

FINANCING MEMORANDUM

The European Commission, hereinafter referred to as "THE COMMISSION", acting for and on behalf of the European Community, hereinafter referred to as "THE COMMUNITY"

on the one part, and

The Government of **Poland**, hereinafter referred to as "THE RECIPIENT"

on the other part,

HAVE AGREED AS FOLLOWS:

The measure referred to in Article 1 below shall be executed and financed out of the budget resources of THE COMMUNITY in accordance with the provisions set out in this Memorandum. The technical, legal, and administrative framework within which the measure referred to in Article 1 below shall be implemented is set out in the General Conditions annexed to the Framework Agreement between THE COMMISSION and THE RECIPIENT, and supplemented by the terms of this Memorandum and the Special Provisions annexed hereto.

ARTICLE 1 - NATURE AND SUBJECT

As part of its aid programme, THE COMMUNITY shall contribute, by way of grant, towards the financing of the following MEASURE:

<u>Programme number:</u>	PL0012
<u>Title:</u>	Participation of Poland in the Community programmes: Small and Medium-Sized Enterprises, SAVE II, in 2000.
<u>Duration:</u>	Until 30/06/2001

ARTICLE 2 - COMMITMENT OF THE COMMUNITY

The financial contribution of THE COMMUNITY is fixed at a maximum of **€921,599** hereinafter referred to as "THE EC GRANT".

ARTICLE 3 - DURATION AND EXPIRY

For the present MEASURE, THE EC GRANT is hereby available for contracting until **30/06/2001** subject to the provisions of his Memorandum. All contracts must be signed by this date. Any balance of funds of the EC GRANT which have not been contracted by this date shall be cancelled. The deadline for disbursement of THE EC GRANT is **31/12//2001**. All disbursements must be completed by the deadline for disbursement. THE COMMISSION may however, in exceptional circumstances, agree to an appropriate extension of the contracting period or of the disbursement period, should this be requested in due time and properly justified by THE RECIPIENT. This Memorandum shall expire at the expiry of the disbursement period of the EC GRANT. All the funds which have not been disbursed shall be returned to the Commission.

ARTICLE 4 - ADDRESSES

Correspondence relating to the execution of THE MEASURE, stating THE MEASURE'S number and title, shall be addressed to the following:

for the COMMUNITY:

Mr. Bruno DETHOMAS
Head of Polish Delegation
Aleje Ujazdowskie 14
00478 WARSZAW

for THE RECIPIENT:

M. P Samecki
Deputy National Coordinator of the EU Phare Programme
Office of the Committee for European Integration -IA
Al. Ujazdowskie 9
00918 WARSZAW
Poland

ARTICLE 5 - NUMBER OF ORIGINALS

This Memorandum is drawn up in duplicate in the English language.

ARTICLE 6 - ENTRY INTO FORCE

This Memorandum shall enter into force on the date on which it has been signed by both parties. No expenditure incurred before this date is eligible for the EC GRANT.

The Annexes shall be deemed an integral part of this Memorandum.

Done at
Date

Done at
Date

for THE RECIPIENT

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for THE COMMUNITY

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Annex A & B of the Framework Agreement
Annex C Special conditions and Annexes I-VIII
Annex D Visibility/Publicity

1. SUMMARY

The ten candidate countries of Central and Eastern Europe (CEECs) have continued participating increasingly in 1999 in the various Community programmes currently opened to them on the basis of the relevant Association Council decisions defining the terms and conditions for such a participation.

To participate in these programmes, the CEECs will have to pay each year a financial contribution, which is established in the Association Council decisions. This contribution will be added to the programmes' budget. Most CEECs expressed their wish to use part of their national Phare allocations as a complement to their national budget to finance their contribution as entry ticket to most of these programmes.

This is the second Financing Proposal submitted to the Phare Management Committee for CEEC participation in 2000 in Community programmes. The first one, approved on 30 March 2000, dealt with the participation of the 10 CEECs in the 4 most costly programmes (the 5th Framework Programme on research and three programmes in the fields of education, training and youth). This one covers the remaining 8 programmes for which this kind of participation will take place this year.

In addition to this usual intervention of Phare, it is now proposed for the first time to allocate special funds in order to prepare the forthcoming participation of the ten CEECs in some Community agencies.

2. BACKGROUND

The European Council of Helsinki (December 1999) confirmed the enlargement process launched at its meeting of December 1997 in Luxembourg. The enhanced Pre-Accession Strategy defined in 1997 was reiterated, including the participation of the 13 candidate countries in Community programmes and agencies as an important part of such strategy.

Concerning Community programmes

As regards the ten candidate countries of Central and Eastern Europe (CEECs), participation in Community programmes is established in their respective Europe Agreements. According to these specific provisions:

- these countries may participate in Community programmes in a wide range of areas enumerated in a non-exhaustive manner;
- it will be up to each Association Council to decide on the terms and conditions of participation;
- CEECs will themselves bear the cost of their participation. The Community may, however, decide to provide complementary financial support from the national Phare appropriations.

In this connection, the Luxembourg European Council indicated that candidate countries should steadily increase their own financial contribution, but agreed that Phare, if necessary, would continue to part-finance these countries' financial contributions up to around 10% of the Phare appropriation, *"not including participation in the research and development framework programme"*.

The ten CEECs have increasingly been participating in the various Community programmes currently opened to them on the basis of more than 100 Association Council Decisions defining the terms and conditions for such a participation.

A total amount of 82,465,556 EUR was approved by the Phare Management Committee on 30 March 2000 for supporting the participation of CEECs in four Community programmes (*Leonardo da Vinci II, Socrates II, Youth* and the *5th Framework Programme on research*) in 2000.

In the case of the *Small and Medium-sized Enterprises, Equal Opportunities for men and women, SAVE II, Combating Cancer, Drug Dependence, Health Promotion and Prevention of Aids* programmes, most of the CEECs have been participating in 1999. CEEC participation will continue, on the basis of the relevant Association Council Decisions (*see Annex I*), until the end of 2000, which is the scheduled expiry date of all these programmes (*SAVE II* has been extended until 2002).

Following negotiations with Bulgaria on its participation in the *Media II* programme, a draft Association Council decision has recently been proposed by the Commission to the EU Council where it is being discussed.

(A comprehensive information table on the state of play is provided in Annex II)

Concerning Community agencies

The ten Europe Agreements with the candidate countries of Central and Eastern Europe do not establish participation in Community agencies (*see list of Agencies in Annex III*).

Nevertheless, following the European Council's conclusions in Luxembourg and Helsinki, the Commission proposed to the Council in its Communication of 20 December 1999 on "*Participation of candidate countries in the Community programmes, agencies and committees*" that bilateral agreements should be concluded with the CEECs defining the terms of their full participation (but without voting rights) in the activities of those agencies whose features make desirable such participation as soon as possible. Depending on the respective constraints and nature of the agencies and in view of preparing this kind of participation, it should initially take the form of participation in some ad hoc meetings, groups of experts and other specific work of mutual interest being carried out by the agencies concerned.

Since preparatory actions of this kind, anticipating future full participation, require additional work for the agencies themselves, leading to supplementary administrative costs, the Commission recommends that Phare funds be allocated to these agencies for this specific purpose and on a temporary basis. At present, six Community agencies are well advanced in preparing the above-mentioned initial forms of CEEC participation.

The following agencies have requested Phare support for this specific purpose:

- European Centre for the Development of Vocational Training (Thessaloniki)
- European Environment Agency (Copenhagen)
- European Agency for the Evaluation of Medicinal Products (London)
- Office for Harmonisation in the Internal Market (Alicante)
- Agency for Safety and Health at Work (Bilbao)
- Translation Centre for Bodies of the European Union (Luxembourg)

This Phare specific funding should be directly granted to these six agencies from multi-country Phare appropriations.

3. POLICY ASSESSMENT

Participation of candidate countries from Central and Eastern Europe in Community programmes and agencies has been confirmed by the European Council as one of the key-features of the enhanced Pre-Accession Strategy. Their participation will not only contribute towards the implementation of the provisions relating to economic, social and cultural co-operation in the Europe Agreements; it will also enable these countries to familiarise themselves with the Union policies and working methods.

Concerning Community programmes

All applicant countries have shown a very strong interest in participating in these **programmes** as much as possible on the same footing as Member States. Confirmations of actual interest thereto are taken at Government level, as is the case for the budgetary appropriations, which they have to earmark for this purpose.

Annex IV provides an overview of both total CEEC financial contribution to all programmes (including those mentioned above on research and educational sectors) required in 2000 and the Phare part of this contribution, as laid down in the relevant Association Council Decisions (except those regarding the 5th Framework Programme).

Participation in these programmes will allow citizens and national administrations of CEECs and Member States to develop co-operation and exchange networks and should speed up these countries' preparation for accession to the European Union. Full participation will benefit both the CEECs and the EU. It will support economic development in the CEECs. This will also contribute to progressively achieving the goal of training personnel for the public administrations involved in the Community programmes concerned and thus correspond to "Institution Building", a major priority for Phare in the context of the Pre-Accession Strategy.

Concerning Community agencies

Preparation for full participation in some Community **agencies** is a fundamental step towards familiarising the candidate countries with the Community *acquis* in the broad sense of the term. As in the case of Community programmes, it could serve the interests of both the Union and the candidate countries for the latter to participate in all the Community agencies as soon as possible on a basis which takes account of their respective constraints and circumstances.

4. COST AND FINANCING PLAN

Concerning Community programmes

As proposed by the Commission in the above-mentioned Communication of December 1999, new financial modalities will be applied to simplify the management of the participation of the candidate countries in programmes. Each year the funds will be transferred directly to the country concerned to help the country pay its contribution within the deadline requested by the programme.

Most of the CEECs expressed their willingness to use part of their Phare funds for supplementing their own contributions to the Community programmes covered by this

Financing Proposal. The breakdown between financial efforts of their own and support from their national Phare programmes, within the 10% limit, has been defined in relevant Association Council decisions, which cover the lifetime of the Community programmes in which each of these countries participates. This breakdown differs, sometimes substantially, country by country. Some countries have opted for paying each year more or less equal parts from their State budget and from Phare. Others draw heavily on their Phare allocation in the first year of participation, with a steadily increasing effort of their own during the following years. In all cases administrative costs will be covered by these countries from their own State budgets.

The financial contribution required for each country to cover the costs of its participation in each of these programmes has been calculated by the Commission on the basis of objective parameters, such as GDP and population, and other specific parameters with high relevance for the programme concerned.

As mentioned above, CEECs have been participating in 1999, and will continue to do so until the end of 2000, in the following programmes which belong to the former "generation": *Small and Medium-sized Enterprises, Equal Opportunities for men and women, SAVE II, Combating Cancer, Drug Dependence, Health Promotion and Prevention of Aids*. This CEEC participation takes place on the basis of Association Council Decisions which provide that financial contributions from CEECs, and possible Phare complementary funds, will cover subsidies or any other financial support from the programmes to participants from the CEEC concerned ("juste retour" principle).

This implies that funds (both from national State budget and from Phare) remaining from the 1999 commitments and not contracted have been transferred to the 2000 budgetary exercise and then deducted from the stipulated 2000 contributions of the countries concerned. The 1999 Phare leftovers are shown in *Annex V*.

The new provisions of the Association Council Decisions concerning participation in the new "generation" of programmes stipulate that financial contributions from a candidate country, if unused for participants from this country, will not be reimbursed to the country concerned nor deducted from its contributions for the following year. Consequently eventual leftovers might be used to cover the costs for subsidies or other financial support from the programmes to individual or institutional participants from any other country. Similarly, the level of participation of each CEEC will depend on the results of the selection of projects, but will not be limited to the precise amount of its financial contribution as it was in the past. The possible Phare complementary support follows the same rules.

This scheme was applied to the CEECs, for the first time, as regards their participation in the *5th RTD Framework Programme*, which started in 1999. It was proposed by the Commission to be extended to all new programmes in its Communication of December 1999. It has been approved again by the Phare Management Committee on 30 March 2000 concerning participation in the same Framework Programme plus three educational programmes (*Socrates, Leonardo, Youth*).

However, although Bulgaria will participate in the *Media II* programme in 2000 for the first time, the negotiated draft Association Council Decision follows the scheme applicable to programmes of the former generation, in order to ensure consistency with the conditions proposed by the Commission to Hungary in 1998 (even if this country has not accepted them so far).

Under this new scheme and in order to avoid any budgetary imbalance to the detriment of Member States or candidate countries, and ensure that the impact of these countries' participation is as neutral as possible on the programmes' budget available for Member States, the contributions that the candidate countries are required to pay for participation in the programmes have been calculated to achieve an optimum correlation with their absorption capacity.

Concerning Community agencies

In view of the required preparation of future participation in some Community agencies, multi-country Phare appropriations are now requested for 2000, in order to cover additional administrative costs borne by these agencies in implementing preparatory measures with the CEECs. In the future, further Phare contribution to this kind of participation will be allocated on the basis of co-financing by these countries. Such preparatory measures are detailed in *Annex VI*.

In the light of the above, Phare funds required in 2000 for:

- a) The **ten CEECs (Bulgaria, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia)** as regards participation in the following 7 Community **programmes**:

SMEs, Equal Opportunities for men and women, SAVE II, Media II, Drug Dependence, Health Promotion and Prevention of Aids

are those set out in the table below (*see further details in Annex VII*).

<i>Total programmes in Euro</i>		<i>Financing Memorandum Code</i>		<i>Total programmes in Euro</i>		<i>Financing Memorandum Code</i>	
Bulgaria	706,121	BG0011		Lithuania	197,303	LI0012	
Czech Rep.	344,361	CZ0015		Poland	921,599	PL0012	
Estonia	29,189	ES0010		Romania	281,368	RO0009	
Hungary	244,169	HU0013		Slovakia	143,861	SR0012	
Latvia	0			Slovenia	0		
Total: 2,867,971 EURO							

The Phare funds will only be transferred after the entry into force of the corresponding Association Council Decisions still pending (*see Annex I*).

At any rate, all funds will be transferred, according to Phare rules, from Budget article B7-030 to the countries concerned on the basis of separate Financing Memoranda covering CEEC involvement in programmes. The Phare funds will constitute, together with the country's own contribution from its State budget, the country's national contribution, out of which it will make payments in response to the calls for funds of the Commission's Directorates-General responsible for the respective programmes. The Phare funds should thus be transferred so as to allow CEECs to meet the deadlines for paying their national contribution.

The total contribution will be entered in the EU Budget as earmarked revenue giving rise to supplementary appropriations opened under the relevant articles of the programmes concerned.

- b) Preparatory measures related to future participation of the **ten CEECs** in the following six Community agencies:

European Centre for the Development of Vocational Training (CEDEFOP), European Environment Agency (EEA), European Agency for the Evaluation of Medicinal Products (EMEA), Office for Harmonisation in the Internal Market (OHMI), European Agency for Safety and Health at Work (ASHW) and Translation Centre for Bodies of the European Union,

are those set out in the table below (*see further details in Annex VI*).

CEDEFOP	EEA	EMEA	OHMI	ASHW	Translati on Centre	Total (in Euro)
380,000	1,100,000	2,657,958	149,404	780,000	107,000	5,174,362

Summarising, the total Phare funds required in 2000 under this Financing Proposal is 8,042,333 EURO

(participation in programmes: 2,867,971; participation in agencies: 5,174,362).

(A comprehensive table on the Phare funds required in 2000 for the 12 programmes covered both by this Financing Proposal and that approved on 30 March is provided in Annex VIII)

5. IMPLEMENTATION ARRANGEMENTS

The Phare funds will be transferred directly to:

- a) the **CEECs** participating in Community programmes on the basis of separate Financing Memoranda to be signed between the Commission and each country. Due to the specificity to these activities, funds will be transferred in a single tranche to the National Fund of each of the countries. These funds will be taken from their national Phare allocations. The National Fund will be responsible for transferring the funds back to the Commission together with the national contribution, following the call for funds of the Commission's Directorates General responsible for the programmes concerned. Article 4 of the Memorandum of Understanding on the establishment of the National Fund will thus not apply in this particular case. It should be noted, however, that the Phare contribution for each programme may only be transferred after the entry into force of the corresponding Association Council Decisions. Where there is a delay in the entry into force of the Association Council Decision the payment to the National Fund may be divided into two or more tranches.
- b) the **6 Community agencies** concerned on the basis of a Framework Agreement and the subsequent annual contribution agreements to be signed between the Commission and each agency concerned. These funds will be taken from multi-country Phare appropriations and paid, in a single tranche, through a centralised manner by the Commission (and not by the countries concerned).

6. AUDIT, MONITORING AND EVALUATION

The monitoring procedures applied in the programmes will also cover operations financed for candidate country beneficiaries.

All contracts, agreements and legal commitments between the Commission and recipients of payments provide for in situ checks by the Commission and the Court of Auditors. The accounts and operations of the programme may be checked at the Commission's discretion by an outside auditor contracted by the Commission without prejudice to the responsibilities of the Commission and the European Union's Court of Auditors.

Recipients of support under specific actions are under the obligation to provide a report and financial statement which are analysed from the point of view of content and eligibility of expenditure in accordance with the objective of Community funding and bearing in mind the contractual obligations and the principles of sound and efficient management.

The evaluation foreseen in the decisions establishing the programmes will also cover operations financed for candidate country beneficiaries.

ASSOCIATION COUNCIL DECISIONS

(sorted by sector)

Small and medium-sized enterprises

Decision N° 4/98 of the Association Council between the European Communities and their Member States, of the one part, and the **Bulgaria**, of the other part of 23 November 1998 adopting the terms and conditions for the participation of Bulgaria in the Community programme in the field of small and medium-sized enterprises (99/111/EC) OJ L35/23 of 09.02.99

Decision N°3/98 of the Association Council between the European Communities and their Member States, of the one part, and the **Czech Republic** of the other part of 25 November 1998 adopting the terms and conditions for the participation of the Czech Republic in the Community programme in the field of small and medium-sized enterprises (99/15/EC) OJ L 6/11 of 12.01.99

Decision N° 5/98 of the Association Council between the European Communities and their Member States, of the one part, and the **Republic of Estonia**, of the other part of 4 November 1998 adopting the terms and conditions for the participation of Estonia in the Community programme in the field of small and medium-sized enterprises (98/645/EC) OJ L307/27 of 17.11.98

Decision N° 2/98 of the Association Council between the European Communities and their Member States, of the one part, and the **Republic of Hungary**, of the other part of 23 November 1998 adopting the terms and conditions for the participation of Hungary in the Community programme in the field of small and medium-sized enterprises (98/722/EC) OJ L343/36 of 18.12.98

Decision No 1/2000 of the EU-Lithuania Association Council of 17 February 2000 adopting the terms and conditions for the participation of **Lithuania** in the Community programme in the field of small- and medium-sized enterprises (2000/259/EC) OJ L80/34 of 31.03.2000.

Decision N° 2/98 of the Association Council between the European Communities and their Member States, of the one part, and the **Republic of Poland**, of the other part of 5 November 1998 adopting the terms and conditions for the participation of Poland in the Community programme in the field of small and medium-sized enterprises (98/670/EC) OJ L315/35 of 25.11.98

Decision N° 2/98 of the Association Council between the European Communities and their Member States, of the one part, and **Romania**, of the other part of 14 December 1998 adopting the terms and conditions for the participation of Romania in the Community programme in the field of small and medium-sized enterprises (99/107/EC) OJ L35/4 of 09.02.99

Decision N° 3/98 of the Association Council between the European Communities and their Member States, of the one part, and the **Slovak Republic**, of the other part of 4 November 1998 adopting the terms and conditions for the participation of Slovak

Republic in the Community programme in the field of small and medium-sized enterprises (99/115/EC) OJ L35/39 of 09.02.99

Decision N°4/99 of the Association Council between the European Communities and their Member States, of the one part, and the **Republic of Slovenia** of the other part of 30 September 1999 adopting the terms and conditions for the participation of the Slovenia in the Community programme in the field of small and medium-sized enterprises (99/709/EC) OJ L 281/79 of 04.11.1999.

Proposal for a Council Decision concerning the Community position within the Association Council on the participation of **Latvia** in the Community programme in the field of small and medium-sized enterprises.

Energy efficiency

Decision N° 6/98 of the Association Council between the European Communities and their Member States, of the one part, and the **Republic of Bulgaria**, of the other part of 11 December 1998 adopting the terms and conditions for the participation of Bulgaria in the Community programme for energy efficiency, SAVE II (99/113/EC) OJ L35/29 of 9.2.99

Decision N° 4/98 of the Association Council between the European Communities and their Member States, of the one part, and the **Czech Republic**, of the other part of 27 November 1998 adopting the terms and conditions for the participation of the Czech Republic in the Community programme for energy efficiency, SAVE II (99/16/EC) OJ L6/14 of 12.1.99

Decision N° 2/99 of the Association Council between the European Communities and their Member States, of the one part, and the **Republic of Hungary**, of the other part of 12 July 1999 adopting the terms and conditions for the participation of Hungary in the Community programme for energy efficiency, SAVE II (99/626/EC) OJ L247/27 of 18.09.1999.

Decision N° 2/99 of the Association Council between the European Communities and their Member States, of the one part, and the **Republic of Lithuania**, of the other part of 21 May 1999 adopting the terms and conditions for the participation of Lithuania in the Community programme for energy efficiency, SAVE II (99/409/EC, ECSC, Euratom) OJ L156/27 of 23.06.1999.

Decision N° 4/98 of the Association Council between the European Communities and their Member States, of the one part, and the **Republic of Poland**, of the other part of 3 November 1998 adopting the terms and conditions for the participation of Poland in the Community programme for energy efficiency, SAVE II (99/12/EC) OJ L6/4 of 12.1.99

Decision N° 1/99 of the Association Council between the European Communities and their Member States, of the one part, and **Romania**, of the other part of 26 February 1999 adopting the terms and conditions for the participation of Romania in the Community programme for energy efficiency, SAVE II (99/248/EC, ECSC, Euratom) OJ L96/19 of 10.4.99

Decision N° 2/98 of the Association Council between the European Communities and their Member States, of the one part, and the **Slovak Republic**, of the other part of 9 October 1998 adopting the terms and conditions for the participation of the Slovak Republic in the Community programme for energy efficiency, SAVE II (98/593/EC) OJ L284/47 of 22.10.98

Proposal for a Council Decision concerning the Community position within the Association Council on the participation of **Latvia** in the multiannual Community programme for energy efficiency, SAVE II.

Proposal for a Council Decision concerning the Community position within the Association Council on the participation of **Slovenia** in the multiannual Community programme for energy efficiency, SAVE II.

Audio-visual

Proposal for a Council Decision concerning the Community position within the Association Council on the participation of **Bulgaria** in a Community programme within the framework of Community audio-visual policy [COM(00) 292].

Health and Social Policy

Decision n°5/98 of the Association Council, between the European Communities and their Member States, of the one part, and the **Republic of Bulgaria**, of the other part of 23 November 1998 adopting the terms and conditions for the participation of the Republic of Bulgaria in Community programmes in the fields of health and social policy. (1999/112/EC) OJ L35/26 of 9.2.1999.

Decision n° 2/99 of the Association Council, between the European Communities and their Member States, of the one part, and the **Czech Republic**, of the other part of 25 October 1999 adopting the terms and conditions for the participation of the Czech Republic in the Community programmes in the fields of Health and Social Policy (99/744/EC) OJ L298/27 of 19.11.1999.

Decision n°6/98 of the Association Council, between the European Communities and their Member States, of the one part, and the **Republic of Estonia**, of the other part of 27 November 1998 adopting the terms and conditions for the participation of the Republic of Estonia in the Community programmes in the fields of health and social policy. (98/724/EC) OJ L343/42 of 18.12.1998.

Decision n° 1/98 of the Association Council between the European Communities and their Member States, of the one part, and the **Republic of Hungary**, of the other part, of 12 October 1998 adopting the terms and conditions for the participation of Hungary in Community programmes in the fields of Health and Social Policy. (98/616/EC) OJ L295/40 of 4.11.98

Decision n°3/99 of the Association Council, between the European Communities and their Member States, of the one part, and the **Republic of Lithuania**, of the other part of 21 May 1999 adopting the terms and conditions for the participation of the Republic of Lithuania in the Community programmes in the fields of health and social policy (99/410/EC, ECSC, Euratom) OJ L156/30 of 23.06.1999.

Decision n°6/98 of the Association Council, between the European Communities and their Member States, of the one part, and **Romania**, of the other part of 30 December 1998 adopting the terms and conditions for the participation of Romania in the Community programmes in the fields of health and social policy. (1999/110/EC) OJ L35/18 of 9.2.1999.

Decision n° 5/99 of the Association Council, between the European Communities and their Member States, of the one part, and the **Republic of Slovenia**, of the other part of 3 November 1999 adopting the terms and conditions for the participation of the Republic of Slovenia in the Community programmes in the fields of Health and Social Policy (99/777/EC) OJ L304/27 of 27.11.1999.

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Visibility/Publicity

INFORMATION AND PUBLICITY FOR THE PHARE, ISPA AND SAPARD PROGRAMMES OF THE EUROPEAN COMMUNITIES

1. Objective and scope

Information and publicity measures concerning assistance from the European Community Phare Programme are intended to increase public awareness and transparency of EU action and to create a consistent image of the measures concerned in all applicant countries. Information and publicity shall concern measures receiving a contribution from the Phare Programme.

2. General principles

The appropriate Programme Authorising Officer in charge of the implementation of Financing Memoranda, and other forms of assistance shall be responsible for publicity on the spot. Publicity shall be carried out in co-operation with the EC Delegations, which shall be informed of measures taken for this purpose.

The competent national and regional authorities shall take all the appropriate administrative steps to ensure the effective application of these arrangements and to collaborate with the EC Delegations on the spot.

The information and publicity measures described below are based on the provisions of the regulations and decisions applicable to the Structural Funds. They are :

- Art. 32 of Regulation (EEC) No 4253/88, as amended by Regulation (EEC) No 2082/93, Official Journal of the European Communities No L193/20, 31 July 1993;
- Commission Decision of 31 May 1994; Official Journal of the European Communities No L 152/39, 18 June 1994.

Information and publicity measures must comply with the provisions of the above mentioned regulation and decision. A manual on compliance is available to national, regional and local authorities from the EC Delegation in the country concerned.

3. Information and publicity concerning Phare programmes

Information and publicity shall be the subject of a coherent set of measures defined by the competent national, regional and local authorities in collaboration with the EC Delegations for the duration of the Financing Memorandum and shall concern both programmes and other forms of assistance.

The costs of information and publicity relating to individual projects shall be met from the budget for those projects.

When Phare programmes are implemented, the measures set out at (a) and (b) below shall apply:

(a) The competent authorities of the applicant countries shall publish the content of programmes and other forms of assistance in the most appropriate form. They shall ensure that such documents are appropriately disseminated and shall hold them available for interested parties. They shall ensure the consistent presentation throughout the territory of the applicant country of information and publicity material produced.

(b) Information and publicity measures on the spot shall include the following :

(i) In the case of infrastructure investments with a cost exceeding EUR 1 million :

- billboards erected on the sites, to be installed in accordance with the provisions of the regulation and decision mentioned in paragraph 2 above, and the technical specifications of the manual to be provided by the EC Delegation in the country concerned.
- permanent commemorative plaques for infrastructures accessible to the general public, to be installed in accordance with the provisions of the regulation and decision mentioned in paragraph 2 above, and the technical specifications of the manual to be provided by the EC Delegation in the country concerned.

(ii) In the case of productive investments, measures to develop local potential and all other measures receiving financial assistance from Phare, ISPA or SAPARD :

- measures to make potential beneficiaries and the general public aware of Phare, ISPA or SAPARD assistance, in accordance with the provisions cited at paragraph 3(b)(i) above.
- measures targeting applicants for public aids part-financed by Phare, ISPA or SAPARD in the form of an indication on the forms to be filled out by such applications, that part of the aid comes from the EU, and specifically, the Phare, ISPA or SAPARD Programmes in accordance with the provisions outlined above.

4. Visibility of EU assistance in business circles and among potential beneficiaries and the general public

4.1 Business circles

Business circles must be involved as closely as possible with the assistance which concerns them most directly.

The authorities responsible for implementing assistance shall ensure the existence of appropriate channels for disseminating information to potential beneficiaries, particularly SMEs. These should include an indication of the administrative procedures to be followed.

4.2 Other potential beneficiaries

The authorities responsible for implementing assistance shall ensure the existence of appropriate channels for disseminating information to all persons who benefit or could benefit from measures concerning training, employment or the development of human resources. To this end, they shall secure the co-operation of vocational training bodies involved in employment, business and groups of business, training centres and non-governmental organisations.

Forms

Forms issued by national, regional or local authorities concerning the announcement of, application for and grant of assistance intended for final beneficiaries or any other person eligible for such assistance shall indicate that the EU, and specifically the Phare, ISPA or SAPARD Programmes, is providing financial support. The notification of aid sent to beneficiaries shall mention the amount or percentage of the assistance financed by the Programme in question. If such documents bear the national or regional emblem, they shall also bear the EU logo of the same size.

4.3 The general public

The media

The competent authorities shall inform the media in the most appropriate manner about actions co-financed by the EU, and Phare, ISPA or SAPARD in particular. Such participation shall be fairly reflected in this information.

To this end, the launch of operations (once they have been adopted by the Commission) and important phases in their implementation shall be the subject of information measures, particularly in respect of regional media (press, radio and television). Appropriate collaboration must be ensured with the EC Delegation in the applicant country.

The principles laid down in the two preceding paragraphs shall apply to advertisements such as press releases or publicity communiqués.

Information events

The organisers of information events such as conferences, seminars, fairs and exhibitions in connection with the implementation of operations part-financed by the Phare, ISPA or SAPARD Programmes shall undertake to make explicit the participation of the EU. The opportunity could be taken of displaying the European flags in meeting rooms and the EU logo upon documents depending on the circumstances. The EC Delegation in the applicant country shall assist, as necessary, in the preparation and implementation of such events.

Information material

Publications (such as brochures and pamphlets) about programmes or similar measures financed or co-financed by Phare, ISPA or SAPARD should, on the title

page, contain a clear indication of the EU participation as well as the EU logo where the national or regional emblem is used.

Where such publications include a preface, it should be signed by both the person responsible in the applicant country and, for the Commission, the Delegate of the Commission to ensure that EU participation is made clear.

Such publications shall refer to the national and regional bodies responsible for informing interested parties.

The above-mentioned principles shall also apply to audio-visual material.

5. Special arrangements concerning billboards, commemorative plaques and posters

In order to ensure the visibility of measures part-financed by the Phare, ISPA or SAPARD Programmes, applicant countries shall ensure that the following information and publicity measures are complied with :

Billboards

Billboards providing information on EU participation in the financing of the investment should be erected on the sites of all projects in which EU participation amounts to EUR 1 million or more. Even where the competent national or regional authorities do not erect a billboard announcing their own involvement in financing the EU assistance must nevertheless be announced on a special billboard. Billboards must be of a size which is appreciable to the scale of operation (taking into account the amount of co-financing from the EU) and should be prepared according to the instructions contained in the technical manual obtainable from EC Delegations, referred to above.

Billboards shall be removed not earlier than six months after completion of the work and replaced, wherever possible, by a commemorative plaque in accordance with the specifications outlined in the technical manual referred to above.

Commemorative plaques

Permanent commemorative plaques should be placed at sites accessible to the general public (congress centres, airports, stations, etc.). In addition to the EU logo, such plaques must mention the EU part-financing together with a mention of the relevant Programme (Phare, ISPA or SAPARD).

Where a national, regional or local authority or another final beneficiary decides to erect a billboard, place a commemorative plaque, display a poster or take any other step to provide information about projects with a cost of less than EUR 1 million, the EU participation must also be indicated.

6. Final provisions

The national, regional or local authorities concerned may, in any event, carry out additional measures if they deem this appropriate. They shall consult the EC Delegation and inform it of the initiatives they take so that the Delegation may participate appropriately in their realisation.

In order to facilitate the implementation of these provisions, the Commission, through its Delegations on the spot, shall provide technical assistance in the form of guidance on design requirements, where necessary. A manual will be prepared in the relevant national language, which will contain detailed design guidelines in electronic form and this will be available upon request.