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Romania - Hungary

**APPLICANT'S GUIDE FOR  
THE 1<sup>st</sup> OPEN CALL FOR PROPOSALS  
INTERREG VI-A ROMANIA-HUNGARY  
PROGRAMME**

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## CHAPTER 1. GENERAL INFORMATION

The current guide is intended to help the applicant to prepare the content of the project proposals to be submitted under Open Calls, within the Interreg VI-A Romania–Hungary Programme. It provides recommendations on how to fill in the application, budget and related forms, the application procedure, the project selection criteria, the decision procedure and other practical advice.

### 1.1 Overview of the programme

The programme is financed by the European Union through the European Regional Development Fund (hereinafter referred to as ERDF) and co-financed by Romania and Hungary through contributions from state budget and own contribution from project beneficiaries.

The programming document (hereinafter referred to as Interreg Programme) drafted jointly by the two countries through a wide partnership with national, regional, and local stakeholders, was approved by the European Commission on 16/12/2022. It sets out the general framework of intervention of ERDF in the Romania – Hungary cross-border area.

The programme area includes 4 counties from Romania (Satu Mare, Bihor, Arad and Timiș) and 4 counties from Hungary (Szabolcs-Szatmár-Bereg, Hajdú-Bihar, Békés and Csongrád-Csanád).

The Interreg Programme (IP) and its Annexes are available here: [INTERREG VI-A ROHU](#).

### 1.2 Programme strategy

The vision for the Interreg VI-A Romania-Hungary Programme can be defined as *a greener, resilient, and more cohesive cross-border region between Romania and Hungary, with enhanced understanding of cooperation opportunities, increased trust, and reduced barriers to cooperation, towards Agenda 2030 common targets with a more sustainable cooperation framework*.

In compliance with the EU regulatory requirements, 3 Priorities were selected, specifically 2 Policy Objectives (POs) and 1 Interreg Specific Objective (ISO):

**Priority 1** - PO 2 - A greener, low-carbon transitioning towards a net zero carbon economy and resilient Europe by promoting clean and fair energy transition, green and blue investment, the circular economy, climate change mitigation and adaptation risk prevention and management, and sustainable urban mobility;

**Priority 2** - PO 4 - A more social and inclusive Europe implementing the European Pillar of Social Rights;

**Priority 3** - ISO 1 - A better Cooperation Governance

#### 1.2.1 Priorities and their Specific Objectives

The Priorities are afferent to each Policy/Interreg Specific Objective selected for financing during the programming phase. Each Priority has its Specific Objectives (SOs).

The correspondence between POs/ISO, priorities and specific objectives is presented in the table below:

Priority	Selected PO/ISO	Selected SO
P1. Cooperation for a green and more resilient cross-border area between Romania and Hungary	2. A greener, low-carbon transitioning towards a net zero carbon economy and resilient Europe by promoting clean and fair energy transition, green and blue investment, the circular economy, climate change mitigation and adaptation risk prevention and management, and sustainable urban mobility	RSO2.2. Promoting renewable energy in accordance with Renewable Energy Directive (EU) 2018/2001[1], including the sustainability criteria set out therein
		RSO2.4. Promoting climate change adaptation and disaster risk prevention, resilience taking into account eco-system-based approaches
		RSO2.7. Enhancing protection and preservation of nature, biodiversity, and green infrastructure, including in urban areas, and reducing all forms of pollution
P2. Cooperation for a more social and cohesive PA between Romania and Hungary	4. A more social and inclusive Europe implementing the European Pillar of Social Rights	RSO4.5. Ensuring equal access to health care and fostering resilience of health systems, including primary care, and promoting the transition from institutional to family- and community-based care
		RSO4.6. Enhancing the role of culture and sustainable tourism in economic development, social inclusion, and social innovation
P3. A more sustainable, community-based, and effective cross-border cooperation	6. Interreg: A better Cooperation Governance	ISO6.1. Enhance the institutional capacity of public authorities, those mandated to manage a specific territory, and of stakeholders (all strands)
		ISO6.2. Enhance efficient public administration by promoting legal and administrative cooperation and cooperation between citizens, civil society actors and institutions, with a view to resolving legal and other obstacles in border regions (strands A, C, D and, where appropriate, strand B)
		ISO6.3. Build up mutual trust, by encouraging people-to-people actions

For further details please refer to the [INTERREG VI-A ROHU](#), including Annexes.

### 1.2.2 Programme indicators

Programme level indicators are set per *specific objective*, thus, are directly linked to the Priorities. Indicators measure whether the project has achieved its objectives or not. In this respect, each project must contribute to the achieving of the Programme indicators (both output and result indicators). The choice of appropriate indicators and the way your project contributes to the Programme results is important for the project and its selection by the Monitoring Committee. Noticeable result-oriented projects and with high impact on the Programme Area (PA) shall be selected.

For detailed description of each indicator, definitions and concepts, measurement units and related targets please refer to [Annex A. Guidelines on Indicators](#).

### 1.2.3 Horizontal Principles

**Horizontal principles** refer to priorities agreed by the Member States of the European Union, which are embedded in various forms in all the EU policies. The horizontal principles are referring mainly to sustainable development and energy efficiency, equal opportunities, and non-discrimination, including equality between men and women.

The horizontal principles to be observed by all applicants in the development and implementation of their projects are described under section 1.2.6 of the Interreg Programme, concerning the Programme Strategy, as provided by [Art. 9 of the Common Provisions Regulation \(CPR\)](#).

Please be informed that the observance of the horizontal principles shall be considered during projects assessment and implementation.

### 1.3 Programme implementation structure

According to the EU Regulations, the two partner states in the programme - Romania and Hungary - have established several bodies forming the implementation and monitoring mechanism of the programme. The most relevant are:

Managing Authority (MA)	Ministry of Development, Public Works and Administration, Romania
National Authority (NA)	Ministry of Foreign Affairs and Trade, Hungary
Monitoring Committee (MC)	Representatives at national, regional and local level from both countries, supervises the programme and selects the projects, as provided by <a href="#">Art. 28 of the Interreg Regulation</a> .
Joint Secretariat (JS)	Cross Border Cooperation Regional Office Oradea for Romania-Hungary Border – BRECO, Romania
Info Points (IPs)	Széchenyi Programme Office, Hungary

For further details on programme implementation structure please refer to the [INTERREG VI-A ROHU](#), section 7.1.

### 1.4 Financial Allocation for the Call for Proposals

The ERDF amount allocated for the present Call for proposals is of € 42,817,554, broken down as follows:

Specific Objective	EU co-financing ERDF
SO 2.2	5,558,763
SO 2.4	2,318,977
SO 2.7	7,366,461
SO 4.5	10,640,394
SO 4.6	10,842,062
ISO 6.3	6,090,897
<b>Total</b>	<b>42,817,554</b>

#### Sources of funding

On project level, the Union co-financing rate is maximum 80% of the total eligible expenditure. The remaining amount (generally 20%) shall be financed from national sources (state contribution and/or own contribution of Applicants), which may differ in case of Romania and Hungary.

In case of partner of Romania, the rate of national state budget co-financing is maximum 18% of the total eligible budget, other than Central Public Authorities that are financed through the Romanian state budget.

Each Beneficiary must bring an own contribution to the project, that shall be of minimum 2% in case of Romanian Beneficiaries, other than Central Public Authorities for which the contribution is fully ensured by the Romanian state budget.

Please note that an advance payment of the Romanian national co-financing may be granted to Romanian beneficiaries for their part of the budget, in a percentage of maximum 70%.

In case of partners from Hungary, as a general rule, 5% of total eligible cost of the respective project part must be provided by the Applicant as own contribution, and the remaining 15% will be provided by the Hungarian state budget. In case the partner is a central state-owned budgetary organization, the own contribution also will be covered by the Hungarian State, meaning that as a general rule, 20 % of the total eligible costs will be provided from the Hungarian state budget. Rules on national contribution and advance from Hungarian state budget are stipulated in national legislation.

Project Beneficiaries shall ensure the financial resources for the implementation of the project until the reimbursement of ERDF funds.

### **1.5 State Aid**

According to Article 107(1) of the Treaty on the functioning of the European Union, State aid is defined as "...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" and that "affects trade between Member State".

This means that a measure is considered State aid if it meets, on cumulative bases, all the following criteria:

1. the applicant is an undertaking (is engaged in economic activity);
2. the measure is financed from the State budget or is imputable to the state;
3. the measure confers an advantage (benefit) that an undertaking would not have obtained under normal market conditions;
4. the measure is selective, favouring certain undertakings or the production of certain goods;
5. the measure distorts or threatens to distort competition and trade within the European Union.

Generally, in the Interreg VI-A Romania-Hungary Programme framework, State Aid incidence should be avoided whenever possible.

As two out of the five criteria mentioned above (i.e., 2. the existence of state origin / state resources and 4. selectivity) always apply for projects under Interreg VI-A Romania-Hungary Programme, one of the remaining three (i.e., 1. the beneficiary being an undertaking, 3. the presence of economic advantage or 5. the distortion of competition) may not be complied with. This means that the state aid incidence is not present, as the 5 above mentioned criteria are not cumulatively met.

Consequently, if any of the following conditions is met, the project is considered state aid free:

- The applicant is not an undertaking based on:
  - the absence of any economic activity, or
  - the supported intervention enters the sphere of the State's prerogatives<sup>1</sup>, or
  - the economic activity is only ancillary.

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<sup>1</sup> activities reserved to the public authority by national law

- The project does not create economic advantage:
  - a service that is reimbursed at market price is not conveying an advantage to an economic operator/undertaking.
  - any purchase of goods services, or works/ other comparable transactions will be carried out through an open (to allow all interested and qualified bidders to participate in the process), transparent, sufficiently well-publicized, non-discriminatory and unconditional procedure. When a tender procedure complies with these principles, it can be presumed that the transactions are in line with normal market conditions.

**Note!** Regardless of the procurement procedure, in case only one bid is submitted, this will not normally be sufficient to prove the market price. In this case, to justify the market price, 1 additional valid, comparable offer will be provided for validation of the expenditure, unless the applicants set stricter conditions in their procurement regulations (e.g. in-house procurement). However, a proper justification of the market price shall be provided in any circumstance. Besides that, stricter national rule shall apply if the case.

- The project results should not create an economic advantage to a certain undertaking/activity/the production of certain goods.
- There are also situations in which the support is not suitable to affect trade between the Member States, as the activity supported has a purely local impact. In this case, applicants shall submit, along with the application, a local impact study that, based on recent, official, and verifiable data, demonstrates the local impact of the activity.

### **Indirect aid (aid to third parties)**

It may also happen that, during project implementation or operation, the partners grant State Aid to undertakings (i.e., entities engaged in economic activities) outside the project partnership. This is because such undertakings not included as project beneficiaries in the project partnership (e.g., target groups) could receive an advantage through the project's activities that they would not have received under normal market conditions, becoming thus recipients of State Aid.

It is worth mentioning that even though the project beneficiary does not perform State Aid relevant activities in the project, thus at its level there is no State Aid incidence, such activities could create an advantage for third parties outside the project partnership.

Therefore, when preparing the Application Form, each applicant must also consider whether its activities will give rise to State Aid to third parties.

Indirect Aid may happen if:

- The beneficiary transmits (part of) the aid to one/more third party/ies through a financial aid;
- The outputs of the projects are put at disposal of certain undertakings at advantageous conditions;
- Any other situation in which an undertaking or more ends up by getting an economic advantage as a direct consequence of the project implementation.

In such cases, consideration shall be given to eliminating any direct and indirect State Aid element.

To determine the State Aid incidence at activity level, the applicant will submit, together with the application package, a State Aid Self-Assessment– Annex 2 to the Application.

If the State Aid self-assessment shows a possibility of state aid, the applicants should consult the JS at the earliest stage possible. The JS will support the project applicants in the self-assessment of the existence of state aid and guide them on how to proceed further in order to avoid state aid incidence (see Annex C – Guidelines to avoid State Aid incidence).

Please note, that the state aid evaluation is the responsibility of the Managing Authority and the assessment by the responsible bodies may overrule the applicant's self-assessment. In case State Aid incidence cannot be avoided, the Programme will handle such cases either under the [de minimis Regulation](#)<sup>2</sup>, the [General Block Exemption Regulation - GBER](#)<sup>3</sup> and/or as [Services of General Economic Interest - SGEI](#)<sup>4</sup>.

Priority	Specific Objective	Applicable type of Aid
Priority 1 Cooperation for a green and more resilient cross-border area	RSO 2.2 Renewable energy	GBER Art. 20*, 20a** De minimis***
	RSO 2.4 Risk management	N/A
	RSO 2.7 Biodiversity	N/A
Priority 2 Cooperation for a more social and cohesive PA	RSO 4.5 Healthcare	GBER Art. 20*, 20a** SGEI <sup>5</sup> De minimis***
	RSO 4.6 Culture and tourism	GBER Art. 53, 20*, 20a** De minimis***
Priority 3 A more sustainable, community-based and effective cross-border cooperation	ISO 6.1 Governance in public authorities	N/A
	ISO 6.2 Efficient public administration	SGEI under <a href="#">EU Reg 1370/2007</a> De minimis***
	ISO 6.3 People-to-people	GBER Art. 20a** De minimis***

\* However, under GBER Art. 20, the maximum intensity of the public funding, i.e. ERDF + national public contribution, shall not exceed 80% of the total eligible costs of the operations (**instead of** maximum 80% ERDF contribution, to which national contribution can be added, according to Programme's rules).

Please be advised that the **total amount of aid** under GBER Art. 20, which can be granted to an undertaking (applicant) per project, shall not exceed EUR 2,200,000.

\*\* The total amount of aid under GBER Art. 20a, which can be granted to an undertaking (applicant) per project shall not exceed EUR 22,000.

\*\*\* The *de minimis* Regulation allows de minimis aid to be granted up to a threshold of EUR 200,000 per undertaking and per Member State over a period of 3 fiscal years. As the MA of the Programme is located in Romania, the ERDF part of the de minimis aid granted to a partner under the Programme would be granted by Romania. The related national public contribution of the de minimis aid will be granted by the MA for RO partners, respectively by the National Authority for HU partners.

**Note!** According to Art. 8 of Reg (EU) 651/2014, *aid with identifiable eligible costs may be cumulated with any other State aid, in relation to the same eligible costs, partly or fully overlapping, only if such cumulation does not result in exceeding the highest aid intensity or*

<sup>2</sup> Commission Regulation (EU) No 1407/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid, as amended.

<sup>3</sup> Commission Regulation (EU) No 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty, as amended

<sup>4</sup> 2012/21/EU: Commission Decision of 20.12.2011 on the application of Article 106(2) of the Treaty on the Functioning of the European Union to State aid in the form of public service compensation granted to certain undertakings entrusted with the operation of services of general economic interest, and the Commission Regulation (EU) No 360/2012 of 25 April 2012 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid granted to undertakings providing services of general economic interest

<sup>5</sup> Official Journal L 7 of 11.01.2012, p. 3-10 and Official Journal L 114 of 26.4.2012, p. 8



*applicable aid amount*. Thus, the aid intensity under Art. 20 cannot exceed 80% intensity even if combined with de minimis.

Summarising, with the different aid categories used by the Programme, the following maximum aid intensities and aid levels can be reached, subject to **observing also the Call rules**:

- Art. 20 only: max. intensity 80%, max. amount EUR 2.2 million, per undertaking (applicant), per project;
- De minimis only: max. intensity 100%, max. amount EUR 200,000, per undertaking (applicant) for a period of 3 years;
- Art. 20a only: max. intensity 100%, max. amount EUR 22,000, per undertaking (applicant), per project;
- Art. 20 (EUR 2.2 million, per undertaking (applicant), per project) + de minimis (EUR 200,000, per undertaking (applicant) for a period of 3 years) combined: max. intensity 80%, max. amount EUR 2.4 million;
- De minimis (EUR 200,000, per undertaking (applicant) for a period of 3 years) + Art. 20a (EUR 22,000, per undertaking (applicant), per project) combined: max. intensity 100%, max. amount EUR 222,000;
- Art. 20 + Art. 20a combined: **total aid per undertaking (applicant), per project** can reach a max. intensity of 100%, in case the amount does not exceed EUR 110,000 (EUR 88,000 under Art. 20 + EUR 22,000 under Art. 20a). Over this amount, the aid can reach a max. intensity of 80% + EUR 22,000 and up to the max. aid level of EUR 2,222,000;
- Art. 20 (EUR 2.2 million, per undertaking (applicant), per project) + Art. 20a (EUR 22,000, per undertaking (applicant), per project) + de minimis combined (EUR 200,000, per undertaking (applicant) for a period of 3 years): max. intensity 80%, max. amount EUR 2,422,000.

In order to fulfil the legal requirements for the grant award, the completion and submission of the following State aid related Annexes are required:

1. GBER declaration
2. De minimis declaration

The project partner whose activities falls under State aid incidence will submit the GBER (see Annex 4) / de minimis Declaration (see Annex 3 about any other 'de minimis' aid received from aid grantors in Romania in that year and the previous two fiscal years). Based on the information provided in the de minimis Declaration, the MA, after previously checking the de minimis threshold, will grant the de minimis aid and notify the project partner in writing of the maximum aid granted under the de minimis Scheme.

**Note!** According to Art. 7(1) of EU Regulation 651/2014 (GBER), when calculating the aid intensity and eligible costs, all figures used shall be taken before any deduction of tax or other charge. Therefore, if the Value Added Tax ('VAT') is a real cost in the sense that it cannot be recovered, then it is part of the eligible cost and therefore eligible for support under the GBER. If the VAT can be recovered, it is not considered a real cost and therefore shall not be considered as eligible cost under GBER and not count to the total or overall costs of the project.

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

force at the time of the grant award, and the part of “undue aid” shall be subject to the recovery procedure.

## CHAPTER 2. RULES OF THE CALL FOR PROPOSALS

### 2.1 Description of the Call

This is an Open Call for proposals financed under the Interreg VI-A Romania – Hungary Programme and made available to potential beneficiaries through a transparent and competitive process.

The present Call is designed based on the following **main features**:

- The Specific Objectives in the frame of which project proposals are expected, are presented in Chapter I.
- The implementation period and the total amount of the ERDF contribution for a project, ranging between minimum and maximum limits, are differentiated by SOs, as follows:

Specific Objective	ERDF funds/project (Euro)	Project duration <sup>6</sup> (maximum months)
RSO2.2. Promoting renewable energy in accordance with Renewable Energy Directive (EU) 2018/2001[1], including the sustainability criteria set out therein	Min 250,000 - Max 2,000,000	30
RSO2.4. Promoting climate change adaptation and disaster risk prevention, resilience considering eco-system-based approaches	Min 250,000 - Max 2,000,000	30
RSO2.7. Enhancing protection and preservation of nature, biodiversity, and green infrastructure, including in urban areas, and reducing all forms of pollution	Min 250,000 - Max 2,000,000	30
RSO4.5. Ensuring equal access to health care and fostering resilience of health systems, including primary care, and promoting the transition from institutional to family- and community-based care	Min 250,000 - Max 2,000,000	30
RSO4.6. Enhancing the role of culture and sustainable tourism in economic development, social inclusion, and social innovation	Min 250,000 - Max 2,000,000	30
ISO6.3. Build up mutual trust, by encouraging people-to-people actions	Min 50,000 - Max 200,000	12

<sup>6</sup> As presented in the Application Form

## 2.2 Conditions and criteria for selection of projects

### 2.2.1 General eligibility criteria

The submission of projects is open to all potential beneficiaries and projects that meet the eligibility criteria set herein the present guide, related to the *potential applicants, actions (activities/operations)* and *costs*. These criteria shall apply for the entire programme duration.

#### 2.2.1.1 Eligibility of applicants

Applicants have to fulfil eligibility criteria with respect to their legal status, their operational background, their geographical location, and their professional and financial background. At the same time, they must not be subject to any of the exclusion criteria, provided for in Article 136(1) of the [Regulation \(EU\) 1046/2018](#).

All projects must prove that at least three, out of the four cooperation criteria (joint development, implementation, staffing and financing) are met, out of which two are mandatory: joint development and joint implementation.

**Each Applicant** (criterion 6 - administrative and eligibility grid) has to fulfil all of the following criteria:

- be a legal person and
- be non-profit making and
- be directly responsible for the preparation and management of the proposed project activities both from a professional and financial point of view and must not act as intermediaries.

In general, the following organisations are eligible to apply for the EU contribution allocated to the Programme:

1. **Public authorities**, meaning legal entities established and governed by public law, assigned with special competencies, and performing tasks in public interest;
2. **Bodies governed by public law**, meaning organisations established for the specific purpose of meeting needs in the general interest, not having an industrial or commercial character, having legal personality, and which are either financed, for the most part, by the state, regional or local authorities or by other bodies governed by public law; or subject to management supervision by those bodies; or have an administrative, managerial, or supervisory board, with at least half of the members appointed by the state, regional or local authorities or by other bodies governed by public law (with exceptional status by law, the state-owned companies having portfolio of public interest are eligible);
3. **Non-governmental organisations (NGOs)** governed by specific national legislation in each partner state, established for the specific purpose of meeting needs in the general interest, not having an industrial or commercial character.

Last, but not least, the proposed partnership has to meet the respective requirements.

- a. All projects must have at least one Project Applicant on each side of the border, which must fulfil the same eligibility criteria (criterion 4 - administrative and eligibility grid);
- b. The (Lead) Applicant must have legal competencies in the project relevant field. For all projects, it is compulsory that the applicants have among their legal attributions, according to their statute or according to the national legislation, the implementation of the proposed activities<sup>7</sup> (criterion 7 - administrative and eligibility grid);

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<sup>7</sup> E.g.: in case of interventions in Protected Natural Areas, RO applicants shall observe the GEO 57/2007 provisions.

- c. The applicants should have stable and sufficient financial resources throughout the duration of project and its sustainability period (criterion 3.c - administrative and eligibility grid);
- d. The applicants must demonstrate that they have not received financing support from public funds in the past 5 years before submitting the applications under this Call for proposals for the same operation / project in terms of objectives, activities, and results. (criterion 13 - administrative and eligibility grid);
- e. All applicants involved in the project must prove their professional, operational/administrative capacity to manage their share of activities in the field of action they are applying for and must have direct responsibility for the preparation and management of the proposed actions, professionally and financially, not acting as intermediaries (criterion 3.d- administrative and eligibility grid).

In terms of geographical location, the Applicants must have their seats or a regional/local branch registered in the eligible programme area, i.e.: Satu Mare, Bihor, Arad and Timiș counties in Romania, Szabolcs-Szatmár-Bereg, Hajdú-Bihar, Békés and Csongrád-Csanád counties in Hungary.

In case the entity's headquarter is registered outside the eligible programme area, but there is a regional/local branch office with a legal entity in the eligible programme area, then the regional/local branch shall apply for financing and in case of contracting, it shall be the beneficiary. The regional / local branch office needs to prove its existence and the relation with the headquarter.

Exceptions are also possible – in the case of public entities not having their legal seat in the eligible area, but having legal competencies for implementing operations in the programme area.

Three situations are identified:

- 1) In case the public entity's headquarter is registered outside the eligible programme area and its branch office is not a legal entity, the respective public entity may apply and, in case of contracting, it shall be the beneficiary. In this special case, the public entity shall also meet the following criteria:
  - The regional/local branch office needs to prove its existence and the relation with the headquarter.
  - The legal representative of the main entity shall nominate the person responsible for acting in the scope of the project implementation.
- 2) In case the public entities headquarter is registered outside the eligible programme area without a branch office in the eligible area, the respective public entity may apply.
- 3) If the public entities headquarter is registered outside the Programme Area but legally coordinates the branch office in the eligible area, the respective public entity may apply, with the condition that the foreseen investments will be made in the Programme Area.

**Note! An applicant may be selected in maximum 5 projects (leader/partner).**

### 2.2.1.2 Eligibility of actions (projects)

1. The activities must be implemented in the Programme Area, respectively on the territory of the following 8 counties: Satu Mare, Bihor, Arad, and Timiș from Romania; Szabolcs-Szatmár-Bereg, Hajdú-Bihar, Békés and Csongrád-Csanád from Hungary. Exceptions from this rule apply for activities contributing to a better implementation of the project (e.g. travel costs, training courses, study trips, exchanges of experiences) up to maximum 10% of the support from the ERDF at project level (criterion 11-administrative and eligibility grid);

2. Projects must be prepared in line with the objective of promoting sustainable development, considering the UN Sustainable Development Goals, the Paris Agreement, and the "do no significant harm" principle. Projects shall be pursued in full respect of the Union environmental acquis if the case.

The adverse effects on the environment can be prevented and mitigated by considering the environmental assessment at all projects preparation and implementation stages, such as:

- ✓ Avoiding the location of projects inside or in the immediate vicinity of protected natural areas; if this cannot be avoided, the establishment of adequate measures in accordance with the management plans of the protected areas or by the application of measures to avoid, mitigate, compensate the significant effects on the environment laid down in the relevant assessment procedure.
  - ✓ Taking into consideration all aspects of the construction phase under the environmental impact assessments, from site organization, construction of technological roads, provision of utilities to areas where land is to be prepared for construction (deforestation, if necessary for project realization, excavations, embankments), quarries and/or gravel pits for obtaining raw materials, etc.
  - ✓ Incorporating, for investments in infrastructure with an expected lifespan of at least five years, relevant information on how the potential impacts of climate change were taken into consideration (climate proofing 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>) (criterion 3.k - administrative and eligibility grid);  
Also, for projects envisaging Priority 1 of the Programme, please check Annex E regarding measures to prevent, mitigate and compensate as completely as possible for any adverse environmental effects caused by project implementation.
3. In case of projects involving exclusively the elaboration of technical plans/feasibility studies, commitment (e.g. letter, decision, strategy, legislation) of the relevant authority/body (e.g., Local/county council) on the need for the respective investment, will be required for contracting the latest e.g., Local/county council decisions, etc. (criterion 3.f - administrative and eligibility grid);
  4. For infrastructure investments (see Annex B):
    - a. the applicants must prove (from the date of submitting the application ideally, but at the contracting the latest) they have the legal right to perform the project activities in the specific location, through the following documents which must be provided by the applicant(s):
      - the title deed justifying the ownership of the real estate (criterion 3.g - administrative and eligibility grid);
      - or, if the land and/or building and/or /item of infrastructure is not owned by the applicant: the legal act (e.g. government decision, law, government ordinance, decision of local counties, etc.) or other relevant document (e.g. a contract with the owner of the real estate) proving that the owner of the real estate granted the rights of use and the rights of disposal or the rights of administration<sup>8</sup> to the applicant organization for at least the duration until 5 years after the estimated month of the

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<sup>8</sup> Stating the fact that the applicant has the legal right of execution of construction works for that land/building/item of infrastructure (a real right) and the legal right to obtain, according to the legislation in force, the building permit.

financial closure of the project, and that the owner has given its written agreement stating that the applicant may perform the infrastructure actions on/ in the relevant land/ building/ item of infrastructure criterion 3.h - administrative and eligibility grid).

- declaration from the land and/or building/ item of infrastructure owner/ concessioner/administrator that the land and/or building/ item of infrastructure is: free of any encumbrances; not the object of a pending litigation; not the object of a claim according to the relevant national legislation (criteria 3.g/h - administrative and eligibility grid).

b. the applicants must provide information regarding the foreseen investment through the following documents (criterion 3.i - administrative and eligibility grid):

- RO applicants: Feasibility study / DAIW (if applicable, according to national legislation);

- HU applicants: Construction technical plans (engineering plans, descriptions), Detailed cost estimation of works, Photo documentation;

5. In compliance with the provisions of art. 63(6) [EU Regulation No. 1060/2021](#), projects shall not be selected for support where they had been physically completed or fully implemented before the Project Proposal was submitted for funding under the Programme, irrespective of whether all related payments have been made by the applicant (criterion 8 - administrative and eligibility grid);

6. When the national legislation requires signature of bilateral agreement between the Member States in case of building physical cross border infrastructure, for projects financing cross border infrastructure other than roads, those bilateral agreements must be in force at the time of submission of project applications (criteria 3.j - administrative and eligibility grid);

**Examples of actions supported (detailed list and indicative group of the potential beneficiaries are provided in the Interreg Programme document, section 2.1.1.1 Related types of actions)**

**Priority:** P1. Cooperation for a green and more resilient cross-border area between Romania and Hungary

**Specific objective:** *SO2.2. Promoting renewable energy in accordance with Renewable Energy Directive (EU) 2018/2001[1], including the sustainability criteria set out therein*

- Spread of sustainable use of renewable energy sources.
- Exchange of good practices, capacity building for a better understanding of the benefits of using renewable energy sources, adapted to the needs of different stakeholder groups (political-legislative, technical, public authorities, young people and women, etc.).
- Renewable energy projects based on the high geothermal/photovoltaic potential.
- Renewable energy mapping, barrier assessment and development of joint strategies for coordinated actions in the energy market.

**Specific objective:** *SO2.4. Promoting climate change adaptation and disaster risk prevention, resilience considering eco-system-based approaches*

- Joint solutions related to improved preparedness and alert systems.
- Implementing structural and non-structural measures related to flood risk management, support for better prognosis and forecasting.
- Update rivers' flood risk management plans (including contributing to the Danube Flood Risk Management Plan (DFRMP), if applicable).
- Promoting sustainable management of floodplains, including green infrastructure.

- Supporting the monitoring and survey of different environmental and human related risks (storms, floods, droughts, fires, and other human related risks).
- Capacity building and procedures for better preparedness for disaster management, including the involvement of young people and women in civil protection actions.
- Increase the preparedness and resilience of communities against storms, floods, fires, and droughts (information and awareness raising events), including youth involvement and gender mainstreaming in civil protection joint actions.
- Identifying innovative solutions to support disaster management (IT tools, mobile apps, etc.).
- Harmonization of climate change adaptation strategies and action plans to enhance international cooperation and coordinate activities in the Danube region.
- Improving cooperation on the use of climate change data and projections within the Copernicus Climate Change Service (C3S) and the Climate Data Store (CDS), including training and exchange of experience in these areas.

**Specific objective:** *SO2.7. Enhancing protection and preservation of nature, biodiversity, and green infrastructure, including in urban areas, and reducing all forms of pollution*

- Developing the Master Plan for Natura 2000 border areas or sensitive areas to focus on identifying major biodiversity hotspots, jointly establishing conservation objectives, identifying priority sites for restoration and biodiversity integration measures.
- Projects to support the sustainable use of protected areas to increase the support and ownership of the local population, such as events (workshops, conferences); good practice reports (case studies); workshops/study trips.
- Developing and/or implementing action plans for conservation and/or management plans for endangered umbrella species within the Natura 2000 protected areas.
- Developing and/or implementing action plans for conservation and/or management plans focusing on certain aspects of species conservation.
- Developing plans, actions and measures to contribute to reduction of all forms of pollution.
- Developing and implementing the most appropriate methods for the prevention and control of invasive alien species (IAS) and the management of their priority access routes to border areas.
- Measures to restore the ecosystems where invasive species are present
- Capacity building and raising awareness concerning biodiversity conservation, the blue and green infrastructure.
- Conservation and restoration of biodiversity and creation and improvement of green infrastructure.
- Promoting ecosystem services to assess the progress of activities aimed at promoting and conserving biodiversity.
- Establishing cooperation between macro-regional strategies approaches to set the green connectivity and green infrastructure.

**Priority:** P2. Cooperation for a more social and cohesive PA between Romania and Hungary

**Specific objective:** *SO4.5. Ensuring equal access to health care and fostering resilience of health systems, including primary care, and promoting the transition from institutional to family- and community-based care*

- Analysis of trends, needs, standards and barriers to cooperation for health-care services in the PA (including health status of population).
- Investment in infrastructure, equipment, IT software /hardware, support of e-Governance in the field of health.

- Joint capacity building and exchange of experience for public employees and civil society in the field of health-care services.
- Networks to exchange good practices, peer learning in the field of healthcare services.
- Developing Action Plans (transnational/cross-border) and development strategies in the field of health (including joint response and civil protection mobilization).
- Demonstrative/innovative/research projects in the field of health.

**Specific objective:** *SO4.6. Enhancing the role of culture and sustainable tourism in economic development, social inclusion and social innovation*

- Identifying opportunities to make the tourism offering sustainable or to create new sustainable tourism products of public interest (including trend analysis, resource mapping, assessment of barriers to cooperation).
- Developing sustainable tourism offers and products, including investments, integrated into common tourism strategies for local development.
- Capacity building and exchanges of experience between cross-border stakeholders.
- Identification, mapping, and further development of cultural heritage (tangible and intangible), including its conservation, protection, conservation, and rehabilitation, as well as the development of joint strategies for promotion and conservation, and assessment of barriers to cooperation.
- Mapping the needs and possibilities of digitalizing cultural heritage and developing joint strategies.
- Actions for innovative solutions (including the purchase of hardware/software) and the creation of thematic routes, without a specific trademark) for the protection and capitalization of the cultural/rural/natural/religious heritage.
- Involvement of local authorities and communities (including schools) in building intercultural and cross-cultural links with different partners (skills development, educational content and cultural initiatives, joint events, etc.).

**Priority:** P3. A more sustainable, community-based, and effective cross-border cooperation

**Specific objective:** *ISO6.3. Build up mutual trust, in particular by encouraging people-to-people actions*

- People-to-people actions, promoting trust and cooperation among communities (i.e. small-scale cultural, educational initiatives and in the field of environment, biodiversity).
- Exchange of experience, peer exchanges and participation in small-scale joint events.
- Community initiatives connected with the New European Bauhaus (i.e. participation of local communities in the co-design of sustainable and inclusive solutions for the renovation of public spaces).

All the actions mentioned above are clustered in 3 main types:

1. planning and data actions
2. capacity building actions
3. structural and non-structural joint actions

Projects not including infrastructure component that would require a building permit are considered **SOFT projects** and will have to be submitted within 3 months from the launching of this call.

**HARD projects**, including people-to-people, are those envisaging infrastructure component requiring a building permit and will have to be submitted within 6 months from the launching of this call. In addition to all requirements applicable for the soft type of projects, hard projects will have to be ready to start execution of the planned investment Immediately after the subsidy



contract is signed, at the latest! (see annex B concerning required supporting documents for submission of the application and for contracting). Ideally, infrastructure works will not be foreseen in natural protected areas, to avoid the prolonged approval process and most importantly, to “do not significant harm” principle.

### 2.2.1.3 Eligibility of costs/expenditure<sup>9</sup>

In accordance with art. 63(6) of the [EU Regulation No. 1060/2021](#), the eligibility of expenditure shall be determined based on national rules, except where specific rules are laid down in, or based on this Regulation or the Fund-specific Regulations, in this case the [EU Regulation No 1059/2021](#).

Expenditure shall be eligible if it has been incurred by a partner of an operation and paid in implementing operations from the 1<sup>st</sup> of January 2021 to 31<sup>st</sup> of December 2029. Therefore, from the 1<sup>st</sup> of January 2021, the project can proceed with expenditures (the ones for preparing the project and for project implementation if the case) and start the implementation of project activities. The costs incurred before the signing of the contract may be included in the project budget (if the case) in the relevant cost categories (e.g. external expertise and services, equipment, investment, staff cost, office and administration, travel and accommodation, etc.). There is no dedicated budget section for preparation costs. Those costs must be planned in the budget as per the subject of the given expenditure and, as general rule, included in the first project report. These expenditures will be eligible from this date (subject to the MA signing of the Subsidy Contract with the related final budget) if the relevant legislation is respected and Programme eligibility rules are observed.

In case of **HU applicants**, for expenditures where no public procurement procedure is required, the following rules shall be observed:

- For procurements above EUR 10,000 (excl. VAT): applicants must perform and document the execution of adequate market research<sup>10</sup> (e.g., through collecting bids – at least three independent and comparable offers requested, using centralised e-procurement services, etc.). The value and the complexity of the procurement should be reflected in the specification and breakdown of the terms of reference, as well as in the respective offer. Also, when performing the proof of market prices, the applicants shall avoid conflict of interest.
- In case the threshold regarding public procurements according to national legislation is lower than EUR 10,000 (excl. VAT), national level legislation shall prevail. In such cases, the principles of sound financial management must be applied, but no specific proof of the market price is required to be submitted by the applicants. Nevertheless, please note that, during project implementation, the HU FLC has the right to check the compliance with market price and may apply deductions in case the compliance is not ensured. Note that procurement must not be split artificially to circumvent the EUR 10,000 threshold. The procurement must comply with the basic principles of transparency, non-discrimination and equal treatment.

In case of services related to the organisation and implementation of events or meetings (including rent, catering or interpretation), the costs of services cannot contain any costs

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<sup>9</sup> Please take note that project implementation manual and national level rules may further detail the eligibility of expenditures for implementation.

<sup>10</sup> This is meant to provide a sound knowledge and sufficient information on the relevant market allowing for a sound comparison of offers in terms of price and/or quality and a profound assessment of the adequacy of the price to be paid.

related to project staff (catering, accommodation and transport as well), because these costs are covered by travel and accommodation flat rate.

Sub-contracting among project partners within the same project is not allowed.

Additional national requirements, if any, shall be taken into account.

For experts paid on the basis of a daily/hourly fee, the daily/hourly rate together with the number of days/hours contracted and the total amount of the contract must be provided. The invoice must include a clear quantification of the days/hours charged, price per unit and total price.

Where applicable, deliverables and outputs produced by experts/service providers must respect the relevant publicity requirements in line with Visual Identity Manual.

Parts of an operation may be implemented outside of the Programme Area, provided that the operation contributes to the objectives of the programme. However, the total costs incurred outside of the eligible area (related to any activity or any category of expenditure) shall be limited to 10% of the support from the ERDF at project level (criterion 11 - administrative and eligibility grid).

The project budget should ideally be balanced between partners. For example, in case the partnership is formed of only two partners, one partner should account at least 30% of the budget share.

According to Art 64 of [EU Regulation No. 1060/2021](#), the following costs shall not be eligible:

- (a) interest on debt;
- (b) the purchase of land for an amount exceeding 10% of the total eligible expenditure for the operation concerned; for derelict sites and for those formerly in industrial use which comprise buildings, that limit shall be increased to 15 %. This provision shall not apply to operations concerning environmental conservation (criterion 12 – administrative and eligibility check);
- (c) value added tax ('VAT'), except:
  - (i) for operations the total cost of which is below EUR 5 000 000 (including VAT);
  - (ii) for operations the total cost of which is at least EUR 5 000 000 (including VAT) where it is non-recoverable under national VAT legislation.

Additionally, Art 38 (3) of [EU Regulation No 1059/2021](#) identifies the following non-eligible costs:

- (a) fines, financial penalties and expenditure on legal disputes and litigation;
- (b) costs of gifts; or
- (c) costs related to fluctuation of foreign exchange rate.

The following cost categories, presented in the budget tables as main budgetary lines, are considered eligible:

- a) Staff costs;**
- b) Office and administrative expenditure;**
- c) Travel and accommodation costs;**

These categories of costs will be reimbursed based on flat rates\*, as follows:

Staff costs	Up to 20% of direct costs** (other than direct staff costs, but below 150,000 euro <sup>11</sup> at partner level)
Travel & accommodation costs	Up to 15% of direct staff costs
Office & administrative costs	Up to 15% of direct staff costs

<sup>11</sup> Due to the set ceilings, some partners will not receive exactly 20% flat rate; however, the % fixed as the ratio of the ceiling amount and the planned direct costs also remains unchanged during the implementation period of the project part

*\* Provisions of Interreg Regulation (EU Reg. No 1059/2021) Art 39 – 41 will be observed.*

*\*\* External expertise and services, equipment and infrastructure and works are considered direct costs, as directly linked to the implementation of project's specific activities. Only such direct costs are to be reimbursed on real cost basis.*

**d) External expertise and services costs;**

According to Art. 42 of the Interreg Regulation (EU Reg. No 1059/2021) external expertise and service costs shall be limited to the following services and expertise provided by a public or private body or a natural person, other than the beneficiary, and all partners of the operation:

- i. studies or surveys (such as evaluations, strategies, concept notes, design plans, handbooks);
- ii. training;
- iii. translations;
- iv. development, modifications and updates to IT systems and website;
- v. promotion, communication, publicity, promotional systems and activities or information linked to an operation or to a programme as such;
- vi. financial management;
- vii. services related to the organization and implementation of events or meetings (including rent, catering, or interpretation);
- viii. participation in events (such as registration fees);
- ix. legal consultancy and notarial services, technical and financial expertise, other consultancy, and accountancy services;
- x. intellectual property rights;
- xi. travel and accommodation for external experts, speakers, chairpersons of meetings and service providers;
- xii. other specific expertise and services needed for operations.

**e) Equipment expenditure;**

According to Art. 43 of the Interreg Regulation (EU Reg. No 1059/2021) costs for equipment purchased, rented, or leased by the beneficiary of the operation, other than those covered by Art. 40 under the same regulation, shall be limited to the following:

- i. office equipment;
- ii. IT hardware and software;
- iii. furniture and fittings;
- iv. laboratory equipment;
- v. machines and instruments;
- vi. tools or devices;
- vii. vehicles; and
- viii. other specific equipment needed for operations.

If justified properly, costs for the purchase of second-hand equipment may be eligible subject to the following conditions:

- i. no other assistance has been received for it from the Interreg funds or from the funds listed in point (a) of Article 1(1) of Regulation (EU) 2021/1060;
- ii. its price does not exceed the generally accepted price on the market in question; and
- iii. it has the technical characteristics necessary for the operation and complies with applicable norms and standards.
- iv. the specific of the project justifies the procurement of second-hand equipment (e.g. museum artefacts, theatre props, refurbished assets for heritage buildings, etc)

**f) Infrastructure and works.**

According to Art. 44 of the Interreg Regulation (EU Reg. No 1059/2021) costs for infrastructure and works shall be limited to the following:

- i. purchase of land in accordance with point (b) of Article 64(1) of Regulation (EU) 2021/1060;
- ii. building permits;
- iii. building material;
- iv. labor; and
- v. specialized interventions (such as soil remediation, mine-clearing).

Investments in infrastructure and works shall:

- ✓ have a public character;
- ✓ be necessary for project implementation;
- ✓ be justified in the Interreg VI-A Romania–Hungary Programme cross-border context;
- ✓ be maintained for as long as possible, but at least until the end of the sustainability period.

**Note!** The project budget should be developed based on real/market prices supported by relevant documents (print-screens, price offers, market research, DAIW/Feasibility study, etc.).

**Exceptionally, people-to-people projects, submitted under ISO 1\_Priority 3\_Specific Objective 6.3 may use the simplified off-the-shelf option provided by Art 56 of EU Regulation No. 1060/2021, as follows:**

1. A flat rate of up to 40 % of eligible direct staff costs may be used in order to cover the remaining eligible costs of an operation.
2. For operations supported by the ERDF, salaries and allowances paid to participants shall be considered additional eligible costs not included in the flat rate (e.g. allowances paid to the trainees can be declared in addition to the direct staff costs and the flat rate).
3. The flat rate referred to in paragraph 1 of this Article shall be applied to staff costs, which will be reimbursed as real costs, according to the relevant legislation (full-time, fixed or flexible part-time and hourly based employment contracts). The flat rate shall not be applied to staff costs calculated on the basis of a flat rate as referred to in Article 39, para. 3., letter (c).

## CHAPTER 3. HOW TO APPLY

### 3.1 Process overview

For the present call for project proposals, the application process shall be done through the programme's Electronic Management System (JEMS). The JEMS is accessible at the following web address: <https://jems-rohu.mdlpa.ro>.

The Applicant's Guide and [JEMS manual](#) provide potential partners with detailed guidelines on the application for funding process.

The Applicant's Guide, Annexes and JEMS ROHU manual are available on the following website: [www.interreg-rohu.eu](http://www.interreg-rohu.eu).

As there are two or more partners cooperating in a project, one of them shall be designated as the Lead. The Lead Applicant/Partner<sup>12</sup> shall be established in one of the two Member States to the programme.

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

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<sup>12</sup> The tasks of the Lead Applicant/Partner are provided in article 26 of the REGULATION (EU) No 1059/2021

The same applicants will need to sign the partnership agreement before the Lead will be in the position of signing the subsidy contract with the MA.

Make sure you fill-in, correctly and completely, the Application and its Annexes and attach all related documents. The Annexes are part of the Project Application.

Applications and Annexes must be submitted using the standard templates included in the Applicant's Guide (pay particular attention to observing the limit of characters imposed by the JEMS within the Application Form).

The Annexes must be filled in using English and signed by the legal representative of the (Lead) Applicant<sup>13</sup> wherever this is requested by the standard templates. Where the case, the supporting documents issued in national languages shall be attached accompanied by an English summary/extract of the parts relevant for the quality assessment (see 3.2 List of mandatory Annexes to the Application Form).

The Annexes and supporting documents will be uploaded into the JEMS system (scanned/electronically signed/PDF format, as the case may be). Depending on the size of the documentation, it is recommended to create as many files as necessary. A file cannot exceed 50 MB.

It is recommended to name the uploaded files to indicate the content and, if necessary, to enter a description of them, allowing facile distinguish between files within and in between sections/sub-sections.

To ensure a unitary approach, the recommended format of the files names will respect the following pattern: LP/PP (1,2,3) \_Document name (e.g. feasibility study investment in locality name).

**SOFT PROJECTS can only be submitted within a 3-month period from the launching of this call, but not later than <27.09.2023>, 23:00 (CET)/24:00 (EET)**

**HARD PROJECTS can only be submitted within a 6-month period from the launching of this call, but not later than <27.12.2023>, 23:00 (CET)/24:00 (EET)**

Errata, amendments to the Application package which will be sent after the deadline without being explicitly requested shall not be considered.

Following submission, the application will enter in the assessment phase and the Lead Applicant might be required to answer to clarifications sent by the assessors. Please note that communication during assessment process will be carried out using the JEMS system and the [joint.secretariat@brecoradea.ro](mailto:joint.secretariat@brecoradea.ro) contact e-mail address.

The Joint Secretariat organizes the assessment and selection process, in compliance with the criteria and methodology approved by the Monitoring Committee.



If you have any questions regarding the rules of this Call, please contact the **Joint Secretariat**, at [joint.secretariat@brecoradea.ro](mailto:joint.secretariat@brecoradea.ro) or at **+40 259 473 174**.

### 3.2 List of mandatory Annexes to the Application Form

No.	Mandatory information/documents for submitting an eligible application
1	<b>PROJECT LEAD / APPLICANT DECLARATION (see Annex 1).</b> <i>To be provided in EN language.</i>
2	<b>Copy of the establishing documents</b> of the Applicants: Articles of Association, Statutes, Deed of foundation, establishing resolution law or equivalent documents according to the national legislation, etc. Additionally, establishing documents will

<sup>13</sup> Or by an empowered person (a letter of empowerment will be attached)

No.	Mandatory information/documents for submitting an eligible application
	be provided for the related branch / field office, etc., that will prove its existence and the relation with the headquarter <sup>14</sup> . <b>Exception:</b> public institutions/authorities/ do NOT need to submit this document! <i>To be provided in RO / HU language.</i>
3	<b>The official statement</b> of the relevant decision-making body regarding the support of the project and the availability of the own contribution for the planned investment, during the implementation of the project (e.g. <b>County Council Decision, Local Council Decision, Board of Directors Decision</b> , authorised person etc.). <i>To be provided in RO / HU language.</i>
4	<b>The job descriptions / CVs</b> for all positions included in the proposed management team AND/OR the <b>Terms of references</b> in case the management is externalized. <i>To be provided in EN language.</i>
5	<b>State Aid Documents</b> <b>5.1 Self-Assessment (Annex 2)</b> <b>5.2 De Minimis Declaration (Annex 3)</b> <b>5.3 GBER Declaration (Annex 4)</b>
6	<b>Commitment (e.g. letter, strategy, legislation)</b> of the relevant authority/body (e.g., Local/county council) on the need for the investment covered by the technical plans/feasibility study to be financed from the programme, in case of projects involving exclusively the elaboration of technical plans/feasibility study.
<b>For projects foreseeing investments in infrastructure see Annex B. Supporting documents in case of projects with works components/activities.</b>	

## CHAPTER 4. ASSESSMENT AND SELECTION OF APPLICATIONS

The assessment and selection process within the Interreg VI-A Romania-Hungary Programme will be carried out respecting transparency, equal treatment, non-discrimination, national integrity, and sustainable development.

The assessment and selection procedure promotes the fulfilment of these principles and excludes any opposite behaviour or action.

All project proposals submitted under the conditions presented herein will be assessed and eventually selected according to the assessment criteria approved by the Monitoring Committee.

### 4.1 ASSESSMENT OF THE PROJECT PROPOSALS

The assessment of project proposals will be carried out in two phases:

**The Quality Assessment<sup>15</sup>** - has as main objectives to assess the relevance, the cross-border character, and the feasibility as well as sustainability of the activities proposed under the project, to use the result of the assessment as a basis for decision-making, to establish common understanding which is common ground for decision-making and to ensure transparency. The purpose of the quality assessment is to provide the MC members with sufficient information on how each of the project proposals complies with the quality assessment criteria.

Quality assessment criteria are divided into 2 categories:

- **Strategic assessment criteria** - to determine the extent of the project's contribution to

<sup>14</sup> Please see GfA, section Eligibility of applicants

<sup>15</sup> The quality assessment grid is attached as ANNEX D.1 – Quality Assessment Grid

the achievement of Programme objectives (including contribution to Programme indicators), to examine the cross-border character and why the cross-border cooperation is the most effective solution to tackle the joint territorial challenge identified.

- **Operational assessment criteria** - to assess the viability and the feasibility of the proposed project, the legal, administrative, and financial capacity of the partners to implement the proposed activities and maintain the results as well as its value for money in terms of resources used versus results delivered.

Supplementary clarifications might be requested during the quality assessment and in such case, the Lead Applicant will be invited to submit this information within a deadline of maximum 5 working days. If during the assessment, an assessor considers that a cost is non-eligible, budget cuts might be applied, and the project will be approved under such conditions. Each application will be scored against the above technical and financial assessment criteria and given a maximum score of 100 points. To pass the quality assessment phase, projects shall meet the following cumulative minimum requirements:

- be scored minimum 65 points.
- be scored minimum 30 points for the strategic criteria (A1-A4).
- be scored > 0 points for each of the strategic (A1-A4) and operational (B1-B4).

Failure to comply with the above minimum requirements shall lead to the rejection of the project proposal.

Those reaching 65 scores go further for admin and eligibility check and below 65 scores will be rejected.

The **administrative compliance and eligibility check**<sup>16</sup> verifies that the proposal fulfils minimum requirements of the Programme, ensuring equal treatment of all proposals to be selected for funding.

Clarifications and/or completions will be requested by the JS within the administrative and eligibility check in maximum 2 (two) rounds. The requests will be addressed in writing to the Lead Applicant, who will have 5 and respectively 4 working days to submit the necessary documents/clarifications.

Failure to comply with the formal requirements (administrative compliance) and established eligibility criteria shall lead to the rejection of the project proposal.

## 4.2 SELECTION OF APPLICATIONS

The projects proposed for financing are those projects which have obtained the minimum score (65 points) in the quality assessment per total and minimum 30 points (out of 57,5) for the strategic criteria, and whose budgets contain eligible expenses which do not exceed the limit set forth for the present Call.

The projects are selected in descending order, considering the scores awarded and the amount allocated for each SO. In case two or more projects obtain equal scores under the same SO, the selection of the project to be financed shall be made considering the following criteria, in the mentioned order: a. the scores obtained for the strategic criteria in the quality assessment phase; b. the scores obtained for criterion referring to the project's contribution to the programme's indicators.

The reserve list contains applications which have obtained the minimum total score of 65 points (out of 100) per total and minimum 30 points (out of 57,5 in case of normal projects, respectively 70 in case of p2p projects) for the strategic criteria, but due to limited available

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<sup>16</sup> The assessment grid for the administrative and eligibility check is attached as ANNEX D.2- Administrative and eligibility assessment grid.

budget of the Call, cannot be proposed for financing.

The projects which have scored less than 65 points are considered rejected.

The project proposals (financed, financed with conditions, reserve list, rejection) are selected by the MC based on the ranking list. The decision of the MC is communicated, in writing, by the JS to the Lead Applicant.

The decision of the Monitoring Committee is followed by the contracting phase.

Generally, during the contracting stage the JS shall ensure all communication with beneficiaries in view of gathering all necessary supporting documents.

Whereas there are firm recommendations of the external assessors impacting / conditioning the approval and contracting of an application, the respective project may be put forth for approval by the MC “**under conditions**”. The MC decision shall also stipulate the **deadline** when conditions must be met, and this shall not exceed 3 months from its issuance date. Contracting of such project may occur only when these conditions are fully satisfied.

### 4.3 COMPLAINTS

In accordance with Art 69(7) of Regulation (EU) No 1060/2011 CPR “Member States shall make arrangements to ensure the effective examination of complaints concerning the Funds. (...) Complaints cover any dispute between potential and selected beneficiaries with regard to the proposed or selected operation.”

The decision of the MC not to finance applications can be appealed by the applicants, by sending a complaint to the MA. Only the project’s Lead Applicant as the one representing the project partnership affected by the funding decision is entitled to file a complaint. It is therefore the task of the Lead Applicant to collect and bring forward the complaint reasons from all project partners.

The complaint must be submitted by the Lead Applicant in no more than 10 working days from the receipt date of the rejection letter based on MC decision, sent by the JS.

The complaints shall be formulated in respect to the provisions of the procedure presented below. The template of the complaint is attached to this Guide (please see the Annex 5).

The complaint should be lodged in writing by e-mail to the MA, and may only be lodged against any the following criteria:

- ⇒ The outcomes of the assessment of the project proposal do not correspond to the information provided by the Lead Applicant in the submitted application package;
- ⇒ The project assessment and selection process failed to comply with specific procedures laid down in the present Guide.

No other grounds for the complaint than indicated above will be considered during the complaint procedure.

The relevant documentation shall be provided for the sole purpose of supporting the complaint and may not alter the quality or content of the assessed project proposal. No new documents can be submitted in support of the complaint, others than those submitted with the application or during the clarification stages.

The complaint will be examined by the Complaint Panel to be convened for this purpose by the head of MA. The members of the Complaint Panel are nominated by the MA and the NA, ensuring their impartiality towards the case under review.

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

The complaint procedure - from the receipt of the complaint by the MA until the communication of the Complaint Panel’s decision to the Lead Applicant - should be resolved within maximum



15 working days<sup>17</sup>.

The complaint can be withdrawn within the above-mentioned period, through a written request submitted by the Lead Applicant to MA, with no right for the former to submit a new complaint against the outcome of the assessment.

If the complaint justified, the MA shall return to the MC.

## **CHAPTER 5. CONTRACTING**

### **5.1 Pre-Contractual conditions**

The process of projects' assessment and selection ends with the Monitoring Committee's decision regarding the selected / rejected projects<sup>18</sup>. Following the issuance of the said decision, the MA and JS shall begin the contracting process. During the contracting phase the state aid incidence will be assessed, at activity level.

Whereas a project has been put forth for approval by the MC "under conditions", whilst the MC decision shall also stipulate the deadline when conditions must be met (not exceeding 3 months from the JS' notification), pre-contracting of such project shall also imply verification of whether these conditions are fully satisfied, in the said deadline.

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

The subsidy contract template<sup>19</sup> annexed to this Guide is indicative. The final version of all contracts will be presented to the applicants of the selected projects in the contractual phase.

### **5.2 Contracting**

The subsidy contracts will be signed by the MA and by the Lead Partners. After the subsidy contracts have been signed by both parties, the partners will be able to sign the national co-financing contracts.

## **ANNEXES**

- Annex 1 Project (Lead) Applicant Declaration
- Annex 2 State aid self-assessment
- Annex 3 de Minimis Declaration
- Annex 4 GBER Declaration
- Annex 5 Complaint Template
- Annex A Guidelines on Indicators
- Annex B Supporting documents in case of projects with works components/activities
- Annex C Guideline on state aid incidence
- Annex D1 Quality assessment grid
- Annex D1.1 Quality assessment grid P2P
- Annex D2 Administrative and eligibility assessment grid
- Annex E Proposed measures to mitigate environment impact
- Annex F de Minimis Scheme (unofficial EN translation attached)
- Annex G GBER Scheme (unofficial EN translation attached)
- Annex H Hints & Tips for a successful Interreg project
- Annex I Subsidy Contract template (attached as draft)
- Annex J Partnership agreement template (to be provided)

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<sup>17</sup> This period could be extended, if necessary and the Lead Applicant will be notified of the new deadline for solving the complaint.

<sup>18</sup> Including projects on the reserve list.

<sup>19</sup> See Annex I