



EUROPEAN PARLIAMENT

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*Committee on Regional Development*

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11.7.2012

## **MANDATE<sup>1</sup> for opening inter-institutional negotiations adopted by the Committee on Regional Development at its meeting on 11 July 2012<sup>2</sup>**

on the proposal for a regulation of the European Parliament and of the Council on specific provisions for the support from the European Regional Development Fund to the European territorial cooperation goal (COM(2011)0611/2 – C7-0326/2011 – 2011/0273(COD))

Committee on Regional Development

Rapporteur: Riikka Manner

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<sup>1</sup> Vote on the Mandate according to Rule 70(2) of EP Rules of Procedure

<sup>2</sup> Pending verification by DLA Lawyer-Linguists

## Amendment 1

### Proposal for a regulation

#### Recital 1

*Text proposed by the Commission*

(1) Article 176 of the Treaty provides that the European Regional Development Fund (ERDF) is intended to help to redress the main regional imbalances in the Union. In accordance with Article 174 of the Treaty, the ERDF contributes to reducing disparities between the levels of development of the various regions and the backwardness of the least favoured regions, among which particular attention should be paid to regions which suffer from severe and permanent natural or demographic handicaps such as island, cross-border and mountain regions.

*Amendment*

(1) Article 176 of the Treaty provides that the European Regional Development Fund (ERDF) is intended to help to redress the main regional imbalances in the Union. In accordance with Article 174 of the Treaty, the ERDF contributes to reducing disparities between the levels of development of the various regions and the backwardness of the least favoured regions, among which particular attention should be paid to ***rural areas, areas affected by industrial transition, and regions which suffer from severe and permanent natural or demographic handicaps such as **the northernmost regions with very low population density and** island, cross-border and mountain regions, as well as outermost regions, according to Article 349 and 355 (1) of the Treaty.*** .

## Amendment 2

### Proposal for a regulation

#### Recital 1 a (new)

*Text proposed by the Commission*

*Amendment*

***(1a) Regulation (EU) No [...]/2012 of the European Parliament and of the Council on the financial rules applicable to the annual budget of the Union<sup>1</sup> lays down the general principles with regard to the implementation of the annual budget of the Union. It is necessary to ensure consistency between that Regulation and the provisions governing the ERDF.***

### Amendment 3

#### Proposal for a regulation

##### Recital 3

*Text proposed by the Commission*

(3) To increase the value added of the Union's cohesion policy, the specific provisions should lead to considerable simplification on all levels involved: beneficiaries, programme authorities, participating Member States and third countries, as well as the Commission.

*Amendment*

(3) To increase the value added of the Union's cohesion policy, the specific provisions should lead to considerable simplification on all levels involved: beneficiaries, programme authorities, participating Member States, ***elected regional and local authorities*** and third countries, as well as the Commission.

### Amendment 4

#### Proposal for a regulation

##### Recital 5

*Text proposed by the Commission*

(5) Cross-border cooperation should aim to tackle common challenges identified jointly in the border regions (such as poor accessibility, inappropriate business environment, lack of networks among local and regional administrations, research and innovation and take-up of information and communication technologies, environmental pollution, risk prevention, negative attitudes towards neighbouring country citizens) and exploit the untapped potentials in the border area (development of cross-border research and innovation facilities and clusters, cross-border labour market integration, cooperation among universities or health centres), while enhancing the cooperation process for the purpose of the overall harmonious development of the Union. In the case of

*Amendment*

(5) Cross-border cooperation should aim to tackle common challenges identified jointly in the border regions (such as ***problems related to territorial continuity***, poor accessibility, ***especially in the field of ICT, transport including dissolving transport bottlenecks and taking into account missing and inadequate infrastructure, declining local industries***, inappropriate business environment, ***lack of integrated rescue services***, lack of ***human resources and*** networks among local and regional administrations, research and innovation and take-up of information and communication technologies, environmental pollution, risk prevention, negative attitudes towards neighbouring country citizens) and exploit the untapped potentials in the border area (development

any cross-border programme between Northern Ireland and the border counties of Ireland in support of peace and reconciliation, the ERDF shall also contribute to promoting social and economic stability in the regions concerned, notably by actions to promote cohesion between communities.

of cross-border research and innovation facilities and clusters, ***removal of obstacles to labour mobility and*** cross-border labour market integration, cooperation among ***education systems, particularly*** universities or health centres ***and the overall development of cross-border services of general economic interest***), while enhancing the cooperation process for the purpose of the overall harmonious development of the Union. In the case of any cross-border programme between Northern Ireland and the border counties of Ireland in support of peace and reconciliation, the ERDF shall also contribute to promoting social and economic stability in the regions concerned, notably by actions to promote cohesion between communities.

## Amendment 5

### Proposal for a regulation

#### Recital 7

##### *Text proposed by the Commission*

(7) Interregional cooperation should aim to reinforce the effectiveness of cohesion policy by encouraging exchange of experience between regions to enhance design and implementation of operational programmes under the Investment for growth and jobs goal. It should, in particular, foster cooperation between innovative research-intensive clusters and exchanges between researchers and research institutions, based on ‘Regions of Knowledge’ and ‘Research potential in Convergence and Outermost regions’ under the Seventh Framework Programme for Research.

##### *Amendment*

(7) Interregional cooperation should aim to reinforce the effectiveness of cohesion policy by encouraging exchange of experience ***and capacity building of the human resources to overcome the barriers due to the different linguistic and administrative aspects*** between regions to enhance design and implementation of operational programmes under the Investment for growth and jobs goal. It should, in particular, foster cooperation between innovative research-intensive clusters and exchanges between researchers and research institutions, based on ‘Regions of Knowledge’ and ‘Research potential in Convergence and Outermost regions’ under the Seventh Framework Programme for Research. ***This cooperation should involve linking up excellent research centres to emerging research institutions especially in less developed regions, twinning of staff exchanges,***

*expert advice and assistance, as well as development of joint strategies for the establishment of centres of excellence in the respective less developed regions.*

## Amendment 6

### Proposal for a regulation

#### Recital 10

*Text proposed by the Commission*

(10) Areas for transnational cooperation should be defined having regard to actions needed to promote integrated territorial development. The Commission should be empowered to define transnational cooperation areas.

*Amendment*

(10) Areas for transnational cooperation should be defined having regard to actions needed to promote integrated territorial development. The Commission should be empowered to define transnational cooperation areas ***to ensure that this cooperation continues based on experience obtained in previous programmes taking into consideration the necessary adjustments.***

## Amendment 7

### Proposal for a regulation

#### Recital 12

*Text proposed by the Commission*

(12) It is necessary to continue supporting or – where needed – to establish cross-border, transnational and interregional cooperation with the Union's neighbouring third countries, as this will ***benefit the regions of the*** Member States which border third countries. To that effect, the ERDF will contribute to the cross-border and sea basin programmes established under the European Neighbourhood Instrument (ENI) pursuant to Regulation (EU) No [...] /2012 and the Instrument for Pre-Accession (IPA) pursuant to Regulation (EU) No [...] /2012.

*Amendment*

(12) It is necessary to continue supporting or – where needed – to establish cross-border, transnational and interregional cooperation with the Union's neighbouring third countries, as this will ***serve as an important regional policy tool for*** Member States which border third countries, ***and as a consequence benefit the regions.*** To that effect, the ERDF will contribute to the cross-border and sea basin programmes established under the European Neighbourhood Instrument (ENI) pursuant to Regulation (EU) No [...] /2012 and the Instrument for Pre-Accession (IPA) pursuant to Regulation (EU) No [...] /2012.

## Amendment 8

### Proposal for a regulation Recital 13

*Text proposed by the Commission*

(13) For the benefit of the regions of the Union, a mechanism to organise support from the ERDF to external policy instruments such as ENI and IPA should be set up, including where external cooperation programmes cannot be adopted or have to be discontinued.

*Amendment*

(13) For the benefit of the regions of the Union, a mechanism to organise support from the ERDF to external policy instruments such as ENI, **EDF** and **IPA II** should be set up, including where external cooperation programmes cannot be adopted or have to be discontinued. ***It is necessary to ensure that such a mechanism provides for optimal functioning, real coordination and synergies within the Commission, as well as with regard to the external and internal policy instruments of the Union, thus providing for the best possible policy results and allowing those instruments to complement each other.***

## Amendment 9

### Proposal for a regulation Recital 14 a (new)

*Text proposed by the Commission*

*Amendment*

***(14a) Although the foundations for territorial cooperation have been laid, many challenges still remain, and that its potential as a source of competitiveness has so far been insufficiently tapped as a result of the inadequate resources allocated to it. Taking this into account, the budget for the European territorial cooperation should be increased to 7% of the overall cohesion policy budget for the programming period 2014-2020.***

## Amendment 10

### Proposal for a regulation

#### Recital 15

*Text proposed by the Commission*

(15) It is necessary to fix the resources allocated to each of the different components of the European territorial cooperation goal, while maintaining a significant concentration on cross-border cooperation and securing sufficient funding levels for outermost regions' cooperation.

*Amendment*

(15) It is necessary to fix the resources allocated to each of the different components of the European territorial cooperation goal, while maintaining a significant concentration on cross-border cooperation, ***and the potential available to Member States concerning flexibility between those components***, and securing sufficient funding levels for outermost regions' cooperation.

## Amendment 11

### Proposal for a regulation

#### Recital 17

*Text proposed by the Commission*

(17) In order to ***deliver on the targets and*** objectives of smart, sustainable and inclusive growth set out in the Europe 2020 strategy, the ERDF should contribute under the European territorial cooperation goal to ***the thematic objectives of*** developing ***an economy based on knowledge, research and innovation***, promoting a greener, more resource-efficient and competitive economy, fostering high employment that delivers social and territorial cohesion, and developing administrative capacity. However, the list of the investment priorities under the different thematic objectives should be adapted to the specific needs of the European territorial cooperation goal, in particular by allowing for the continuation under cross-border cooperation of legal and administrative cooperation and cooperation between citizens and institutions, of cooperation in the fields of employment, training and social inclusion in a cross-border perspective, by allowing for the

*Amendment*

(17) In order to ***reach*** the objectives of smart, sustainable and inclusive growth set out in the Europe 2020 strategy, the ERDF should contribute under the European territorial cooperation goal to ***fostering research and innovation, upgrading skills to promote the knowledge economy, developing human capital through education and training***, promoting a greener, more resource-efficient and competitive economy, fostering high employment that delivers social and territorial cohesion, and developing administrative capacity. However, the list of the investment priorities under the different thematic objectives should be adapted to the specific needs of the European territorial cooperation goal, in particular by allowing for the continuation under cross-border cooperation of legal and administrative cooperation and cooperation between citizens and institutions, of cooperation in the fields of employment, training and social inclusion in a cross-

continuation under transnational cooperation of maritime cross-border cooperation not covered by cross-border cooperation programmes, and by the development and implementation of macro-regional and sea-basin strategies.

border perspective, by allowing for the continuation under transnational cooperation of maritime cross-border cooperation not covered by cross-border cooperation programmes, and by the development and implementation of macro-regional and sea-basin strategies.

**Amendment 12**  
**Proposal for a regulation**  
**Recital 17 a (new)**

*Text proposed by the Commission*

*Amendment*

***(17a) For the success of macro regional and sea basin strategies and to support an integrated, multisectoral and territorial approach for challenges too broad for the national level, those strategies should aim at coordinating all Union funds. In addition, especially to the development and implementation of those strategies, technical assistance for macro regional strategies can be allocated from the European Territorial Cooperation objective, where Member States and regions participate in such strategies.***

**Amendment 13**  
**Proposal for a regulation**  
**Recital 20**

*Text proposed by the Commission*

*Amendment*

(20) Based on the experience from the 2007-13 programming period, the conditions for the selection of operations should be clarified and strengthened in order to ensure selection of only genuinely joint operations. The notion of sole beneficiaries should be defined and it should be clarified that they are permitted to carry out cooperation operations by themselves.

(20) Based on the experience from the 2007-13 programming period, the conditions for the selection of operations should be clarified and strengthened in order to ensure selection of only genuinely joint operations. ***Furthermore, an adapted approach should take into consideration the specific context of cooperation with third countries.*** The notion of sole beneficiaries should be defined and it should be clarified that they are permitted to carry out cooperation operations by



themselves.

**Amendment 14**  
**Proposal for a regulation**  
**Recital 22 a (new)**

*Text proposed by the Commission*

*Amendment*

***(22a) In accordance with Article 49 CPR, an ongoing evaluation of the cooperation programmes should be guaranteed with a view to drawing up a management and reporting framework based on indicators that enable, facilitate and simplify continuous access to information which is reliable, and easily generates reporting documents that make the setting-up of such a system in cooperation programmes feasible. Only such an efficient ongoing evaluation system will enable adjustments of programmes during the programming period, according to the agreed EU 2020 targets.***

**Amendment 15**  
**Proposal for a regulation**  
**Recital 23**

*Text proposed by the Commission*

*Amendment*

(23) A common set of indicators ***to assess*** progress of programme implementation adapted to the specific character of cooperation programmes should be set out before the Member States draft their cooperation programmes. These indicators should be complemented by programme-specific indicators.

(23) A common set of indicators ***allowing for an assessment of the*** progress of programme implementation adapted to the specific character of cooperation programmes should be set out before the Member States draft their cooperation programmes. These indicators should be complemented by programme-specific indicators.

**Amendment 16**  
**Proposal for a regulation**  
**Recital 24**

*Text proposed by the Commission*

(24) Due to the involvement of more than one Member State and the resulting higher administrative costs, in particular in respect of controls and translation, the ceiling for technical assistance expenditure should be higher than under the Investment for growth and jobs goal. In addition, cooperation programmes with limited ERDF support should receive a certain minimum amount to ensure sufficient funding for effective technical assistance activities.

*Amendment*

(24) Due to the involvement of more than one Member State and the resulting higher administrative costs, in particular in respect of controls and translation, ***Member States should be encouraged to reduce administrative burdens with regard implementation of joint projects, and*** the ceiling for technical assistance expenditure should be higher than under the Investment for growth and jobs goal. In addition, cooperation programmes with limited ERDF support should receive a certain minimum amount to ensure sufficient funding for effective technical assistance activities.

**Amendment 17**

**Proposal for a regulation**

**Recital 25**

*Text proposed by the Commission*

(25) Due to the involvement of more than one Member State, the general rule laid down in the Regulation (EU) No [...] /2012 [CPR] that each Member State adopts its national eligibility rules is not appropriate for the European territorial cooperation goal. Based on experience from the 2007-13 programming period, a clear hierarchy of eligibility rules should be established with a strong move towards joint eligibility rules.

*Amendment*

(25) Due to the involvement of more than one Member State, the general rule laid down in the Regulation (EU) No [...] /2012 [CPR] that each Member State adopts its national eligibility rules is not appropriate for the European territorial cooperation goal. Based on experience from the 2007-13 programming period, a clear hierarchy of eligibility rules should be established with a strong move towards joint eligibility rules ***and contradictions and inconsistencies between the Regulation (EU) No .../2012 of the European Parliament and of the Council on [ the financial rules applicable to the annual budget of the Union], the Common Provisions Regulation and national rules should be avoided.***

## Amendment 18

### Proposal for a regulation

#### Recital 26

*Text proposed by the Commission*

(26) Due to the frequent involvement of staff from more than one Member State in the implementation of operations, and given the number of operations for which staff costs is a significant element, a flat-rate for costs covering staff should be applied to the other direct costs of cooperation operations, thus avoiding individual accounting for the management of such operations.

*Amendment*

(26) Due to the frequent involvement of staff from more than one Member State in the implementation of operations, ***the high staff requirements for the territorial cooperation programmes***, and given the number of operations for which staff costs is a significant element, a flat-rate for costs covering staff should be applied to the other direct costs of cooperation operations, thus avoiding individual accounting for the management of such operations.

## Amendment 19

### Proposal for a regulation

#### Recital 27

*Text proposed by the Commission*

(27) The rules on flexibility concerning the location of operations outside the programme area should be simplified. In addition, it is necessary to support effective cross-border, transnational and interregional cooperation with the Union's neighbouring third countries where this is necessary to ensure that the regions of the Member States which border third countries can be effectively assisted in their development. Accordingly, it is appropriate to authorise on an exceptional basis and under certain conditions the financing of assistance from the ERDF for operations located on the territory of third countries where the operations are for the benefit of the regions of the Union.

*Amendment*

(27) The rules on flexibility concerning the location of operations outside the programme area should be simplified. In addition, it is necessary to support ***and facilitate, through specific arrangements***, effective cross-border, transnational and interregional cooperation with the Union's neighbouring third countries where this is necessary to ensure that the regions of the Member States which border third countries can be effectively assisted in their development. Accordingly, it is appropriate to authorise on an exceptional basis and under certain conditions the financing of assistance from the ERDF for operations located on the territory of third countries where the operations are for the benefit of the regions of the Union.

## Amendment 20

**Proposal for a regulation**  
**Recital 31**

*Text proposed by the Commission*

(31) A single audit authority should be responsible for carrying out all functions listed in Article 116 of Regulation (EU) No [...] /2012 [CPR] in order to ensure uniform standards across the whole programme area. Where this is not possible, a group of auditors should be able to assist the programme audit authority.

*Amendment*

(31) A single audit authority should be responsible for carrying out all functions listed in Article 116 of Regulation (EU) No [...] /2012 [CPR] in order to ensure uniform standards across the whole programme area. Where this is not possible, a group of auditors ***or specific arrangements in the event of cooperation between the regions covered by Article 349 of the TFEU and third countries***, should be able to assist the programme audit authority

**Amendment 21**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 3 – point b**

*Text proposed by the Commission*

(b) exchange of experience concerning the identification, transfer and dissemination of good practice on sustainable urban and rural development;

*Amendment*

(b) exchange of experience concerning the identification, transfer and dissemination of good practice on sustainable urban and rural development ***and on development of regions with particular territorial features including permanent natural and geographical handicaps, as referred to in Article 174(3) TFEU*** ;

**Amendment 22**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 3 – point c**

*Text proposed by the Commission*

(c) exchange of experience concerning the identification, transfer and dissemination of good practice and innovative approaches in relation to actions concerning territorial cooperation and to the use of EGTCs;

*Amendment*

(c) exchange of experience concerning the identification, transfer and dissemination of good practice and innovative approaches in relation to actions ***and the implementation of programmes*** concerning territorial cooperation and to

the use of EGTCs;

## Amendment 23

### Proposal for a regulation

#### Article 2 – paragraph 1 – point 3 – point d

##### *Text proposed by the Commission*

(d) analysis of development trends in relation to the aims of territorial cohesion and harmonious development of the European territory through studies, data collection and other measures.

##### *Amendment*

(d) analysis of development trends in relation to the aims of territorial **and social** cohesion and harmonious development of the European territory through studies, data collection and other measures.

## Amendment 24

### Proposal for a regulation

#### Article 3 – paragraph 1 – subparagraph 4

##### *Text proposed by the Commission*

When submitting draft cross-border cooperation programmes, Member States may request that additional NUTS level 3 regions adjacent to those listed in the decision referred to in the second subparagraph are added to a given cross-border area and shall give reasons for the request.

##### *Compromise Amendment*

When submitting draft cross-border cooperation programmes, Member States may request that additional NUTS level 3 regions adjacent to those listed in the decision referred to in the second subparagraph **or outermost regions or small islands situated in the same sea-basin area** are added to a given cross-border area and shall give reasons for the request.

## Amendment 25

### Proposal for a regulation

#### Article 3 – paragraph 3 – subparagraph 1

##### *Text proposed by the Commission*

For transnational cooperation, the Commission shall adopt the list of transnational areas to receive support, broken down by cooperation programme and covering NUTS level 2 regions while

##### *Amendment*

For transnational cooperation, the Commission shall adopt the list of transnational areas to receive support, broken down by cooperation programme and covering NUTS level 2 regions while

ensuring the continuity of such cooperation in larger coherent areas based on previous programmes, by means of implementing acts. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 30(2).

ensuring the continuity of such cooperation in larger coherent areas based on previous programmes, by means of implementing acts ***taking account of existing macro-regional strategies including sea-basin strategies as well as strategies already being drawn up. To improve programming efficiency, the transnational areas identified must rely on natural and human geography and consider large sea-basins, river basins and river basins in their breakdown.*** Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 30(2).

## Amendment 26

### Proposal for a regulation Article 3 – paragraph 6 a (new)

*Text proposed by the Commission*

*Amendment*

***6a. The Outermost Regions may include, in a single programme for territorial cooperation, all amounts of the ERDF allocated as referred to in the paragraphs above, including in the additional allowance of Article 4(2).***

## Amendment 27

### Proposal for a regulation Article 4 – paragraph 1

*Text proposed by the Commission*

*Amendment*

1. Resources for the European territorial cooperation goal shall amount to **3,48 %** of the global resources available for budgetary commitment from the Funds for the period 2014 to 2020 and set out in Article 83(1) of Regulation (EU) No[.../2012 [CPR] (i.e., a total of EUR **11 700 000 004**) and shall be allocated as follows:

1. Resources for the European territorial cooperation goal shall amount to **7 %** of the global resources available for budgetary commitment from the Funds for the period 2014 to 2020 and set out in Article 83(1) of Regulation (EU) No[.../2012 [CPR] (i.e., a total of EUR **XX XXX XXX XXX'**) and shall be allocated as follows:

- (a) 73,24 % (i.e., a total of EUR **8 569 000 003**) for cross-border cooperation;
- (b) 20,78 % (i.e., a total of EUR **2 431 000 001**) for transnational cooperation;
- (c) 5,98 % (i.e., a total of EUR **700 000 000**) for interregional cooperation.

- (a) 73,24 % (i.e., a total of EUR **X XXX XXX XXX<sup>2</sup>**) for cross-border cooperation;
- (b) 20,78 % (i.e., a total of EUR **X XXX XXX XXX<sup>3</sup>**) for transnational cooperation;
- (c) 5,98 % (i.e., a total of EUR **XXX XXX XXX<sup>4</sup>**) for interregional cooperation.

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<sup>1,2,3,4</sup> *the figures are subject to the global resources available for the Cohesion policy during the period 2014 to 2020*

## Amendment 28

### Proposal for a regulation Article 4 – paragraph 2

#### *Text proposed by the Commission*

2. Cooperation programmes involving the outermost regions shall receive not less than **150%** of the **ERDF** support they received in the 2007-2013 period. In addition, EUR 50 000 000 from the allocation for interregional cooperation shall be set aside for outermost regions' cooperation. Concerning thematic concentration, Article 5 (b) applies to this additional allocation.

#### *Amendment*

2. Cooperation programmes involving the outermost regions shall receive not less than **XXX** of the **European territorial cooperation** support they received in the 2007-2013 period. In addition, EUR 50 000 000 from the allocation for interregional cooperation shall be set aside for outermost regions' cooperation. Concerning thematic concentration, Article 5 (b) applies to this additional allocation.

## Amendment 29

### Proposal for a regulation Article 4 – paragraph 3 – subparagraph 2

#### *Text proposed by the Commission*

Population in the areas referred to in the 3<sup>rd</sup> sub-paragraph of Article 3(1) and the first sub-paragraph of Article (3)(3) shall be used as the criterion for the **annual** breakdown by **Member State**.

#### *Amendment*

Population in the areas referred to in the 3<sup>rd</sup> sub-paragraph of Article 3(1) and the first sub-paragraph of Article (3)(3) shall be used as the criterion for the breakdown by **cooperation programme**.

## Amendment 30

### Proposal for a regulation

#### Article 4 – paragraph 7

*Text proposed by the Commission*

#### **Resources for European territorial cooperation**

7. In 2015 and 2016, the annual contribution from the ERDF to the programmes under ENI and IPA for which no programme has been submitted to the Commission by 30 June under the cross-border and sea-basin programmes under ENI and IPA shall be allocated to the **internal** cross-border cooperation programmes under paragraph 1(a) in which the Member State concerned participates. If by 30 June 2017, there are still programmes under the cross-border and sea-basin programmes under ENI and IPA which have not been submitted to the Commission, the entire support from the ERDF mentioned in paragraph 4 for the remaining years up to 2020 shall be allocated to the **internal** cross-border cooperation programmes under paragraph 1(a) in which the Member State concerned participates.

## Amendment 31

### Proposal for a regulation

#### Article 4 – paragraph 8 - subparagraph 2

*Text proposed by the Commission*

In such event, the support from the ERDF mentioned in paragraph 4 corresponding to annual instalments not yet committed shall be allocated to the internal cross-border cooperation programmes under paragraph 1(a) in which the Member State concerned participates, at its request.

*Compromise Amendment*

#### **Resources for European territorial cooperation**

7. In 2015 and 2016, the annual contribution from the ERDF to the programmes under ENI and IPA for which no programme has been submitted to the Commission by 30 June under the cross-border and sea-basin programmes under ENI and IPA shall be allocated to the cross-border cooperation programmes under paragraph 1(a) in which the Member State concerned participates. If by 30 June 2017, there are still programmes under the cross-border and sea-basin programmes under ENI and IPA which have not been submitted to the Commission, the entire support from the ERDF mentioned in paragraph 4 for the remaining years up to 2020 shall be allocated to the cross-border cooperation programmes under paragraph 1(a) in which the Member State concerned participates.

*Amendment*

In such event, the support from the ERDF mentioned in paragraph 4 corresponding to annual instalments not yet committed shall be allocated to the internal **or external** cross-border cooperation programmes under paragraph 1(a) in which the Member State concerned participates, at its request.



## Amendment 32

### Proposal for a regulation

#### Article 5

*Text proposed by the Commission*

##### **Thematic concentration**

The thematic objectives referred to in Article 9 of Regulation (EU) No [...] /2012 [the CPR] shall be concentrated as follows:

- (a) up to **4** thematic objectives shall be selected for each cross-border cooperation programme;
- (b) up to **4** thematic objectives shall be selected for each transnational cooperation programme;
- (c) all thematic objectives may be selected for interregional cooperation programmes pursuant to Article 2(3)(a).

*Compromise Amendment*

##### **Thematic concentration**

The thematic objectives referred to in Article 9 of Regulation (EU) No [...] /2012 [the CPR] shall be concentrated as follows:

- (a) up to **5** thematic objectives shall be selected for each cross-border cooperation programme;
- (b) up to **5** thematic objectives shall be selected for each transnational cooperation programme;
- (c) all thematic objectives may be selected for interregional cooperation programmes pursuant to Article 2(3)(a).

## Amendment 33

### Proposal for a regulation

#### Article 6 - paragraph 1

*Text proposed by the Commission*

##### **Investment priorities**

In addition to Article 5 of Regulation (EU) No [...] /2012 [the ERDF Regulation], the **ERDF shall** support the sharing of human resources, **facilities and infrastructures** across borders under the different investment priorities, as well as the following investment priorities within the thematic objectives:

*Compromise Amendment*

##### **Investment priorities**

In addition to Article 5 of Regulation (EU) NO [...] /2012 [the ERDF Regulation], the **programmes under the European territorial cooperation goal may also** support **investment in equipment**, facilities, infrastructures and the sharing of human resources, across borders under the different investment priorities, as well as the following investment priorities within the thematic objectives:

## Amendment 34

## Proposal for a regulation

### Article 6 – paragraph 1 – point a – point i

*Text proposed by the Commission*

(i) integrating cross-border labour markets, including cross-border mobility, joint local employment initiatives and joint training (within the thematic objective of promoting employment and supporting labour mobility);

*Compromise Amendment*

(i) integrating cross-border labour markets, including cross-border **transport infrastructure and labour** mobility **and especially the accessibility of people with disabilities**, joint local employment initiatives, **information and advisory services** and joint training (within the thematic objective of promoting employment and supporting labour mobility);

## Amendment 35

### Proposal for a regulation

#### Article 6 – paragraph 1 – point a – point i a (new)

*Text proposed by the Commission*

*Amendment*

***(i a) investments in infrastructure on a local level and in joint equipment, as well as in intangible infrastructure in multinational projects; in addition, the promotion of energy networks such as smart grids, in order to make the best use of energy resources (within the thematic objective of strengthening research, technological development and innovation);***

## Amendment 36

### Proposal for a regulation

#### Article 6 – paragraph 1 – point a – point i b (new)

*Text proposed by the Commission*

*Amendment*

***(i b) support for establishing or enhancing access to joint cross border services of general economic interest,***

*such as investment in health and social infrastructures as well as the cooperation systems of emergency services which contribute to an effective use of resources in cross-border regions (within the thematic objective of promoting social inclusion and combating poverty);*

## **Amendment 37**

### **Proposal for a regulation**

#### **Article 6 – paragraph 1 – point a – point i c (new)**

*Text proposed by the Commission*

*Amendment*

*(i c) fostering the management of tourism, preserving and developing the natural and common cultural heritage;*

## **Amendment 38**

### **Proposal for a regulation**

#### **Article 6 – paragraph 1 – point a – point i d (new)**

*Text proposed by the Commission*

*Amendment*

*(i d) promoting sustainable cross-border mobility by reinforcing transport accessibility and providing better access to public transport and connections at external borders, including the reinforcement of border stations and capacity building at external borders, investment in missing cross-border links, creating solutions for harmonised timetables and tariff schedules and ticketing and new transport connections, when these significantly promote the economic and functional development of the programme area (within the thematic objective of promoting sustainable transport and removing bottlenecks in key network infrastructures);*

## Amendment 39

### Proposal for a regulation

#### Article 6 – paragraph 1 – point a – point ii

*Text proposed by the Commission*

(ii) promoting gender equality and equal opportunities across borders, as well as promoting social inclusion across borders (within the thematic objective of promoting social inclusion and combating poverty);

*Amendment*

(ii) promoting gender equality and equal opportunities across borders, as well as promoting ***peaceful cooperation in a non-discriminatory way alongside border areas and*** social inclusion across borders (within the thematic objective of promoting social inclusion and combating poverty);

## Amendment 40

### Proposal for a regulation

#### Article 6 – paragraph 1 – point a – point iii

*Text proposed by the Commission*

(iii) developing and implementing joint education and training schemes (within the thematic objective of investing in skills, education and lifelong learning);

*Amendment*

(iii) developing and implementing joint education, ***vocational training*** and training schemes (within the thematic objective of investing in skills, education and lifelong learning);

## Amendment 41

### Proposal for a regulation

#### Article 6 – paragraph 1 – point a – point iv

*Text proposed by the Commission*

(iv) promoting legal and administrative cooperation and cooperation between citizens and institutions (within the thematic objective of enhancing institutional capacity and an efficient public administration);

*Amendment*

(iv) promoting legal and administrative cooperation and cooperation between citizens and institutions, ***and the role of regional and local authorities, enhancing the civil and social dialogue and cross-border cooperation between administrations, ensuring better access to information and participation in policy***

*making and providing necessary infrastructure* (within the thematic objective of enhancing institutional capacity and an efficient public administration);

#### **Amendment 42**

##### **Proposal for a regulation**

##### **Article 6 – paragraph 1 – point a – point iv a (new)**

*Text proposed by the Commission*

*Amendment*

*(iv a) cooperation between businesses, particularly between SMEs in order to support the sustainable development of these businesses through forms of economic, commercial or technological cooperation, mobility or exchanges, the creation of enterprise centres and cluster networking as well as paying attention to their cooperation with local and regional authorities (within the thematic objective on strengthening the competitiveness of SMEs);*

#### **Amendment 43**

##### **Proposal for a regulation**

##### **Article 6 – paragraph 1 – point a – point iv b (new)**

*Text proposed by the Commission*

*Amendment*

*(iv b) investing in establishing systems for cross-border information exchange in the area of information and communication technologies (within the thematic objective of enhancing access to, and use and quality of, information and communication technologies).*

#### **Amendment 44**

**Proposal for a regulation**  
**Article 6 – paragraph 1 – point b**

*Text proposed by the Commission*

b) under transnational cooperation:  
development and implementation of  
macro-regional and sea-basin strategies  
(within the thematic objective of enhancing  
institutional capacity and an efficient  
public administration).

*Amendment*

b) under transnational cooperation:  
  
**(i)** development and implementation  
of macro-regional and sea-basin  
strategies (within the thematic  
objective of enhancing  
institutional capacity and an  
efficient public administration);

**Amendment 45**

**Proposal for a regulation**  
**Article 6 – paragraph 1 – point b – point i a (new)**

*Text proposed by the Commission*

*Amendment*

***(i a) development and implementation of  
programmes addressing transnational  
challenges of European concern, like:  
demography, poverty reduction or social  
inclusion of the Roma population.***

**Amendment 46**

**Proposal for a regulation**  
**Article 6 – paragraph 1 – point b – point i b (new)**

*Text proposed by the Commission*

*Amendment*

***(i b) continuation of maritime cross-  
border cooperation not covered by cross-  
border cooperation programmes;***

**Amendment 47**

**Proposal for a regulation**

**Article 6 – paragraph 1 – point b a (new) - introductory part**

*Text proposed by the Commission*

*Amendment*

***(b a) under interregional cooperation:***

**Amendment 48**

**Proposal for a regulation**

**Article 6 – paragraph 1 – point b a (new) - point i (new)**

*Text proposed by the Commission*

*Amendment*

***(i) reinforcing the effectiveness of cohesion policy by encouraging exchange of experience and developing systems for exchange of information between regions, cities and rural areas to enhance design and implementation of operational programmes;***

**Amendment 49**

**Proposal for a regulation**

**Article 6 – paragraph 1 – point b a (new) - point i a (new)**

*Text proposed by the Commission*

*Amendment*

***(i a) reducing the innovation divide between Union's regions via cooperation between innovative research-intensive clusters and exchanges between researchers and research institutions as well as linking emerging centres of excellence especially in less developed regions to leading Union's counterparts by strengthening the stairway to excellence;***

## Amendment 50

### Proposal for a regulation

#### Article 6 - paragraph 1 a (new)

*Text proposed by the Commission*

*Compromise Amendment*

***1 a) It shall be possible to direct funds to the development and implementation of macro-regional and sea-basin strategies under all cooperation programmes and thematic objectives, in the event that Member States and regions participate in such strategies.***

## Amendment 51

### Proposal for a regulation

#### Article 7 – paragraph 1

*Text proposed by the Commission*

*Amendment*

1. A cooperation programme shall consist of priority axes. A priority axis shall concern one Fund, shall correspond to a thematic objective and comprise one or more investment priorities of that thematic objective in line with Articles 5 and 6 of this Regulation.

1. A cooperation programme shall consist of priority axes. A priority axis shall concern one Fund, shall correspond to a thematic objective and comprise one or more investment priorities of that thematic objective in line with Articles 5 and 6 of this Regulation. ***In duly justified cases a priority axis may combine complementary investment priorities, where the effectiveness of the cooperation programme is likely to be increased as a result. .***

## Amendment 52

### Proposal for a regulation

#### Article 7 – paragraph 2 – point b – point ii

*Text proposed by the Commission*

*Amendment*

(ii) the common and specific output and result indicators, with where appropriate a baseline value and a quantified target value;

(ii) the common and specific output and result indicators, with where appropriate a baseline value and a quantified target value, ***in accordance with Article 15;***



## Amendment 53

### Proposal for a regulation

#### Article 7 – paragraph 2 – point c – introductory part

*Text proposed by the Commission*

(c) the contribution to the integrated strategy for territorial development **set out in the partnership contract** including:

*Amendment*

(c) the contribution to the integrated strategy for territorial development including:

## Amendment 54

### Proposal for a regulation

#### Article 7 – paragraph 2 - point c - point i

*Text proposed by the Commission*

(i) the mechanisms that ensure coordination between the Funds, the EAFRD, the EMFF and other Union and national funding instruments and with the European Investment Bank (EIB);

*Amendment*

(i) the mechanisms that ensure **a better** coordination between the Funds, the EAFRD, **the CEF**, the EMFF and other Union and national funding instruments, **including the ENI, IPA and the European Development Fund**, and with the European Investment Bank (EIB), **having due regard to the practical structure of implementation of a possible ENI-component in the European territorial cooperation programmes;**

## Amendment 55

### Proposal for a regulation

#### Article 7 – paragraph 2 – point c – point ii

*Text proposed by the Commission*

(ii) where appropriate, a planned integrated approach to the territorial development of urban, rural, coastal areas and areas with particular territorial features, in particular the implementation arrangements for Articles 28 and 29 of Regulation (EU) No./2012 [CPR];

*Amendment*

(ii) where appropriate, a planned integrated approach to the territorial development of urban, **suburban**, rural, coastal areas and areas with particular territorial, **as referred to in Article 174(3) of TFEU**, in particular the implementation arrangements for Articles 28 and 29 of Regulation (EU) No./2012 [CPR];

## Amendment 56

### Proposal for a regulation

#### Article 7 – paragraph 2 – point c – point iii

*Text proposed by the Commission*

(iii) where appropriate, the list of cities where integrated actions for sustainable urban development will be implemented; the indicative annual allocation **of the ERDF support** for these actions;

*Amendment*

(iii) where appropriate, the list of **criteria for the selection of cities or functional urban areas**, where integrated actions for sustainable urban development will be implemented; the indicative annual allocation of the ERDF support for these actions **at national level**;

## Amendment 57

### Proposal for a regulation

#### Article 7 – paragraph 2 – point c – point v

*Text proposed by the Commission*

(v) **where appropriate**, the contribution of the planned interventions towards macro regional strategies and sea basin strategies;

*Amendment*

(v) the contribution of the planned interventions towards macro regional strategies and sea basin strategies **in the event that Member States and regions participate in such strategies**;

## Amendment 58

### Proposal for a regulation

#### Article 7 – paragraph 2 – point c – point v a (new)

*Text proposed by the Commission*

*Amendment*

**(v a) if necessary a cross-border infrastructure strategy;**

## Amendment 59

### Proposal for a regulation

#### Article 7 – paragraph 2 – point c – point v b (new)

*Text proposed by the Commission*

*Amendment*

**(vb) priority structural projects identified**

*within the framework of macro regional strategies and sea basin strategies.*

## Amendment 60

### Proposal for a regulation

#### Article 7 – paragraph 2 – point e – point i

*Text proposed by the Commission*

(i) the planned use of technical assistance including actions to reinforce the administrative capacity of authorities **and** beneficiaries with the relevant information referred to in paragraph 2(b) for the priority axis concerned;

*Amendment*

(i) the planned use of technical assistance including actions to reinforce the administrative capacity of authorities, beneficiaries, **social partners and non-governmental organisations as well as other stakeholders** with the relevant information referred to in paragraph 2(b) for the priority axis concerned;

Amendment 61

### Proposal for a regulation

#### Article 7 – paragraph 2 – point e – point ii

*Text proposed by the Commission*

(ii) an assessment of the administrative burden for beneficiaries and the actions planned to achieve a reduction accompanied by targets;

*Amendment*

(ii) an assessment of the administrative burden for beneficiaries **and managing authorities**, and the actions planned to achieve a reduction **of the administrative burden**, accompanied by targets **including measures to be taken to avoid overlapping of eligibility rules at different levels not required by Union rules and which can lead to increasing administrative burden for those beneficiaries**;

## Amendment 62

### Proposal for a regulation

#### Article 7 – paragraph 2 – point e – point iii a (new)

*Text proposed by the Commission*

*Amendment*

**(iii a) the planned use and combination of CEF, ERDF and TEN-T programmes and**

*funding;*

### Amendment 63

#### Proposal for a regulation

#### Article 7 – paragraph 2 - point f - point i

*Text proposed by the Commission*

(i) a table specifying for each year, in accordance with Articles 53, 110 and 111 of Regulation (EU) No./2012 [CPR], the amount of the total financial appropriation envisaged for the support from the ERDF;

*Amendment*

(i) a table specifying for each year, in accordance with ***the rules on co-financing rates laid down in*** Articles 53, 110 and 111 of Regulation (EU) No./2012 [CPR], the amount of the total financial appropriation envisaged for the support from the ERDF;

### Amendment 64

#### Proposal for a regulation

#### Article 7 – paragraph 2 – point f – point ii

*Text proposed by the Commission*

(ii) a table specifying, for the whole programming period, for the cooperation programme ***and for each priority axis***, the amount of the total financial appropriation of the support from the ERDF and the national co-financing. Where the national co-financing is made up of public and private co-financing, the table shall give the indicative breakdown between the public and the private components. It shall show, for information purposes, the envisaged participation from the EIB;

*Amendment*

(ii) a table specifying, for the whole programming period, for the cooperation programme, the amount of the total financial appropriation of the support from the ERDF and the national co-financing. ***The table shall give the indicative breakdown between the priority axes.*** Where the national co-financing is made up of public and private co-financing, the table shall give the indicative breakdown between the public and the private components. It shall show, for information purposes, ***any contribution from third countries participating in the programme*** ***and*** the envisaged participation from the EIB;

## Amendment 65

### Proposal for a regulation

#### Article 7 – paragraph 3 – subparagraph 1 - introductory phrase

*Text proposed by the Commission*

*Amendment*

3. **Each** cooperation programme shall include:

3. **Where appropriate, a** cooperation programme shall include:

## Amendment 66

### Proposal for a regulation

#### Article 7 – paragraph 3 – subparagraph 1 – point iii a (new)

*Text proposed by the Commission*

*Amendment*

**(iii a) description of the measures for improving cross-border infrastructure;**

## Amendment 67

### Proposal for a regulation

#### Article 7 – paragraph 3 – subparagraph 2

*Text proposed by the Commission*

*Amendment*

**Member States shall submit an opinion of the national equality bodies on the measures set out in points (ii) and (iii) with the proposal for a cooperation programme.**

**deleted**

## Amendment 68

### Proposal for a regulation

#### Article 7 – paragraph 5

*Text proposed by the Commission*

*Amendment*

5. The participating Member States and third countries or territories, **where applicable**, shall confirm in writing their agreement to the contents of a cooperation programme prior to its submission to the Commission. This agreement shall also

5. The participating Member States and third countries or territories, **when invited to participate in cooperation programmes**, shall confirm in writing their agreement to the contents of a cooperation programme prior to its submission to the Commission.

include a commitment of all participating Member States to provide the co-financing necessary to implement the cooperation programme.

This agreement shall also include a commitment of all participating Member States *and, if possible, third countries or territories*, to provide the co-financing necessary to implement the cooperation programme, *and, where applicable, the commitment for the financial contribution of the third countries or territories*.

## Amendment 69

### Proposal for a regulation Article 7 – paragraph 6

*Text proposed by the Commission*

6. Member States shall draft the cooperation programmes according to the model adopted by the Commission.

*Amendment*

6. **Participating** Member States *and third countries or territories, when invited to participate in cooperation programmes* shall draft the cooperation programmes according to the model adopted by the Commission. *By way of derogation from paragraph 5, when cooperation programmes involve outermost regions and third countries, the Member State will have to consult the third country before submitting programmes to the Commission. In this event, an agreement on the content of the cooperation programmes and the possible contributions from third countries can be included in the minutes of the consultation meetings with the approved third countries or on the decision of the regional cooperation bodies.*

## Amendment 70

### Proposal for a regulation Article 9

*Text proposed by the Commission*

Community-led local development under Article 28 of Regulation (EU) No./2012 [CPR] may be implemented in cross-border cooperation programmes, provided that the

*Amendment*

Community-led local development under Article 28 of Regulation (EU) No./2012 [CPR] may be implemented in cross-border cooperation programmes, provided that the

local development group is composed of representatives of at least two countries, of which one is a Member State.

local development group is composed of *local* representatives of at least two countries, of which one is a Member State.

#### **Amendment 71**

##### **Proposal for a regulation Article 11 – paragraph 1**

*Text proposed by the Commission*

1. Operations under cooperation programmes shall be selected by the monitoring committee referred to in Article 41 of Regulation (EU) No [...] /2012 [CPR].

*Amendment*

1. Operations under cooperation programmes shall be selected by the monitoring committee referred to in Article 41 of Regulation (EU) No [...] /2012 [CPR], *or a steering committee reporting to it.*

#### **Amendment 72**

##### **Proposal for a regulation Article 11 – paragraph 2 – subparagraph 1a (new)**

*Text proposed by the Commission*

*Amendment*

*The above mentioned conditions shall not apply to those actions under any cross-border programme between Northern Ireland and the border countries of Ireland in support of peace and reconciliation referred to in the second subparagraph of Article 6.*

#### **Amendment 73**

##### **Proposal for a regulation Article 11 – paragraph 4**

**Selection of operations**

(...)  
4. Beneficiaries shall cooperate in the development, implementation, staffing and financing of operations.

**Selection of operations**

(...)  
4. Beneficiaries shall cooperate in the development, implementation, staffing and ***where appropriate***, financing of operations.

**Amendment 74**

**Proposal for a regulation**  
**Article 12 – paragraph 4**

*Text proposed by the Commission*

4. Lead beneficiaries shall be located, and sole beneficiaries shall be registered, in a Member State.

*Amendment*

4. Lead beneficiaries shall be located, and sole beneficiaries shall be registered, in a Member State, ***unless otherwise agreed between the Member States and third countries participating in the cooperation programme, while ensuring that requirements for management verifications and audit are met.***

**Amendment 75**

**Proposal for a regulation**  
**Article 13 – paragraph 1**

*Text proposed by the Commission*

1. By 30 ***April*** 2016 and by 30 ***April*** of each subsequent year until and including 2022, the managing authority shall submit to the Commission an annual report in accordance with Article 44(1) of Regulation (EU) No [...]/2012 [CPR]. The report submitted in 2016 shall cover the financial years 2014 and 2015, as well as the period between the starting date for eligibility of expenditure and 31 December 2013.

*Amendment*

1. By 30 ***June*** 2016 and by 30 ***June*** of each subsequent year until and including 2022, the managing authority shall submit to the Commission an annual report in accordance with Article 44(1) of Regulation (EU) No [...]/2012 [CPR]. The report submitted in 2016 shall cover the financial years 2014 and 2015, as well as the period between the starting date for eligibility of expenditure and 31 December 2013.



## Amendment 76

### Proposal for a regulation

#### Article 13 – paragraph 3 – point d

*Text proposed by the Commission*

(d) the specific actions taken to promote equality between men and women and to prevent discrimination, including accessibility for disabled persons, and the arrangements implemented to ensure the integration of the gender perspective in the operational programme and operations;

*Amendment*

(d) **where appropriate**, the specific actions taken to promote equality between men and women and to prevent discrimination, including accessibility for disabled persons, and the arrangements implemented to ensure the integration of the gender perspective in the operational programme and operations;

## Amendment 77

### Proposal for a regulation

#### Article 15 – paragraph 1

*Text proposed by the Commission*

Common indicators, **as set out in the Annex to this Regulation**, shall be used where relevant and in accordance with Article 24(3) of Regulation (EU) No./2012 [CPR]. Their **baselines** shall be set at zero and cumulative **targets** shall be fixed for 2022.

*Amendment*

**The Commission shall adopt implementing acts to establish the list of common indicators concerning matters with cross-border or transnational character and not solely on matters of general character suitable for the national programmes, which** shall be used where relevant and in accordance with Article 24(3) of Regulation (EU) No [..]/2012 [CPR]. **Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 14(2) [ERDF].** Their **baseline** shall be set at zero and **a** cumulative **target** shall be fixed for 2022.

## Amendment 78

### Proposal for a regulation

#### Article 16 - paragraph 1

*Text proposed by the Commission*

*Compromise Amendment*

#### Technical assistance

The amount of the ERDF allocated to technical assistance shall be limited to 6% of the total amount allocated to a cooperation programmes, **but shall not be less than EUR 1 500 000.**

#### Technical assistance

The amount of the ERDF allocated to technical assistance shall be limited to 6% of the total amount allocated to a cooperation programmes. ***The Commission, upon duly justified request, shall negotiate between the Member States and the third countries concerned, a higher amount of technical assistance for programmes facing specific implementation difficulties.***

## Amendment 79

### Proposal for a regulation

#### Article 17 – paragraph 1

*Text proposed by the Commission*

*Amendment*

1. The Commission shall be empowered to adopt delegated acts in accordance with Article 29 to set additional specific rules on eligibility of expenditure for cooperation programmes.

1. The Commission shall be empowered to adopt delegated acts in accordance with Article 29 in order to lay down ***a joint approach and*** additional specific rules on eligibility of expenditure for cooperation programmes, ***as well as to establish clear common rules for different cost types. To that end, the Commission shall set out the specific provisions concerning the application of rules on state aid in the context of cooperation programmes.***

## Amendment 80

### Proposal for a regulation

#### Article 17 – paragraph 2

*Text proposed by the Commission*

*Amendment*

2. Without prejudice to the eligibility rules

2. Without prejudice to the eligibility rules

laid down in or on the basis of Articles 55 to 61 of Regulation (EU) No [...] /2012 [CPR], Regulation (EU) No [...] /2012 [ERDF] *or* this Regulation, the monitoring committee shall establish eligibility rules for the cooperation programme as a whole.

laid down in or on the basis of Articles 55 to 61 of Regulation (EU) No [...] /2012 [CPR], Regulation (EU) No [...] /2012 [ERDF], this Regulation *or on the basis thereof*, the monitoring committee shall establish eligibility rules for the cooperation programme as a whole.

## Amendment 81

### Proposal for a regulation Article 17 – paragraph 3

*Text proposed by the Commission*

3. For matters not covered by eligibility rules laid down in or on the basis of Articles 55 to 61 of Regulation (EU) No [...] /2012 [CPR], Regulation (EU) No [...] /2012 [ERDF] *or* this Regulation or by the monitoring committee, the national rules of the *country in which* the expenditure *is incurred* shall apply.

*Amendment*

3. For matters not covered by eligibility rules laid down in or on the basis of Articles 55 to 61 of Regulation (EU) No [...] /2012 [CPR], Regulation (EU) No [...] /2012 [ERDF], ***Regulation (EU) No .../2012 of the European Parliament and of the Council on [ the financial rules applicable to the annual budget of the Union], this Regulation or on the basis thereof or*** by the monitoring committee, the national rules of the ***Member State of the beneficiary who incurred*** the expenditure shall apply ***and shall neither contradict Union rules, nor add disproportionate administrative burden to the beneficiary.***

## Amendment 82

### Proposal for a regulation Article 18 - paragraph 1

*Text proposed by the Commission*

Staff costs of an operation may be calculated as a flat rate of up to **15** % of the direct costs other than the staff costs of that operation.

*Amendment*

***In addition to the rules on flat rate for indirect costs laid down in Article 58 of Regulation (EU) No./2012 [CPR],*** staff costs of an operation may be calculated as a flat rate of up to **20** % of the direct costs other than the staff costs of that operation.

## Amendment 83

### Proposal for a regulation Article 20 – paragraph 1

*Text proposed by the Commission*

1. For the purposes of *Articles* 113(1) and (2 ) of Regulation (EU) No [...]/2012 [CPR], Member States participating in a cooperation programme shall **appoint** a single managing authority and, for the purpose of Article 113(4) of that Regulation, a single audit authority, **which** shall be situated in the same Member State.

*Amendment*

1. For the purposes of ***the provisions designating authorities, as laid down in Article*** 113(1) and (2 ) of Regulation (EU) No [...]/2012 [CPR], Member States participating in a cooperation programme shall ***accredit*** a single managing authority, ***for the purposes of Article 113(2) of that regulation, a certifying authority***, and, for the purpose of Article 113(4) of that Regulation, a single audit authority. ***The managing authority and the audit authority*** shall be situated in the same Member State.

***Member States participating in a cooperation programme may allocate a single managing authority which will also act as a certifying authority. Allocations shall be made without prejudice to the sharing of responsibilities between the Member State participating in that programme in relation to the application of financial corrections as set out by the cooperation programme.***

## Amendment 84

### Proposal for a regulation Article 21 - paragraph 1

*Text proposed by the Commission*

Member States participating in a cooperation programme may make use of an EGTC with a view to making the grouping responsible for managing the cooperation programme or part thereof, notably by conferring on it the responsibilities of a managing authority.

*Amendment*

Member States participating in a cooperation programme may make use of an EGTC with a view to making the grouping responsible for managing the cooperation programme or part thereof, notably by conferring on it the responsibilities of a managing authority. ***It must be ensured that the partnership***

*principle is respected in accordance with Article 5 of Regulation (EU) No [...CPR]<sup>1</sup>.*

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<sup>1</sup> COM(2011)0615

## **Amendment 85**

### **Proposal for a regulation Article 21 – paragraph 1a (new)**

*Text proposed by the Commission*

*Amendment*

***1a. Member States shall, during the preparation of the cooperation programme, examine whether the programme objectives would be better realised by appointing an EGTC.***

## **Amendment 86**

### **Proposal for a regulation Article 22 – paragraph 4 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

Those controllers ***shall, where possible***, be the same bodies responsible for carrying out such verifications for the operational programmes under the Investment for growth and jobs goal or, in the case of third countries, for carrying out comparable verifications under external policy instruments of the Union.

Those controllers ***may*** be the same bodies responsible for carrying out such verifications for the operational programmes under the Investment for growth and jobs goal or, in the case of third countries, for carrying out comparable verifications under external policy instruments of the Union.

## **Amendment 87**

### **Proposal for a regulation Article 29 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

2. The power to adopt delegated acts referred to in Article 17(1) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from the ***date***

2. The power to adopt delegated acts referred to in Article 17(1) shall be conferred on the Commission for ***a*** period of ***3 years*** from ... \* ***The Commission shall draw up a report in respect of*** the

*of entry into force of this Regulation.*

*delegation of power not later than 9 months before the end of the three year period. The delegation of power shall be tacitly extended until the review of this Regulation, unless the European Parliament or the Council opposes such extension not later than 3 months before the end of that period.*

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*\* OJ: Please insert the date:*

**Amendment 88**  
**Proposal for a regulation**  
**Article 29 – paragraph 5**

*Text proposed by the Commission*

5. A delegated act adopted pursuant to Article 17(1) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **two** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **two** months at the initiative of the European Parliament or of the Council.

*Amendment*

5. A delegated act adopted pursuant to Article 17(1) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **three** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **three** months at the initiative of the European Parliament or of the Council.

**Amendment 89**

**Proposal for a regulation**  
**Annex 1**

*Text proposed by the Commission*

*Amendment*

*deleted*

**Amendment 90**

**Proposal for a regulation**  
**Annex –title**

*Text proposed by the Commission*

*Amendment*

***Common indicators for the European territorial cooperation goal (referred to in Article 15)***

***deleted***