

Interreg



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Meuse – Rhine (NL – BE – DE)

Project Manual
for project applicants and
project beneficiaries

for
Interreg Meuse-Rhine (NL-BE-DE)

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List of abbreviations

AA	Audit Authority
ETC	European Territorial Cooperation
EU	European Union
JEMS	Joint Electronic Monitoring System
JS	Joint Secretariat
MA	Managing Authority
MC	Monitoring Committee
RA	Regional Antenna
SC	Steering Committee

Foreword

This manual serves as a comprehensive and user-friendly guide for both project applicants and beneficiaries participating in the Interreg Meuse-Rhine (NL-BE-DE) programme. It outlines the key procedures of the programme and provides insights into the background and organisational structure of project implementation. Designed to be relevant for both those seeking funding for new projects and those already approved for implementation, it offers detailed instructions on the application process and essential considerations. For approved projects, this manual acts as a roadmap for navigating project implementation and meeting associated requirements.

It's important to note that the manual may not encompass all relevant texts or supplementary documents crucial to projects. References to additional sources or annexes are sporadic. Being a dynamic document, updates may occur in response to new insights or practical experiences, leading to changes in procedures and requirements. However, adherence to established rules ensures legal certainty for applicants and beneficiaries.

Legal content is primarily found in the subsidy regulations of the call concerned, the cost catalogue and the selection letter. Additionally, this manual is an interpretation of these regulations presented with a deliberate effort to minimize legal jargon. Beneficiaries shall adhere to the standards set forth in this manual. However, in exceptional circumstances where strict compliance is not feasible or appropriate, the beneficiary shall provide a clear and detailed explanation for any deviation from these standards.

1. Programme framework

1.1. Territorial cooperation in Europe

When planning and developing a project on territorial cooperation, it is important to remember that an Interreg project carried out in one region isn't isolated but part of a bigger picture: the European cohesion policy.

The European Commission creates and puts into action measures to strengthen economic, social and territorial cohesion, aiming for the balanced development of the European Union. Specifically, the EU aims to narrow the gap between the development levels of the different regions and lessen the disadvantages faced by weaker regions.

To tackle this challenge, the EU has been focussing on territorial and especially cross-border cooperation since the 1980s. Initially launched as a Joint Initiative, territorial cross-border cooperation became a full-fledged objective of European cohesion policy in 2007.

European Territorial Cooperation (ETC) is one of the two objectives of cohesion policy in the 2021-2027 programming period. The Interreg Meuse-Rhine (NL-BE-DE) programme, formerly known as the Euregio Meuse-Rhine Interreg programme, was established in 1990. Throughout the past five programming periods, it has increasingly supported projects that strengthen relevance, intensity, and integration. As in previous programme periods, the ETC is divided into four strands: cross-border (A), transnational (B), interregional (C), and the newly adopted outermost regional strand (D).

The European Commission acknowledges that border regions serve as crucial laboratories for European integration and provide valuable insights into the European construct's organisation. Consequently, 72% of the ETC-budget is designated for cross-border cooperation.

In line with this approach, Interreg programmes (including cross-border projects) must ensure:

- a proactive contribution to the creation of a "Europe without borders", as promised in the Treaty of Maastricht.
- a greater interest in Europe on the part of citizens through projects that address their concerns and the development of a European identity.
- opportunities for action for border regions, which are usually located far away from economic and political decision-making centres.
- making better use of the opportunities offered by border regions by taking a 360° all-round view instead of a narrow 180° perspective, so that these dynamic areas can continue to develop.

Cohesion policy, including territorial cooperation, must align with the EU's broader goals of achieving a green and digital transition, as well as the objective of leaving no one behind. The EU Cohesion Policy 2021-2027 thus prioritizes:

- a Smarter Europe, through innovation, digitisation, economic transformation and support to small and medium-sized businesses.

- a Greener, carbon free Europe, implementing the Paris Agreement and investing in energy transition, renewables and the fight against climate change.
- a more Connected Europe, with strategic transport and digital networks.
- a more Social Europe, delivering on the European Pillar of Social Rights and supporting quality employment, education, skills, social inclusion and equal access to healthcare.
- a Europe closer to citizens, by supporting locally-led development strategies and sustainable urban development across the EU.

(Further information can be found at: [Inforegio - New EU Cohesion policy \(2021-2027\)](https://inforegio.europa.eu/) (europa.eu)).

1.2. The Interreg VI-A Interreg Meuse-Rhine (NL-BE-DE) programme

1.2.1. The programme area

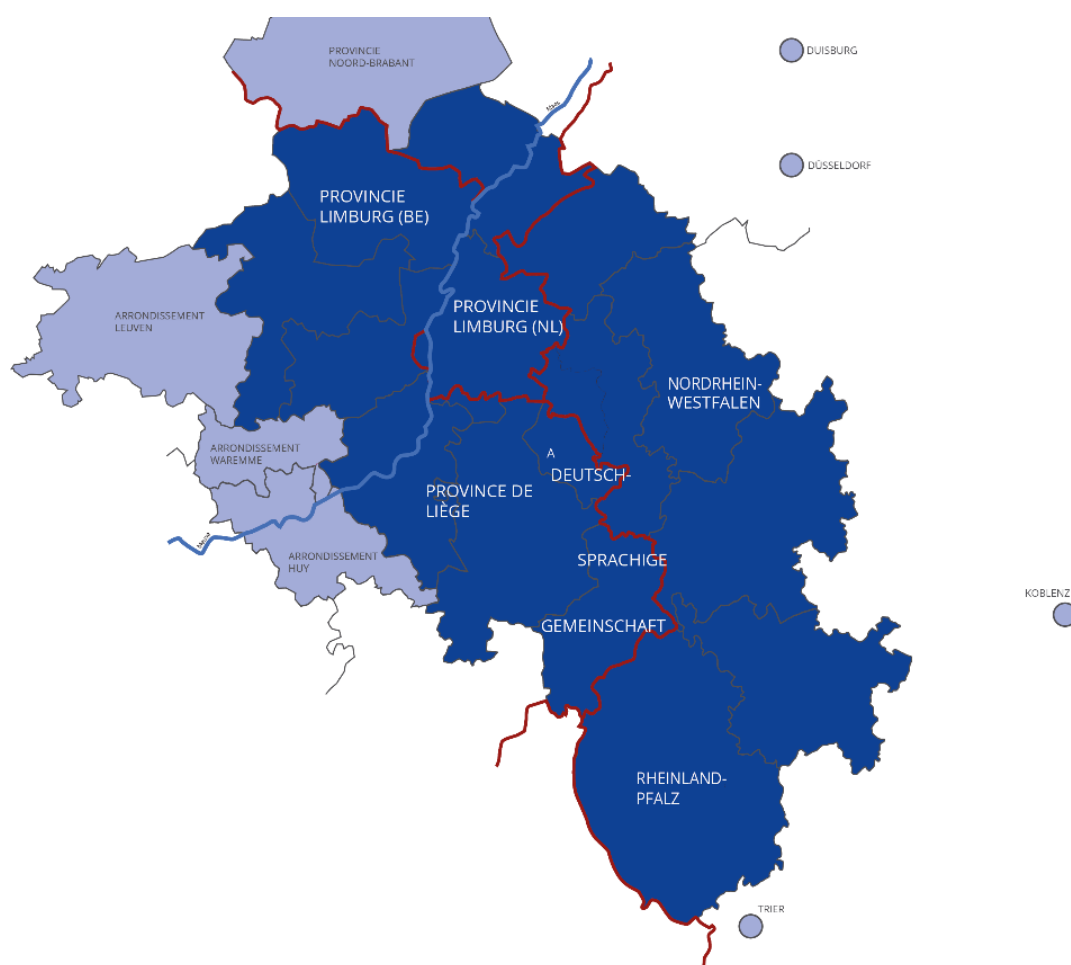


Figure 1: Programme Area of the Interreg Meuse-Rhine (NL-BE-DE) Programme during period 2021-2027

1.2.1.1. Institutional areas (dark blue)

The historic core area of the Interreg Meuse-Rhine (NL-BE-DE) Programme encompasses the southern part of the Dutch province of Limburg, the Belgian provinces of Limburg and Liège, the German-speaking community in Belgium, the German region Aachen (in North-

rhine Westphalia), and the Eifelkreis Bitburg-Prum and Landkreis Vulkaneifel in Rhineland-Palatinate.

1.2.1.2. Functional areas (light blue)

In order to grasp the full potential of the cross-border region in line with the established priorities, we have incorporated an additional functional area into the Interreg Meuse-Rhine (NL-BE-DE) programme for the period 2021-2027. Regions characterised by strong research and innovation interdependencies that intricately connect them to our overarching objectives. Therefore, in addition to our programme area, the below mentioned regions are also an integral part of the functional area and hence also potential beneficiaries:

- COROP region Zuidoost-Noord-Brabant (NL);
- Leuven Arrondissement (BE);
- Düsseldorf, Kreisfreie Stadt (DE);
- Duisburg, Kreisfreie Stadt (DE);
- Koblenz, Kreisfreie Stadt (DE);
- Trier, Kreisfreie Stadt (DE).

1.2.2. The priorities and objectives of the programme

Our programme focuses on four priorities that are expected to create tangible cross-border impacts: creating a smarter Europe, advancing towards a greener and low-carbon Europe, fostering a more socially inclusive Europe, and enhancing Interreg governance. Each of these priorities is associated with specific objectives outlined by the European Commission. These objectives aim to contribute to the EU's cohesion policy by promoting research and innovation and addressing the innovation and digital disparities across the EU (as detailed below). When applying for the Interreg Meuse-Rhine (NL-BE-DE) programme, applicants must align their projects with one of these objectives.

4 priorities

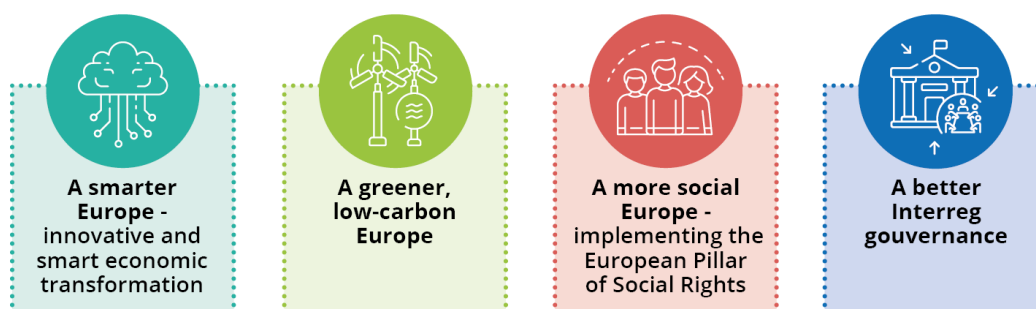


Figure 2: Four Priorities of the Interreg Meuse-Rhine (NL-BE-DE) Programme during period 2021-2027

A smarter Europe through industrial transition and healthier citizens by nurturing

- Innovation systems and innovation capacities (SO 1.i)
- Development and valorization of advanced technologies (SO 1.i)
- Innovation potential of SMEs (SO 1.iii)

A greener, low carbon Europe through a green society by enabling

- Cross-border renewal energy solutions (SO 2.ii)

- Climate change adaptation (SO 2.iv)
- Circular energy economy (SO 2.vi)

A more social Europe through tackling our grand societal challenges by fostering

- Effectiveness of labour markets and access to quality employment (SO 4.i)
- Access to and the quality of education, training and lifelong learning (SO 4.ii)
- Access to quality, sustainable and affordable healthcare services (SO 4.v)
- Tourism in a high-quality region (SO 4.vi)

A better Interreg Governance through living and working without borders by aiding

- Reducing border barriers (ISO 1.ii)
- Cross-border contacts (ISO 1.iii)
- Joint administrative cooperation (ISO 1.ii)

The objectives in more detail:

All priorities are in relation to the EUs Specific Objectives (SO) as set out in Article 5 of Regulation (EU) 2021/1058, and Interreg Specific Objectives (ISO) as set out in Regulation (EU) 2021/1059:

SO 1.i: Developing and enhancing research and innovation capacities and the uptake of advanced technologies.

SO 1.iii: Enhancing sustainable growth and competitiveness of SMEs and job creation in SMEs, including by productive investments.

SO 2.ii: Promoting renewable energy in accordance with Directive (EU) 2018/2001, including the sustainability criteria set out therein.

SO 2.iv: Promoting climate change adaptation and disaster risk prevention and resilience, taking into account ecosystem-based approaches.

SO 2.vi: Promoting the transition to a circular and resource efficient economy.

SO 4.i: Enhancing the effectiveness and inclusiveness of labour markets and access to quality employment through developing social infrastructure and promoting social economy.

SO 4.ii: Improving equal access to inclusive and quality services in education, training and lifelong learning through developing accessible infrastructure, including by fostering resilience for distance and online education and training.

SO 4.v: Ensuring equal access to health care and fostering resilience of health systems, including primary care, and promoting the transition from institutional to family-based and community-based care.

SO 4.vi: Enhancing the role of culture and sustainable tourism in economic development, social inclusion and social innovation.

ISO 1.ii: Enhance efficient public administration by promoting legal and administrative cooperation and cooperation between citizens, civil society actors and institutions, in particular, with a view to resolving legal and other obstacles in border regions.

ISO 1.iii Build up mutual trust, in particular by encouraging people-to-people actions

1.2.3. Financial framework of the programme

A budget of 117.5 million euros in EU co-financing from the European Regional Development Fund (ERDF) was made available for the implementation of the projects in the four priority axes mentioned above. This budget is distributed across the priority axes. The various partner authorities of the Programme also provide co-financing for the projects.

1.2.4. Programme organisation and programme bodies

The organisational structure of the programme is shown in the following scheme.

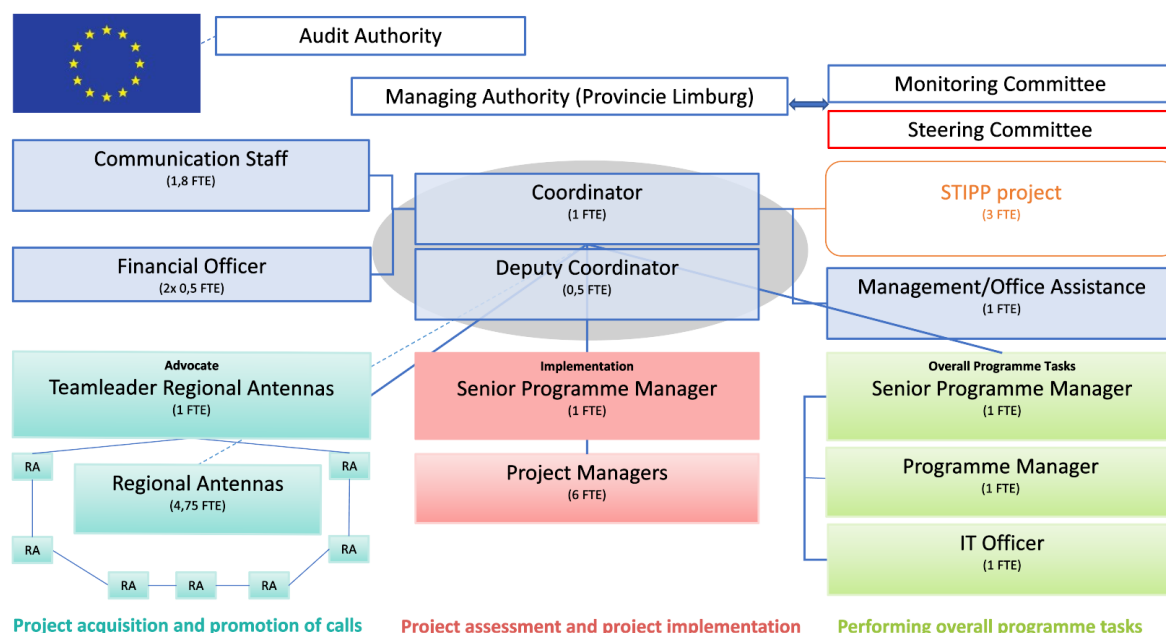


Figure 3: Organisational chart of authorities and bodies involved in implementation of Interreg Meuse-Rhine (NL-BE-DE) during period 2021-2027

1.2.4.1. Managing Authority (MA)

The Managing Authority (MA) is responsible for ensuring that the cooperation programme is managed and implemented in accordance with the principle of sound financial management and the applicable legislation (the programme rules as well as the relevant European, national, and regional legal frameworks).

The MA is the Province of Limburg (NL) and is supported in its activities by a Joint Secretariat.

1.2.4.2. Joint Secretariat (JS)

The Joint Secretariat (JS) supports the MA, the Monitoring Committee and possibly also the Audit Authority in the implementation of their respective tasks. The JS is based in Maastricht and its activities (and their planning) are led by the MA.

The JS has the following tasks:

- Information and direct contact point in the context of project implementation,
- Evaluating project applications and making recommendations to the MA,
- Monitoring of approved projects and supervision of project implementation,

- Supporting the MA in programme management,
- Secretarial tasks for the various bodies of the programme,
- Communication in relation to the programme and supervision of the communication of the projects.

1.2.4.3. Regional Antennae (RA)

A Regional Antenna (RA) is located in each of the five partner regions and acts as a regional Interreg contact point. In close cooperation with the JS, the RAs take on all tasks related to the preparation and development of cross-border projects. They promote Calls for project proposals and support potential beneficiaries in finding project partners and preparing their project application.

The five RAs are located in the five partner regions Province of Liège (B), Province of Limburg (B), German-speaking Community (B), Province of Limburg (NL) and Region Aachen (D).

1.2.4.4. Audit Authority (AA)

Led by the director of the "Auditdienst Rijk" of the Netherlands, the Audit Authority (AA) holds the responsibility of ensuring the smooth operation of our management and control system. Through its audits, the AA ensures that the programme and projects function properly, contributing to their effectiveness and adherence to guidelines.

1.2.4.5. Monitoring Committee (MC)

The Monitoring Committee (MC) is the decision-making body of the programme. It decides on the ERDF amounts available for each call for projects. The MC also defines the strategy and monitors its proper implementation. It is therefore responsible for ensuring that the financial objectives, implementation indicators and result indicators are achieved through the approved projects.

The MC examines all matters that could have an impact on programme implementation and can formulate recommendations to the MA. All programme partners as well as the European Commission and advisory representatives are represented on the MC, which meets at least twice a year.

1.2.4.6. Steering Committee (SC)

The Steering Committee (SC) has been implemented by the MC specifically for selecting projects. Its responsibilities include selecting projects and evaluating project changes. In both cases, an assessment by the Managing Authority/Joint Secretariat (MA/JS) is conducted beforehand. The SC consists of:

- representatives from each of the 11 programme partners,
- as well as advisory representatives of
 - the EGTC Euregio Meuse-Rhine,
 - the cities and municipalities in the programme area,
 - an employers' association representing the employers in the programme area
 - a trade union representing workers/employees in the programme area
 - the scientific institutions in the programme area
 - an environmental organisation in the programme area with undisputed expertise in relation to the Green Deal/low-carbon economy

- an organisation in the programme area that stands for gender equality (LGBTI), fundamental human rights, the rights of people with disabilities and the fight against discrimination (minorities)
- the province of Flemish Brabant (BE)
- the province of North Brabant (NL)
- the district government (Bezirksregierung) of Cologne
- the Dutch Federal Ministry of Economic Affairs and Climate Protection
- the European Commission
- the Audit Authority

2. Project cycle

2.1. From the idea to the project

2.1.1. Support and advice

A lot of useful information can be found in this manual; but the MA and the JS will be happy to help and advise you. While you are still in the preparation phase of your project, you can always reach out to the RAs.

It is their task to:

- raise awareness, inform and accompany potential Project Partners with regard to the possibilities of the Interreg programme,
- and be the Liaison between the programme (or its bodies) and potential Project Partners.

You can contact the responsible RA at any time during the project development phase.

Once your project has been approved, one of the Project Managers at the JS will be assigned to your project and be your first point of contact. They will support the Lead Partner in administrative, financial, legal and technical matters as well as to questions and problems relating to our programme's Joint Electronic Monitoring System (called JEMS). For help with JEMS you can also always approach our JEMS-helpdesk via email at jems-helpdesk@prvlimburg.nl.

2.1.2. Characteristics of a cross-border project

When planning a cross-border project, you should be aware of the relevance of the cross-border and European dimension. Financial support is an excellent opportunity to enhance your project's impact beyond your existing budget and resources. However, it should not be seen as a financial lever to supplement the budget or to compensate for declining national contributions.

The following aspects and characteristics must be taken into account for projects within the framework of this programme:

2.1.2.1. From a project idea to a cross-border concept

The border continues to pose challenges and obstacles for people who want to live, work or cooperate in the border region. When designing a project for our programme, it is therefore essential to pinpoint a cross-border problem, opportunity or need that is in line with our programme's objectives.

The significance of developing a cross-border project stems from the advantage of cooperation between Project Partners on both sides of the border, enabling:

- The combination of resources,
- The multiplication of ideas,
- Exchanging best practices and knowledge
- And equipment to be shared,

all aimed at addressing the identified challenges and providing effective solutions.

2.1.2.2. Identifying a cross-border issue

The Project Partners can start a project to provide a solution to a cross-border need. Sometimes the border brings a number of obstacles with it that can be overcome by means of a cross-border project. Although the cross-border programme area is very homogeneous in socio-economic terms, border effects may still play a role.

Perhaps the border affects a particular sector of activity. In this case, your project can focus on the issue of this activity sector and its impact on the border area. Such an issue can only be solved through an integrated approach.

2.1.2.3. Identifying a cross-border opportunity

However, the border can also offer unique opportunities and possibilities. If this is the case, an approach is recommended to capitalise and optimise the existing opportunities in the border regions. The individual regions have different experiences and their own competences and resources. This diversity is a significant advantage.

Indeed, cross-border cooperation offers the opportunity to share, exchange, disseminate and complement knowledge. In this way, sustainable solutions can be created.

2.1.2.4. Cross-border added value

Cross-border added value is a mandatory prerequisite for every project. It must be demonstrable at every stage of the project (from conceptualisation to implementation and final impact).

The project must ensure that results are achieved that would not have been possible if the project had been implemented along only one side of the border. Cross-border added value can be defined as the additional benefit resulting from cooperation in the sense of the 1+1=3 principle.

The aim is to create balanced cooperation networks that allow initiatives based on complementarity of resources and/or competences to be successfully implemented with a significant impact on the population and/or sub-regions of the border region.

2.1.2.5. Does the project fit into the Interreg Meuse-Rhine programme?

While certainly all cross-border issues deserve attention, our programme can only support projects that fit into its specific framework. So be sure to check that your identified cross-border issue, opportunity or need is relevant to our programme area in the Meuse-Rhine region (see Chapter 2.1) and fits into our programme's priorities and objectives (see Chapter 2.2).

2.1.3. Who can submit projects?

Our programme provides for funding to be granted to project consortiums consisting of at least two Project Partners from two different Member States in our programme area. Entities outside the programme area can be part of the consortium as long as their participation adds value to the programme area. Legal entities (including legal entities without legal personality) are

eligible for funding. The Project Partners must have expertise in the field in which the project is based.

All legal entities can join a cooperation network in order to submit a project application. One of the Project Partners acts as the Lead Partner for the cooperation network.

The following organisations may be involved as Project Partners (non-exhaustive list):

- companies, preferably small and medium-sized enterprises (SMEs),
- governmental and semi-governmental organisations,
- regional and local authorities,
- university and scientific institutions, including knowledge and research centres,
- business support organisations such as chambers of commerce, development agencies and technology transfer agencies,
- educational and knowledge institutions,
- Institutions from the centre of society (associations, non-profit organisations).

2.1.4. Steps in the development of a cross-border project

The most important elements of a well-organised cross-border project are

- clear objectives in terms of the project concept,
- a well-developed project proposal that takes full account of financial aspects,
- embedding of the project in the programme strategy,
- a clear cross-border added value that represents real added value for the project,
- a solid cooperation network whose partners complement each other.

Therefore, it is suggested to follow the following steps when developing a project:

Step A: Defining the project idea

Based on a cross-border issue, a cross-border opportunity and/or a cross-border need, define an innovative project idea that can provide a solution to the identified challenges.

It is important that you design your project in such a way that it can be developed across borders and that it will deliver cross-border results for the benefit of people and regions in the border area.

The project idea must fit into the framework strategy defined by our programme and contribute to achieving the programme's objectives.

Step B: Selection of partners

One of the specific characteristics of cross-border programmes is that all projects must be driven by a cross-border cooperation network consisting of at least two Project Partners from two different Member States in our programme area.

This cooperation network forms the basis for the cooperation to be established and the success of the project depends crucially on the quality of the network. It is therefore important to invest sufficient time in the selection of partners and in building a close relationship between the partners.

Here three scenarios can be possible:

1. You already know your partner(s).
2. You are still looking for (a) partner(s).
3. You already know some partner(s) and would like to find additional partner(s).

In all cases, the cooperation network must be well thought out in geographical, strategic and financial terms. The following questions can be helpful when selecting partners:

- Do the competences of the potential partners complement each other?
- Can a genuine synergy develop between the individual partners?
- Is there a balance between the potential partners in terms of human, technical or scientific resources, financial capacities or territorial competences?
- Are the legal structure, the working methods and the internal decision-making process of each partner compatible?
- Is each partner equally willing to develop the project?
- Is there a geographical context in which the Project Partners are able or willing to work together?

Are you still looking for (a) partner(s)? Then you can also contact your Regional Antenna. They will provide support and advice in your search for (a) suitable partner(s).

Step C: Defining the content

Once the partners have been selected, the determined idea must be further developed together in order to specify the content of the project. The general specific objectives and expected results must also be identified. This results-oriented approach is essential for all projects to be developed during the programme period.

In addition, a plan for the activities must now be drawn up and the operationalisation must be worked out. The following questions need to be answered: Who does what, when, how and with which resources?

The project must be divided into a limited number of work packages based on clearly structured activities. This should avoid the fragmentation of resources.

Once the above aspects have been worked out, the general project concept must be evaluated internally by the concept authors or the Project Partners. This is to ensure that the activities are relevant, realistic, feasible, measurable and sustainable.

This first project phase is characterised by intensive dialogue between the partners. During this phase, it must be ensured that ownership of the project is shared and that the partners work together to realise the project objectives.

Please pay particular attention to the cross-border added value and the impact of the project for the population and the region. Cross-border added value exists if you can show that the objectives can only be achieved if the project is implemented in a cooperative network and that the results could not be achieved if the project were only implemented on one side of the border or by only one Project Partner. The project must be able to utilise opportunities and deliver benefits that would not be usable or deliverable with a national-only approach.

However, cross-border results alone are not enough. The results must also benefit the people in the border area or, depending on the type of project, have an impact on it.

This is somewhat easier and more obvious to achieve if the project properly addresses one or more cross-border issues in the project area or a need or opportunity in the border area. Cross-border added value that is solely for the benefit of the Project Partners is generally not sufficient.

Step D: Financial concept

In financial terms, the project must also be placed on a carefully worked out, solid basis. The starting point for this is a realistic spending plan that enables the project to be carried out well and the objectives to be achieved, while at the same time being modest and appropriate.

The following aspects should be taken into account when drawing up the expenditure plan:

- A clear link to the activity plan and work packages. Specify what effort (personnel, external services, equipment, etc.) is required for each activity and use this to calculate the expected expenditure.
- the eligible expenditure and the calculation methods according to the cost catalogue and factsheets of the programme (see [Downloads \(interregmeuserhine.eu\)](https://interregmeuserhine.eu)).
- a clear statement of the expected expenditure in the format found in the Joint Electronic Monitoring System (JEMS).

In addition to the expenditure plan, the financing plan also deserves special attention. When preparing the financing plan, the shares of EU funding determined by the programme, the requirements for any other public co-financing and a significant own contribution must be taken into account. If you have any questions about possible co-financing and the conditions attached to it, you can contact the Regional Antennae.

Step E: Shaping the partnership

A project carried out within the framework of a European Territorial Cooperation programme is only cross-border if there is cross-border cooperation. It is therefore essential that the project is developed on a cross-border basis and that the interactions between the various Project Partners are defined for each work package.

We distinguish between two types of Partners: Project Partner and Lead Partner.

Each Project Partner is a fully-fledged partner that brings real added value to the development of the activities through its resources and competences in the area where the project is located. Each Project Partner must be directly involved in the planned work packages, bear a direct share of the resulting expenditure and also be the direct beneficiary of the EU funds granted.

The Lead Partner is appointed by mutual agreement between the Project Partners. In addition to administrative and financial coordination, the Lead Partner is also responsible for managing the project. The Lead Partner is ultimately responsible for project implementation and is also the first point of contact for our programme. Correspondence and any disbursement of ERDF funds are always and exclusively with or to the Lead Partner.

As part of the project development, the Project Partner(s) and the Lead Partner conclude a "Cooperation agreement between the Project Partners", which sets out the tasks and responsibilities. This agreement officially defines the responsibilities and sets out the rights

and obligations of all parties involved. The agreement must be signed by all Project Partners before the Steering Committee (SC) decides whether to approve the project.

The Managing Authority (MA) has drawn up a model co-operation agreement (see [Downloads \(interregmeuserhine.eu\)](https://interregmeuserhine.eu)). Some elements of this model must be included in the agreement. If the partnership wishes to lay down additional specific provisions, these can also be included in the agreement.

In some cases, it is important for the implementation of a project that other organisations that are not financially involved in the project and therefore not an official project partner are also closely involved in the implementation. You can mention these organisations in the written part of your project application but not enter them as a separate partner within JEMS.

Step F: Developing a results-oriented approach

One of the specific features of the Interreg programme is the intervention logic, which focuses on results. This means making sure that the outcomes of a project are linked to the goals of our programme. It's also about understanding how the project's results help to achieve the programme's overall objectives. There is a close relationship between the project indicators and the programme indicators. This way, we can see clearly how the project contributes to our programme's success.

During the project design phase, it's crucial for Project Partners to outline implementation and result indicators that directly align with our programme's own implementation and result indicators. This ensures that the project's activities are not only in sync with the programme's goals but also have a high probability of influencing the programme's overall result indicators positively. These indicators act as measurable benchmarks, allowing project teams to track progress effectively and adjust strategies as needed to stay on course.

The programme indicators differ per objective within our programme. Indicators might for example be:

- the number of enterprises supported, and SMEs included,
- the number of strategies developed, and actions implemented,
- organisations involved and cross-border events organised,
- private investments contributed and products introduced,
- the number of participants joining trainings, users using services or visitors attending,
- as well as obstacles resolved.

For additional guidance on selecting appropriate indicators and understanding their significance, please contact your Regional Antennae. Also, comprehensive information and resources can be found through our programme's official website (see [Guidance Document: Output and Result Indicators \(735 KB\)](#)).

2.2. A Call for Proposals: From submission to a grant decision

Calls for proposals are published at regular intervals. A call is an invitation to submit projects. It is up to the MC to decide on the objectives addressed, the budget aligned, and the criteria applied to a call. They also decide if and when a call is published. In each call, a certain budget is available per objective for projects to apply for. The SC discusses which projects fit in with

the objectives of the programme and the MA/JS checks whether the projects meet the financial and legal requirements.

The Interreg Meuse-Rhine (NL-BE-DE) Programme uses a two-step approach for approving projects, in order to prevent potential Project Partners from immediately focusing entirely on developing a project that might not have a good chance to be approved and to ensure a more strategic approach to the programme. The two steps of a call are explained below.

2.2.1. Support and advice

This manual explains all the steps to take when applying for our programme. We do however recommend getting in touch with your Regional Antenna. In the preparation and application process they are the first point of contact to provide advice and support for the applicants in preparing the project, in processing the recommendations for the project outline, in compiling and completing all mandatory annexes and in submitting the full application.

During the implementation of the project (after it has been granted), the JS becomes the main contact point. Applicants can contact the JS with any questions, especially for administrative, financial, legal and technical matters as well as for questions and problems related to our programme's JEMS (or access to it). When receiving a selection letter, Project Partners will be informed which Project Manager specifically is assigned as their first point of contact from that time on.

2.2.2. Step one

2.2.2.1. Step one: Project Outline

In the first step of a call, projects can hand in a project outline via JEMS using the Application Form template. The outline includes information such as:

- the Project Partners and their motivation to cooperate in the project,
- a project description (including the cross-border issue, objectives and target groups addressed with the project),
- a short description of the planned work packages of the project.

The goal is to outline the project without going into too much detail yet.

The duration in which an outline can be submitted is usually approximately six to nine weeks long and will be announced in advance to grant time for preparation.

2.2.2.2. Step one: Decision

After this first deadline for the first step of a call, the MA and the JS will analyse all complete Project Outlines on the basis of the criteria applicable to the call as well as the objectives of our programme. This includes verifying if the Project Partners are eligible for the grant. The eligibility criteria and the selection criteria are always laid out in the subsidy regulation of the call concerned. In general the selection criteria in step one are usually:

- Contribution to the objectives of the programme/cross-border character (40%)
- Partnership (40%)
- Budget & value for money (20%).

On the basis of this analysis, the SC will hold a Go/No-Go-Meeting where they decide which projects may proceed to the second step of the call/application process. After this decision has been made, the projects will be informed about the decision in writing including feedback on the proposal. Only after receiving a positive decision in step one, may the project move on to step two of the application process. If the project has been rejected, the Project Partners may try again with a new and improved proposal during step one of a later call.

2.2.3. Step two

2.2.3.1. Step two: Full application

After the decision about step one has been shared, step two of the call will be opened for projects with a positive decision in step one. The Project Partners then have approximately two months to hand in a full application via JEMS. Once again, a template is available in JEMS. The answers given in step one will automatically be copied into the application form of step two, these answers can however be changed by the applicants.

Our Monitoring system JEMS will guide you through the application. If you follow the questions and focus provided by JEMS, your application should be complete. Try not to diverge but focus on the issue at hand in each text box. If you do so, there should be no need to upload additional explanations. This also makes the assessment of your project easier for all those involved and therefore improves your chance of approval.

Information on JEMS and the various modules (including the application) can be in the JEMS handbook on our website.

The MC decides on the requirements for project selection under the call for projects, i.e. on:

- the deadline by which full proposals can be submitted,
- eligibility and selection criteria,
- the selection procedure for full proposals (ranking or other procedures),
- the budgets per objective and/or the overall budget.

This information can be found in the official Call for projects.

A full proposal must be accompanied by certain annexes. These annexes must be available at the time of submission or for some, at the latest, at the time of the SC's decision. These annexes include, for example, co-financing declarations (if applicable), declarations on state aid for knowledge institutions and SME declarations (if applicable). A complete overview of the mandatory attachments to be submitted can be found in the detailed subsidy regulation of the call concerned (including on our website). Please avoid adding any annexes beyond the mandatory ones.

2.2.3.2. Step two: Decision & Selection Letter

As in step one, the MA and the JS will conduct a comprehensive analysis of all submitted Project Applications. This analysis will be based on the specific eligibility and selection criteria outlined in the subsidy regulation of the call, aligning with our programme's objectives. The general selection criteria can be found in chapter 4.4. For each application, an outcome report is prepared and sent to the SC.

Following this analysis, the SC will meet to evaluate the applications. After considering this evaluation along with the findings of the MA and JS, and ensuring all required documents and declarations are in order, the MA will proceed to issue grant decisions (selection letters) for all approved projects. Applications that have been rejected by the SC receive a negative grant notification. Due to the thoroughness required in the application review process, there is an approximate three-month period between the application submission deadline in step two and the issuance of grant or rejection letters.

2.2.4. Criteria for assessment and decision-making

The criteria and conditions for funding are set out in the subsidy regulations, which are issued for each call for proposals. Projects must always meet certain grant eligibility requirements to qualify for funding and must fulfil a number of selection and quality criteria:

- The project must contribute to the objectives of the programme and be of **cross-border character**.
- The **partnership** must be composed to be able to deliver the project's envisaged results, and to benefit the described target groups.
- The project is **feasible**, sustainable for the programme area and has added value for other projects in the programme.
- The results of the project are in proportion to the **budget** required to implement the project ("value for money").

These criteria are indicative. Specific criteria and conditions are outlined in the corresponding funding regulations (i.e. call text, otherwise brief explanation), which also detail potential reasons for application rejection. These reasons may include projects not aligning with the specified priority axes or chosen objective, not fitting within the Interreg programme or incomplete applications failing to meet requirements. As discussed in the preceding chapter, the SC assesses the extent to which applications meet these criteria.

2.2.5. Grant notification

The grant notification is an official document signed by the MA. A negative grant notification provides a comprehensive rationale for the rejection decision. A positive grant notification (also called selection letter) means that the project has been officially approved. The selection letters are sent to the Lead Partner of the project via JEMS and by mail. It will address the approved project and specifies:

- the maximum amount of funding per Project Partner (in the annex), also taking into account any specific rules on state aid,
- the start and end dates of the project,
- the name of the Project Manager as first point of contact during the implementation,
- recommendations for optimal project implementation

In the selection letter reference will be made to regulations, guidelines and this Manual with regard to:

- the obligations of the Project Partners in relation to project implementation,
- the administrative obligations, financial control and publicity of the EU funding,
- the possibilities for amending the project,
- project monitoring (including monitoring group and reports),

- the modalities for the distribution of the ERDF contribution,
- the evaluation on the progress and expenditure of the project.

The annex to the selection letter contains an overview of the expenditure plan and the financing plan of each Project Partner as well as any additional requirements specified by the financiers.

2.2.6. Co-financing

Co-financing within the Interreg Funds by the European Union entails a collaborative effort between the EU and participating regions and countries. The ERDF contribution to projects within the Interreg programme is set per call and is always stated in the call for proposals. In addition to the ERDF grant it is expected that projects cover the remaining project costs themselves.

In most cases, project partners might find added co-financing from other authorities to cover these costs. Depending on the project and region, certain programme partners (regions or countries) may co-finance additional percentages. If projects would like to receive co-funding additional to the ERDF, they have to request so themselves with the authority they wish to receive further co-funding from. How to approach this differs per authority, therefore please contact your Regional Antenna.

If your project does receive further co-financing, you must inform our programme. You can do so by adjusting this information in JEMS.

2.3. Implementation of a project

A collaboration under the Interreg Meuse-Rhine (NL-BE-DE) programme is made up of multiple Project Partners who engage in the project and collaborate closely throughout its duration. The specifics of this collaboration and relevant agreements among the Project Partners are laid down in a cooperation agreement (see template on our website) between all partners.

2.3.1. Responsibilities and tasks of the Lead Partner

One of the Project Partners takes on the role of Lead Partner (i.e. the first and most responsible beneficiary) of the project, essentially being the main partner responsible for implementing the approved project correctly. They act as the main contact for the MA and other programme bodies on behalf of all Project Partners, handling all communication related to the project. Additionally, financial transactions between the MA/JS and the project are managed through the Lead Partner. They are also responsible for providing the other Project Partners with all necessary information and documents. Furthermore, the Lead Partner makes sure that all agreements between the Project Partners are formally written down in the cooperation agreement.

2.3.2. Responsibilities and tasks of the Project Partners

All Project Partners are required to implement the project properly, on time and in accordance with the terms of the cooperation agreement. Additionally, they must stick to the rules stated

in the selection letter and the funding conditions. They should also take necessary steps to make sure the project progresses as planned and meets the agreed-upon objectives.

Specifically, each Project Partner is obliged to:

- promptly provide all information and documents required by the authorities and persons responsible for the audit or monitoring,
- provide the project-related data necessary to demonstrate the results and impact of the programme,
- inform the Lead Partner immediately if
 - a Project Partner applies or secures additional funding from other public entities for the same purpose after receiving the grant. Additionally, they must report any funding or financial contributions from third parties for use within the project.
 - the aim of the funding changes or no longer applies, or other circumstances that are important for receiving the grant change or no longer apply.
 - it turns out that the aim of the funding cannot be achieved or cannot be achieved with the funds granted.
 - the project duration and/or project financing on which the grant is based has changed or changes, assets are lost, or another form of delay occurs in the implementation of the project.
 - items that need to be inventoried (as specified in the funding conditions) are no longer used in accordance with the aim of the funding or are no longer necessary within the deadline set in the selection letter.
- provide the Lead Partner with any information received by a Project Partner from third parties in relation to the project,
- ensure the information provided to the Lead Partner and the other Project Partners is correct. If an inaccuracy or error is discovered, promptly correct it,
- act in good faith at all times,
- participate and contribute in a cooperative manner to the meetings and activities of the project.

2.3.3. Project management

All partners must maintain a proper administration. All expenses incurred and made by the respective Project Partner, commitments entered into and any income attributable to the project, must be accessible at any time in a simple and clear manner. This includes the time recording system for each employee and information to be recorded in accordance with the segregation of duties. In short, proper and clear project management must be maintained for reporting, accountability and control. All invoices or comparable accounting documents must be traceable in the partners' accounts, as well as proof that the invoiced activity/service for the project was actually carried out in accordance with the terms of the accepted procurements.

The funding recipient must keep the receipts (income and expenditure receipts) and payment receipts (e.g. bank statements), the tender contracts and documentation and all other evidence relating to eligible expenditure for five years after the funding has been awarded. The documents must be kept as originals, as certified copies of the originals or on commonly used data carriers (this also applies to electronic versions of original documents and to documents that are only available in electronic form). More information on record keeping can be found in our programme's Cost Catalogue on our website.

2.3.4. Regular exchange with the Joint Secretariat (JS)

Regular exchange between the project and the JS is crucial to implementing the project properly. Through this exchange both can make sure that the project is implemented well (in a cross-border manner), the results are focussed on, and that its progress is monitored properly. Furthermore, this exchange allows the JS to give advice and support to the Project Partners throughout the project implementation. It also helps to raise awareness among Project Partners regarding the importance of following EU rules, especially regarding areas such as competition, public relations (related to EU funding), public procurement, equal opportunities, and environmental protection.

While the Lead Partner is primarily responsible for maintaining communication with the JS, it's essential for all partners to have joint meetings with their Project Manager from the JS. These meetings will be scheduled as often as necessary, typically around three times during the project, including a joint kick-off-meeting with the MA/JS to ensure a successful start to project implementation. In addition, the Project Manager will generally meet with the Lead Partner after every Project Report.

2.3.5. Reporting

Regular reporting is essential for keeping track of the progress of a project and to claim costs with our programme. The reporting process comprises several steps aimed at ensuring accurate documentation and evaluation of project progress. It is important that there are two kinds of reports, firstly partner reports and secondly project reports.

All reports can be submitted in English or in the three languages of the Programme area (NL-FR-DE).

2.3.5.1. Partner reports

The first step for reporting and claiming costs is the partner reports. Each project partner must provide an individual partner report on their finances at least every three months. In order to claim funds and to prove that the funds are being used properly, projects must report on their expenditure in the report. What exactly needs to be reported in detail depends on the cost options selected. Generally, the partner reports must include:

- A financial overview;
- Overview of proper documentation of public procurements (if applicable in the respective period);
- List of expenditures (for eligible costs, check Chapter 5.6 Cost Categories);
- Summary of activities carried out by the partner during the 3-month period.

There must be proof of all expenditure. Therefore, a detailed description of the expenditures is always recommended to ensure that the Project Managers and Controllers can understand their relationship with the project's objectives and outputs.

Depending on the chosen Simplified Cost Option some costs might be exempt from the need to report on them in detail. Please check the Cost Catalogue. If you are unsure which costs need to be reported on, please ask your Lead Partner to get in touch with your Project Manager in the JS.

The partner reports must be submitted via JEMS and will then be reviewed by the Project Manager in the JS. Once approved by the Project Manager, partner certificates will be generated within JEMS. The Lead Partner can then link the partner certificates to the consolidated project report within JEMS.

2.3.5.2. Project report

A project must submit a written project progress report every six months. The deadline for a progress report depends on the project's start date and is usually due two months after the reporting period ends. For example, if a project starts on January 1st, the progress report for the months January through June would always be due by August 30th.

The consolidated written project report must detail the activities carried out in the past period and the results achieved. It should address the progress of the various indicators chosen for the entire project. Progress reporting is crucial, be careful to only count outputs once. Proof of completion is required.

Reporting on outputs must align with the output indicators selected in the application form, and match the values specified per indicator. The quality of the data is vital, given that our Programme consolidates project data for subsequent reporting to the European Commission. Therefore, the JS may return progress reports to the project Lead Partner if output and indicator data are inaccurate or incomplete.

To report on finances the individual partner reports (as explained above) are linked to the project report. This serves to allow the project to report as a whole but also consider the individual partner's contributions.

The project report is compiled jointly by all Project Partners, but the Lead Partner coordinates and submits it via our programme's JEMS. Certain sections, such as project name, partner details, work packages, and target values, are pre-filled to facilitate editing. The Lead Partner can access JEMS with their login data to select the relevant project. More information is available in the JEMS manual on our website.

2.3.5.3. Follow-Up

Upon receiving the project report, the JS conducts an analysis including observations and recommendations. The project report must provide detailed information to enable the JS to assess the partnership's collective achievements. If needed, the JS may request corrections or clarifications from the Lead Partner and may also ask for a revised project or partner report to ensure accuracy and completeness. After their assessment the Project Manager will consult with the Lead Partner to discuss the results and offer possible recommendations. The project is responsible for acknowledging and implementing the recommendations as necessary.

2.3.5.4. Payments

The project report also serves as a payment application. By submitting the report, the project claims the costs outlined within it. Once approved by the MA/JS, the payment process is initiated. ERDF payments are managed by the Province of Limburg, acting as the accounting entity for our Programme. If you receive additional co-funding, it will be paid directly by the

respective authority.¹ Partner reports, which cover the financial aspects of the project, are essential for claiming costs. Therefore, ensure timely submission of partner reports so they can be reviewed by the JS and linked to the project report.

2.3.6. Cost categories

To qualify as eligible costs, costs must be directly linked to the project and have to be necessary and adequate for the implementation of the relevant eligible activity. Other than the lump sums for preparation costs and voucher systems, only costs that have been incurred and paid between the start date and end date of the project can be eligible. Costs must furthermore fall under one or more of the categories below to be eligible:

- Staff costs,
- External expertise and services costs,
- Equipment costs,
- Costs for infrastructure and works

For details concerning the cost categories, simplified cost options and lump sums for preparation costs and vouchers, please refer to the Cost Catalogue on our website.

2.3.6.1. Simplified cost options

In order to simplify the declaration of expenditures, the Interreg Meuse-Rhine (NL-BE-DE) 2021-2027 programme allows for simplified cost options. This means that certain costs can be declared with a fixed percentage in relation to other project costs (usually staff or direct costs) instead of having to declare each expenditure separately. This should minimize the administrative workload for projects and Project Partners.

The detailed options for simplified cost calculation can be found in the Cost Catalogue. Each partner can select their preferred option, which remains valid for the entire project duration. While different partners within the same project may use different cost options, an individual partner cannot combine multiple options or change their chosen option during the project.

2.3.6.2. Pre-financing of projects

Advance payments to projects are not a standard practice within the programme's financial circuits; however, it may be considered in exceptional circumstances, such as voucher schemes or cases involving micro-enterprises or 'micro' NGOs. To mitigate financial risks while offering targeted support, advance payments are generally capped at €50,000 ERDF per partner or 50% of the partner's ERDF budget, whichever is lower, except:

- in cases of operations of strategic importance, as defined in Article 2(5) of Regulation (EU) 2021/1060 (Common Provisions Regulation), these limits do not apply, and pre-financing may be granted without restriction, if deemed secure;
- in case of State aid, the pre-financing must not exceed 40 % of the total amount of the aid granted.

To request pre-financing, project partners must submit a detailed justification during the final application phase. In severe cases the MA/JS can also consider pre-financing requests after

¹ Except for cofinancing granted by the Federate State of North-Rhine Westphalia, the Province of Limburg (NL) and the Ministry of Economic Affairs of The Netherlands which are paid out directly by the Programme.

the application phase. The JS evaluates the request, including a solvency check on private partners, before forwarding it to the MA, which makes the final decision. Pre-financing is conditional on sufficient programme liquidity, typically ensured through funds carried over from previous programme periods.

Upon approval, the advance payment is released to the lead partner after the subsidy contract is signed, following the usual payment procedure. The lead partner distributes the funds to the respective partners and monitors their expenditure schedule to identify risks of under-consumption. If a partner demonstrates no or low spending, they may be required to return the advance payment. Pre-financing is offset against payment claims at the project's end or at the end of a partner's participation, should they leave the project early.

By offering advance payments in carefully controlled circumstances, the programme provides additional flexibility to support project partners in initiating activities effectively while maintaining financial stability.

2.3.6.3. Lump sum for preparation costs

Starting with the second Call of the Interreg Meuse-Rhine (NL-BE-DE) 2021-2027 programme, projects may include a lump sum of € 37,000 in their budget for the preparation of their project. A detailed differentiation of the preparation costs is not necessary. Once the project is approved the Lead Partner will automatically receive € 18,500 (which is 50% ERDF-funding of the €37.000 costs budgeted). How the amount is then distributed within the project is up to the project itself and can be included in the cooperation agreement between all Project Partners.

2.3.6.4. Lump sum for voucher systems

Voucher schemes using lump sums are permitted when grant funds are forwarded from project partners to a final recipient, provided the recipient's activities yield clear, measurable results. Each lump sum must be clearly stated in the project application with a detailed cost justification. For details about how to include lump sums for voucher schemes in a project, please refer to the Cost Catalogue.

Lump sums should be within their own work package and follow the rules for eligible costs. Final recipients are not bound by the partner's specific cost category. Settlement follows applicable rules.

2.3.7. Controls

All Project Partners, including the Lead Partner, must fully cooperate with the evaluation, audits, and checks conducted by programme authorities, the Audit Authority, the European Commission, and/or their designated third parties. They have the right to conduct on-site inspections to ensure the lawful use of the ERDF contribution, examine records, and make copies as necessary. The Lead Partner and Project Partners grant access to relevant bodies and representatives for this purpose. The project ensures that areas hosted by partners or outsourced to third parties can undergo similar audits, including cooperation in the reporting progress even after project finances are completed.

The JS examines declared expenses for eligibility, possibly using an external auditor. When reviewing expenses, the JS considers an optional maximum deviation of 25% per cost category per Project Partner, ensuring that the total eligible costs per partner do not exceed approved limits based on the last cost plan.

2.3.8. Project modifications

It is important to allow projects implemented under the Interreg VI-A Meuse-Rhine (NL-BE-DE) programme to be modified so that they can adapt to certain unforeseen and/or new circumstances or events.

These modifications fall into two categories:

- Minor modifications which may or may not require MA/JS approval;
- Major modifications which require Steering Committee approval.

Regardless of the type of modification, the Lead Partner needs to keep the Project Manager informed of the intention to submit a modification and to comply with all the steps required to complete it. A modification may only be implemented after receiving the necessary approvals as detailed in this document. Each request must be thoroughly explained and justified through the template available on the JEMS (*via Export > Export Plugin > Modification request MR*). The different steps to follow in the monitoring system JEMS are detailed at the end of this document.

In line with the cooperation agreement signed between the Lead Partner and the project partners, the project members must always keep in touch and ensure that any modification request submitted for approval has been previously discussed and agreed upon by all the partners. It is the responsibility of the Lead Partner to ensure that it has the approval of the partnership when starting the procedure related to a modification request. Each partnership is free to establish its own internal rules regarding the process for requesting changes within the consortium.

Each change should be approved before it enters into force. Failure to comply with these procedures is the sole responsibility of the Lead Partner/Partner and may lead to the non-reimbursement of the expenses resulting from these changes.

A modification request must be emailed to the project manager with all supporting documents no later than 6 months before the project end date.

The MA/JS maintains a tracking table of minor and major modifications formally submitted in the JEMS.

2.3.8.1. Minor modifications

Minor modifications are modifications that do not impact the project's results, objectives, or the amount of the ERDF and other public co-financings, nor do they affect the composition of the partnership.

2.3.8.1.1. Minor modifications which do not require MA/JS approval (informal modifications)

Some project modifications, which are informal, may be possible without the formal approval of the MA/JS. This is the case when modifications do not affect the grant letter's content concluded between the programme and the project.

Minor modifications which do not require MA/JS approval can be (non-exhaustive list):

- Modifications of names, addresses;
- Other administrative changes on the level of the partnership.

General conditions for the request and process:

1. The JS Project Manager must be consulted by the Lead Partner before any modification request.
2. The Lead Partner must submit a request in JEMS using the template available (*Export > Export Plugin > Modification request MR*), which details the foreseen modifications.
3. The MA/JS conducts a technical control of the request (especially assessing if the modification instead requires MA/JS or Steering Committee approval and/or ensuring that it triggers no error in the project/JEMS).
4. If the MA/JS finds no technical error,² the application form will be opened for this modification by the MA/JS, and the Lead Partner can proceed with the minor modifications in JEMS.
5. After the modifications have been introduced by the project in JEMS, the MA/JS will conduct an administrative check (including documentation of findings) before **approving the new version of the application form.**

2.3.8.1.2. Minor modifications which require MA/JS approval

Some minor modifications of projects require the approval of the MA/JS. This is particularly the case when a new grant letter has to be issued.

Minor modifications which need to be approved by the MA/JS can be granted a maximum of two times per implementation year per operational project, unless otherwise exceptionally authorised by the MA/JS.

Minor modifications which require MA/JS approval can be (non-exhaustive list):

- Modifications within a partner budget, between cost categories, changes in the source of cofinancing, **at a constant ERDF budget at the project partner level** that does not fall under the flexibility rule³ except for the reduction in the approved ERDF amount for one or more partners (without affecting the project's objectives, results, or reallocating the budget to other project partners);
- Modifications in indicator target values;
- A modification of actions/deliverables (without impact on the overall objective of the project);
- Administrative splits of partners, without touching any other budget and financing allocations;
- Partnership changes within entities belonging to the same legal group/holding within the programme area.
- Duration: any extension request if the project duration is below the maximum project duration specified in the relevant Call for Proposals.

General conditions for the request and process:

² If the MA/JS finds technical error (for instance if the category of modification is wrong or the request leads to technical issues), the Lead Partner will be informed about the necessary steps to proceed with the treatment of the request. This also applies to other categories of modification.

³ The flexibility rule is detailed in the Programme manual available on the Programme website and in the dedicated section in this document.

1. The JS Project Manager must be consulted by the Lead Partner before any modification request.
2. The Lead Partner must submit in the JEMS a request using the template available which details the foreseen modifications (*Export > Export Plugin > Modification request MR*) and, if the request has a budget impact, a supporting budgetary table (For that, use the 'standard budget export' plugin and highlight the budget modifications).
3. The MA/JS conducts technical control of the request (especially assessing if the modification instead requires Steering Committee approval and/or ensuring that it triggers no error in the project/JEMS).
4. If the MA/JS finds no technical error, the MA/JS conducts a qualitative assessment and decides on approval or rejection of the modification request (if needed, the MA/JS forwards questions to the Lead Partner with a response deadline).
5. If the qualitative assessment is positive, the application form will be opened for this modification by the MA/JS, and the Lead Partner can proceed with the modifications in JEMS.
6. After the modifications have been introduced by the project Lead Partner in the JEMS, the MA/JS will conduct an administrative check (including documentation of findings) before approving the new version of the application form.

2.3.8.2. Major modifications

According to the Monitoring Committee's decision on 23rd November 2023, the Steering Committee has the task of selecting projects and, connected to this, assessing major modifications.

Major modifications to a project need to be evaluated by the Steering Committee and are limited to two modifications during the entire project and one modification per year unless otherwise exceptionally authorised by the MA/JS.

Any modification that does not fall under the above definitions of minor modifications is considered a major modification and therefore requires the approval of the Steering Committee and, due to their complexity, must be brought to the MA/JS's attention in advance.

Major modifications which require SC approval can be (non-exhaustive list):

- Financial: Modifications that impact partner(s) ERDF budget: may be altering the financial plan, moving ERDF funding between Project Partners, or adjusting the percentage of ERDF contribution.
- Content: A significant modification to the content of the project (a modification impacting the project's overall objective).
- Partnership, except changes within entities belonging to the same legal group/holding within the programme area.

General conditions for the request and process:

Major modifications are modifications that impact the core of the project and the initial basis on which the Steering Committee decided to allocate co-financing to the project. Consequently, a strict procedure has to be followed.

1. The JS Project Manager must be consulted by the Lead Partner before any modification request.
2. The Lead Partner must submit in the JEMS a request using the template available which details the foreseen modifications and (*Export > Export Plugin > Modification request MR*), if the request has a budget impact, a supporting budgetary table (*For that, use the 'standard budget export' plugin and highlight the budget modifications*) and all relevant supporting documents.
3. The MA/JS conducts technical control of the request (especially assessing if the modification effectively requires Steering Committee approval and/or ensuring that it triggers no error in the project/JEMS).
4. If the MA/JS finds no technical error, the MA/JS conducts a qualitative assessment and proposes approval or rejection of the modification request. Due to the nature of the modification, the Steering Committee is required to approve it. After receiving a major modification request, the MA/JS makes the request available to the Steering Committee members, along with its qualitative assessment. The Steering Committee members review the modification request.
5. Modification requests are submitted quarterly, in March, June, September, and December to the Steering Committee's approval. Any request is therefore put on the Steering Committee agenda if all relevant information is made available at least four weeks before the scheduled Steering Committee decision date. If no meeting of the Steering Committee is planned, major modification requests are submitted through a written procedure. Each year, an exact calendar is defined in advance, communicated to the Steering Committee members and published on the programme website. Any Steering Committee member has the right to request additional information. If additional questions arise, these are forwarded to the partnership, which will have a deadline to respond.
6. The Steering Committee decides whether to approve or reject the major modification request according to its rules of procedure.
7. If a major modification request is approved by the Steering Committee, the application form will be opened for this modification by the MA/JS and the Lead partner can proceed with the modifications in JEMS.
8. After the modifications have been introduced by the project Lead partner in JEMS, the MA/JS will conduct an administrative check (including documentation of findings) before approving the new version of the application form.

Please bear in mind that the approval of a major modification may take several weeks. Since these are substantial modifications to the project, they must be carefully considered and well-planned. Before submitting a major modification request to the programme, projects are required to exhaust all other options (as other types of modifications).

2.3.8.3. Different steps to follow in the monitoring system (JEMS)

Step 1 – Generate a modification request by the partnership

- 1) Generate an export of the modification request as a Word template document via *Export > Export Plugin > Modification request MR*
- 2) Click *Export*
- 3) Save the resulting Word document
- 4) Fill in the relevant sections

- 5) Optional: if the request has a budget impact, you must use the standard budget export to generate an Excel file for modifications impacting the budget.

Step 2 – Upload a modification request by the LP

- 1) Go to *Shared folder*
- 2) Click *Upload* file to upload the filled-in document(s), i.e. modification request + relevant annexes (including the standard budget table)
- 3) Send an email with your modification request to your assigned project manager with the document(s) as an attachment.

Steps 3, 4 & 5 – Technical check, content assessment and opening modification process by the MA/JS

- 1) The MA/JS undertakes a technical check of the request, assessing if the modification is in the good category and/or ensuring that it triggers no technical error in the project/system. The technical check is uploaded in Jems.
- 2) If the MA/JS finds no technical error, a qualitative analysis is conducted (except for minor modifications that do not require the MA/JS), and the MA/JS or SC decides on approval or rejection of the modification request. The content assessment is uploaded in Jems.
- 3) If the MA/JS or SC content assessment is positive and after being uploaded in the modification section in Jems, the project partners are informed that a new modification for the application is opened.

Step 6 – Proceed with the modification by the LP

- 1) Apply changes to the application form (in unlocked sections) that were requested in the modification request.
- 2) Re-submit the application form via Check & Submit.
- 3) Inform the project officer that the changes have been submitted.

Step 7 – final approval by the MA/JS

- 1) If the changes are in line with the submitted modification request, and no other issues are identified, the MA/JS approves the modification

2.3.8.4. Flexibility rule

The flexibility rule allows projects to overspend on the cost category of the approved budget by up to 25% **at the partner level** without needing to submit a request for modification. Budget changes that fall under the flexibility rule do, therefore, not need to follow the programme project modification procedures (described above and detailed on the Programme website).

The overspending has to be counterbalanced through lower spending under other cost categories.

Limitations: The total budget (ERDF and public cofinancing) of a partner cannot be increased.

There is an optional maximum deviation of 25% per cost category at the project partner level. Partners can overspend per cost category, providing that all their activities are implemented and that each cost category budget at the partner level stays within the 25% flexibility described above (at the constant general budget level).

The partner is still committed to carrying out its project objectives as in the approved application form in terms of activities and results. The budget flexibility rule equips the partner with the possibility to handle with more flexibility the normal variations that occur between budget planning and actual costs for the implementation.

The MA/JS will ensure that the 25% limit at the partner level is not exceeded during the checks over the project reports. Any excessive amount, up to 25%, will be rejected. In that case, the partnership may still request a project modification.

2.3.9. Public relations and publicity requirements

Any project funded is obliged to publicise the fact that it is supported by EU funds as part of the Interreg Meuse-Rhine (NL-BE-DE) programme and must therefore follow specific communication guidelines. The purpose of publicity and communication measures is to ensure:

- transparency on the part of the beneficiaries with regard to the EU funds received.
- that the general public is informed about the European Union's contribution to the implementation of projects.

In addition to the requirements of the programme, Project Partners receiving co-financing from other organisations (e.g. regional authorities) must also comply with the rules laid down by the co-financiers.

It is mandatory for projects to add the combined logo provided by our programme on all materials the project is developing additionally to clearly stating that the project is funded by Interreg Meuse-Rhine (NL-BE-DE) programme, an EU-fund for cross-border cooperation. This has to be stated in all relevant documents and communication materials intended for the public or participants. Examples of such communication measures are publications (brochures, leaflets, newsletters), presentations, the website, equipment, etc.

To support the projects in fulfilling the obligations regarding communication, our programme will make the following available to the projects:

- Combined logo
- Re-written project description for the target group of the general public
- A printed A3 poster per Project Partner
- Permanent plaque or billboard where necessary
- Website space and support for filling in content where needed. (Additional websites are only eligible if they add value that cannot be provided by the website space offered by the programme. Please confirm eligibility with your RA before submitting your application and include the necessary funding details in your project application. Please refer to the communication manual of our programme for the available options for the website.)

Projects must include the following elements in all of their communication:

combined logo (provided by the programme. Costs for the development of further logos are not eligible for funding.)

- Mention the funding from the European Union
- Mention the Interreg Meuse-Rhine (NL-BE-DE) programme
- Clearly state the project name

Furthermore, the Project Partners are obliged to

- fill in the project-related page on the Interreg Meuse-Rhine (NL-BE-DE) website (<https://www.interregmeuserhine.eu/>). An individual portal page will be set up for each project. The portal pages will show under the menu item 'Projects'. Other project websites are not fundable according to the cost catalogue.
- add a description of their project, including the necessary references to the programme and EU funding, on their organisation's websites as well as on all partner's social media channels (if they exist)
- prominently display the A3 format poster (received by the programme) or an equivalent electronic display at the premises of each Project Partner. This display must feature information about the project, emphasizing the backing from the Interreg programme.

All partners involved in operations with costs exceeding € 100,000, which include physical investments or equipment purchases, must prominently feature durable plaques or billboards, clearly visible to the public, showcasing the emblem of the European Union.

Strategic EU projects, also called operations of significant importance, or projects with costs exceeding EUR 5.000.000 are required to organise a communication event or activity. This should happen promptly and should involve both the European Commission and the MA. These events and activities can take many forms, further information can be found in the communication handbook on our website. Please make sure to inform the European Commission and the MA about your activity/event at least two months in advance. The invitation should include details such as basic project information, time, venue, nature of the event or activity, format, and expected role of the Commission representative in the event/activity (an active role is desired, e.g. a speech) as well as expected inputs.

Remember, it's essential to retain at least one copy of all documents verifying compliance with the publicity rules for EU funds (such as photos, press releases, invitations, brochures, etc.). These records must be provided both when authorizing expenditure and during subsequent audits. To aid in communication efforts, a communication guide will be accessible to Project Partners on our programme website. Additionally, a communication toolbox containing materials for public relations work will be provided.

If you have any further questions or doubts, please reach out to your Project Manager or the communication officer of our programme. We recommend clarifying any uncertainties with the relevant contacts prior to publication to prevent the need for financial corrections.

Financial corrections for non-compliance with the publicity requirements

In cases where a project fails to follow the communication rules outlined by the European Commission in the Common Provision Regulation and further explained in this manual and the communications handbook on our website, and neglects to seek feedback from their Project Manager before publication or address the issue when needed, the Interreg Meuse-

Rhine (NL-BE-DE) programme reserves the right to impose a financial correction of up to 2 %.

The European Common Provisions Regulation (2021/1060) and the Regulation on specific provisions for Interreg (2021/1059) apply to beneficiaries. Please review the legal requirements in the Regulations and the specific requirements in your selection letter. You can find additional resources here:

- Communication Handbook
- [Tips and tricks from the European Commission \(Inforegio\)](#)
- [Common Provisions Regulation \(Regulation 2021/1060\)](#)

This is the single rulebook of EU funds that are jointly delivered with member states and regions. We recommend Lead Partners reading Article 50 (on the responsibilities of the beneficiaries) of Chapter III. Please also have a look at Article 47 of Chapter III as well as Annex IX. In these parts, the correct use of the EU-emblem is explained.

2.4. Completion of a project

Once project activities have been completed, the project must deliver a final report on content and the project's finances. The main purpose of the final report is to collect information about project achievements and outcomes and measure these against the approved project application by the SC.

For the final report, the same reporting template in JEMS that was used for previous reports can be used. Projects are expected to report on the progress made during the final reporting period as well as the achievements and impact of the project overall. All indicators are to be reported on and supported with robust evidence. The final report is accompanied with a final payment application.

When the JS has approved the final report and the expenditure reports for the partners are checked and approved, the MA will initiate the final payments of the funding.

2.4.1. Final report on content

The final report on the progress and results of the project must be submitted to the MA via JEMS in English. The report must be signed by all Project Partners, namely by the respective authorised person of the Project Partners concerned.

The final report must contain information on:

- Content: Elaborate on the target values for the indicators used and the values actually achieved for these indicators at the end of the project. Also, clearly state how these values were calculated and justify any differences from the target values.
- Documentation: Documents relating to the project such as brochures, leaflets, photos, etc., must be added as attachments. If they were already submitted with a previous report, there is no need to provide them again.
- Expenditure (not yet declared): Provide details of the products and services delivered or provided, along with the actual costs incurred for the project (according to the cost options chosen), as outlined in the submitted budget.

2.4.2. Final financial report

Final financial claims must be submitted within three months of the project's end date. No further costs can be admitted after this timeframe. For further information as to which costs can be claimed, please refer to the cost catalogue.

2.4.3. Obligation to keep records

The Project Partners must ensure that all supporting documents - including all documents necessary for a sufficiently reliable control procedure - relating to the project are available for control purposes for a period of five years after the last payment was made to the project, unless a longer retention period is provided for under tax or other regulations. In the event of criminal prosecution or a justified request by the European Commission, these periods shall be suspended. All supporting documents must be made available as original documents, as a certified copy of the original or on generally recognised data carriers.

2.5. Auditing

The Managing Authority, Joint Secretariat, Audit Authority, Group of Auditors, auditing bodies of the Member States and of the European Commission as well as the European Court of Auditors have the right to review all relevant documentation and accounts of the project even after its closure. The Project Partners must produce all necessary documents, offer essential information, and allow access to their business premises. These checks may result in corrections for Project Partners.

2.6. Financial Corrections

It is essential for project beneficiaries to follow the obligations outlined. However, in cases where a beneficiary fails to meet these obligations and doesn't take corrective actions, the MA will implement measures considering the principle of proportionality. Financial corrections may be necessary and will be carried out in accordance with the guidelines for determining financial corrections related to expenditure financed by the European Union under shared management. This especially applies for instances of non-compliance with rules on public procurement. It's crucial for all Project Partners to ensure compliance to avoid such corrections and maintain the integrity of the programme. If you come to the realization that you made a mistake please contact your Project Manager in the JS quickly, so they can assist you in taking the correct route towards a solution.

It is suggested that beneficiaries include an agreement on how to handle recoveries and financial corrections within the project, as any recovery or reimbursement from the MA to the project will be addressed to the Lead Partner.

3. Other topics

3.1. Complaints and objection procedure

During the application or decision-making phase, complaints should be addressed to the Managing Authority (MA), which will aim to resolve them in consultation with the concerned parties. If resolution isn't achieved, the complaint proceeds to the next meeting of the Monitoring Committee (MC). The MA then notifies the parties of the decision after the meeting. Similarly, during the implementation and determination phase, complaints follow the same process. However, if involved parties do not agree with the decision of the MC, they may initiate an objection procedure.

If a decision directly affects a partners or projects interests and they do not agree with the content of this decision, they can object to it. They must then file an objection within six weeks of the date on which the decision was issued. The Dutch General Administrative Law Act (Algemene wet bestuursrecht) applies to this procedure. The notice of objection must be signed and must contain at least the following: the name and address of the person objecting to the decision; the date; a description of the decision against which the objection is filed and the reasons for the objection (statement of grounds). Please send objections to: Gedeputeerde Staten van Limburg, Juridische Zaken en Inkoop, team Rechtsbescherming; Postbus 5700; NL-6202 MA Maastricht. For more information, please visit www.limburg.nl and click on 'loket' and then 'alle producten en diensten'.

3.2. Irregularities & Fraud

A distinction is made between 'irregularity' and 'fraud' in European programmes. The two terms are defined as follows:

- 'Irregularity' refers to any violation of Community law by a market participant's action or inaction that unjustifiably affects the European Communities' general budget by causing expenditure.
- 'Fraud' happens when someone intentionally breaks Community laws and misuses Community funds. This can be punished under national law and by the European Commission.

Within the framework of European programmes, decisive action is taken against irregularities and fraud. Project applicants are informed of this in detail both via the bodies involved and by means of documents made available to them (such as this handbook). Every two years, a fraud risk assessment is carried out for the entire programme in order to detect possible cases of fraud or irregularities at an early stage. The MA reports on this to the European Commission.

3.2.1. Reporting cases of irregularities or fraud to the programme (whistleblowing)

It may happen that a Project Partner or other party wishes to report a case of (suspected) fraud or irregularity. They can then contact the MA via the report form available on the Programme website see: <https://www.interregmeuserhine.eu/en/whistleblowing-and-anti-fraud-reporting-procedure/>.

Indeed, the Interreg Meuse-Rhine (NL-BE-DE) Programme is committed to protecting EU and public funds while upholding high legal, ethical, and moral standards. It adheres to the principles of integrity, objectivity, and honesty.

With a zero-tolerance policy towards fraud and corruption, the Programme aims to demonstrate its strong opposition to fraud issues in all aspects of its operations. All individuals involved in the Programme must ensure the full legality of grant funds spent under the Programme. The Programme places a strong emphasis on preventing the illegal acquisition or misuse of these financial resources.

The funds allocated via the Programme must indeed be managed in a transparent, efficient, and compliant manner with the EU legal framework. To ensure the integrity of these funds, a proportionate anti-fraud policy is essential and required following Article 74(1)c) and Annex 11 of the Regulation (EU) Nr. 2021/1060 (CPR).

In the framework of that policy, one of the major tools to detect and deter fraud cases is to set clear procedures for the reporting of (suspected) fraud cases. The Programme has therefore established a specific procedure for external whistleblowing.

3.2.2. Reporting cases of irregularities or fraud to the European authorities

Some irregularities have to be reported to the Commission and OLAF according to the provisions of Article 69 and Annex 12 of the CPR:

Irregularities that must be reported	Irregularities that do not need to be reported
For an amount higher than 10.000 € in contribution from the Funds	For an amount lower than 10.000€ in contribution from the Funds
Have been the subject of a first written assessment by a competent authority, either administrative or judicial	Consist solely of a failure to execute an operation included in the co-financed programme owing to the non-fraudulent bankruptcy
Give rise to the initiation of administrative or judicial proceedings at national level to establish the presence of fraud or other criminal offenses (suspected fraud)	Cases reported to MA/BAF by the beneficiary voluntarily and before detection by any authority whether before or after payment of the public contribution (except fraud cases)
Preceding a bankruptcy	Cases which are detected and corrected by the MA before inclusion in a payment application submitted to the EC (except fraud cases)
For which the Commission submits a written request for information to the Member State following the initial reporting from a Member State.	

When an irregularity must be reported, this obligation is incumbent upon the relevant programme partner, i.e. the one in which the irregular expense is incurred and paid in the context of the implementation of an operation. Indeed, according to the Annex 12 CPR, “**The**

Member State in which the irregular expenditure is incurred by the beneficiary and paid in implementing the operation shall be responsible for reporting the irregularity in accordance with Article 69(2). For programmes under the European territorial cooperation goal (Interreg), the reporting Member State shall inform the managing authority and the audit authority of the programme”.

Therefore, if an irregularity which must be reported is detected, the MA/JS first informs the relevant programme partner which is responsible for reporting the irregularity within two months after detecting the irregularity or as soon as additional information on the reported irregularity becomes available (Article 69, paragraph 2 CPR).

In the course of the investigations, the programme partner informs the MA/JS and the AA of any OLAF declarations following the reporting of irregularity.

Specific procedures apply when the irregularity is intentional which should then be considered as fraud. The reporting of (suspected) fraud cases is detailed in the programme anti-fraud policy.

3.2.3. Sanctions and obligations

Irregularities and cases of fraud that are discovered always result in sanctions. In most cases, these are financial corrections, for example if the correct tendering procedure was not applied. In the case of minor irregularities, especially if they were not committed intentionally, a financial correction is usually sufficient.

In principle, a correction corresponds with the value of the wrongly charged expenditure.

If an irregularity cannot be specifically and precisely quantified, flat-rate corrections are applied. The Programme is entitled to apply proportional and percentage-based corrections (according to the scale of the irregularity, in line with Commission guidance). In such cases, the amount set in the correction decision can be regarded as the financial impact of the irregularity and that amount should be stated in the error-rate report.

In that framework, to determine relevant rates, the Programme paid particular attention to the Commission Guidelines on financial corrections in public procurement,⁴ CPR, Regulation 2021/1059 (referred as “Interreg Regulation” throughout the document) and Regulation 2024/2509 (referred as “Financial Regulation” throughout the document).

This section aims therefore to provide a general, but non-exhaustive, list of corrections applied according to the typology of irregularities.

The corrections outlined apply to irregularities detected no matter whether the related amounts have been or not already declared to the Commission.

It should be noted that corrections remained to be analysed on a case-by-case basis. Indeed, the rates set a generally applicable proportionate standard rate of correction, but the specific decision must take into account all circumstances of the individual irregularity.

⁴ See Commission Decision laying down the guidelines for determining financial corrections to be made to expenditure financed by the Union for non-compliance with the applicable rules on public procurement

3.3. Other relevant legislation

3.3.1. Applicable European and national legislation

The Interreg Meuse-Rhine (NL-BE-DE) programme is co-financed to a considerable extent by EU funding from the Structural Funds. The European Commission has provided detailed guidelines and regulations for the allocation of this funding, with most being adopted in 2021 and being applicable to the programme. Additionally, various Dutch laws related to the Structural Funds are relevant to the programme, given the Province of Limburg's role as the programme management authority (MA). Furthermore, Project Partners are required to adhere to the legal requirements of their respective Member State or region.

In any case, the following laws and regulations are important for and applicable to the programme:

- [Regulation \(EU\) 2021/1058 of the European Parliament and of the Council of 24 June 2021 on the European Regional Development Fund and on the Cohesion Fund](#)
- [Regulation \(EU\) 2021/1059 of the European Parliament and of the Council of 24 June 2021 on specific provisions for the European territorial cooperation goal \(Interreg\)](#)
- [Regulation \(EU\) 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down common provisions on the Structural Funds](#)
- [ERDF Implementation Act \(Wet REES\) of the Kingdom of the Netherlands of 1st July 2021](#)

In addition, the regulations of the Government (Gedeputeerde Staten) of the Province of Limburg published for the respective call for projects also apply to the granting of subsidies and the related procedures. These regulations are of course in line with the above-mentioned legislation.

3.3.2. Eligible expenditure

Not all expenditure incurred as part of a project is eligible for funding. As a general rule, only expenditure that is directly related to the project or activity for which the funding was provided is eligible. The rules for calculating this expenditure must be observed. These regulations can be found in the 'Cost Catalogue' of our programme. The cost catalogue is available as a separate document on the website: <https://interregmeuserhine.eu>.

3.3.3. State aid

According to Regulation (EU) 1059/2021, any aid granted under the Programme must comply with the applicable EU internal market rules and legislation on State aid as defined by Article 107 of the Treaty on the Functioning of the European Union (TFEU).

“Save as otherwise provided in the Treaties, 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 shall, in so far as it affects trade between Member States, be incompatible with the internal market”.

Within the framework of Interreg, the key considerations are whether an organisation is involved in economic activities within a project and whether it gains a selective competitive advantage over other similar operators due to the aid provided.

3.3.3.1. State aid assessment

Stemming from Article 107 TFEU, an assessment of whether an aid granted to a project constitutes State aid is based on 5 cumulative criteria. If all the answers to the five questions below are positive, there is a risk of state aid, and appropriate action must be taken.

The first 3 criteria are considered to be met when aid is granted under Interreg projects. The last 2 criteria must be carefully assessed on a case-by-case basis.

3.3.3.1.1. *Is the aid provided directly or indirectly by the State or through public resources?*

In Interreg programmes, the answer to this question is always positive. Interreg programmes are ruled by shared management (this is different for programmes ruled by direct management at the EU level).

3.3.3.1.2. *Does the aid (potentially) affect trade between Member States?*

In Interreg programmes, the answer is almost always positive (the aid is in essence, cross-border and may affect cross-border trade). The only exception could be if the activities carried out under the project are purely local.

3.3.3.1.3. *Is the aid selective, while excluding operators in a factual and legal similar situation?*

In Interreg programmes, the answer is always positive (specific territory targeted, specific sectors eligible,...)

3.3.3.1.4. *Should the applicant be considered as an undertaking under EU law, i.e. is it involved in economic activities in the project?*

State aids cover **aids granted to undertakings**. Derived from the Hofner case law, this broad concept encompasses **any entity that engages in economic activity**, irrespective of its legal status or financing (private or public).

Economic activity is established as soon as there is remuneration for goods or services in a given market, meaning that a governmental organisation can also be considered as an undertaking under State aid law. Participating in an economic activity is sufficient to determine whether an entity is an undertaking.

Private and public bodies can therefore be classified as undertakings. If a public partner operates in their public capacity, this is not considered an economic activity. However, if a public entity engages in a separable economic activity, it is regarded as an undertaking in that context. It is therefore less the legal status that needs to be considered, but rather the project activities that need to be assessed at the partner level to determine the presence of State aid. As such, public organisations, NGOs, research institutions, or universities can all be subject to State aid rules.

Some questions are important when answering to this criteria:

- Does the partner develop/offer goods/services for which a market exists (even hypothetically)?
- Could the activity be carried out by a private entity in order to make profit? (even if this is not the intention of the partner)
- Will infrastructure be exploited commercially and/or will not be available for public use for free?

3.3.3.1.5. Does the aid confer a competitive advantage to the undertaking and then (potentially) distorting competition?

Public aid is deemed to distort or threaten competition if it strengthens the beneficiary's competitive position compared to competitors.

Competitive advantage refers to any economic benefit an undertaking would not typically gain under normal market conditions in the absence of State aid.

There is no economic advantage if the activities are merely a service at market price.

3.3.3.1.6. Sum up

Criteria 1, 2 and 3 will always be answered positively for Interreg projects, as the funds come from public resources, are selective in essence, and the effects are intended to go beyond a local impact only. In assessing possible cases of state aid, the assessment will, therefore, focus on whether the activities in the project constitute economic activity (undertaking) that confers an economic advantage on the partner and, consequently, a potential distortion of competition resulting from the grant. If the answer to both questions is yes, a risk of state aid is present.

An exception applies if the operator is a research organisation or research infrastructure that qualifies for exemption from State aid rules as defined by the Framework for State aid for research, development, and innovation (2014/C198/01):

- The beneficiary entity dedicates less than 20% of its total annual infrastructure capacity to economic activities.
- The economic activity uses exactly the same inputs (such as materials, equipment, labour, and fixed capital) as the non-economic activities.

As such, the organisation cannot be classified as a business under the State aid regulations according to the Framework for State aid for research, development, and innovation (2014/C 198/01).

3.3.3.2. State aids exemptions

The principle is clear: oversubsidising distorts competition, and State aids must be prohibited under EU law. Any direct or indirect measure taken by State authorities and through State resources which grants competitive advantage to an undertaking distorts or threatens to distort competition on the internal market and affects trade between Member States.

Since State aids are incompatible with the internal market, they have to be notified and authorised directly at the European level before being granted (DG COMP - European Commission) unless they meet the exemption criteria provided for by Articles 106(2), 107(2)

and 107(3) TFEU, are de minimis because they do not exceed a certain amount, or fall within the scope of the General Block Exemptions Regulation.⁵

There are, therefore, some exemptions to the general rule: if an aid is considered as a State aid following the State aid assessment, then this aid is prohibited due to its incompatibility with internal market rules.

If State aid cannot fall under a specific exemption, then it has to be notified to the DG COMP in the European Commission, responsible for assessing notified state aid. Public authorities must notify DG COMP when they plan to grant State aid that does not fall under any exemption. DG COMP reviews whether the aid distorts competition and whether it is justified under EU rules.

3.3.3.2.1. The General Block Exemption Regulation (GBER) and its Article 20

The GBER regulation allows public grants of certain types of state aid without prior approval from the European Commission. This simplifies the process for public authorities to support undertakings while ensuring fair competition in the EU's internal market.

The GBER is essentially a long list of different types of aid (exemptions) that serve a useful public function and are therefore exempt from notification, provided certain conditions are met.

The current GBER (Regulation (EU) 651/2014) was last extended and amended in 2023 and is set to expire on 31 December 2026.⁶ However, the European Commission often reviews and extends state aid rules before they expire, sometimes with modifications to align with new economic and policy priorities. There is a strong possibility that GBER will be further updated or extended beyond 2026.

A major exemption specifically relates directly to activities carried out in the framework of Interreg projects. Article 20 of the GBER is part of the second section of the GBER and concerns SMEs as amended by EU Regulations 2021/1237 and 2023/1315 and states:

*“Aid for costs incurred by undertakings participating in European Territorial Cooperation projects covered by Regulation (EU) No 1299/2013 or Regulation (EU) 2021/1059 shall be **compatible with the internal market** within the meaning of Article 107(3) of the Treaty and **shall be exempted from the notification** requirement of Article 108(3) of the Treaty, provided the conditions laid down in this Article and in Chapter I are fulfilled”.*

Those conditions are the following:

- Following Chapter 1 of the GBER Regulation, the **notification threshold for aid is €2.2 million per undertaking per project** (article 4(1)(f));
- The covered costs shall be linked to the cooperation project and be eligible (according to cost categories: staff costs, O&A, travel and accommodation, external expertise and services, equipment, infrastructure and works);

⁵ There are different kinds of exemptions as TFEU exemptions (State aid to the former East Germany) or exemptions following certain events (financial economic crisis aid, covid,...) or FBER and ABER but the Programme focuses in this document on GBER and de minimis which are more relevant.

⁶ See Commission Regulation (EU) 2023/1315 of 23 June 2023 amending Regulation (EU) No 651/2014. The GBER has also been amended by Commission Regulation (EU) 2021/1237. For the updated legal framework, see: https://competition-policy.ec.europa.eu/state-aid/legislation/regulations_en

- The aid intensity shall not exceed the maximum co-financing rate provided for in the Regulation. According to Article **13 of the ETC Regulation, the co-financing rate at the level of each Interreg programme shall not be higher than 80 %**.

Thus, a project partner whose activities under a project are State aid relevant can nonetheless fall under the GBER scheme of Article 20, allowing its aid granted to be compatible with the internal market rules provided that its budget remains under the notification threshold of € 2.2 million and the intensity is not higher than 80%. It means that public resource funds cannot exceed 80% and that 20% must come from the partner's own resources (the intensity is, therefore, different than the cofinancing and covers all kinds of public resources).

Simplified cost options are compatible with GBER application.

This is a major change compared with the original 2014 version of the GBER that limited the exemption to SMEs and to a 50% intensity. It now applies to any undertaking (and not only SMEs) with a maximum of 80% intensity.

- It therefore means a maximum of
 - EUR 2,2 million ERDF and other public funds;
 - EUR 0,55 million non-public own funds
 - So a maximum of EUR 2,75 million total costs per partner

It must be noted that other consequences arise when falling under GBER scheme:

- If a partner applies under the GBER scheme, this must be clearly indicated. All information pertaining to the GBER scheme and the project partners involved is forwarded to the European Commission and is made accessible. All partners receiving aid under the GBER must retain all documents for at least 10 years after the date of the final aid payment to the project.
- Recoverable VAT is not eligible for partners funded under GBER. In such cases, only non-recoverable VAT under national VAT legislation is eligible.⁷
- This exemption cannot apply to any undertaking in difficulty (as defined in Commission Regulation (EU) 651/2014, Article 2(18) declaring certain categories of aid compatible with the internal market). To that end, a partner self-declaration of legal status and undertaking not in difficulty should be provided by project partners while submitting the final project.
- The aid must be transparent (article 5 GBER), meaning that GBER only applies to aid for which it is possible to calculate the gross grant equivalent of the aid ex-ante precisely, without any need to undertake a risk assessment.
- Aid granted under GBER needs to have an incentive effect. If the project would have been carried out regardless of the aid, then the aid lacks an incentive effect and is not justified under GBER. To comply with GBER, aid must be applied for before work on the project starts. However, aid for undertakings participating in Interreg projects is deemed to have an incentive effect if the relevant conditions in Article 20 or Article 20a GBER are fulfilled.⁸

⁷ VAT charged on eligible costs or expenses that is refundable under the applicable national tax law shall not be taken into account when calculating aid intensity and eligible costs. This means consequently that if a partner under the GBER scheme can recover VAT from a national or other source, this cost cannot be claimed to the programme. See Regulation EU 2023/1315 amending the GBER Regulation.

⁸ In accordance with Eesti Pagar case-law, there is no incentive effect where the beneficiary enters into an unconditional and legally binding commitment (purchase, leasing etc.) before the submission of the application to

- A new State aid cannot be granted to an undertaking if it has not yet repaid previous unlawful aid that was declared incompatible with the internal market by the European Commission (Deggendorf case C-355/95).

The GBER foresees many other kinds of exemptions, but the Programme encourages the use of Article 20, which specifically addresses ETC projects and provides a broad exemption.

3.3.3.2.2. Article 20a and its application for indirect State aid

Article 20a GBER targets the limited amounts of aid to undertakings for participation in Interreg projects. It establishes a notification threshold for aid of 22.000€ per undertaking and per project.

Contrary to Article 20, which limits its application for eligible and identifiable costs within the framework of a project, Article 20a targets the non-identifiable eligible costs (for instance, loans, guarantees, training, services, and consultancy services provided free of charge by the partner to some undertakings).

Article 20a covers, above all, indirect beneficiaries and undertakings outside the formal partnership, even if the article does not exclude potential non-identifiable eligible costs of project partners.

Indeed, in some cases, undertakings indirectly benefit from State aid under Interreg projects and should be considered recipients even if they are not officially listed as project partners. Through the activities carried out by the project, these undertakings receive a selective and competitive advantage over other companies.

Such cases arise, for instance:

- when the aid is invested in infrastructures which will benefit to undertakings;
- when research organisations engage in economic activities, such as renting laboratories or conducting contractual research,
- or when the direct beneficiary acts as a mere vehicle for aid, transferring the entire advantage to other beneficiaries while retaining no benefit for itself.

For this reason, recipients of indirect aid may have to be included under a state aid scheme.

As all aid granted under GBER, aid granted under 20a GBER must be transparent (it must be possible to calculate precisely the gross grant equivalent of the aid ex-ante).

The fact that the MA/JS does not know the exact amount of the indirect aid at the moment of the approval of the project is not an issue. The interpretation of ex-ante must be understood as the moment the specific aid is granted.

If the threshold is exceeded the partner responsible should propose for the concerned support an alternative assessment, typically under Article 20.

For indirect State aid granted under Article 20a GBER, there is no need to inform in SANI2. Also, the detailed records with supporting documentation kept for 10 years for the partner do not apply.

the relevant authority and the company's contractual commitment are the conclusive proof of the beginning of a project.

The MA shall nonetheless ensure that all supporting documents are kept at the appropriate level for 5 years from 31 December of the year in which the last payment by the managing authority to the partner is made (Article 82.1 CPR)

3.3.3.2.3. The De Minimis Regulation

The *De Minimis* Regulation allows the grant of State aid to undertakings without needing prior approval from the European Commission. The idea is that such small-scale aid is too minor to distort competition or affect trade within the EU.

If there is a risk of state aid, compliance with internal market rules can therefore be achieved through the *De Minimis* rule. The *De Minimis* Regulation was revised under the Commission Regulation (EU) 2023/2831 of 13 December 2023, which governs the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union in relation to *De Minimis* aid.

This regulation allows for State aid of minimal financial significance, provided it stays within a defined threshold over a rolling three-year period and certain administrative requirements are met. Specifically, the amounts of de minimis aid granted per Member State to a single undertaking over the past 3 years cannot exceed € 300,000.

It means that any entity can declare that maximum amount in each EU Member State.

Within the Interreg Meuse-Rhine Programme, the de minimis aids can be declared in the different countries of the programme territory.

Until the end of 2025, a self-declaration (that can be found on the programme website) has to be completed.

In the self-declaration, aid can only be declared in the countries in which a partner is located or from which it receives cofinancing.

As of 2026, the De minimis aids will have to be registered at the national or EU level.

The Interreg Meuse-Rhine programme will only take into account the amount of de minimis aids which are officially registered in each Member State.

The project partners must be aware of the extra burden it constitutes.

The Programme advises prioritising the GBER scheme under Article 20.

3.3.3.3. State aid management by the Programme

A State aids self-assessment is an integral part of the step 2 application form (in the Programme monitoring system (Jems) and must be completed by each project partner.

The applicants have to answer the two questions, which have to be assessed on a case-by-case basis (see section 2).

The applicants are therefore asked to declare if they have to be considered as an undertaking (an entity involved in economic activities through the project) and if they receive a competitive advantage as a result of this aid. They must address:

- whether their organisation is involved in economic activities within the project :

- Will the project applicant implement activities and/or offer goods/services for which a market exists?
- whether it gains a selective competitive advantage over other similar operators as a result of the aid provided through the project:
 - Does the project applicant plan to carry out the economic activities on its own i.e. without selecting an external service provider via public procurement?
 - Will the project applicant, any other operator not listed as a project partner, or the target audience gain any benefits from the project's economic activities that would not occur in the normal course of business (i.e. benefits only made possible through the aid granted through the project)?

This self-declaration is analysed by the MA/JS after project submission in parallel with the project assessment.

If the MA/JS identifies a risk of State aid that differs from the self-check assessment of the project partner, the MA/JS informs the project partner.

If the project partner and/or the MA/JS identify a risk of State aid, the MA/JS carries out a State aid assessment.

The programme partner may conduct its own analysis and share its position with the MA/JS. If so, a shared and definitive position is established before the Steering Committee. If the programme partner does not share its position before the Steering Committee, the MA/JS analysis prevails.

If a risk of State aid is confirmed after the assessment(s), appropriate measures will be implemented to ensure that the aid is compatible with internal market rules.

Note that any correction for incorrectly applied state aid is 100% of the project partner's budget.

According to Articles 9 and 11(1) of the GBER Regulation, the Programme Managing Authority maintains actual information of State aids granted under GBER scheme:

- The GBER scheme is published on the website;
- GBER Annex II is actualised and sent to the European Commission and shared via SANI 2 (State Aid Notification Interactive);
- The SARI2 (State Aid Reporting Interactive) information, which is the database on all aid granted under GBER is updated (the legal department of the Province);
- Report in the Transparency Award Module. The TAM is a website maintained by European Commission where individual aid is granted following GBER Annex III.

Records of documentation regarding State aid must be available for 10 fiscal years from the date when aid was granted (de minimis) and available for 10 years from the date on which the ad hoc aid was granted or the last aid was granted under the scheme (GBER).

3.3.4. Public Procurement

Since public funds are being utilized, regulations on procurement procedures must be observed when engaging third parties. Different requirements apply depending on the scope

of the procurement. An important difference is whether a European procurement procedure or a national procurement procedure is required. In the former case, stricter requirements apply. In the case of a procurement procedure below the EU thresholds (determined by the EU each two years), the regulations of the country or region in which the partner in question is based apply. Further information can be found on the associated factsheet. Beneficiaries often make mistakes with Public Procurement. Please make sure to pay attention to following the rules. If you are unsure of how to handle your procurement, please get in touch with your Project Manager in the JS via your Lead Partner.