



Interreg



SLOVENIA – AUSTRIA

European Union | European Regional Development Fund

**IMPLEMENTATION MANUAL FOR
BENEFICIARIES**

**PART 4 –
ELIGIBILITY OF EXPENDITURE**

Cooperation Programme
Interreg V-A Slovenia-Austria
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Implementation Manual for Beneficiaries

PART 4: ELIGIBILITY OF EXPENDITURE

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1. INTRODUCTION

1.1 Preamble

This part of the Implementation Manual for Beneficiaries is intended to provide project applicants and Project Partners with information and guidance aimed at ensuring that project costs are incurred by beneficiaries in compliance with the legal framework for the eligibility of expenditure applicable to the CP Interreg SI-AT¹.

1.2 Legal framework and hierarchy of rules

1.2.1 Legal framework

As the CP Interreg SI-AT is co-financed from the European Regional Development Fund (ERDF), all general rules concerning the Structural Funds are applicable. The following shall be considered (list not exhaustive):

- Regulation (EU) No 1303/2013 on common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and on general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006 (Common Provisions Regulation) with all amendments;
- Regulation (EU) No 1301/2013 on the European Regional Development Fund and on specific provisions concerning the Investment for growth and jobs goal and repealing Regulation (EC) No 1080/2006 (ERDF regulation) with all amendments;
- Regulation (EU) No 1299/2013 on specific provisions for the support from the European Regional Development Fund to the European Territorial Cooperation goal (ETC regulation) with all amendments;
- Implementing and delegated acts adopted in accordance with the aforementioned regulations;
- Other regulations, guidelines and directives applicable to the implementation of projects co-funded by the ERDF (some of them mentioned in the text);
- The Cooperation Programme Interreg V-A Slovenia-Austria adopted by the European Commission on 16 September 2015 with Decision No C(2015) 6470.

1.2.2 Hierarchy of rules on eligibility of expenditure

A clear definition of the hierarchy of eligibility rules applicable to projects funded within the European Territorial Cooperation objective of the Cohesion Policy 2014-2020 is defined by article 18 of Regulation (EU) No 1299/2013 as follows:

1. EU rules which include:

- Common Provisions Regulation, where Articles 6 and 65 to 71 give specific provisions on applicable law as well as on eligibility of expenditure;
- ERDF regulation, where article 3 gives specific provisions on the eligibility of activities under the ERDF;
- ETC regulation, where Articles 18 to 20 give specific provisions on eligibility of expenditure applicable to programmes of the European Territorial Cooperation goal;

¹ The Guidelines for the use of Technical Assistance Funds will determine specifics for Technical Assistance in case they differ from the general programme eligibility rules.

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- Commission Delegated Regulation (EU) No 481/2014 containing specific rules on eligibility of expenditure for cooperation programmes.
2. Programme rules: i.e. additional rules on eligibility of expenditure for the cooperation programme as a whole, as outlined in this part of the programme eligibility rules.
 3. National (including institutional) eligibility rules: which apply only for matters not covered by eligibility rules laid down in the abovementioned EU and programme rules, as well as for public procurement.

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2.1 General eligibility provisions

2.1.1 General eligibility requirements

Expenditure is eligible for funding when fulfilling all general eligibility requirements listed below:

- ✓ It relates to the costs of implementing a project as submitted by the Lead Partner and approved by the Monitoring Committee;
- ✓ It relates to cost items that did not receive support from other EU Funds or other contributions from third parties;
- ✓ It is essential for the achievement of the project objectives/outputs and it would not be incurred if the project was not carried out;
- ✓ It complies with the principle of real costs except for costs calculated as flat rates;
- ✓ It has been incurred and paid by a beneficiary for actions as identified in the latest approved Application Form, in the period between the project starting and end date set in the subsidy contract;
- ✓ It is registered in the beneficiary's accounts through a separate professional accounting system and/or an adequate accounting code set in place specifically for the project;
- ✓ It is not in contradiction with any specific eligibility criterion applicable to the respective budget line;
- ✓ Invoices and supporting documents are provided in scanned version in the eMS. Original invoices and e-invoices can be checked on the spot.
- ✓ Nevertheless, the beneficiary is public or private, they all have to act in accordance with the public procurement rules applicable for the public beneficiaries.
- ✓ It has been validated by an authorised national controller.

Please note that the costs have to comply with the principles of sound financial management (principles of economy, efficiency and effectiveness)².

2.1.2 Expenditure supported by financial contributions of third parties and prevention of double-funding

In order to prevent double funding, non-EU financial contributions of third parties (e.g. from national, regional, local sources) specifically assigned to finance eligible costs of the project or

² Within the meaning of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 (OJ L 298, 26.10.2012, p. 1).

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any of its actions which are fully (100 %) covering the concerned project expenditure make such expenditure not eligible in the framework of the CP Interreg SI-AT.

In the case of partial financial contributions of third parties specifically assigned to finance eligible costs of the project or any of its actions, the related costs can be considered as eligible only if the financial contribution does not exceed the share of beneficiary's contribution to that expenditure (min. 15 %). If this financial contribution exceeds the share of beneficiary's contribution, the ERDF contribution from the programme has to be reduced by the amount exceeding the share of beneficiary's contribution to the expenditure.

2.1.3 Time-wise eligibility of expenditure

In general, costs are eligible at earliest as from the day of the submission of the application in the eMS. However, the costs for the implementation of an approved project are eligible from its start date until its end date as set in the Subsidy Contract, but not later than 31 December 2022. On this basis, beneficiaries may decide at their own risk to start the implementation of the project even before the Monitoring Committee decision for funding.

2.1.4 Compliance with EU policies and other rules

2.1.4.1. Public procurement

General principles and applicable public procurement rules

The acquisition by means of a public contract of works, supplies or services from economic operators is subject to rules on public procurement. Such rules aim at securing transparent and fair conditions for competing on the common market and shall be followed by the beneficiaries when procuring the above mentioned services, works or supplies on the market.

Rules differ depending on the kind of goods and/or services to be purchased, as well as the value of the purchase. They are set at the following levels:

1. EU rules as set by the applicable directives on the matter
2. National rules
3. Programme rules (see specification below).

In addition to what is set out in the procurement laws, all relevant laws related to this field of law (e.g. rules on contracting, intellectual property, business law etc.) are to be observed as well.

Failure to comply with the procurement rules set out at EU, national or programme levels will have financial consequences following the COCOF³ guidelines.

Programme rules on public procurement

In order to guarantee a harmonised standard in contracting procedures across Member States and to accomplish sound financial management principle, the CP Interreg SI-AT programme requires from beneficiaries to give evidence of adequate market searches for contracting amounts comprised up to the threshold set by the applicable EU and national legislation and

³COCOF (Committee of the Coordination of Funds) or COESIF (Coordination Committee for European Structural and Investment Funds) / EGESIF (Expert Group on European Structural and Investment Funds) respectively.

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institutional rules above which prior publication of the tender notice and the conduction of a competitive procedure is required.

This means that in such cases, beneficiaries must perform and document the execution of adequate market searches.

Conflict of interest

A conflict of interest exists where the impartial and objective exercise of the functions of a financial actor or other person, is compromised for reasons involving family, emotional life, political or national affinity, economic interest or any other shared interest with a recipient. Each beneficiary is responsible for ensuring that appropriate measures are taken to minimise any risk of conflict of interest during the procurement process.

Although the character of the conflict of interest is diverse depending on the parties, types of the relationships and interests involved, transparency of the decision-making process and fair treatment for all tenderers is to be ensured. Project staff must not be involved in external companies participating in the tenders organised by the respective Project Partner. However, in all cases measures need to be carefully analysed to minimise any possible risks of conflict of interest.

For specific requirements the national legislation should be consulted (for example: the conclusion of a contract between institutions that are represented by the same person(s) might be forbidden).

Contracts for the cooperation between public bodies

Also in this case requirements deriving from the EU Directive on public procurement apply.

Project Partners vs external experts/providers

The CP Interreg SI-AT Programme does not allow that Project Partners (or employees of the Project Partner's organisations) contract each other to carry out project activities. The only legal basis for a Project Partner's activity in the project is the Application Form, which will be reimbursed on the basis of applicable eligibility rules as laid down in this document.

2.1.5 Ineligible expenditure

The following costs are not eligible:

- ✓ Any expenditure paid before or after the eligible period of the operation as defined in the subsidy contract
- ✓ Purchase of real estate
- ✓ Sponsorships
- ✓ In-kind contributions, as defined in Article 69(1) of regulation (EU) No 1303/2013;
- ✓ Fines, financial penalties and expenditure on legal disputes and litigation;
- ✓ Costs of gifts, except those not exceeding 50 EUR per gift where related to promotion, communication, publicity or information,
- ✓ Costs related to fluctuation of foreign exchange rate;
- ✓ Interest on debts;
- ✓ Purchase of land not built on and land built on in the amount exceeding 10 % of the total eligible expenditure for the operation concerned;
- ✓ Recoverable VAT except where it is non-recoverable under national VAT legislation;

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- ✓ Charges for national financial transactions;
- ✓ Second-hand items;
- ✓ Tips;
- ✓ Splitting cost items among Project Partners if separated invoices are not provided;
- ✓ Discounts not considered when claiming the costs (only the discounted amount is to be regarded as eligible);
- ✓ Fees between beneficiaries of a same project for services and work carried out within the project;
- ✓ Costs for project preparation, which incur before the start of the project;
- ✓ Financial retentions regardless if they were paid and regardless if the bank guarantee was issued.

Expenses not listed are not automatically to be considered as eligible. Costs which are not eligible according to the eligibility rules, cannot be claimed, even if they are included in the approved Application Form.

2.2 Specific budget line provisions

In this chapter specific provisions on eligibility, form of reimbursement are given on the following six budget lines applicable to the CP Interreg SI-AT:

1. Staff costs
2. Office and administrative expenditure
3. Travel and accommodation costs
4. External expertise and services costs
5. Equipment expenditure
6. Infrastructure and works expenditure

2.2.1 Staff costs

2.2.1.1 Definition

Expenditure on staff costs consists of the gross employment costs of staff employed by the beneficiary institution for implementing the project. Staff can either be already employed by the beneficiary or contracted specifically for the project.

Staff may be employed in the project by the beneficiary in one of the following ways:

- a) **Full-time work** on the project
- b) **Part-time work** on the project:
 - part-time with a fixed percentage of time worked on the project per month
 - part-time with a flexible number of hours worked on the project per month
- c) Contracted for the project purpose on **an hourly basis** if the national legislation allows.

It is to be underlined that the above categories refer to the relation of the employee *vis-à-vis* the project and not the employer.

Example: an employee is working full-time in the beneficiary institution but is working only part of her/his time on an Interreg SI-AT project. This employee is to be included in the

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category “part-time” and not “full-time”. An employee working in the beneficiary institution with a reduced-time contract (e.g. 20 hours per week) but working all its time on a CP Interreg SI-AT project is to be included in the category “full-time”.

Expenditure included under this cost category is limited to:

- a. Salary payments fixed in an employment document (employment contract or any other equivalent legal agreement that permit the identification of the employment relationship with the partner’s organisation) or by law relating to responsibilities specified in the job description of the staff member concerned. Salary payments have to relate to activities, which the beneficiary would not carry out if the project concerned was not undertaken.
- b. Any other costs directly linked to salary payments incurred and paid by the employer (such as employment taxes and social security including pensions) as covered by Regulation (EC) No 883/2004, provided that they are:
 - ✓ Fixed in an employment document or by law;
 - ✓ In accordance with the legislation referred to in the employment document and with standard practices in the country and/or institution where the individual staff member is working;
 - ✓ Not recoverable to the employer.

With regard specifically to staff costs referring to a natural person working for the beneficiary under a contract other than an employment/work contract, they are to be regarded as eligible if all the following conditions are respected:

- ✓ The person works under the beneficiary’s instructions and, unless otherwise agreed with the beneficiary, on the beneficiary’s premises;
- ✓ The result of the work carried out belongs to the beneficiary, and
- ✓ The costs are not significantly different from those for personnel performing similar tasks under an employment contract with the beneficiary.

The conditions under which a natural person can work under a contract other than an employment contract, and assimilated to it, is to be clarified by the beneficiary against the applicable national (including institutional) rules on the matter⁴. Costs arising from a contract stipulated with a natural person that results to be not equivalent to an employment contract according to national/institutional rules, belong to the external expertise and services budget line and have to comply with all provisions applicable to that budget line, including the respect of procurement rules.

Sole proprietor as an owner cannot claim staff cost but for the persons employed by a sole proprietor the staff costs can be claimed.

2.2.1.2 Forms of reimbursement

Staff costs of the beneficiary organisation can be reimbursed on the basis of one of the following options:

⁴ In Austria the “freie DienstnehmerInnen” is to be assigned under staff costs, the “Werkvertrag” is to be assigned under external expertise and services costs. In Slovenia the “avtorska pogodba” and “podjemna pogodba” are to be assigned under external expertise and services costs.

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- a. **Real costs**, where the beneficiary must document that expenditure has been incurred and paid out (as provided for in the following sections); or
- b. **Flat rate** of 20 % of direct costs other than staff costs⁵, where the beneficiary does not need to document that the expenditure has been incurred and paid out.

Each beneficiary must choose a reimbursement option already in the Application Form. The same reimbursement option will apply to all staff members of the partner institution working on the project and it will be set for the entire project duration.

The option chosen by a Lead Partner and/or Project Partner when submitting the Application Form cannot be changed during project contracting and/or implementation. However, different partners in a same project may choose different options for reimbursing staff costs.

a. **Real costs**

I. **The following applies to staff costs determined on a real cost basis:**

- ✓ The adequacy of staff costs must always be ensured. When claimed staff costs are not adequate in quality and/or quantity to the realised project activities, a flat rate correction may be applied following the principle of proportionality.
- ✓ Taxable benefits are only eligible if foreseen in the signed contract, national or internal regulations and they are in line with the employment policy of the beneficiary organisation (ad hoc regulations applicable only to the project are not allowed). They must be directly linked to the salary payments and figure on the payslip.
- ✓ Unjustified ad-hoc salary increases or bonuses for project purposes are not eligible.
- ✓ Where foreseen by the employment document, overtime is eligible, provided it is in conformity with the national legislation and the standard practice of the beneficiary. Overtime of an employee working part-time in the project can only be eligible if transparently and proportionally allocated to the project.
- ✓ Staff costs must be calculated individually for each staff member charged to the project.

II. **Calculation of costs and audit trail of staff working full-time in the project:**

For individuals employed by the beneficiary to work full-time on the project, the total gross employment costs incurred by the employer are to be considered as eligible as far as they are in line with the general provisions on eligibility and the additional eligibility requirements provided for staff costs determined on a real-cost basis (point I. above).

Documents for the audit trail

The following documents must be provided to the controller for each employee:

- a. Employment document;
- b. Job description providing the necessary information on responsibilities related to the project;

⁵ For project partners who plan costs in the budget line infrastructure and works the flat rate is 10 % of direct costs. For project partners who plan costs only in the budget line infrastructure and works (no other direct costs) it is not possible to choose the flat rate option for staff costs.

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- c. A document clearly stating that the employee works full time on the project and time-frame within the person is assigned to work on the project. It can be the employment document itself and/or an official assignment (by her/his supervisor) of the employee to the project;
- d. Payslips or other documents of equivalent probative value which allow proof of payment of gross employment costs (e.g. extract from a reliable accounting system of the beneficiary, confirmation of tax authority, bank statement);
- e. Periodic staff report with a summary description of the tasks carried out and the outputs achieved by the employee in the project reporting period. The periodic staff report (one per each reporting period) must be signed by both the employee and her/his supervisor;
- f. For staff working full-time in the project, no working time registration (time-sheet) is required.

III. Calculation of costs and audit trail of staff working part-time with a fixed percentage of time dedicated to the project per month:

For individuals employed by the beneficiary to work part of their time on the project according to a fixed percentage of time per month, the reimbursement of staff costs shall be calculated by applying the percentage stipulated in the working document (and/or an official assignment of the employee to the project) to the monthly gross employment cost.

Gross employment costs incurred by the employer are to be considered as eligible as far as they are in line with the general provisions on eligibility and the additional eligibility requirements provided for staff costs determined on a real-cost basis (point I. above).

Documents for the audit trail

The following documents must be provided to the controller for each employee:

- a. Employment document;
- b. Job description providing the necessary information on responsibilities related to the project;
- c. A document clearly stating the fixed percentage⁶ of time worked by the employee on the project and time-frame within the person is assigned to work on the project. It can be the employment document itself and/or an official assignment (by her/his supervisor) of the employee to the project. In the case that the employee is involved in other EU and/or national co-funded projects, name and funding reference of the concerned project(s) as well as statement on the expected percentage of the employee's working time on each co-funded project and activities done in the respective project;
- d. Payslips or other documents of equivalent probative value which allow proof of payment of gross employment costs (e.g. extract from a reliable accounting system of the beneficiary, confirmation of tax authority, bank statement);
- e. Periodic staff report with a summary description of the tasks carried out and the outputs achieved by the employee in the project reporting period. The periodic staff report (one per each reporting period) must be signed by both the employee and her/his supervisor;
- f. For staff working part-time in the project with a fixed percentage of time per month, no working time registration (time sheet) is required.

⁶ A calculation method to proof the percentage for the part time assignment on the project-fixed percentage of time has to be provided.

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IV. Calculation of costs and audit trail of staff working part-time with a flexible number of hours worked on the project per month:

For individuals employed by the beneficiary to work part of their time on the project according to a flexible number of hours worked on the project per month, the reimbursement of staff costs can be calculated on an hourly rate established based on the monthly working time (numbers of hours per month) fixed in the employment document:

- Hourly rate = monthly gross employment cost/number of hours per month fixed in the employment document
- Staff costs = hourly rate * number of hours worked on the project per month

Documents for the audit trail

The following documents must be provided to the controller for each employee:

- a) Employment document;
- b) Job description providing the necessary information on responsibilities related to the project;
- c) A document clearly stating the monthly working time by the employee on the project. It can be the employment document itself and/or an official assignment (by her/his supervisor) of the employee to the project. In the case that the employee is involved in other EU and/or national co-funded projects, name and funding reference of the concerned project(s) as well as statement on the expected employee's working time on each co-funded project;
- d) Payslips or other documents of equivalent probative value which allow proof of payment of gross employment costs (e.g. extract from a reliable accounting system of the beneficiary, confirmation of tax authority, bank statement);
- e) Periodic staff report with a summary description of the tasks carried out and the outputs achieved by the employee in the project reporting period. The periodic staff report (one per each reporting period) must be signed by both the employee and her/his supervisor;
- f) Data from the working time registration system, e.g. time sheets, providing detailed information on the number of hours spent per month on the project. The time registration system must cover 100 % of the actual working time of the individual.

V. Calculation of costs and audit trail of staff contracted for project purposes on an hourly basis:

For individuals employed by the beneficiary on an hourly basis, staff costs shall be regarded as eligible as far as they are in line with the general provisions on eligibility and the additional eligibility requirements provided for staff costs determined on a real-cost basis. They shall be calculated multiplying the number of hours actually worked on the project by the hourly rate agreed in the employment document (including costs directly linked to salary payments according 2.2.1.1.).

Documents for the audit trail

The following documents must be provided to the controller for each employee:

- a) Employment document;

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- b) Job description providing the necessary information on responsibilities related to the project;
- c) Payslips or other documents of equivalent probative value which allow proof of payment of gross employment costs (e.g. extract from a reliable accounting system of the beneficiary, confirmation of tax authority, bank statement);
- d) Periodic staff report with a summary description of the tasks carried out and the outputs achieved by the employee in the project reporting period. The periodic staff report (one per each reporting period) must be signed by both the employee and her/his supervisor.
- e) Monthly data from the working time registration system, e.g. time sheets, providing information on the number of hours spent per month on the project. The time registration system must cover 100 % of the actual working time of the individual.

b. Flat rate of 20 % of direct costs

A beneficiary may opt to calculate its staff costs on a flat rate financing basis. The flat rate applicable for the CP Interreg SI-AT is 20 % of the beneficiary's direct costs incurred in the reporting period. All costs incurred by the beneficiary and validated by the national controller under the following budget lines are to be regarded as direct costs for the purposes of the calculation of the flat rate financing for staff costs:

- ✓ Travel and accommodation costs
- ✓ External expertise and services costs
- ✓ Equipment expenditure
- ✓ Infrastructure and works expenditure.

Direct costs, which have to be documented to form the basis for the staff costs calculation must be incurred and paid by the partner institution as real costs and must not include any indirect costs that cannot be directly and fully allocated to the project. In the occurrence that direct costs used as calculation basis for determining staff costs are found to be ineligible, the determined costs for staff must be re-calculated and reduced accordingly.

For project partners who plan costs in the budget line infrastructure and works the flat rate for staff costs is 10 % of direct costs (in case of choosing the flat rate for projects with no infrastructure and works later changes cannot be possible if it will influence the flat rate option). For project partners who plan costs only the budget line infrastructure and works (no other direct costs) it is not possible to choose the flat rate option for staff costs.

Each beneficiary must choose whether to apply this option for the reimbursement of staff costs already in the Application Form. The chosen reimbursement option will apply to all staff members of the beneficiary institution working on the project and it will be set for the entire project duration. The chosen option cannot be changed during project contracting or implementation.

Documents for the audit trail

For staff costs calculated through flat rate, beneficiaries do not need to document that the expenditure for staff costs has been incurred and paid or that the flat rate corresponds to the reality. Accordingly, no documentation on staff costs is required to be provided to the controller.

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However, the beneficiary has to demonstrate that it has **at least one employee** through a **self-declaration** issued by the beneficiary's legal representative (or delegated person).

2.2.2 Office and administrative expenditure

2.2.2.1 Definition

Office and administrative expenditure covers operating and administrative expenses of the beneficiary organisation necessary for the implementation of the project. Being office and administrative expenditure calculated through a flat rate, under this budget line no distinction between direct and indirect costs can be made.

Office and administrative expenditure shall be limited to the following elements:

- a) Office rent;
- b) Insurance and taxes related to the buildings where the staff is located and to the equipment of the office (e.g. fire, theft insurances);
- c) Utilities (e.g. electricity, heating, water);
- d) Office supplies;
- e) General accounting provided inside the beneficiary organisation;
- f) Archives;
- g) Maintenance, cleaning and repairs;
- h) Security;
- i) IT systems (operating/administrative IT services of general nature, linked to the implementation of the project);
- j) Communication (e.g. telephone, fax, internet, postal services, business cards);
- k) Bank charges for opening and administering the account or accounts where the implementation of an operation requires a separate account to be opened;
- l) Charges for transnational financial transactions.

The above list is exhaustive and all listed items are to be considered as included in the amount calculated applying the flat rate. Accordingly, cost items accounted under the office and administration budget line cannot be claimed and reimbursed under any other budget line.

2.2.2.2 Forms of reimbursement

Office and administrative expenditure shall be reimbursed by the programme according to a **flat rate of 15 % of eligible direct staff costs (budget line staff costs)**.

Office and administrative expenditure are calculated as flat rate regardless of the form of reimbursement applied under the staff cost category.

Documents for the audit trail

Being the office and administrative expenditure reimbursed according to a flat rate automatically calculated on the basis of direct staff costs confirmed as eligible by the controller, beneficiaries do not need to document that the expenditure has been incurred and paid or that the flat rate corresponds to the reality. Accordingly, no documentation on office and administrative expenditure is required to be provided to the controller or kept for further controls.

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In the occurrence that direct staff costs used as calculation basis for determining office and administrative expenditure are found to be ineligible, the determined amount of office and administrative expenditure must be re-calculated and reduced accordingly.

2.2.3 Travel and accommodation costs

2.2.3.1 Definition

Travel and accommodation costs refer to the expenditure on travel and accommodation of the staff of the beneficiary organisation for missions necessary for the project implementation.

Expenditure on travel and accommodation shall be limited to the following elements:

- a) Travel costs
- b) Accommodation costs;
- c) Visa costs;
- d) Daily allowances.

Any element listed in points a) to c) covered by a daily allowance shall not be reimbursed in addition to the daily allowance.

The above list is exhaustive and in no case other cost items can be included under this cost category.

2.2.3.2 Forms of reimbursement

Travel and accommodation costs of the staff of the beneficiary organisation shall be reimbursed by the programme on a **real cost basis**.

2.2.3.3 Specifications, reporting and audit trail

In addition to the general provisions on eligibility, the following applies:

- ✓ Travel and accommodation costs must be clearly linked to the project and be essential for its effective implementation. They must be justified by activities carried out within the project (e.g. participation in project meetings, project site visits, meetings with the programme bodies, seminars, conferences, etc.) and in line with the internal rules of the beneficiary;
- ✓ Travel and accommodation costs must be definitely borne by the beneficiary. Direct payment of costs by a staff member of the beneficiary must be supported by a proof of reimbursement from the employer;
- ✓ The most cost-efficient mean of transportation shall be used. No business or first-class tickets for air transport are eligible irrespective the fact that this may be allowed by the internal rules of the beneficiary institution. Business or first class train tickets are allowed if it can be proved that they are the most economic travel option when booking the ticket (e.g. through screenshots of booking webpages);
- ✓ Local transfers with taxi shall be regarded as eligible only in case they represent the most efficient travel solution (it has to be justified);
- ✓ The duration of the mission must be clearly in line with the purpose of it. Moreover, the duration of a mission cannot be longer than from the day before to the day after the concerned meeting. Costs for any longer duration of the mission are eligible if it can be demonstrated that the additional costs (e.g. extra hotel nights, extra per diems,

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additional staff costs) do not exceed the savings eventually made in the costs for transportation;

- ✓ Daily rates for hotels are considered as cost-adequate when they are below or equal the amounts defined by internal rules of the beneficiary;
- ✓ Not used travel tickets are not eligible, irrespective to the reason for the cancellation of the travel.
- ✓ Travel and accommodation costs of external experts and service providers can be reimbursed only under the external expertise and services cost category.
- ✓ Travel and accommodation costs occurred outside the programme area are eligible only if they are in line with the general provisions on expenditure for activities implemented outside the programme area and if they have been previously authorised by the MA or JS (unless already foreseen in the approved Application Form).

Documents for the audit trail

The following documents must be provided to the controller:

- ✓ Authorisation of mission of the employee(s) travelling, bearing information on the destination and the start and end date of the mission;
- ✓ Proof of expenditure (e.g. invoice of travel agent, flight or train ticket, boarding pass);
- ✓ Reimbursement request from the employee, based on real costs. When claiming reimbursement all necessary documents proving the costs occurred must be provided (e.g. bus or metro tickets)
- ✓ In case of use of employee's car or company car, mileage calculation sheet with statement of the distance covered, the cost per unit according to national or institutional rules and total cost;
- ✓ Other supporting documents (e.g. invitation, agenda, signed attendance list);
- ✓ Proof of payment of costs directly paid by the beneficiary and/or proof of reimbursement to the employee (e.g. extract from a reliable accounting system of the beneficiary, bank statement).
- ✓ Each employee attending the travel has to prepare a travel report in which his role and connection to the project (with official supporting documentation) is described.

2.2.4 External expertise and services costs

2.2.4.1 Definition

External expertise and services are provided by a public or private body or a natural person outside of the beneficiary organisation. External expertise and services cover costs paid on the basis of contracts or written agreements and against invoices or requests for reimbursement to external experts and service providers sub-contracted to carry out certain tasks or activities linked to the implementation of the project.

Expenditure under this budget line shall be limited to the following elements:

- a) Studies or surveys (e.g. evaluations, strategies, concept notes, design plans, handbooks);
- b) Training (e.g. venue and trainers);
- c) Translations;
- d) IT systems and website development, modifications and updates (e.g. setting-up and/or update of a project IT system or website);

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- e) Promotion, communication, publicity or information linked to an operation or to a cooperation programme as such;
- f) Financial management;
- g) Services related to the organisation and implementation of events or meetings (including rent, catering or interpretation);
- h) Participation in events (e.g. registration fees);
- i) Legal consultancy and notarial services, technical and financial expertise, other consultancy and accountancy services;
- j) Intellectual property rights;
- k) Provision of guarantees by a bank or other financial institution where required by Union or national law or in a programming document adopted by the monitoring committee;
- l) Travel and accommodation for external experts, speakers, chairpersons of meetings and service providers;
- m) Other specific expertise and services needed for the operation.

The above list is exhaustive. Accordingly, cost items accounted under the external expertise and services budget line cannot be reimbursed under any other budget line.

2.2.4.2 Forms of reimbursement

External expertise and service costs shall be reimbursed by the programme on a real cost basis.

2.2.4.3 Specifications, reporting and audit trail

In addition to the general provisions on eligibility, the following applies:

- ✓ External expertise and services costs must be clearly and strictly linked to the project and be essential for its effective implementation;
- ✓ Eligibility of costs for external expertise and services is subject to the full respect of EU, national and programme procurement rules and must comply with the basic principles of transparency, non-discrimination and equal treatment;
- ✓ All external expertise and services costs have to be clearly mentioned in the Application Form or, if not the case, must have been agreed by the MA or JS beforehand in order to be considered as eligible (before the costs incurred);
- ✓ Deliverables produced by experts/service providers must respect the relevant publicity requirements in accordance with information and communication guidelines;
- ✓ Complementary activities to events (e.g. visits) must have clear and demonstrable project relevance, otherwise costs linked to them are not eligible;
- ✓ Contractual advances in accordance with normal commercial law and practice, stipulated in a contract between the beneficiary and the expert/service provider, supported by receipted invoices (e.g. advance payment for an expert carrying out a study) are eligible but can be reimbursed only after the services have been properly delivered;
- ✓ Sub-contracting between partners of a same project is strictly forbidden.

Documents for the audit trail

The following documents must be provided to the controller:

- ✓ Evidence of the selection procedure, in line with EU, national or programme procurement rules.

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- ✓ Contract or written agreement laying down the services to be provided with a clear reference to the project and the programme. For experts paid on the basis of a daily/hourly fee, the daily/hourly rate together with the number of days/hours contracted and the total amount of the contract must be provided. Any changes to the contract must comply with the applicable procurement rules and must be documented.
- ✓ Invoice or request for reimbursement have to provide all relevant information in line with the applicable accountancy rules as well as references to the project and the programme and a detailed description of the services provided in line with the contents of the contract. For experts paid on the basis of a daily/hourly fee, the invoice must include a clear quantification of the days/hours charged, price per unit and total price.
- ✓ Deliverables produced (e.g. studies, promotional materials) or, where applicable, documentation of the delivery (e.g. in case of events: agenda, list of participants, photo-documentation, etc.). All deliverables and outputs produced by experts/service providers must respect the relevant publicity requirements.
- ✓ Proof of payment (e.g. extract from a reliable accounting system of the beneficiary, bank statement).

2.2.5 *Equipment expenditure*

2.2.5.1 Definition

This budget line refers to expenditure for equipment purchased, rented or leased by a beneficiary other than those covered by the budget line “office and administration expenditure”, which is necessary for the implementation of the operation. The equipment must be necessary to achieve objectives of the project.

For the equipment directly linked with project objectives (or it is a project deliverable) and that is exclusively used for the project, total purchase value is eligible. In this case the durability of purchased equipment has to be assured also after the project completion. If it is not exclusively used for project purpose, only a share of the actual cost can be allocated pro-rata to the project. This share has to be calculated according to a fair, justified and equitable method. This is for instance the case if the investment is used by staff working part-time for the operation. Furthermore, the equipment must be essential for the delivery of the operation, used for that purpose and purchased within the eligible operation period.

Depreciation costs are only eligible if the purchase itself has not already been co-financed by any other EU or public funds. The depreciation costs of depreciable assets shall be directly used for the operation concerned and incurred during the period of operation duration. For the purchase of supporting equipment with economic life-time that is longer than the operation duration, only depreciation costs are eligible.

Expenditure on equipment shall be limited to the following elements:

- a) Office equipment;
- b) IT hardware and software;
- c) Furniture and fittings;
- d) Laboratory equipment;
- e) Machines and instruments,
- f) Tools or devices;
- g) Vehicles;
- h) Other specific equipment needed for the operation.

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Cost items accounted under the equipment budget line cannot be reimbursed under any other budget line.

2.2.5.2 Forms of reimbursement

Equipment expenditure shall be reimbursed by the programme on a **real cost basis**.

2.2.5.3 Specifications, reporting and audit trail

General eligibility requirements for equipment

In addition to the general provisions on eligibility, the following applies:

- ✓ Equipment must be clearly linked to the project and be essential for its effective implementation;
- ✓ All equipment items have to be duly described in the Application Form or, if not the case, must have been agreed by the MA or JS beforehand in order to be considered as eligible (before the costs incurred);
- ✓ Eligibility of costs for equipment is subject to the full respect of EU, national (including institutional) and programme procurement rules and must comply with the basic principles of transparency, non-discrimination and equal treatment;
- ✓ Full purchase cost of equipment that, according to national and internal accountancy rules is not depreciable (e.g. low-value asset) is eligible;
- ✓ Equipment expenditure cannot refer to items already financed by other EU or third party subsidies and must not be already depreciated;
- ✓ Second-hand equipment is not eligible;
- ✓ Where applicable, equipment items must respect the relevant publicity requirements as provided;
- ✓ The existence of equipment and its clear identification to the project must be verified on-the-spot by controllers;
- ✓ Contractual advances in accordance with normal commercial law and practice, stipulated in a contract between the beneficiary and the supplier, supported by receipted invoices (e.g. advance payment for the purchase of a machinery being part of an investment) are eligible but can be reimbursed only after the equipment has been properly delivered;
- ✓ Equipment cannot be purchased, rented or leased from another partner or staff of the partner within the project;
- ✓ Equipment has to be recorded in the fixed assets or inventory register;
- ✓ Evidence of delivery and installation.

Documents for the audit trail

The following documents must be provided to the controller:

- ✓ Evidence of the selection procedure, in line with EU, national (including institutional) or programme procurement rules.
- ✓ In case of project related equipment, contract or written agreement laying down the services and/or supplies to be provided with a clear reference to the project and the programme. For contracts including also daily/hourly fees, the daily/hourly rate together with the number of days/hours contracted and the total amount of the contract must be provided. Any changes to the contract must comply with the applicable procurement rules and must be documented.
- ✓ Invoice (or a supporting document having equivalent probative value to invoices, in case of depreciation) or request for reimbursement have to provide all relevant

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information in line with the applicable accountancy rules as well as references to the project and the programme. For contracts including also a daily/hourly fee, the invoice must include a clear quantification of the days/hours charged, price per unit and total price.

- ✓ In case of assets subject to depreciation, a calculation scheme of depreciation.
- ✓ Proof of payment (e.g. extract from a reliable accounting system of the beneficiary, bank statement).

2.2.6 Infrastructure and works expenditure

2.2.6.1 Definition

Expenditure for works (in the sense of the definition of ‘work’ provided for in Article 2(1) of the Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014⁷) refers to costs incurred by the beneficiary for the execution of an infrastructure.

Infrastructure and works expenditure may refer either to an object (e.g. a building) that will be set up *ex-novo* or to the adaptation of an already existing infrastructure. Whatever the case, these costs are only eligible if accomplishing programme requirements for investments.

For project partners who plan costs in the budget line infrastructure and works the flat rate for staff costs is 10 % of direct costs. For project partners who plan costs only in the budget line infrastructure and works it is not possible to choose the flat rate option for staff costs.

2.2.6.2 Forms of reimbursement

Infrastructure and works expenditure shall be reimbursed by the programme on a **real cost basis**.

2.2.6.3 Specifications, reporting and audit trail

General eligibility requirements for infrastructure and works

In addition to the general provisions on eligibility, the following applies:

- ✓ Works must be clearly linked to the project and be essential for its effective implementation;
- ✓ Works have to be duly described in the Application Form or, if not the case, must have been agreed by the MA or JS beforehand in order to be considered as eligible (before the costs incurred);
- ✓ Full cost for realising infrastructure and works within the project is eligible as stated in the Application Form or as approved beforehand by MA or JS, i.e. no depreciation is necessary;
- ✓ Costs for infrastructure and works outside the Programme area are not eligible;
- ✓ Eligibility of costs for works is subject to the full respect of EU, national (including institutional) and programme procurement rules and must comply with the basic principles of transparency, non-discrimination and equal treatment;
- ✓ Furthermore, and depending on the nature of the intervention linked to the works to be carried out, all compulsory requirements set by Community and national legislation on environmental policies, must be fulfilled. Community law incorporates over 200 legal acts in the environmental field.

⁷ A work means the outcome of building or civil engineering works taken as a whole which is sufficient in itself to fulfil an economic or technical function.

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- ✓ Where applicable, works must have been previously authorised by national/regional/local authorities (e.g. building permission);
- ✓ The land and/or buildings where the works will be carried out must be in the ownership of the beneficiary or a long-term lease contract has to exist (at least 5 years after the project closure);
- ✓ Infrastructure and works expenditure cannot refer to items financed by other EU or third party subsidies and must not be already depreciated;
- ✓ In the case of works being part of a larger infrastructural investment, the part realised by the Interreg SI-AT Programme project must be clearly and univocally identifiable;
- ✓ Where applicable, infrastructures and works realised by the project must respect the relevant publicity requirements;
- ✓ Requirements concerning durability, including ownership and maintenance, as provided for in Article 71 of Regulation (EU) No 1303/2013 apply to infrastructures realised within the project;
- ✓ Contractual advances in accordance with normal commercial law and practice, stipulated in a contract between the beneficiary and the provider, supported by receipted invoices (e.g. advance payment for the company selected for construction works)) are eligible but can be reimbursed only after the infrastructure and works have been properly executed;
- ✓ The existence of infrastructure and works realised by the project and their clear identification to the project must be verified on-the-spot by controllers for each realised item.
- ✓ Infrastructure and works have to be recorded in the fixed asset register;
- ✓ Evidence of delivery and installation.

Documents for the audit trail

The following documents must be provided to the controller:

- ✓ Legal documents specifying the ownership or a long-term lease of land and/or buildings where the works will be carried out;
- ✓ Where applicable, necessary permissions for the execution of the works, issued by the national/regional/local relevant authorities;
- ✓ Evidence of the appropriate selection procedure, in line with EU, national or programme procurement rules, depending on the nature of the concerned works, the amount contracted and the type of beneficiary;
- ✓ Contract or written agreement laying down the supplies and/or services to be provided with a clear reference to the project and the programme. For contracts including also a daily/hourly fee, such fee together with the number of days/hours contracted and the total amount of the contract must be provided. Any changes to the contract must comply with the applicable procurement rules and must be documented;
- ✓ Invoice providing all relevant information in line with the applicable accountancy rules as well as references to the project and the programme and a detailed description of the infrastructures/works carried out in line with the contents of the contract. For contracts including also a daily/hourly fee, the invoice must include a clear quantification of the days/hours charged, price per unit and total price;
- ✓ Proof of payment (e.g. extract from a reliable accounting system of the beneficiary, bank statement);

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2.3 Other financial provision

2.3.1 Preparation costs

In the Cooperation Programme Interreg SI-AT Programme no preparation costs are foreseen (see 2.1.5).

2.3.2 Revenues

As a general principle, eligible expenditure of a project (and consequently the ERDF contribution to it) shall be reduced according to the net revenue generated by the project:

- during its implementation and
- assuming the total eligible cost of the operation before the reduction by the net revenues reaches 1 000 000 €, until three years after its completion or by the deadline for the submission of documents for programme closure, whichever is the earlier.

Net revenues are:

- cash in-flows directly paid by users for the goods or services provided by the project, such as charges borne directly by users for the use of infrastructure, sale or rent of land or buildings, or payments for services
- **MINUS** any operating costs and replacement costs of short-life equipment incurred during the corresponding period.

Please note that operating cost-savings generated by the project shall be treated as net revenue unless they are offset by an equal reduction in operating subsidies (see Art 61(1) of Common Provisions Regulation).

Net revenues have to be deducted from the project total eligible expenditure fully or on a pro-rata basis and shall consequently reduce the ERDF contribution to it.

According to Article 61(8) of Common Provisions Regulation if the (revenue-generating) infrastructure or activity is subject to State Aid regulation, the concerned partners do not have to report their revenues related to State Aid relevant activities.

Revenues generated by the project are monitored and treated by the FLC, JS and MA throughout the project lifetime, as explained below.

2.3.2.1 Revenues foreseen at the project application stage

For projects which have calculated the expected net revenues during the application stage and included the related amount in the application form, the ERDF contribution to the project is already determined with consideration to the corresponding net revenue generated.

a. Revenues generated during project implementation

If project related revenue during implementation (such as income linked to entry fee to events, books, media, etc.) is foreseen at the application phase, it must be included in the budget of the respective partner. Such income decreases the basis for co-financing and must be deducted from the total costs.

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b. Revenues generated after project implementation

The following applies for projects with total eligible costs exceeding 1 000 000 €. In case of revenue-generating projects which generate net revenues after their completion, applicants have to calculate the expected net revenues following the method as provided in the Article 61(3) paragraph b) of the Common Provisions Regulation and as further detailed under Articles 15 to 19 of the Delegated Regulation (EU) No 480/2014.

2.3.2.2 Revenues not foreseen/deducted at the project application stage

a. Revenues generated during project implementation

Each beneficiary is responsible for keeping account and documenting all revenues generated as a result of project activities for control purposes. The eligible expenditure shall be reduced by the net revenues which must be stated in the progress report. Beneficiaries have to provide their national controllers with information on the revenues generated in the reporting period and to support this with accounting documents or documents of equivalent nature.

If project related revenue occurs during implementation, independent whether it has been planned or not, it decreases the basis for co-financing and must be deducted from the total expenditure by the national controller.

b. Revenues generated after project implementation

The following applies for projects with total eligible costs exceeding 1 000 000 €. Where it is objectively not possible to determine in advance the revenues that occur after project implementation, the net revenue generated within three years of the completion of an operation, or by the deadline for the submission of documents for programme closure, whichever is the earlier, have to be reported to the MA/JS. The corresponding ERDF contribution has to be either withheld from the last instalment to the project or reimbursed to the MA, and shall be deducted from the expenditure declared to the Commission (see Art 61 (6) of Common Provisions Regulation).

2.3.3 Expenditure outside the CP Interreg SI-AT programme area

As a basic principle, the CP Interreg SI-AT supports cooperation between Project Partners located in the programme area. In turn, project activities should take place in the CP Interreg SI-AT programme area. Exceptions to this general principle apply, as described here below, however the ERDF amount allocated to a programme for expenditure referring to activities implemented outside the programme area cannot exceed 20 % of the overall ERDF granted to the programme.

The mentioned exceptions are:

a) Expenditure in EU regions outside the programme area (e.g. Vienna, Koper, Trieste, Budapest):

- ✓ Activities carried out (and expenditure incurred) by beneficiaries - as listed in the approved Application Form - located in EU regions outside the programme area;
- ✓ Activities carried out (and expenditure incurred) in EU regions outside the programme area by beneficiaries located in the programme area.

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Expenditure referring to activities carried out in EU regions outside the programme area by beneficiaries located in the programme area can be accepted only in exceptional and duly justified cases. This includes the participation in missions, study visits and events. The following requirements must be respected in order to be regarded as eligible:

- ✓ Co-funded activities are for the benefit of the regions of the programme area;
- ✓ Co-funded activities are essential for the implementation of the project;
- ✓ Co-funded activities are explicitly foreseen in the approved Application Form or, if not, they have been previously authorised by the MA or JS.

b) Expenditure in third countries (e.g. Switzerland, Montenegro):

Expenditure referring to activities carried out outside the EU territory can be reimbursed only if incurred by financing partners as listed in the approved application form. Also in this case, requirements to be respected in order to consider such expenditure as eligible are the following:

- ✓ Co-funded activities are for the benefit of the regions of the programme area;
- ✓ Co-funded activities are essential for the implementation of the project;
- ✓ Co-funded activities are explicitly foreseen in the approved application form or, if not, they have been previously authorised by the MA or JS.

In the case of travel and accommodation costs outside the programme area, the reporting and audit trail shall be organised following the general principle that the cost is to be accounted according to where the cost occurred. The following applies:

- ✓ Costs referring to the travel of staff of beneficiaries located in the programme area from their seat to destinations outside the programme area (e.g. flight or train tickets) as well as costs of daily allowances shall not be accounted under the 20 % ceiling at the programme level;
- ✓ Costs referring to local transports, meals and accommodations outside the programme area shall be accounted under the 20 % ceiling at the programme level irrespective to the location of the beneficiary;
- ✓ Travel and accommodation costs occurred by beneficiaries located outside the programme area shall be accounted under the 20 % ceiling at the programme level irrespective whether the mission occurred inside or outside the programme area.