

HINTS AND TIPS (10)

ON

The interpretation of Instruction no. 6/18.03.2019

- FOR ALL PARTNERS -

Referring to the interpretation of Instruction no. 6/18.03.2019 we offer the following clarification:

In the understanding of the Interreg V-A Romania-Hungary Programme, the fact that beneficiaries may perform changes within projects, on their own responsibility, before an addendum/modification request is submitted to the Programme, means that beneficiaries may start implementing activities in a different manner than the one stipulated in the Application Form, even before notifying the JS, in other words, the following provisions of the PIM are non-operating anymore:

- The Notification of modification and all supporting documents must be submitted in maximum 5 working days from the date of the change (*in case of Notification without approval*).
- The Request for modification and all supporting documents must be submitted in maximum 10 working days before they intend to produce effects (*in case of Notification with approval*).
- The LB has the obligation to inform the JS on the initiation of the procedure to amend the SC with addendum with minimum 30 calendar days before they intend to produce effects.

However, the suspensive condition that the Managing Authority approves the Addendum/the Joint Secretariat confirms the notifications, means that, the fact that the beneficiary started implementing modifications before their submittal does not guarantee that those modifications shall be approved by the MA/JS, and in case of failure of approval, the provisions of the original Application Form shall be taken into account during the reporting process at partner/project level. Otherwise stated, the risk of performing a change which later on shall not be approved by the Programme bodies and may imply ineligibility of expenditures is **at the financial risk of the beneficiary**. Therefore, be reminded to always consult the Project Implementation Manual on the list of changes, which can be operated via Notification of modification / Request for modification / Addendum. Some possible modifications could be: changing the location of an event within the same county, rescheduling an event, supplementing project implementation team without modifying the budget allocated, changing a team member, buying an equipment with better technical specifications than the one from the application in the same budget, reallocation between Periods without changing the budgetary lines, etc. For further support, feel free to contact JS with regards to the modification process.

Even though a modification has been operated on the risk of the beneficiaries, without previously informing the JS, the partner reports related to the modified aspects of the AF shall not be submitted to the FLC for verification only after the moment the addendum entries into force (by signature from the last party – MA) or verification of notification. Having this in mind, we strongly advise beneficiaries who performed changes in the originally scheduled activities/costs to notify as soon as possible the JS to be able to submit partner level reports linked to the new version of the AF.

A very important thing to mention is that **the Instruction is applicable for modifications incurred only after the Instruction has been issued.** That is to say, changes of projects that have been undertaken before Instruction no 5/29.01.2019, respectively Instruction no. 6/18.03.2019, shall not be approved under any circumstances.

Most importantly / Most of all, no matter what, the Instruction does not change the provision of the PIM, according to which modifications of projects can only be made based on the approval of the Joint Secretariat / Managing Authority. However, the Instruction offers the possibility of undergoing such changes even before notifying the JS. Nevertheless, the simple fact of implementing a modification on the beneficiary's own responsibility (and later notifying the JS) in no way represents a facilitating/relieving factor, project modifications shall be evaluated and subsequently approved or rejected based on the same principals, no matter if they were submitted before or after modifications