

## **3<sup>rd</sup> CALL FOR PROPOSALS**

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### **Hungary-Slovakia-Romania-Ukraine ENI CBC Programme 2014-2020**

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## **CORRIGENDUM**

to the

**Guidelines for Applicants of the 3<sup>rd</sup> Call for Proposals**

Corrigendum №1

the 5<sup>th</sup> of February, 2020

**Joint Technical Secretariat (JTS)**

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- A.** In order to clarify the rule the Programme is using vis-à-vis state aid relevant activities that may be contained in the project applications, section 1.6. of the guidelines for applicants shall be modified as follows:

Section of the Guidelines for Applicants	Initial	Modified
<p><b>1.6 State aid rules</b></p>	<p>Aid granted by participating countries under the Programme shall comply with the rules on State aid within the meaning of Article 107 of the Treaty on the functioning of the European Union for the Beneficiaries located in EU Member States and – where applicable - with State aid provisions in Chapter 10 of Title IV of the Association Agreement between the EU and Ukraine for the Beneficiaries located in Ukraine.</p> <p>As a general principle, all project activities have to be assessed at partner level to determine whether they are State aid relevant or not. Therefore each Applicant has to provide a State aid declaration conform to the template in Annex 9.2 and 9.3 of the Grant Application Form. This will form the basis on which the MA/JTS decide on the State aid relevance of each Applicant’s activities. The MA/JTS supports the Applicants in this process (e.g. during individual project consultations) and they are also encouraged to consult their national State aid units.</p> <p>If an activity of a project meets the cumulative criteria of State aid definition, it means that no grant might be</p>	<p>Aid granted by participating countries under the Programme shall comply with the rules on State aid within the meaning of Article 107 of the Treaty on the functioning of the European Union for the Beneficiaries located in EU Member States and – where applicable - with State aid provisions in Chapter 10 of Title IV of the Association Agreement between the EU and Ukraine for the Beneficiaries located in Ukraine.</p> <p>As a general principle, all project activities have to be assessed at partner level to determine whether they are State aid relevant or not. Therefore each Applicant has to provide a State aid declaration conform to the template in Annex 9.2 and 9.3 of the Grant Application Form. This will form the basis on which the MA/JTS decide on the State aid relevance of each Applicant’s activities. The MA/JTS supports the Applicants in this process (e.g. during individual project consultations) and they are also encouraged to consult their national State aid units.</p> <p>If an activity of a project meets the cumulative criteria of State aid definition, it</p>

awarded. The European Commission has to be notified and its prior approval is necessary to the grant. However, EU legislation gives the possibility to apply exemptions to the rule and award grant. Where support to a project is identified as being State aid relevant, there are two options provided for compliance: de minimis support (only in Member States) and State aid compatible with the General Block Exemption Regulation (GBER).

De minimis regime is based on the principle that the negative effects of a competitive advantage and the distortion of the intra-community market are reduced if financial aid is kept to a minimum. Therefore De Minimis regulation<sup>1</sup> allows small amounts of aid – less than €200,000 per Member State<sup>2</sup> over 3 rolling years – to be given to an undertaking for a wide range of purposes. If you use this mechanism, records of aid granted must be kept and all the rules of the de minimis regulation must be followed.

The overall aim of the General Block Exemption Regulation<sup>3</sup> is to obviate the need for notification of aid to the European Commission and its approval in advance of implementation. Instead, for certain categories of aid,

means that no grant might be awarded.

If a project's activities constitute state aid based on the criteria mentioned in the call, the respective actions need to be removed from the Application Form and from the budget or changed in a way that they do not constitute state aid.

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<sup>1</sup> Commission Regulation (EU) No 1407/2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid

<sup>2</sup> In the Hungary-Slovakia-Romania-Ukraine ENI CBC Programme 2014-2020 the grant is provided by the Member State where the Beneficiary implementing State aid relevant activity is located.

<sup>3</sup> Commission Regulation (EU) No 651/2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty (General Block Exemption Regulation (GBER))

compatibility is presumed, provided that specified conditions are met and the monitoring and reporting requirements are fulfilled.

- B.** The deadline for submission of proposals modifies from the 13th of February 2020 to the 27th of February 2020. The rationale is represented by the requests from the applicants side in the context of the slow activity of all organizations and institutions during the winter break. As such the following sections of the Guidelines for Applicants will be modified:

Section of the Guidelines for Applicants	Initial	Modified
1. <b>Page 1 of the Guidelines for Applicants:</b>	Deadline for submission of proposals:  The 13 <sup>th</sup> of February, 2020	Deadline for submission of proposals:  <b>The 27<sup>th</sup> of February, 2020</b>
2. <b>2.4.2 Deadline for submission of Applications:</b>	The deadline for the online submission of applications is the 13 <sup>th</sup> of February, 2020 14:00 CET (IMIS 2014-2020 Application Module blocks the submission after the deadline).	The deadline for the online submission of applications is the <b>27<sup>th</sup> of February, 2020, 14:00 CET</b> (IMIS 2014-2020 Application Module blocks the submission after the deadline).
3. <b>2.6.2 Indicative time table</b>	Deadline for request for any clarifications from the Joint Technical Secretariat: 31 <sup>st</sup> of January 2020, 16:00 CET  Last date on which clarifications are issued by the Joint Technical Secretariat: 7 <sup>th</sup> of February, 2020	Deadline for request for any clarifications from the Joint Technical Secretariat: <b>14 February 2020, 16:00 CET</b>  Last date on which clarifications are issued by the Joint Technical Secretariat: <b>21<sup>st</sup> of February 2020</b>

Deadline for submission of  
Application: 13<sup>th</sup> of February  
2020, 14:00 CET

Deadline for submission of  
Application: **27<sup>th</sup> of  
February, 2020, 14:00 CET**

**C. Ineligible costs.** For clearer understanding of the ineligible costs related to buying of land of building, the following formulation was rephrased:

Section of the Guidelines for Applicants	Initial	Modified
2.1.4 (7) <u>Ineligible costs</u>	d) purchases of land or buildings for an amount exceeding 10 % of the eligible expenditure of the project concerned, except where necessary for the direct implementation of the Project, in which case ownership must be transferred to the final beneficiaries and/or local Partners, at the latest by the end of the Project;	d) purchases of land or buildings which are not directly linked to the implementation of the project and exceeds 10 % of the eligible expenditure of the project concerned; in this case ownership must be transferred to the final beneficiaries and/or local Partners, at the latest by the end of the Project;

All other information related to this Call for proposals remain unchanged.