

CENTRAL EUROPE PROGRAMME 2007-2013



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Subsidy Contract & Partnership agreement

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Legislative Framework:

- **EU Policies and Legislation**

The most relevant Regulations to be observed:

- General Regulation No 1083/2006
 - ERDF Regulation No 1080/2006
 - EC Implementing Regulation No 1828/2006
- **Manuals, guidelines and other working documents (e.g. the Control and Audit Guidelines)**
 - **National rules applicable to the Lead Partner and its Project Partners (national eligibility rules)**

Administrative Procedure:

- Request for necessary improvements of application
- Consultation procedure
- After compliance with requested improvements, submission of the Subsidy Contract offer
- Signature



Parties to the Contract and Duration:

- **Parties to the contract** :The Managing Authority and the Lead Partner („Lead Partner Principle“).
- **Duration:** The contract remains valid as long as any duties linked to the ERDF subsidy might be claimed, at least until 31 December 2022.



Terms of Contract:

- Eligibility of costs, reallocation
- Request for payment
- Obligations of the Lead Partner
- Lead Partner Liability
- Certification of expenditure and audit of projects
- Recovery of unjustified expenditure



- Publicity
- Use of outputs
- Revenues
- Termination and repayment
- Force majeure
- Litigation



Aim and Minimum Content

- **Aim:** organisation of a partnership in order to implement the funded operation
- **The parties to the contract:** the contract will be concluded between the Lead Partner and the Project Partners
- **Contract content:** determines the rights and responsibilities of the Lead Partner and the Project Partners
- **Duties:**
 - Lead Partner: has to fulfil the obligations arising from the subsidy contract and the approved application
 - Project Partner: has to fulfil the obligations arising for the part of the operation he is responsible for

- **Liability:** Lead Partner and Project Partner are liable to the other partners except for cause of "*force majeure*."
- **When to sign:** within 3 months after signing the subsidy contract, together with the Start-Up Report.
- **Additional information:** the Partnership contract has to be adjusted to the individual needs, the legal and administrative framework.
- **Template:** A template, which contains the minimum-content, will be provided on the CENTRAL EUROPE Web page.



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Thank you for your attention!

