DAILY ALLOWANCE RATES (PER DIEM), available at the following address:

[http://ec.europa.eu/europeaid/work/procedures/implementation/index\\_en.htm](http://ec.europa.eu/europeaid/work/procedures/implementation/index_en.htm)

ANNEX G: STANDARD CONTRIBUTION AGREEMENT (applicable when the beneficiary is an international organisation), available at the following address:

[http://ec.europa.eu/europeaid/work/procedures/implementation/international\\_organisations/index\\_e](http://ec.europa.eu/europeaid/work/procedures/implementation/international_organisations/index_e)

ANNEX H: ASSUMPTIONS TO THE PARTNERSHIP AGREEMENT

ANNEX I: MAP OF THE PROGRAMME AREA