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Workshops

IPA CBC Seminars – Cross-border programmes between Member States and IPA countries

List of Acronyms

IPA Glossary

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LIST OF IPA ACRONYMS

AA	Audit Authority
CA	Certifying Authority
CC	Candidate Country
IB	Intermediate Body
IPA	Instrument for Pre-accession Assistance
JPD	Joint Programming Document
JTS	Joint Technical Secretariat
LPP	Lead Partner Principle
MA	Managing Authority
MS	Member State
MSC	Monitoring and Steering Committee
NAO	National Authorising Officer
NIPAC	National IPA Coordinator
OS	Operating Structure
PCC	Potential Candidate Country
PRAG	Practical Guide to contract procedures for EC external actions
TA	Technical Assistance

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Link to general INTERACT glossary: <http://www.interact-eu.net/226919/0/0/0>

Link to the glossary of DG Enlargement: http://ec.europa.eu/enlargement/glossary/index_en.htm

Accreditation

Where specific persons have been given responsibility for an activity in relation to the management, implementation and control of programmes, the Beneficiary Country shall enable such persons to exercise the duties associated with that responsibility, including in cases where there is no hierarchical link between them and the bodies participating in that activity. The Beneficiary Country shall, in particular, provide those persons with the authority to establish, through formal working arrangements between them and the bodies concerned:

Source: Regulation (EC) No 2499/2007 (IPA Implementing Regulation), Article 12

Accrediting Officer

The Accrediting Officer is to be appointed by the Beneficiary Country. He/she is responsible for issuing, monitoring and suspending or withdrawing the accreditation of the [National Authorising Officer](#) and the [National Fund](#).

Source: Regulation (EC) No 2499/2007 (IPA Implementing Regulation), Article 24

Acquis Communautaire or Community acquis

The Community acquis is the body of common rights and obligations which bind all the Member States together within the European Union. Applicant countries have to accept the Community acquis before they can join the Union. Derogations from the acquis are granted only in exceptional circumstances and are limited in scope. To integrate into the European Union, applicant countries will have to transpose the acquis into their national legislation and implement it from the moment of their accession.

Source: Europa Glossary Scadplus (http://europa.eu/scadplus/scad_en.htm)

Beneficiary Countries

The Beneficiary Countries are:

- [Candidate Countries](#): Croatia, Turkey, the Former Yugoslav Republic of Macedonia
- [Potential Candidate Countries](#): Albania, Bosnia, Montenegro, Serbia, including Kosovo (as defined in UNSCR 1244)

Source: Regulation (EC) No 1085/2006, Annexes 1 and 2

Budgetary commitment

A budgetary commitment corresponds to the amount of the legal commitment, which shall take the form of a Financing Agreement with the Beneficiary Country concerned. Such commitment shall be adopted on the basis of financing decisions adopting annual programmes.

Source: Regulation (EC) No 2499/2007 (IPA Implementing Regulation), Article 39

Candidate Country

Applicant countries for European Union membership are granted Candidate Country status from the day their application is officially accepted by the European Council.

Source: DG Enlargement website

Centralised and decentralised management – Transitional approach

Under the [Transitional arrangements](#), an [Operating Structure](#) is set up in each CC/PCC, which is mainly in charge of programming and implementation. The CC/PCC Operating Structures set up a Joint Technical Secretariat.

However, there are differences, according to the management model chosen:

- Centralised management: the Operating Structure is in charge of programme implementation with the exclusion of tendering, contracting and payments, which are the responsibility of the Commission (EC Delegation, as [Contracting Authority](#)).
- Decentralised management: the EC Delegation plays no formal role; the Operating Structure includes an [Implementing Agency](#) led by a Programme Authorising Officer who is nominated by the National Authorising Officer. The Implementing Agency is the Contracting Authority and thus responsible for “tendering and contracting, payments accounting and financial reporting aspects of the procurement of services, supplies, works and grants for the part the cross-border programme concerning the respective country”.

Source: Regulation (EC) No 2499/2007 (IPA Implementing Regulation), Article 99

Community contribution

The part of the eligible expenditure which is financed by the Community.

Source: Regulation (EC) No 2499/2007 (IPA Implementing Regulation), Article 2(9)

Contracting Authority

Under Transitional arrangements, the Contracting Authority in each CC/PCC may be:

- the Operating Structure, in particular its Implementing Agency, in the case of [decentralised management](#)
- the European Commission in the case of [centralised management](#)

The Contracting Authority is responsible for awarding grants, tendering, contracting and payments.

Source: DG Enlargement – PPT presentation at INTERACT IPA Seminar, Belgrade, 13 February 2007

Decentralised management: see [Centralised management](#)

Description of management and control systems

The description of management and control systems must be submitted to the European Commission by the Member State on whose territory the Managing Authority is located.

The submission of this description should be accompanied by a report setting out the results of an assessment of the systems set up and giving an opinion on their compliance with Articles 101 and 105. This report must be drafted by the Audit Authority. The acceptance of the report is a condition for the payment of the pre-financing.

The description should cover in particular the organisation and procedures of:

- the Managing and Certifying Authorities and Intermediate Bodies referred to in Article 102;
- the Audit Authority and any other bodies carrying out audits under its responsibility as referred to in Article 102.

Source: Regulation (EC) No 2499/2007 (IPA Implementing Regulation), Article 115

Eligible areas

Under the cross-border component of IPA for cooperation between Member States and [Beneficiary Countries](#) the eligible areas are:

- at land borders: NUTS 3 level regions or, in the absence of NUTS 3 classification, equivalent areas along land borders between the Community and the Beneficiary Countries
- at maritime borders: NUTS 3 level regions or, in the absence of NUTS 3 classification, equivalent areas along maritime borders between the Community and the Beneficiary Countries, separated as a general rule by a maximum of 150 kilometres, taking into account potential adjustments needed to ensure the coherence and continuity of the cooperation action.

Source: Regulation (EC) No 2499/2007 (IPA Implementing Regulation), Article 88

Final beneficiary

Body or firm, whether public or private, responsible for initiating or initiating and implementing operations. In the context of aid schemes, final beneficiaries are public or private firms carrying out an individual project and receiving public aid.

Source: Regulation (EC) No 2499/2007 (IPA Implementing Regulation), Article 2(8)

Financing Agreement

Annual or multi-annual agreement concluded between the Commission and the Beneficiary Country, following a Commission financing decision approving the Community contribution to a programme or an operation falling within the scope of this Regulation.

Source: Regulation (EC) No 2499/2007 (IPA Implementing Regulation), Article 2(5)

Implementing Agency

According to Article 139(5)(a) of the IPA Implementing Regulation, "the [Operating Structures](#) in each participating Beneficiary Country shall include one Implementing Agency which shall be established within the national administration or under its direct control".

Source: Regulation (EC) No 2499/2007 (IPA Implementing Regulation), Article 139(5)(a)

Integrated approach or Shared management – See also [Transitional approach](#)

The Integrated approach corresponds to the shared management of the cross-border Operational Programme between Member States and (Potential) Candidate Countries. Under the Integrated approach:

- There are joint managing structures applying to the whole programme area: Managing, Certifying and Audit Authority (these must be located on the EU side of the border), Joint Technical Secretariat and Monitoring and Steering Committee. There are no specific structures in the CC/PCC;
- A written agreement (Memorandum of Understanding) is signed among all participating countries, covering *inter alia* financial controls and recovery of funds;

- There is a single financial table applying to the entire Operational Programme, with no breakdowns per country;
- The [description of management and control systems](#) applies to the entire programme area;
- There is a single set of implementing provisions;
- The Lead Partner Principle is fully applied (see [Lead Partner Principle – Integrated approach](#));
- The sole interlocutor at the European Commission is DG Regional Policy.

Source: DG Enlargement – PPT presentation at INTERACT IPA Seminar, Belgrade, 13 February 2007

Lead Partner Principle – Transitional approach

Under the cross-border component of IPA, the Lead Partner Principle is applied as follows: There is a single “functional” Lead Partner, but:

- There is one “financial” Lead Partner for the part of the joint project implemented in the Member State territory; The Managing Authority concludes a grant contract with this Lead Partner;
- There is one “financial” Lead Partner in each CC/PCC participating in the joint project. A grant contract is signed by the [Contracting Authority](#) in the CC/PCC with the lead beneficiary of the project in that country.

Source: DG Enlargement – PPT presentation at INTERACT IPA Seminar, Belgrade, 13 February 2007 and Regulation (EC) No 2499/2007 (IPA Implementing Regulation), Article 99(5)

Lead Partner Principle – Integrated approach

The Lead Partner is:

- chosen by the partners in the project;
- responsible for the implementation of the entire project;
- responsible for establishing the arrangements for the relations among the partners;
- responsible for ensuring that expenditure has been spent on the activities agreed among the partners;
- responsible for verifying that partners’ expenditure has been validated by the relevant controllers;
- in charge of transferring funding to the partners.

Each partner is responsible for any irregularities in the expenditure it has declared. In the event of an irregularity, the Certifying Authority recovers the funding from the Lead Partner. The Lead Partner then recovers the funding from the partner concerned. If such recovery is not possible, the country of the relevant beneficiary shall reimburse the amount unduly paid.

Source: DG Regional Policy – PPT presentation at INTERACT IPA Seminar, Belgrade, 13 February 2007

Multi-annual indicative planning document

The multi-annual indicative planning document shall ensure the necessary coherence and complementarity between the IPA components in a given Beneficiary Country. The content of the document is detailed in Article 5 of the IPA Implementing Regulation.

Source: Regulation (EC) No 2499/2007 (IPA Implementing Regulation), Article 5

Multi-annual programme

This is the document describing the implementation of the multi-annual indicative planning document. This document must be submitted by the Beneficiary Country and adopted by the European Commission (IPA Implementing Regulation, Article 6). As regards the CBC component, Article 91 states that “each cross-border programme shall be jointly drawn up by the participating countries, in co-operation with the partners referred to in Article 11 of Regulation (EC) No 1083/2006”. The Commission shall adopt the cross-border programme by decision.

Source: Regulation (EC) No 2499/2007 (IPA Implementing Regulation), Article 91

National Authorising Officer

The National Authorising Officer is appointed by the Beneficiary Country ([Accrediting Officer](#)). He/she is mainly responsible for the effective functioning of management and control systems under the IPA Regulation.

The detailed list of functions of the National Authorising Officer is listed in Article 25 of the Implementing Regulation.

Source: Regulation (EC) No 2499/2007 (IPA Implementing Regulation), Article 25

National IPA Coordinator

A National IPA Coordinator shall be appointed by the Beneficiary Country. He/she shall be a high-ranking official in the government or the state administration of the Beneficiary Country who shall ensure the overall co-ordination of assistance under the IPA Regulation.

He/she shall, in particular:

- ensure partnership between the Commission and the Beneficiary Country and a close link between the general accession process and the use of assistance under the IPA Regulation;
- bear overall responsibility for:
 - the coherence and co-ordination of the programmes provided under this Regulation;

- the annual programming for the transition assistance and institution building component at national level;
- the co-ordination of the Beneficiary Country's participation in the relevant cross-border programmes both with Member States and with other Beneficiary Countries, as well as in the transnational, interregional or sea basins programmes under other Community instruments. The National IPA Coordinator may delegate the tasks relating to this coordination to a Cross-border Cooperation Coordinator;

(c) draw up and, after examination by the IPA Monitoring Committee, submit the IPA annual and final reports on implementation as defined in Article 61(3) to the Commission with a copy to the [National Authorising Officer](#).

Source: Regulation (EC) No 2499/2007 (IPA Implementing Regulation), Article 22

National Fund

The National Fund shall be a body located in a state-level ministry of the Beneficiary Country with central budgetary competence. The National Fund shall act as a central treasury and be in charge of tasks relating to the financial management of assistance under the IPA Regulation, under the responsibility of the [National Authorising Officer](#).

It shall in particular be in charge of organising the bank accounts, requesting funds from the Commission, authorising the transfer of funds received from the Commission to the [Operating Structures](#) or to the final beneficiaries, and the financial reporting to the Commission.

Source: Regulation (EC) No 2499/2007 (IPA Implementing Regulation), Article 26

Operating Structure

The Operating Structure applies in IPA countries under the transitional approach. In the case of decentralised management, it is responsible for managing and implementing the part of the programme concerning the participating [CC](#) / [PCC](#). It is represented in the Joint Monitoring Committee of the programme. It includes an Implementing Agency responsible for awarding grants, tendering, contracting and payments.

Source: DG Enlargement website

See also Regulation (EC) No 2499/2007 (IPA Implementing Regulation), Article 28

Participating Country

Regarding the cross-border component of the IPA instrument, Participating Countries are the IPA countries ([Beneficiary Countries](#)) and the bordering Member States (in the case of IPA cross-border programmes involving Member States).

Source: Regulation (EC) No 2499/2007 (IPA Implementing Regulation), Article 85

Potential Candidate Country

Countries that may apply for EU membership.

Source: DG Enlargement website

Pre-financing

The pre-financing is paid out to the programme once the cross-border programme has been approved and the report accompanying the description of management and control systems accepted. The amount of pre-financing amounts to 15% of the first three budgetary commitments to the programme.

Source: Regulation (EC) No 2499/2007 (IPA Implementing Regulation), Article 128

Public expenditure

Any public contribution to the financing of operations whose origin is the European Community or the budget of the public authorities of the Beneficiary Country, and any contribution to the financing of operations whose origin is the budget of public law bodies or associations of one or more regional or local authorities or public law bodies.

Source: Regulation (EC) No 2499/2007 (IPA Implementing Regulation), Article 2(11)

Total expenditure

The public expenditure and any private contribution to the financing of operations.

Source: Regulation (EC) No 2499/2007 (IPA Implementing Regulation), Article 2(12)

Transitional approach or Transitional Arrangements – See also Integrated approach

Transitional arrangements are applied to those cross-border programmes between Member States and Beneficiary Countries where “the Participating Countries are not yet ready to implement the entire cross-border programme in shared management with Member States according to the provisions laid down in Section 2 of Chapter 3 of the Cross-border Component section”.

In such case, the implementation of the programme differs on the EU side and on the CC/PCC side, with:

- Different managing structures (joint structures on the EU side, specific structures in each country on the CC/PCC side – the only joint structures applying to the entire programme are the Joint Technical Secretariat and the Monitoring and Steering Committee);
- Different financial tables (one single table for the EU side, one table per participating country on the CC/PCC side) and financing decisions (3-year financing decisions on the EU side signed by DG Regional Policy, annual financing decisions and agreements between DG Enlargement and each participating CC/PCC);
- Different implementing provisions;
- Different interlocutors at the European Commission with the involvement of both DG Enlargement and DG Regional Policy;
- Different Lead Partners, with different grant contracts (see [Lead Partner Principle – Transitional approach](#)).

Once all programme partners are ready to implement the programme in a joint manner, with joint structures, implementation procedures and a unique financial table, they update the Operational Programme accordingly and submit a revised description of management and control procedures. The description must be accompanied by a compliance assessment (report and opinion) made by the Audit Authority or by a public or private body functionally independent of the Managing and Certifying Authorities, which shall carry out its work taking account of internationally accepted audit standards.

Sources: Regulation (EC) No 2499/2007 (IPA Implementing Regulation), Article 99; DG Enlargement – PPT presentation at INTERACT IPA Seminar, Belgrade, 13 February 2007 – Regulation (EC) No 1083, Article 71(3)