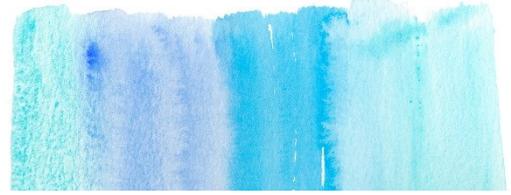


**Interreg**  
*Mediterranean*



**PROGRAMME MANUAL**

# PARTNERSHIP ARCHITECTURE, REQUIREMENTS AND RELEVANCE

Programme cofinancé par le Fonds Européen  
de Développement Régional (FEDER)

Programme cofinanced by the European Regional  
Development Fund (ERDF)

## Definition of partners

### ERDF PARTNERS LOCATED IN THE INTERREG MED PROGRAMME AREA

The project partners that are located in the territories of the European Union covered by the Interreg MED Programme, as specified in the [Factsheet MED Programme strategic framework](#), are co-financed by the ERDF.

Partners participating in projects and receiving funding from the Interreg MED Programme shall be the following:

ERDF partners should bear in mind that the absence of advance payments and the time gap between incurring the expenditure and having it reimbursed may lead to cash-flow problems. This might be particularly relevant for private institutions.

- National, regional and local public bodies (including EGTCs in the meaning of Article 2(16) of Regulation (EU) No 1303/2013);
- Private institutions, including private companies, having legal personality<sup>1</sup>;
- International organisations acting under the national law of any EU MED Member State or, with restrictions, under international law (see below for details).

The terms of references provide a list of the most relevant partners<sup>2</sup> for each priority axis.

In the framework of the Interreg MED Programme, the so-called “public equivalent bodies”, i.e. bodies governed by public law as defined in Article 2(1) of Directive 2014/24/EU on public procurement are eligible partners under category A “National, regional and local public bodies”. Please note that such bodies have to fulfil all the following characteristics in order to be considered as eligible partners:

- They are established for the specific purpose of meeting needs in the general interest, not having an industrial or commercial character;
- They have legal personality; and
- They are financed, for the most part, by the State, regional or local authorities, or by other bodies governed by public law; or are subject to management supervision by those authorities or bodies; or have an administrative, managerial or supervisory board, more than half of whose members are appointed by the State, regional or local authorities, or by other bodies governed by public law.

#### **NOTICE:**

**Please note that bodies whose main scope of activities within their business profile, as well as their project role, consists of project coordination, management or other activities that are of a mere executive or supporting character (service providers) cannot be involved as project partners. Compliance with this requirement will be checked during the quality assessment of**

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<sup>1</sup> Private institutions cannot act as Lead partners. Please also refer [Factsheet on State aid](#). IPA partners should be non profit private entities fulfilling the conditions stated below in this factsheet.

<sup>2</sup> List of potential type of partners: please refer to the Interreg MED [Glossary](#).

**project proposals which, on a case by case basis, could lead even to the exclusion of such partners.**

## IPA PARTNERS

In order to facilitate the IPA partners' participation, the MED Monitoring Committee has adopted a system of advance payments for partners from IPA countries.

Organisations from Candidate and Potential Candidate Countries participating in the Interreg MED Programme are eligible as project partners co-financed by the Instrument for Pre-Accession Assistance (IPA fund).

Countries concerned by the IPA fund within the Interreg MED Programme are **Bosnia and Herzegovina, Montenegro and Albania.**

IPA partners can apply as project partners provided that their legal status is coherent with the Programme rules and the national laws applicable in the relevant IPA countries.

The following issues will have to be considered:

- IPA structures cannot act as Lead Partners;
- IPA structures shall be a national, regional, local public body, public equivalent body<sup>3</sup> or non profit private entity
- IPA structures shall be non-profit making;
- private but non-profit organizations founded according to the applicable legal framework/law in the respective IPA country can be eligible under the following conditions:
  - I. they do not have a commercial or industrial character or activities;
  - II. they are non-profit and have a legal personality ;
- IPA partners shall be directly responsible for preparation and management of project's activities with the partnership, not acting as an intermediary;
- IPA structures shall have stable and sufficient sources of finance to ensure the continuity of the organisation throughout the lifespan of the project.
- IPA partners can be international organisations acting under the national law of any MED Participating State or, with restrictions, under international law (see below for details).

**International organisations acting under international law** are only eligible as partners and they cannot act as Lead Partners.

They can participate in projects only upon their explicit acceptance of all requirements deriving from the Treaty for the Functioning of the European Union and the regulations applicable in the framework of the Interreg MED Programme, including – but not limited to – the following:

- Adherence to applicable community policies, including the respect of rules on public procurement;
- Acceptance of the national control requirements set in the framework of the Interreg MED Programme by the State in which the organisation acting as partner is located;

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<sup>3</sup>“public equivalent bodies”, i.e. bodies governed by public law as defined in Article 2(1) of Directive 2014/24/EU on public procurement

- Acceptance of controls and audits by all those bodies entitled to carry out such controls in the framework of the Interreg MED Programme, including the Managing Authority and Joint Secretariat, the Audit Authority and the European Court of Auditors as well as the relevant national authorities of the State in which the international organisation acting as project partner is located. Storage of all documents required for these controls must allow performing them in the geographical area covered by the Interreg MED Programme;
- Final financial liability for all sums wrongly paid out.

If a project proposal involving international organisations acting under international law in the partnership is approved, it must provide an *ad hoc* declaration signed by these institutions accepting the mentioned requirements. Besides, for reasons of legal security, additional legal information may be requested to these institutions prior to granting the fund.

The non-compliance with these requirements could lead to the exclusion of such partners.

#### ERDF PARTNERS OUTSIDE THE INTERREG MED PROGRAMME AREA (20 % GEOGRAPHICAL FLEXIBILITY RULE)

Organisations located in regions outside the Interreg MED Programme area, but inside the European Union, can become project partners (co-financed by the ERDF) only in exceptional and duly justified cases. This means that their participation needs to bring clear added value and expertise to the implementation of a project and has to be of benefit for the Interreg MED Programme area.

The ERDF allocated to a single project for such partners together with the ERDF spent outside the Programme area **cannot exceed 20 % of the total ERDF** contribution to the project.

Institutions located in EU regions outside the Programme area cannot act as Lead Partners.

Participation of EU-partners in project proposals is open to all EU regions, under all priority axes and irrespective of the legal status of the partners.

Nevertheless, should the activities to be carried out by partners located in countries outside the Programme area be considered as State aid relevant, the participation of these partners will finally not be allowed due to the impossibility for the Programme Monitoring Committee to validate the result of the State aid assessment on behalf of a Member State not participating in the Programme.

As for any other activities supported by the Programme, activities implemented by EU partners located outside the Programme area are subject to management verifications and audits.

During the evaluation, for the partners located outside the Programme area, a **confirmation of the eligibility** and of their legal status will be requested to the competent authorities. The responsible authority of the respective EU country will provide a confirmation. In case of failure, the partner will be excluded from the project.

#### **ATTENTION**

**In case of project approval, an agreement on management, control and audit responsibilities will have to be signed between the Managing Authority and the relevant EU country or region.**

**The time limit will be of maximum 12 months after the project approval (and in any case before the submission of the first payment claim). In case of failure, the partner might be excluded from the project.**

#### ASSOCIATED PARTNERS

Institutions willing to be involved in the project without financially contributing to it are to be considered as “associated partners”. Such associated partners will not receive ERDF/IPA funding, will have to participate with their own funds, and do not account for the fulfilment of the minimum partnership requirements.

Third country partners will not receive any ERDF/IPA funding from the Interreg MED Programme and are only allowed to act as associated partners.

Expenditure incurred by the associated partners might be borne by any of the financing project partners in compliance with the applicable eligibility rules.

In any case, the involvement of associated institutions must not be in conflict with public procurement rules. Therefore, expenditure incurred by these bodies should in principle be limited to reimbursement of travel and accommodation costs related to their participation in the project meetings.

## Lead Partner requirements

The “Lead Partner principle” applies to the Interreg MED Programme, in compliance with Article 13 of Regulation (EU) No 1299/2013. This means that each partnership appoints one organisation to act as Lead Partner, which takes full responsibility for the implementation of the entire project.

The Lead Partner is a public body or a body governed by public law (according to the definition of the Directive 2014/24/EU). The Lead Partner must be physically based in the EU part of the Interreg MED Programme area.

Private institutions, international organisations acting under international law and IPA partners cannot act as Lead Partners.

The Lead Partner (institution) is responsible for coordinating and driving the partnership from the project idea until the finalisation of the project proposal. It formally submits the Application Form and is thus responsible for contents and commitments expressed in it. After approval of a project by the Steering Committee, the Lead Partner will sign a Subsidy Contract with the Managing Authority (PACA Region, FRANCE) and kick-off the project implementation.

Following the Lead Partner principle, the Lead Partner is responsible for ensuring sound management and successful implementation of the entire project (for further information, please refer to the [Factsheet on sound project management](#) and to the [Factsheet on sound project budget](#)).

Accordingly, the Lead Partner should, at least, have the following profile (most skills are also applicable to project partners):

- Experienced in the management of projects supported by EU funds.

Even if the MED Certifying Authority will directly transfer each partner's contribution, the Lead partner shall still ensure that partners receive the reimbursement in full and as quickly as possible.

- Prepared to take a leading and driving role within the partnership
- Having sufficient capacity (institutional, financial and human resources) to prepare the project application and to manage the implementation of the project
- Having the thematic knowledge and expertise relevant for the project
- Being committed to the project throughout the entire project application and implementation phases

In addition, the Lead Partner should maintain a good communication flow among the partnership and ensure an efficient exchange of information that enables the successful delivery of the project outputs. The Lead Partner is also responsible for communication with the Programme bodies, especially the Managing Authority and the Joint Secretariat.

The responsibilities of the Lead Partner are defined in the Subsidy Contract. The Lead Partner has to lay down the arrangements with all other partners in a written agreement (Partnership Agreement).

The models of the Subsidy Contract and the Partnership Agreement documents are available on the Interreg MED Programme website, and will have to be signed after the approval of the proposals (for further information, please refer to the [Factsheet on contracting procedures](#)).

## Size of the partnership

As a minimum requirement, the partnership must involve:

- at least **four financing partners**
- from at least **four different countries** from the Interreg MED Programme area and
- with at least **three of the partners located in the Union part** of the Interreg MED Programme area (three ERDF partners within the MED Programme area)

The size of the partnership should reflect the scope of the project and remain manageable. The Terms of References set specific requirements regarding the partnership.

## Partnership relevance

The quality of a project depends largely on an adequate composition of its partnership. The setting up of a relevant partnership is essential. A good partnership should pool all skills and competences of relevant institutions necessary to address the issues tackled by the project in order to achieve the set objectives and namely those set for the chosen module(s).

When building a partnership, the following general aspects should be taken into account:

- Focus your partnership on entities **relevant** for reaching the project results (e.g. thematically, geographically, level of governance).

- Involve as project partners only institutions whose **interests are closely linked** to the project objectives and planned interventions. They should also have the capacity to create strong links to target groups addressed by the project.
- Apply a **result-oriented approach** by involving institutions who are supposed to realise and subsequently implement the project outputs and results.
- Ensure that involved institutions have the **required competences** (e.g. involve environmental authorities if you work on the development of environmental policies).
- Ensure a **balanced partnership** in terms of number of institutions involved per country. Distribution of project activities and responsibilities as well as related budgets should be also adequately balanced.
- Ensure that **decision makers** (e.g. ministries, regional governments) are either directly **included** in the partnership or can be effectively reached by the project partners.
- Where necessary, involve **expert organisations** (e.g. universities, research institutions) as a source of knowledge.
- Keep the partnership **size manageable** (for further information regarding specific partnership requirements per type of project, please refer to **Factsheets on modular and horizontal projects**). Having a broad partnership should not be a goal in itself when preparing a project.
- Ensure the **commitment** of all partners from the very beginning. Once the project approved partner changes are to be regarded as exceptional cases, creating a strain to the entire project.
- Partner institutions should have **sufficient financial capacity** to pre-finance and implement the foreseen activities, keeping in mind that the time-lapse between the payment of project costs and the ERDF/IPA reimbursement usually corresponds at least to some months
- Institutions from outside the programme area should only be involved in exceptional and well justified cases. Their involvement should bring a clear benefit to the programme area and add value to the partnership