



**Romanian Ministry of Development, Public Works and
Administration
Managing Authority**

(INTERREG VI-B) NEXT Black Sea Basin Programme

**GUIDELINES FOR GRANT APPLICANTS
Reference: First Call for Proposals**

REGULAR PROJECTS

PART II

PROJECT MAIN REQUIREMENTS

CONTENTS

1. PROJECT CONTRIBUTION TO PROGRAMME'S POLICY OBJECTIVES	4
2. PROJECT INTERVENTION LOGIC	6
3. TRANSNATIONAL RELEVANCE	7
4. HORIZONTAL PRINCIPLES	8
5. APPLICANTS	9
5.1 Legal status	9
5.2 Geographical location	10
5.3 Professional and financial capacity	11
5.4 Exclusion Criteria	11
5.5 Ineligible applicants	11
6. PARTNERSHIP REQUIREMENTS	12
6.1 Partnership relevance	12
6.2 Partnership size	12
6.3 Lead partner principle and requirements	12
7. ACTIVITIES	14
7.1 Type of activities	14
7.2 Geographical area of implementation	15
7.3 Synergies and complementarities with other actions	15
7.4 Capitalisation of previous programmes' results	16
7.5 Communication requirements	16
7.6 Ineligible activities	17
8. PROJECT SIZE AND FUNDING	18
9. PROJECT DURATION	18
10. FINANCIAL REQUIREMENTS	18
10.1 Expenditure eligibility requirements	18
10.2 Project Budget	20
Budget Line 1 - Staff costs	20
Budget Line 2 - Office and administration	22
Budget Line 3 - Travel and accommodation	23
Budget Line 4 - External expertise and services	24
Budget Line 5 - Equipment	25
Budget Line 6 - Infrastructure and works	26
10.3 Co-financing	27
Regular Projects - Part II - Project main requirements	2



10.4 Value Added Tax (VAT)	28
10.5 Conversion into euro	28
10.6 Non-eligible expenditure	28
10.7 Irregularities and recovery of unduly paid amount	28
11. PUBLIC PROCUREMENT	29
12. STATE AID	29
12.1. General provisions	29
12.2. Provisions for this call regarding state aid	31
13. ANTI-FRAUD POLICY	35
14. MANDATORY DOCUMENTS TO BE PROVIDED WITH THE PROJECT PROPOSAL	36

1. PROJECT CONTRIBUTION TO PROGRAMME'S POLICY OBJECTIVES

Projects to be funded under this call for proposals have to contribute to one of the programme specific objective (Specific Objective 1, 4 or 7) formulated under the Policy Objectives (Policy Objective 1 or 2), as presented in the Figure 3, below.

In addition to this, all projects have to contribute to the objectives of the Common Maritime Agenda (CMA) for the Black Sea.

The [Common Maritime Agenda \(CMA\)](#) is an important reference document for the Interreg NEXT BSB Programme, as it provides a relevant framework for the support of the blue economy sector as a whole, and the various economic activities it encompasses, towards a sustainable economic development of the region and its coastal regions. The goals identified by the CMA are particularly developed into the priorities and actions of the Interreg NEXT BSB Programme covering sustainability of the marine ecosystem, marine pollution and plastic litter, sustainable fisheries and aquaculture, marine research infrastructures, use of innovative technologies, etc.

TAKE NOTE

During the implementation, based on criteria to be developed and agreed by the management structures, at least one project from the **fields of action listed below**, which could generate higher visibility and added value, may be labelled as **flagship projects** and considered as operation of strategic importance according to the definition in Article 2 of the Regulation (EU) 2021/1060¹:

- Use of innovative technological developments, including enhancement and application of Artificial Intelligence technologies, in support of the blue economy;
- Measures to prevent and mitigate the impacts of climate change on the Black Sea region, including on water quality and quantity;
- Investing in green infrastructure to mitigate air, water, noise, soil pollution and degradation.

¹ 'Operation of strategic importance' means an operation which provides a significant contribution to the achievement of the objectives of a programme and which is subject to particular monitoring and communication measures;

Figure 3 - Priorities and Specific Objectives

Interreg NEXT Black Sea Basin Priorities and Specific objectives



POLICY OBJECTIVE 1

A more competitive and smarter Europe and its neighbourhood

Specific Objective 1

Developing and enhancing research and innovation capacities and the uptake of advanced technologies

Priority 1

Blue and smart region

POLICY OBJECTIVE 2

A greener, low-carbon transitioning towards a net zero carbon economy and resilient Europe and its Neighbourhood

Specific Objective 4

Promoting climate change adaptation, and disaster risk prevention, resilience, taking into account eco-system based approaches

Specific Objective 7

Enhancing protection and preservation of nature, biodiversity, and green infrastructure, including in urban areas, and reducing all forms of pollution

Priority 2

Clean and Green Region

2. PROJECT INTERVENTION LOGIC

The coherence of the project intervention logic with the targeted specific objective of the programme is a key factor for a quality project.

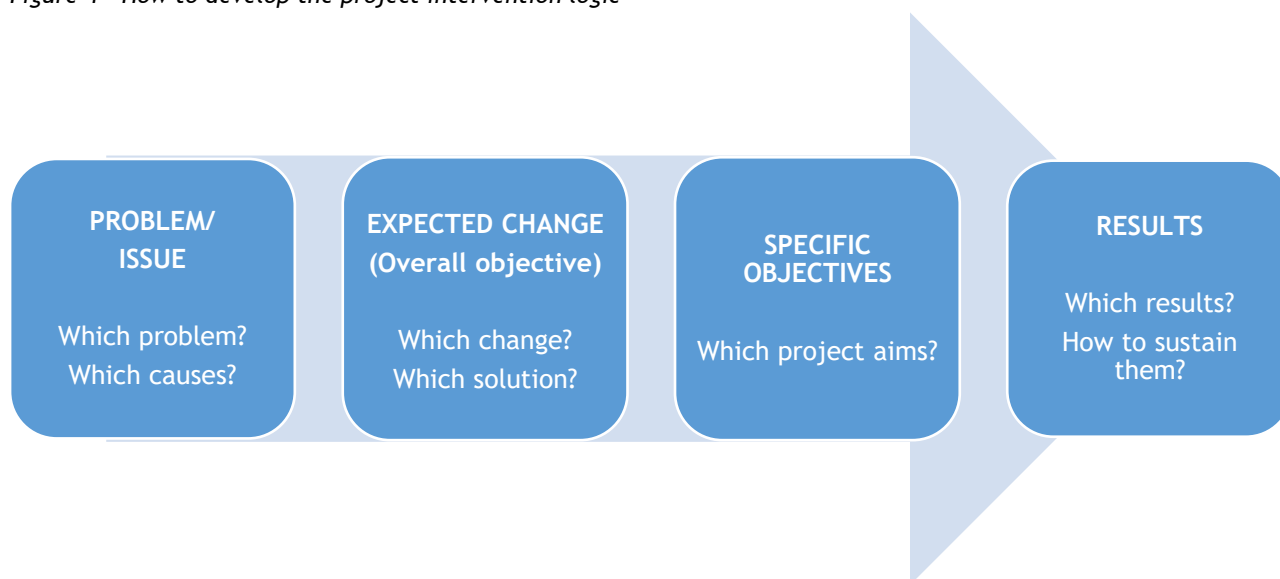
When designing a project the following aspects have to be considered:

- Project overall objective clearly targets one single programme specific objective within the chosen priority;
- Project corresponds to relevant field(s) of action of the selected specific objective;
- Activities and outputs are logically linked to the targeted programme specific objective;
- Project clearly contributes to the programme result indicator(s).

The project intervention logic has to show how a desired change will be achieved. It should reflect the current situation (e.g. a problem, a need), its causes and the change/improvement which the project seeks to achieve by implementing the planned activities.

The project intervention logic should be built according to the process displayed in the figure below which also includes related basic questions to be addressed during this process.

Figure 4 - How to develop the project intervention logic



TAKE NOTE

Contribution to programme priorities and specific objectives and the relevance for the need of the involved areas/regions are crucial for project selection.

The meaning of the main terms used for the intervention logic should be understood as follows:

Project overall objective - describes what the project contributes to achieve for the benefit of the involved regions and derives from the planned project results.

Project specific objective - defines an immediate goal that the project can realistically achieve within the project lifetime through its planned activities and related outputs. The project specific objective needs to contribute to the overall project objective.

The **project activity** is the main implementation step or task in the work package.

The **project output** is the product that results from the implementation of one or more project activities. All project activities and outputs need to be consistent with and contribute to the project specific objective. All project outputs need to contribute to the programme output indicators.

The **project result(s)** is the immediate effect and change compared to the initial situation in the regions subject to cooperation, which the project intends to achieve through its outputs. All project results are to contribute to the programme result indicators.

The **work plan** contains only one work package, which is broken down into more activities.

TAKE NOTE

When defining the outputs, we strongly recommend you carefully read the Programme [Performance Framework Methodology](#). The explanations provided in the document will help project partners better understand the definition of programme indicators and how to quantify the outputs in order to ensure that the correct figures are collected and reported.

Make sure you define **SMART** Project objectives!

S - SPECIFIC - what? In whose advantage?

M - MEASURABLE - can be measured?

A - ACHIEVABLE - can it be reached?

R - REALISTIC - can it be achieved with the given resources?

T - TIME-BOUNDED - can it be achieved within the envisaged project duration?

For reference, Detailed logical framework for Priority 1 and Priority 2 are presented in *Part I - Section 4* and available on the [programme website](#).

3. TRANSNATIONAL RELEVANCE

Transnational relevance is a key quality requirement which has to be clearly **explained and demonstrated** throughout the entire application (including in the project approach and work plan).

According to Interreg Regulation 1059/2021 “*The transnational cooperation strand should aim to strengthen cooperation by means of actions conducive to integrated territorial development linked to the Union’s priorities, in full respect of subsidiarity*”.

Therefore, each project should foresee activities which address the main challenges that are shared across the regions participating in the project, have a clear transnational impact and contribute to one of the programme specific objectives. This means:

NEXT Black Sea Basin

- The problems identified can be solved more efficiently jointly, instead of individual regions or countries acting alone;
- Solutions are jointly developed by organisations in different participating countries working together in a project, thereby showing a clear transnational added value going beyond the results independently achievable in the involved regions/areas;
- Project outputs reflect the transnational, joint approach;
- All partners actively participate in the project in order to achieve the project results.

TAKE NOTE

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

4. HORIZONTAL PRINCIPLES**Environmental protection and sustainable development**

All projects supported by the programme have to respect the relevant EU policies and rules regarding environment protection and sustainable development and be in line with the objective of promoting sustainable development, taking into account the [UN Sustainable Development Goals](#), the [Paris Agreement](#) and the "[do no significant harm](#)" (DNSH) principle.

Project applicants have to describe the **contribution to sustainable development**, explaining how the [sustainable development principles](#) are anchored within the project design and planned activities.

Projects submitted under any specific objective are strongly encouraged to incorporate activities for tackling environmental concerns and **reducing their environmental and carbon footprint**, for example by:

- Including environmental criteria in procurement procedures;
- Giving preference to environmentally-friendly mobility options (in particular for short travel distances);
- Organising conferences and events in a sustainable way (e.g. by combining different meetings in one place, reducing printing and using recyclable materials, using video conference facilities, etc.);
- Considering resource efficiency and the use of renewable energy at all levels;
- Making use of regional supply chains (reducing supply chain length and CO2 emissions).

TAKE NOTE

In case a partner suspects that a project activity is likely to harm the environment, it should consult the environmental local/regional authority and if necessary, shall undertake, at its own cost an Environmental Impact Assessment if indicated by the local/regional authority, according to the national legislation.

Equal opportunities and non-discrimination

Projects have to ensure that the activities implemented are in line with the principle of equal opportunities and do not generate discrimination of any kind (gender, racial or ethnic origin, religion or belief, disability, age or sexual orientation).

Applicants have to describe how the equal opportunity and non-discrimination principle is anchored within the project design and planned activities.

Equality between men and women

Projects have to ensure that the activities implemented are in line with the principle of equality between men and women and do not generate discrimination of any kind.

For more details on how to integrate and consider these principles during the preparation, implementation and reporting, it is recommended to read *Annex 1 Horizontal principles*.

5. APPLICANTS

5.1 Legal status

In order to be eligible for a grant, Lead Partners and Project Partners must be registered as legal entity, with own registration number. They must be:

a. public authorities

E.g.: regional/county council, local council, municipality, ministries, etc;

b. bodies governed by public law - namely bodies that have all of the following characteristics:

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

E.g.: state/regional owned institutes, universities and educational institutions, regional development agencies, nature parks and protected areas management bodies, research institutes, etc;

c. non-profit organizations:

E.g.: associations, unions, foundations, private universities if their legal status is of a non-profit organization, Local Action Groups, Euro regions, European Grouping of Territorial Cooperation².

² in the meaning of Article 2(16) of Regulation (EU) No 1303/2013;

TAKE NOTE

Do not confuse bodies governed by public law with public authorities.

Exception: Faculties, educational departments within a university (registered and located in the eligible area) shall be considered separate legal entities although not having their own registration number.

TAKE NOTE

ALL APPLICANTS HAVE TO REGISTER ON EC [PARTICIPANT REGISTER](#) PRIOR TO SUBMISSION OF THE APPLICATION!

5.2 Geographical location

In order to be eligible for a grant, Lead Partners and Project Partners must be legal persons effectively established (registered with own Registration Code and located) in the eligible area of the programme as described in *Part I Section 3 Eligible Area*.

TAKE NOTE

If an organisation has subsidiary office that is effectively established (registered and located as separate legal entity) in the eligible area, then the subsidiary office is eligible, even though the central office is outside the eligible area.

As an exception, a public authority or a body governed by public law having a mandate which covers the entire country, but with main office/headquarter located outside eligible area, may be eligible through its' subsidiary office operating in the eligible area, even if the subsidiary it's not registered as a distinct legal entity. Nevertheless, **the involvement of the subsidiary should be essential in terms of exclusive institutional competences and relevance for the project implementation.**

Also, organisations from Ukraine effectively established (registered and located in the eligible area), with offices operating, at the date of project submission, in other areas in Ukraine outside the programme eligible area, are eligible.

In case the partner falls under any exception mentioned above, explanation to demonstrate the exceptional character has to be provided.

Eligibility criteria described under *section 5.1* and *5.2* are cumulative and shall be assessed accordingly.

5.3 Professional and financial capacity

In order to ensure the achievement of the forecasted project results, it is expected that:

- **lead partner** has relevant experience for managing a cooperation project, the necessary competences and financial capacity to manage the implementation of the planned activities and to secure the cash-flow needed for the project implementation;
- **project partners** have competence in the thematic field concerned and financial capacity necessary for the project implementation.

5.4 Exclusion Criteria

Project partners may not participate in Calls for Proposals or be awarded grants if they are in any of the situations as described in articles 136-141 of the [EU Regulation no.1046/2018](#).

Project partners may not be awarded grants if they have any unpaid debt to the Managing Authority for any project financed under ENI-CBC Black Sea Basin Programme 2014-2020.

TAKE NOTE

When building the partnership, we recommend lead partners to check with the project partners that they do not have any unpaid debt to the Managing Authority for any project financed under ENI-CBC Black Sea Basin Programme 2014-2020. In case of any doubt, MA should be consulted on this aspect.

5.5 Ineligible applicants

The ineligible applicants for this call for proposals are:

- Political parties,
- Entities from the public or private sector established for commercial and profit making purposes,
- Natural persons,
- Organisations representing and owned by religious cults,
- Organisations which are not effectively established in the eligible area,
- International organisations.

Non - eligibility of one partner implies the non - eligibility of the entire application irrespective of the fact that the minimum partner requirements set out in the Guidelines for Applicants are still met.

6. PARTNERSHIP REQUIREMENTS

6.1 Partnership relevance

In order to successfully implement a transnational cooperation project, to achieve tangible project results it is essential to involve partners who are relevant and have competencies for the development and implementation of the project activities, as well as for ensuring achievement and sustainability of the planned output and results.

In this respect, all partners should:

- have good knowledge of the challenges in the targeted area and of the needs of the target groups;
- have the adequate expertise and thematic competence to implement the project;
- be involved in a way that demonstrates the joint implementation of the project.

6.2 Partnership size

The project partnership shall contain **a minimum of 4 organisations** from at least 3 different participating countries including at least one from a EU Member State and one from a partner country.

A maximum of 6 organisations in the partnership is allowed.

A partnership shall include **maximum 2 organisations from the same participating country.**

6.3 Lead partner principle and requirements

The partnership is governed by the lead partner principle³. This means that among the partners implementing the project, one institution is appointed as lead partner acting as project interface and having full legal responsibility in relation with the programme (MA/JS) for the implementation of the entire project.

Once the project is approved for funding the Lead Partner is the contractual counterpart of the programme, signing the grant contract with the MA and a partnership agreement with all project partners.

The rights and obligations of the Lead Partner and of the partners during and after the project implementation are provided in the indicative templates of grant contract and of Partnership Agreement presented in *Annex 9 of these Guidelines*, also available at the programme website <https://blacksea-cbc.net/>

TAKE NOTE

- A Lead Partner may submit more than one application under this Call for Proposals;

³ As provided for in Article 26 of Regulation (EU) 2021/1059.

NEXT Black Sea Basin

- A Lead Partner or a Project Partner may at the same time be partner in other application(s); however, it is recommended to thoroughly consider the number of applications which you decide to involve in, taking into account the required human and financial resources which have to be available for project implementation;
- A Lead Partner may be awarded only one grant for a regular project, per Priority.

The main tasks and responsibilities of the lead partner and the project partners during project development and after submission (as Beneficiary), in case the project is selected for funding, are presented in the table below⁴.

Project stage	Lead partner, in addition to its tasks and responsibilities as a project partner	Project partner
Project development		
Development of a project idea	All partners contribute with the necessary information, ensure the needed inputs and reach a joint understanding. One of the partners takes the lead and facilitates the entire process.	
Project development	All partners are actively involved in the project development process and contribute with knowledge and information concerning their country, region or domain. Partners agree who shall be the leader, the latter being responsible to lead the development process, it organises meetings (face to face or online), collects all inputs and ensures the circulation of all documents.	
Filling in the application form and the required annexes	Leads the process, ensures that all necessary inputs are collected and that the application is duly filled in, and all necessary annexes are completed according to the programme requirements.	Actively contributes with information, agrees their role and contribution to the project (human and financial resources), and prepares all necessary annexes.
Submission of the application	Ensures that the application is submitted on time to the Managing Authority (MA)	
If the project is selected for funding		
Fulfilment of conditions	Communicates with the MA/JS and the partners, regarding clarifications and/or the fulfilment of conditions as necessary during the contracting stage.	Contributes with the information or documents necessary for clarifications or/and the fulfilment of conditions.
Signature of the partnership agreement	Prepares draft partnership agreement, discusses all clauses of the agreement with all project partners and ensures joint	Discuss, agrees the content of the partnership agreement and signs the

⁴ TESIM handout document - Tasks and responsibilities of the lead partner (lead beneficiary) and the project partners (beneficiaries) (Istanbul 2016)

	understanding and agreement. Organises the process for signing the agreement.	agreement with the lead partner.
Signature of the grant contract	Provides all necessary information to the MA/JS, and signs the grant contract on behalf of the partnership.	Gets familiar with the content of the grant contract.
Project implementation	Assumes responsibility for the project implementation. Ensures overall project coordination, monitors implementation of project activities and the project financial plan, ensures the project is implemented in accordance with the provisions of the grant contract, and collects from partners the information needed for reporting.	Ensures the quality and the timely implementation of the project activities they are responsible for, provides all necessary human and financial resources, and provides the lead partner with all information needed for reporting.
Reporting	Collects all the necessary information, puts together the report, and submits it to the MA/JS.	Contributes with the information needed for reporting.
Requesting and receiving payments	Provides the MA/JS with the necessary expenditure verification reports, requests and receives payments from the Managing Authority, distributes payments to the other partners.	Ensures that its expenditure is verified according to the programme rules, and receives payments from the lead partner.

7. ACTIVITIES

7.1 Type of activities

The indicative activities financed under the programme can be found in the Programme document available on the website www.blacksea-cbc.net .

Projects under Specific Objective 4 proposing activities aiming at removal of invasive and alien species (NIS and IAS) should consider in their approach that the removal of such species should be done in a way that the overall biodiversity and quality of the marine ecosystems are not harmed. In this respect, in the Application, *Section Horizontal principles - Sustainable development and environment protection* applicants should refer to the DNSH principle when presenting the expected impacts of the project, to show that their project will not carry out activities that will harm the environment.

NEXT Black Sea Basin

For investments in infrastructure with an expected lifespan of at least five years, an assessment on how the **potential impacts of climate change were taken into consideration** has to be made and described (climate proofing only in the sense of climate adaptation & resilience*, according to the relevant provisions from the COMMISSION NOTICE "Technical guidance on the climate proofing of infrastructure in the period 2021-2027" (2021/C 373/01-<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=OJ:C:2021:373:FULL&from=EN>).

Please be aware that during the evaluation and selection of projects the documents related to this assessment might be requested by the management structures.

Projects including an infrastructure component are encouraged to integrate the core values of the New European Bauhaus initiative: sustainability, aesthetic, inclusivity, as provided in [the EC Communication no. 573\(2021\)](#).

For more detailed explanations on the aspects to be considered in relation to the New European Bauhaus initiative, please see *Annex 1 Horizontal principles*.

7.2 Geographical area of implementation

As a basic principle, project activities shall be implemented in the Programme eligible area as indicated in *Part I - Section 3 Eligible area*.

In exceptional and duly justified cases, some project activities (e.g capacity building, exchange of experience, promotion of project results at international level) can be accepted to be implemented outside the programme area, **only on the condition they respect the following requirements:**

- They are for the benefit of the regions of the programme area, and
- They are essential for the implementation of the project, and
- They are explicitly foreseen in the application form.

7.3 Synergies and complementarities with other actions

All Applicants should describe how their cooperation project **contributes to the objectives of the [Common Maritime Agenda](#) and if the case, to one of the following EU strategies and policies:**

- ❖ [EU Strategy for the Danube Region \(EUSDR\)](#), Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - COM(2010) 715 final;
- ❖ [EU Strategy for the Adriatic and Ionian Region \(EUSAIR\)](#) Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, COM(2014) 357 final;
- ❖ Strategic Research and Innovation Agenda for the Black Sea (SRIA).

Additional complementarities and synergies shall be looked for with the following organisations or programmes:

- [Black Sea Economic Cooperation \(BSEC\)](#),
- [Conference of Peripheral Maritime Regions \(CPMR\) & Balkan and the Black Sea Commission \(BBSC\)](#),

NEXT Black Sea Basin

- [Assembly of European Regions \(AER\)](#),
- [Commission for the Protection of the Black Sea against Pollution \(Black Sea Commission or BSC\)](#),
- [Three Seas Initiative](#)⁵,
- other Interreg Programmes with which the Interreg NEXT Black Sea Basin Programme shares common territories, such as: [Interreg NEXT Romania-Moldova](#), [Interreg NEXT Romania-Ukraine](#), [Interreg Romania-Bulgaria](#), [Interreg Greece-Bulgaria](#), [Interreg IPA Bulgaria-Turkey](#), [Interreg NEXT Mediterranean Sea Basin](#) and [Interreg Danube](#).

7.4 Capitalisation of previous programmes' results

Projects may include activities to capitalise on the achieved results of previous projects aiming at their roll out into broader policies, strategies, action plans, etc. Capitalisation activities should also focus on the widening up of the audience/target groups of existing project results beyond the partnership and/or the raising of ownership and awareness of relevant stakeholders.

To support this Programme beneficiaries and in order to strengthen the capitalization of ENI CBC Black Sea Basin 2014-2020 projects results, the Programme created a database, available on the [Programme website](#).

The database is available for potential beneficiaries who can find relevant outputs and results of the ENI CBC Black Sea Basin Programme 2014-2020 projects which can be further developed, replicated and/or built upon, as feasible (e.g in the field of climate change and environmental protection, etc). Special attention should be dedicated to the strategies and studies already developed in the framework of the previous Programmes.

Moreover, the database will be continuously enriched with information on the results achieved by projects supported under the Interreg Next BSB Programme.

7.5 Communication requirements

Communication plays a strategic role in successful projects and helps projects to achieve the change/improvement they aim for with their project activities.

Communication activities may contribute to the capitalisation of achieved project outputs and results and aim at their roll out into broader policies, strategies and action plans.

Co-funded projects have to acknowledge and promote the support received from the programme in all their activities. In this respect partners shall take all necessary steps to publicise, in line with the programme Communication and Visibility Manual, the fact that the European Union has co-financed the project as well as information regarding the funded project (at least a short description of the operation, project aims and results, financial support from the Programme).

The means for communication are:

- partners' official website or social media sites, where such sites exist;

⁵ Three Seas is an initiative that brings together 12 EU Member States between the Baltic, Black and Adriatic seas: Austria, Bulgaria, Croatia, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia

NEXT Black Sea Basin

- documents and communication materials relating to the implementation of the operation, intended for the general public, or for participants;
- durable plaques or billboards displayed and clearly visible to the public, as soon as the project implementation involving physical investment, or purchase of equipment starts, or purchased equipment is installed.

When designing the communication plan, project partners should take into account that in the application form there is no separate communication package and therefore communication activities should be fully integrated in different parts.

Information regarding communication should be included under the following Sections: Project summary, Target groups, Work plan, Project Management & Communication. For more detailed information, see *Part III - Offline Application Form Template*.

Moreover, it is recommended that, whenever possible, Artificial Intelligence - based language technologies (e.g. automated translation, text analysis, speech technologies, social media translator) should be encouraged.

7.6 Ineligible activities

- Activities that create an economic advantage for the Applicant(s) or target groups (indirect aid), which act as (an) undertaking(s) in the sense of state aid rules, leading to a distortion of the competition and having an effect on trade between Member States or between Member States and partner countries participating in the programme;
- Activities concerned only or mainly with individual sponsorships for participation in workshops, seminars, conferences, congresses or individual scholarships for studies or training courses, gifts or money awards;
- Activities related to the tobacco industry, production of alcoholic distilled beverages (excluding local and traditional products), fire arms and munitions;
- Activities with provisions for financing the usual management activities of the local organizations;
- Activities linked to political parties;
- Charitable activities and donations;
- Activities for which the Applicants are already receiving funding e.g. from the state budget, other Community programmes or other funds, in order to avoid double funding;
- Sub-granting activities (i.e. the use of the grant to make further grants or loans to other organisations or individuals, for example, those who are establishing their businesses, etc);
- Activities supporting establishment or activities of private or public enterprises or of religious cults;
- Small scale infrastructure/investments outside the programme area.

8. PROJECT SIZE AND FUNDING

Any grant awarded under the Interreg NEXT BSB Programme for the implementation of a regular project must fall between minimum EUR 500,001 - maximum EUR 1,500,000 (Interreg funds).

Project Partners should always ensure that the financial size of the project reflects the activities foreseen in the work plan and that the budget is based on the **principles of sound financial management** (i.e. economy, efficiency and effectiveness) which is essential to ensure the successful implementation of a project.

The value of the grant for the projects contracted under this call for proposals may be increased subject to the availability of funds at Programme level, by decision of the Monitoring Committee, based on the proposal made by the Managing Authority, after analysing the Lead Partners' justifications.

The increase of the value of the grant shall be done in consideration of achieving the objective(s) of the project and its indicators.

9. PROJECT DURATION

The duration of projects should be **up to 30 months**.

It is highly recommended to ensure that the project implementation timetable is realistic and designed following a thorough consideration of all risks and external and internal circumstances, which may have an impact on project duration.

If the need may be, the project implementation period for the projects contracted under this call for proposals may be increased by decision of the Monitoring Committee, based on the proposal made by the Managing Authority, after analysing the Lead Partners' justifications.

The increase of the project implementation period shall be done in consideration of achieving the objective(s) of the project and its indicators.

10. FINANCIAL REQUIREMENTS

10.1 Expenditure eligibility requirements

As a general principle, expenditure is eligible for funding when fulfilling the applicable national legislation, as well as respecting the specific rules described in the [Common Provisions Regulation \(EU Regulation 2021/1060\)](#) and the [Interreg Regulation \(EU Regulation 2021/1059\)](#).

The expenditure should mainly:

- Be related to the costs estimated and indicated in the project budget, necessary for implementing a project, in accordance with the signed grant contract;

NEXT Black Sea Basin

- Be related to costs that were not already financed from other EU Funds or other contributions from third parties (no double funding);
- Be essential for the achievement of the project objectives/outputs and it would not be incurred if the project is not carried out;
- Be related to activities implemented in accordance with the programme rules as concerns the eligible geographical location where programme activities are being implemented;
- Be incurred during the implementation period of the Project and paid before the submission of the final report;
- Be identifiable, verifiable and registered in the partner's accounts through a separate accounting system or appropriate accounting codes for all transactions relating to the project;
- Comply with the requirements of the applicable national legislation;
- Be supported by invoices, proof of payment and/or accounting documents of equivalent probative value;
- Observe the relevant public procurement rules, as applicable;
- Be validated by an authorised controller.

TAKE NOTE

Costs related to documentation for projects including an infrastructure component are eligible if they are incurred after the date of 1st of January 2021.

The eligibility of expenditure applies to both public and own contribution, so it is not possible to consider an ineligible expenditure as own contribution.

Note that the eligible costs are based on either real costs or flat rates, which are automatically calculated in the Joint electronic monitoring system (Jems), per each project partner.

For regular projects, the Programme uses **flat rates** for the following budget lines:

- Staff costs - 20% of the eligible direct costs other than staff costs;
- Office & administration costs - 7% of the eligible direct costs (including staff costs).

Direct costs are those costs that are directly related to the implementation of the project where there is a direct link with the project.

No justifying /supporting documents proving the expenditures incurred under budget lines *Staff costs* and *Office and administration costs* have to be provided.

However, project partners will have to keep record of the supporting documents related to the expenditure based on **real costs** under **all other budget lines** (*Travel and Accommodation, External expertise and services, Equipment, and Infrastructure and works*) and be able to demonstrate at any time that the Programme rules and the relevant legislation have been observed.

10.2 Project Budget

A project budget is composed of main **budget lines**: staff, travel and accommodation, external expertise and services, equipment, infrastructure and works - representing direct costs, and office and administration - representing indirect costs, and one or several **sub-budget lines**.

The budget of each partner must be drafted fully accomplishing the principles of adequacy of costs and sound financial management: economy, efficiency and effectiveness.

The definitions of the three principles are:

The **principle of economy** requires that the resources used by the institution for the pursuit of its activities shall be made available in due time, in appropriate quantity and quality and at the best price.

The **principle of efficiency** is concerned with the best relationship between resources employed and results achieved.

The **principle of effectiveness** is concerned with attaining the specific objectives set and achieving the intended results.

TAKE NOTE

Please be aware that according to the Grant contract the following payment arrangements shall be applied for each project partner:

- Advance payment - maximum 30%
- Several interim payments - linked and based on actual expenditure made and reported
- The advance will be recovered by deducting 20% from the eligible value of the next payment requests until the amount is recovered;

Therefore, a solid financial capacity and financial management of each partner is essential for an adequate project implementation.

Project partners will closely observe the requirements described below since the project design in order to ensure that the costs are budgeted under the correct budget lines, in accordance with the Programme rules for regular projects, presented below:

Budget Line 1 - Staff costs

Staff costs expenditure consists of the gross employment costs of staff employed by the project partners for implementing the project. Staff can either be already employed by the beneficiary or contracted specifically for the project, after the conclusion of the grant contract.

In accordance with Article 39 of Regulation (EU) 2021/1059 (Interreg), expenditure included under this line is limited to the following:

NEXT Black Sea Basin

- (a) salary payments related to the activities which the project partner would not carry out if the operation concerned was not undertaken, provided for in an employment document, either in the form of an employment or work contract or an appointment decision, or by law, and relating to responsibilities specified in the job description of the staff member concerned;
- (b) any other costs directly linked to salary payments incurred and paid by the employer, such as employment taxes and social security including pensions as covered by Regulation (EC) No 883/2004 of the European Parliament and of the Council(20), on condition that they are:
- provided for in an employment document or by law;
 - in accordance with the legislation referred to in the employment document and with standard practices in the country or the organisation where the individual staff member is actually working, or both; and
 - not recoverable by the employer.

Payments to natural persons working for the project partner under a contract other than an employment or work contract may be assimilated to salary payments and such a contract shall be considered to be an employment document.

However, please pay attention that external experts contracted under a service contract cannot be included under “Staff costs” as they fall under budget line 4 “External expertise and services”.

Staff costs **shall be calculated as a flat rate** of 20% of the eligible direct costs other than staff costs, at partner level.

All costs incurred by the partners and validated by the controller under the following budget lines are to be regarded as direct costs, for the purpose of calculating the 20% staff costs flat rate:

- 3 Travel and accommodation;
- 4 External expertise and services;
- 5 Equipment;
- 6 Infrastructure and works.

The budget line 1 “Staff costs” will be automatically calculated in Jems, as soon as the amounts for the budget lines 3 “Travel and accommodation”, 4 “External expertise and services”, 5 “Equipment” and 6 “Infrastructure and works” are filled in.

Documented direct costs from budget lines 3 to 6 that form the basis for the staff costs calculation must be incurred and paid by the partner institution as real costs and must not include any indirect costs that cannot be directly and fully allocated to the project.

The programme reimburses **staff costs only according to a flat rate of 20% of the eligible direct costs as described above, at partner level.** No further staff costs incurred on a real costs basis can be claimed and reimbursed under this or other budget line.

TAKE NOTE

Where the project partners do not have the adequate professionals to perform some of the tasks related to the Project, external experts may be contracted for these tasks. These costs shall be

budgeted under the budget line “External expertise and services”. In this case partners shall observe the applicable public procurement rules (see *Section 11 Public Procurement*).

Throughout the project implementation, make sure that tasks and responsibilities of staff included under budget line “Staff costs” do not overlap with tasks and responsibilities of experts contracted and included under budget line “External expertise and services”.

For understanding on how final amounts are calculated following management verifications, please see the example provided under *Budget Line 2 - Office and administration*.

Budget Line 2 - Office and administration

Office and administration costs include operating and administrative expenses of the project partners that are necessary for the implementation of the project and **shall be reimbursed only as a flat rate** of 7% of the eligible direct costs, at partner level.

In accordance with Article 40 of Regulation (EU) 2021/1059 (Interreg), the following **exhaustive list** includes the cost items which could be included under this budget line:

- a) Office rent;
- b) Insurance and taxes related to the buildings where the staff is located and to the equipment of the office (e.g. fire, theft insurance);
- c) Utilities (e.g. electricity, heating, water);
- d) Office supplies and other consumables;
- e) Accounting;
- f) Archives;
- g) Maintenance, cleaning and repairs;
- h) Security;
- i) IT systems (operating/administrative IT services of general nature, linked to the implementation of the project);
- j) Communication (e.g. telephone, fax, internet, postal services, business cards);
- k) Bank charges for opening and administering the project account or accounts;
- l) Charges for transnational financial transactions.

The budget line 2 “Office and administration” will be automatically calculated in Jems, by applying the rate of 7% to the sum of eligible direct costs (budget lines 1 “Staff costs”, 3 “Travel and accommodation”, 4 “External expertise and services”, 5 “Equipment” and 6 “Infrastructure and works”) per each project partner.

Office and administration costs shall be reimbursed only as a flat rate of 7% of the eligible direct costs, at partner level. Costs incurred under the office and administration cost category cannot be claimed and reimbursed under any other cost category.

TAKE NOTE

The amounts of *staff costs* and *office and administration* (which will be reimbursed as flat rates) are directly linked to the expenditures certified as eligible during the management verification and are calculated automatically by Jems in each financial report.

For exemplification, please see below:

No	Direct costs	According to the approved budget	Costs confirmed by the controller as eligible	Eligible project costs
1	Travel & accommodation	50.000,00	45.000,00	45.000,00
2	External expertise and services	350.000,00	300.000,00	300.000,00
3	Equipment	60.000,00	58.000,00	58.000,00
4	Infrastructure and works	200.000,00	198.000,00	198.000,00
	Total direct costs	660.000,00	601.000,00	601.000,00
5	Staff costs	132.000,00 (20%)		120.200,00 (20%)
	Total direct costs	792.000,00	721.200,00	721.200,00
6	Office & Administration (indirect costs calculated as 7% of the eligible direct costs)	55.440,00 (7 %)		50.484,00 (7%)

Budget Line 3 - Travel and accommodation

Expenditure under this budget line refers to travel and accommodation for **project staff, personnel or management staff** of the partner(s) who execute tasks directly related to the project and must be justified by activities carried out within the project.

In accordance with Article 41 of Regulation (EU) 2021/1059 (Interreg), travel and accommodation costs shall be limited to the following elements:

- a) Travel costs (such as tickets, travel and car insurance, fuel, car mileage, toll, and parking fees);
- b) Costs of meals;
- c) Accommodation costs;
- d) Visa costs;
- e) Daily allowances.

This list is exhaustive. Costs of all listed items cannot be claimed and reimbursed under any other budget line.

NEXT Black Sea Basin

Any cost element listed in points (a) to (d) above covered by a daily allowance shall not be reimbursed in addition to the daily allowance.

Costs for travel and accommodation of external experts and service providers shall be reimbursed under the *external expertise and services* budget line.

Costs under *Travel and accommodation* budget line shall be reimbursed only as real costs and the beneficiary must document that expenditure has been incurred and paid out.

TAKE NOTE

It is recommended to foresee in the budget a reasonable amount of costs under *Travel and accommodation* budget line necessary for participation in programme related activities (ex. Participation in meetings with MA/JS, programme events, etc).

Costs under *Travel and accommodation* budget line incurred outside the programme area are eligible only if they are linked to events organised by MA/JS/NA, to activities described and justified in the Application and are in line with programme general provisions on expenditure for activities implemented outside the programme area, as described in ***Section 7.2 Geographical location of implementation***.

Budget Line 4 - External expertise and services

Costs under this budget line refer to external expertise and services provided by a public or private body or a natural person, outside of the partner organisation. The external experts and service providers are contracted by the partner(s) to carry out certain tasks or activities which are strictly linked to the project and are essential for its effective implementation. External expertise and services costs are paid on the basis of contracts or written agreements and against invoices or equivalent document(s).

In accordance with Article 42 of Regulation (EU) 2021/1059 (Interreg), the following **exhaustive list** contains the cost items which could be included under this budget line:

- a) studies, or surveys (e.g. evaluations, strategies, concept notes, design plans, handbooks, etc);
- b) training;
- c) translations;
- d) development, modifications and updates to IT systems and website related to project;
- e) promotion, communication, publicity, promotional items and activities or information linked to the project;
- f) financial management;
- g) services related to the organisation and implementation of events or meetings (including rent, catering or interpretation);
- h) participation in events (such as registration fees);
- i) legal consultancy and notarial services, technical and financial expertise, other consultancy and accountancy services dedicated to the project;
- j) intellectual property rights;

NEXT Black Sea Basin

- k) the provision of guarantees by a bank or other financial institution where required by Union or national law;
- l) travel and accommodation for external experts, speakers, chairpersons of meetings and service providers
- m) other specific expertise and services needed for projects;
- n) costs for expenditure verification.

For the Romanian Lead Partners/partners the costs for expenditure verification are not eligible from the budget of the Project, since the expenditure shall be examined free of charge by public officers of the Control Contact Point, established within the Ministry of Development, Public Works and Administration, Romania;

For the Bulgarian Lead Partners/partners the costs for expenditure verification are not eligible from the budget of the Project since the control will be performed free of charge by the FLC Unit established within the Ministry of Regional Development and Public Works.

For the Greek Lead Partners/partners the expenditure verification is free of charge and the costs for expenditure verification are not eligible from the budget of the Project since the control will be performed by public officers of the Greek Certifying Authority.

For the Turkish Lead Partners/partners the costs for expenditure verification are eligible and shall be covered under this budget line. The expenditure verification costs are paid according to a contract between the project partner and a controller selected from a list of controllers. The cost will be of 350 euro per report for regular projects including infrastructure and works whereas 250 euro per report for regular projects without infrastructure and works.

For project partners from all other countries (Georgia, Republic of Moldova and Ukraine) it is compulsory to include in the budget certain amounts to be used for covering expenditure verification costs by external auditors (controllers) selected from a List of auditors.

TAKE NOTE

Reporting period will be of 4 months.

Depending on the project implementation period, project partners will have to submit several reports, within 45 days after each 4 months reporting period have elapsed (covering every 4 months of implementation) for expenditure verification by the controllers. Therefore, please consider that the number of reports depends on the length of the implementation period. The costs for expenditure verification will be calculated taking into account the number of reports per project.

The above cost items cannot be claimed and reimbursed under any other budget line.

External expertise and services costs shall be reimbursed by the programme on a real costs basis.

Budget Line 5 - Equipment

Costs under this budget line refer to expenditure by a project partner for equipment purchased, rented or leased specifically for the purpose of the project, which should be listed in the approved project budget.

In accordance with Article 43 of Regulation (EU) 2021/1059 (Interreg), the following **exhaustive list** contains the cost items which could be included under this budget line:

- a. Office equipment;
- b. IT hardware and software;
- c. Furniture and fittings;
- d. Laboratory equipment;
- e. Machines and instruments;
- f. Tools or devices;
- g. Vehicles;
- h. Other specific equipment needed for the project.

The above cost items cannot be claimed and reimbursed under any other budget line.

During project implementation, purchase of any new type of equipment not explicitly mentioned in the application will be subject to prior approval.

Equipment used for project management should be purchased at the early stages of project implementation.

Equipment costs shall be reimbursed by the programme on a real costs basis.

TAKE NOTE

For rental or lease of equipment, the cost(s) shall be eligible only based on a well-grounded justification provided in the Application. For example, in case (environmental) data collection visits are envisaged to take place in heavy accessible areas, the location of those areas may be a well-grounded reason for renting or leasing the transport vehicle instead of purchasing a new one.

Budget Line 6 - Infrastructure and works

Expenditure for Infrastructure and works refers to costs incurred by the project partners for the execution of the fixed investment(s) which is(are) necessary for the implementation of the project and achieving its objectives, such as: renovation/construction of buildings, installation of equipment, etc.

In accordance with Article 44 of Regulation (EU) 2021/1059 (Interreg), **costs for infrastructure and works shall be limited to the following:**

- a) building permits;
- b) building material;
- c) labour;
- d) specialised interventions.

The list is exhaustive and the above cost items cannot be claimed and reimbursed under any other budget line.

NEXT Black Sea Basin

In case the project includes an infrastructure component, the project shall not be subject to a substantial change affecting its nature, objectives or implementation conditions which would result in undermining its original objectives within five years of the final payment to the beneficiary.

TAKE NOTE

The costs for fixed investments (e.g. an equipment which requires works for permanent installation) shall be budgeted under this budget line.

The required investment related supporting documents are mentioned in point 4, **Section 14 - Mandatory documents to be provided with the project proposal** of this part of the Guidelines.

In addition to this, the successful applicants will be required to provide several documents in relation to investments, during contracting stage (e.g. property act, renting contract, etc), as well as during project implementation (e.g. permits/ authorizations/ agreements). For details on indicative list of required documents, please see *Part IV - Assessment, Selection, Contracting* of these Guidelines.

The successful applicants are strongly recommended to start the procedures - for obtaining the building permit and any other execution details, technical documentation, approved architectural and engineering drawings, consents, approvals, authorizations and agreements following the issue of the building permit, etc. as requested by the national laws of the respective country and needed for project implementation - upon receiving the notification regarding Monitoring Committee Decision on project selection.

TAKE NOTE

All the documents related to investments required during project implementation have to be available and uploaded in Jems as supporting documents, at the date of submission of the financial report, with investment related expenditure(s), for verification to the controller.

Costs for infrastructure and works shall be reimbursed by the programme on a real costs basis.

10.3 Co-financing

The rate of national co-financing shall be at least 10% of the total eligible costs of the Project.

The national co-financing may take the following forms:

- Beneficiary's own resources;
- Financial contributions by national governments, third parties, from sources other than the European Union.

Each participating country shall decide on its own co-financing system (from national/regional/local level or directly from the beneficiary, or both from the national/regional/local

NEXT Black Sea Basin

level and from the beneficiary itself). No resources from other EU Assistance may be taken into account as co-financing.

The final amount representing co-financing will be established at the final report.

10.4 Value Added Tax (VAT)

In accordance with Article 64 (1)(c)(i) of the Common Provisions Regulation (CPR) and of Article 36 of the Financing Agreement signed between the European Commission and programme partner countries, as applicable, VAT is considered eligible in projects funded under Interreg NEXT BSB Programme.

Nevertheless, project partners which according to their national legislation are entitled to recover VAT from other sources, **shall not include** in the project budget and reimbursement and/or payment requests the amounts representing the VAT corresponding to the reported/requested eligible expenditure (e.g partners from Moldova are VAT exempted and therefore they shall not budget tax related expenditure).

10.5 Conversion into euro

The project budget must be developed in Euro and, in case of approval, reporting of project expenditure to the MA/JS shall be made in Euro.

Expenditure paid in another currency shall be converted into Euro, automatically by Jems, using the monthly accounting exchange rate of the Commission in the month during which that expenditure was submitted for verification.

10.6 Non-eligible expenditure

The following costs are not eligible:

- a) debts and interest on debts;
- b) costs declared by the project partners and financed by another project or programme from any other sources;
- c) purchases of land or buildings;
- d) costs related to fluctuation of foreign exchange rate;
- e) loans to third parties;
- f) costs of gifts⁶;
- g) fines, financial penalties and expenditure on legal disputes and litigation;
- h) provisions for losses or liabilities;

10.7 Irregularities and recovery of unduly paid amount

Project partners should pay due consideration since the project design stage on observing and fully complying with the Programme requirements and related applicable legislation in order to mitigate to maximum the risks of irregularities during the project implementation.

⁶ For more information on how to understand the term *Gifts*, please read the examples listed in the indicative reference document accessible [here](#)

DEFINITION:

IRREGULARITY - means any breach of applicable law, resulting from an act or omission by an economic operator, which has, or would have, the effect of prejudicing the budget of the Union by charging unjustified expenditure to that budget.⁷

11. PUBLIC PROCUREMENT

Keep in mind to plan launching public procurement procedures immediately after the signature of the grant contract in order to create the necessary premises for implementation of project activities which require external expertise or other services, supplies or works.

The work plan and project budget should reflect this approach.

Please pay due attention to avoiding the artificial split of the estimated value of a contract.

For information regarding specific public procurement rules, see *Annex 2 Public Procurement Overview*.

12. STATE AID**12.1. General provisions**

According to Article 107 of the Treaty on the Functioning of the European Union, state aid is any aid granted by a Member State or through **State resources** in any form whatsoever **which distorts or threatens to distort competition** by favouring **certain undertakings** or the **production of certain goods**, therefore **affecting trade** between Member States or between Member States and partner countries participating in the programme.

In order to meet the requirements of the European Commission and in order to allow a smooth implementation of the Programme and its approved projects, in the framework of Interreg NEXT BSB Programme, **State Aid is not permitted**.

To confirm the existence of State aid relevant **activities** within the meaning of the Treaty, the following elements should be assessed:

Criteria	Description
1 State resources	Always fulfilled, as the grant is coming from the EU
2 Economic advantage to an undertaking	Definitions:

⁷ According to Regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy.

	<p>An undertaking is defined as any entity, regardless of its legal status, which is engaged in economic (commercial/competitive) activity and where there is a market in comparable goods or services.</p> <p>Economic activity means the supply of goods or services on a given market and which could, at least in principle, be carried out by private actors in order to make profit.</p> <p>Economic advantage The key issue is to consider whether, and under which conditions, the grant award/financial support favours certain undertakings by giving them an <i>economic advantage</i>.</p> <p>In line with the case law of the European Courts, the concept of economic advantage under the State aid rules includes any advantage “which the recipient undertaking would not have received under normal market conditions”.</p> <p>Classification of an entity as an undertaking is always relative to a specific activity. Any activity consisting of offering goods and services in a market is an economic activity. The recipient of the aid is an “undertaking” if it is offering goods or services on a market. This is the case regardless of its legal status, the way in which it is financed and whether its aim is to make profit or not. An undertaking can be a public body, a NGO, an association, a university, etc.</p> <p>For definitions and more information, please see Commission Notice on the notion of State aid as referred to in Article 107(1) of the Treaty on the Functioning of the European Union (2016/C 262/01)</p>
<p>3 Selectivity</p>	<p>Definition: Support that targets particular businesses, regions or types of firm e.g. SMEs or particular sectors and not others is selective. Always fulfilled for grant beneficiaries, as they are selected through a call for proposals. It has to be assessed in the case of indirect aid.</p>
<p>4 Distortion of competition</p>	<p>A measure granted by the State is considered to distort or threaten to distort competition and trade when it is liable to improve the competitive position of the recipient compared to other undertakings with which it competes.</p>
<p>5 Effect on trade between Member States</p>	<p>This criterion is already fulfilled if an aid has potential effect on competition and trade between Member States or between Member States and partner countries participating in the programme. It is sufficient if it can be shown that the beneficiary is involved in an economic activity and that it operates in a market in which there is trade between Member States or between Member States and partner countries participating in the programme.</p>

As a general rule, no effects on competition and trade are to be expected in case of purely local activities or legal monopolies.

12.2. Provisions for this call regarding state aid

All Applicants are asked to check their activities for State aid (both direct and indirect) relevance when preparing the Application.

As a general principle, all project activities will have to be assessed at partner level to determine whether they are State aid relevant or not.

During the self-assessment, all project partners should be able to clarify the aspects related to:

➤ **Identification of “undertaking” and “economic activity”**

In order for State aid to be present, the recipient must be an “undertaking”, in the meaning defined above. Accordingly, first step concerns information about the nature of the activity to be undertaken within the project, and, specifically, whether this involves an economic activity. If the activity is not economic, the applicant is not an undertaking for State aid purposes and it can be concluded that there is no State aid.

Economic activity is broadly defined as ‘offering goods or services on a given market’. The key question is whether, in principle, the activity could be carried out by a private body in order to make a profit (e.g, research and/or consulting and/or training activities, etc). If so, the activity will most likely be considered “economic” and thus, the partner will be considered an “undertaking”.

➤ **Identification of potentially State aid relevant activities**

As a second step, the project activities which are identified as being “economic” (the non-economic activities of a given partner in the project are not considered further in this context), have to be assessed for their State aid relevance.

The question is whether there is a selective advantage involved in supporting a certain activity, i.e. whether there is a benefit that the undertaking (partner) would not gain under ‘normal market conditions’ or whether it is relieved of costs that it would normally have to meet, such as free training, free promotion or lower rental of premises. If there is no selective advantage or benefit to the applicant, then there is no State aid.

An indirect advantage may also be granted (indirect State aid) if the funds received by entities which are direct beneficiaries of the Programme are channelled to identifiable undertakings/groups of undertakings (e.g. if the funds received by a direct beneficiary are used for building up infrastructure that is to be used for economic activities and the operation of this infrastructure is not granted through a public, open, unconditional tender, or if the funds are used by the beneficiary to train the employees of certain undertakings etc.).

➤ **Identification of possibility that the activities financed by the grant distort or threaten to distort competition and trade within the EU or between the European Union and a specific partner country.**

The last step is verifying that the fifth criterion is fulfilled. If the service or products in question is of a merely **local interest** there is no effect on trade between the EU Member States or between them and a specific partner country. In order to assert that, the partners need to demonstrate that:

- a) the aid does not lead to demand or investments being attracted to the region concerned and does not create obstacles to the establishment of undertakings from other Member States/participating countries;
- b) the goods or services produced under the project are purely local or have a geographically limited attraction zone;
- c) there is at most a marginal effect on the markets and, in particular, on consumers in neighbouring Member States/ participating countries.

The state aid will be assessed during the evaluation and selection process as described under Part IV.

In case state aid (direct or indirect) is involved, the potential state aid relevant activity(ies) may be adjusted following the recommendations of the assessors. However, any adjustment should not affect the nature of the proposal.

In case the option above is not applicable, the respective project may be rejected.

Compliance of the planned activities with the recommendations below might be an indication for project partners that these activities are (most likely) not state aid relevant:

- The State aid relevant economic activities are not carried out by the project partner but by an external service provider that has been selected in accordance with the applicable public procurement rules; The procurement procedure (performed by any partner) has to be open (to allow all interested and qualified bidders to participate in the process), transparent, sufficiently well-publicized, non-discriminatory and unconditional. When a tender procedure complies with these principles, it can be presumed that the transactions are in line with normal market conditions. For direct procurements the market price level is observed (try to refer to any well-known suppliers available at national level - print screen from websites are recommended).

TAKE NOTE

An open, transparent and non-discriminatory tender procedure favours a fair competition for winning a contract and ensuring an objective selection of the best offer.

- Where a research organisation or research infrastructure is used for both economic and non-economic activities, public funding falls under state aid rules only insofar as it covers costs linked to the economic activities. Where the research organisation or research infrastructure is used almost exclusively for a non-economic activity, its funding may fall outside state aid rules in its entirety, provided that the economic use corresponds to an activity which is directly related to and necessary for the operation of the research

NEXT Black Sea Basin

organisation or research infrastructure or intrinsically linked to its main non-economic use, and which is limited in scope (the capacity of the research infrastructure allocated each year for economic activity should not exceed 20% of the overall annual capacity).

Depending on the relevant circumstances, in order to measure the "overall annual capacity share" of economic activities it would thus be possible to rely on indicators such as the time of use or the total value of inputs consumed yearly.

An economic activity is considered to be "directly related to and necessary for the operation of the research organisation or research infrastructure or intrinsically linked to its main non-economic use" where it consumes "exactly the same inputs (such as material, equipment, labour and fixed capital) as the non-economic activities".

- In the field of research & development & innovation activities, the following activities are generally of a non-economic character:
 - a) primary activities of research organisations and research infrastructures, in particular:
 - education for more and better skilled human resources. Public education organised within the national educational system, predominantly or entirely funded by the State and supervised by the State is considered as a non-economic activity;
 - independent R&D for more knowledge and better understanding, including collaborative R&D where the research organisation or research infrastructure engages in effective collaboration and where the activity is not influenced by economic interests of individual undertakings (Provision of R&D services and R&D carried out on behalf of undertakings are not considered as independent R&D);
 - wide dissemination of research results for free to all interested individual or legal persons on a non-exclusive and non-discriminatory basis, for example through teaching, open-access databases, open publications or open software. In particular, this may concern the rehabilitation of university buildings, lecture halls, libraries, laboratories and equipment used exclusively for teaching and for carrying out independent research. Furthermore, knowledge transfer activities conducted by, or jointly with, or on behalf of other research infrastructure are generally non-economic, provided that all profits from those activities are reinvested in the infrastructure's primary, non-economic activities.
 - b) knowledge transfer activities, where they are conducted either by the research organisation or research infrastructure (including their departments) or jointly with, or on behalf of other such entities, and where all profits from those activities are reinvested in the primary activities of the research organisation or research infrastructure.
- All outputs resulting from the projects are open-source and widely disseminated on a non-exclusive and non-discriminatory basis to ensure the most transparent and the widest possible access to all interested stakeholders including potential competitors. Thus, any undertaking in the relevant market will be able to/can use the project outputs in the same way and under the same conditions as any of the project partners or the end users of the project. The publications on the project outcomes have to be in the form of "defensive publications", so that all innovations and inventions arising from the project are made

NEXT Black Sea Basin

available in the public domain. In this way no intellectual property rights can afterwards be claimed on any of the project outcomes neither by the project's participants nor other actors outside the project.

Wide dissemination of project results is essential to avoid a competitive advantage. Making the project results available only for certain natural or legal persons is strictly forbidden!

A service that is reimbursed at market price is not conveying an advantage. Therefore, partners might set fees in line with the market prices for economic operators who participate in project events (e.g. training courses/seminars/workshops, conferences, fairs, festivals, study tours, forums for enhancing partnerships and dissemination of information on the cross-border cooperation results and projects, joint logistical centers, trade centers).

- The existence of state aid is excluded where the State acts by exercising public prerogatives or where state authorities act in their capacity as public authorities. Any entity may be deemed to act by exercising public prerogatives where the activity in question is a task that forms part of the essential functions of the State or is connected with those functions by its nature, its aim and the rules to which it is subject. Generally speaking, unless the participating countries concerned have decided to introduce market mechanisms, activities that intrinsically form part of the prerogatives of official authority and are performed by the State do not constitute economic activities. Examples of activities that are considered as part of the state prerogative are: (a) the army or the police; (b) air navigation safety and control; (c) maritime traffic control and safety; (d) anti-pollution surveillance.

TAKE NOTE

In case during project implementation or during 5 years from the date of payment of the balance for the programme, an incidence of state-aid is discovered, the MA may apply an up to 100% financial correction for the cost of the State Aid relevant activity.

For additional information on how to assess and fill in the State aid compliance part of the application (both direct and indirect state aid), please read Part III of the Guidelines for Applicants - Offline Application Form Template.

Further information on state aid can be found on the European Commission's DG Competition website (http://ec.europa.eu/competition/state_aid/overview/index_en.html) and in Commission Notice on the notion of State aid as referred to in Article 107(1) of the Treaty on the Functioning of the European Union ([http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52016XC0719\(05\)&from=EN](http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52016XC0719(05)&from=EN)).

National rules on procedure - Bulgaria

- <https://stateaid.minfin.bg/bg/page/574>
- [Instruction for assessment of compliance with the state aid legislation](#);
- Logical algorithm of the state aid test.

NEXT Black Sea Basin**National rules on procedure - Georgia**

- [Association Agreement \(AA\) between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part the European Union and Georgia](#)

National rules on procedure - Greece

- Designated responsible service: Ειδική Υπηρεσία Κρατικών Ενισχύσεων και Χρηματοδοτικών Εργαλείων (ΕΥΚΕ)
- <https://www.espa.gr>

National rules on procedure - Republic of Moldova

- [The Association Agreement \(AA\) between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part](#)
- <https://www.competition.md/tabview.php?l=ro&idc=36&t=/Documente-oficiale/Ajutor-de-Stat/Legi/>

National rules on procedure - Romania

- <http://www.ajutordestat.ro/> section [State aid legislation](#)

National rules on procedure - Türkiye

- [Decision No 1/95 of the EC- Türkiye Association Council](#)
- Law No 6015 on Monitoring and Supervision of State Aids,
- Presidential Decree No 102 on Implementation, Coordination, Monitoring and Evaluation of State Aids.

National rules on procedure - Ukraine

- [The Association Agreement \(AA\) between the European Union and its Member States, of the one part, and Ukraine, of the other part](#)

Applicants may also consult relevant national authorities to obtain more specific information on rules and limitations concerning state aid.

13. ANTI-FRAUD POLICY

The programme participating countries and the MA are committed to protect the EU and public funds entrusted against fraud and corruption according to its administrative capacity.

The term **fraud** is commonly used to describe a wide range of misconducts including theft, corruption, embezzlement, bribery, forgery, misrepresentation, collusion, money laundering and concealment of material facts. It often involves the use of deception to make a personal gain for oneself, a connected person or a third party, or a loss for another - intention is the key element that distinguishes fraud from irregularity. Fraud does not just have a potential financial impact, but can also cause damage to the reputation of the programme bodies.

Corruption is the abuse of power for private gain.

Conflict of interests exists where the impartial and objective exercise of the official functions of a person are compromised for reasons involving family, emotional life, political or national affinity, economic interest or any other shared interest with e.g. an applicant for or a recipient of EU funds.

The programme participating countries and the MA have a zero tolerance policy to fraud and corruption.

The programme management and control system is set up in view of preventing, detecting and correcting frauds. To this end, the most likely areas for fraud at the programme and projects levels are identified and monitored.

The anti-fraud policy adopted by the MA aims at:

- Promoting a culture which deters fraudulent activities;
- Facilitating the prevention and detection of fraud;
- Supporting the investigation of fraud and related offenses, in order to address such cases in a timely, transparent and appropriate manner.

The responsibility for an anti-fraud culture lies with all those involved in the EU programmes and projects. We therefore encourage all partners, contractors, employees, or the general public to assist in preventing fraud from taking place, putting into place proportionate measures to detect it and making it transparent.

If you suspect fraud or corruption linked to funding from the Interreg NEXT BSB Programme, please get in touch with the [Managing Authority](#).

14. MANDATORY DOCUMENTS TO BE PROVIDED WITH THE PROJECT PROPOSAL

Annexes to be uploaded in Jems when submitting the project proposal:

Annexes	
1	1.1. Declaration by the Lead Partner (Annex 3)
	1.2. Declaration by the Project Partner (Annex 4)
	Lead partner and project partner declarations may also be signed digitally with a qualified electronic signature. All parts of the Declaration have to be filled in and it has to be signed by the legal representative (or delegated person) of the Project Partner. In case of signature by delegated persons, each affected declaration must be accompanied by a document confirming the validity of such delegation (see point 2 below).
2	Order/act for official authorization of delegated person signing the Declaration by the Lead Partner/ Project Partner Such document is mandatory only when the Declaration by the Lead Partner/ Project Partner is signed by a delegated person and not by the legal representative of the organisation. The

NEXT Black Sea Basin

	document for official authorization must confirm that the delegated person is authorised to sign the Declaration and, if the case, the supporting documents.
3	<p>Financial Capacity Self-assessment (Annex 5) - Excel file - to be provided by all project partners</p> <p><i>This obligation does not apply to public authorities.</i></p>
4	<p>In case of projects including investments - Feasibility study or an equivalent document describing the envisaged investment (in accordance with the national legislation of the respective applicant) in the national language, with unofficial translation in English language of the main parts.</p>
5	<p>Annual accounts for the latest financial year for which the accounts have been closed at the moment of submission of the Application must be submitted by the Lead Partner and all project partners, as full unofficial translation(s) in English (certified through signature by the legal representative of the organisation). The extracts from bank accounts are not equivalent to latest annual account. Only documents (the balance sheet and profit and loss account) providing data about revenues, expenditures, profit and losses will be accepted. Annual Accounts containing only the Balance Sheet <u>without</u> the Profit and Loss Account or a document providing data about revenues, expenditures, profit and losses for the latest financial year for which the accounts have been closed, will be considered noncompliant and therefore missing documents.</p> <p>Organisations (any lead partner or project partner) established in 2023 not having the latest annual accounts must submit the Balance sheet for the last closed month.</p> <p><i>This obligation does not apply to public authorities.</i></p>
6	<p>Statutes/Articles of Association/Deed of Foundation or other applicable documents for proving Lead Partner's and each project partner's eligibility must be submitted in national language and as unofficial translation(s) in English (certified through signature by the legal representative of the organisation) of the relevant parts - e.g legal status, registration and location of headquarters. In case of modifications of the relevant parts proving non-profit organisations' eligibility (as mentioned above), the Court's decision regarding the registration of the modifications to the Statute and that of the Leading Board of the organisation, according to the national legislation in force, are also submitted as unofficial translation(s) of the modified relevant parts proving their eligibility.</p> <p>Where the Lead Partner and/or (a) Project partner(s) is a public body created by an administrative act/ law, the said administrative act/law is provided as unofficial translation(s) of the relevant parts proving their eligibility (as mentioned above).</p> <p><i>This obligation does not apply to public authorities.</i></p>
7	<p>Registration Acts must be submitted by the Lead Partner organisation, and each project partner organisation, in national language and as unofficial translation(s) in English (certified through signature by the legal representative of the organisation) of the extract(s) from the national Register(s) of organizations.</p> <p><i>This obligation does not apply to public authorities.</i></p>

Uploading instructions and requirements

- All above listed attachments are mandatory if not otherwise indicated;
- Do not upload attachments bigger than 5 MB;
- All scanned documents must be submitted in .jpg or .pdf format of minimum 200 dpi resolution;
- Each attachment containing more than 1 page must be scanned and submitted as a single file. Please do not scan and upload each page separately.
- Each attachment must be named in English language according to its content and with a reference to the Project Partner Acronym.
- It is recommended that the document in the national language and the English translation to be uploaded as a single file (first document to be the English version).