



Republic of Serbia

**MINISTRY OF FINANCE**

**Department for Contracting and Financing of EU Funded Programmes (CFCU)**

**Belgrade, 27 May 2022**

**CONTRACTING AUTHORITY'S CLARIFICATIONS**

**3<sup>rd</sup> Call for proposals: Cross-border Cooperation Programme Serbia – Bosnia and Herzegovina 2014-2020 under the Instrument of Pre-Accession Assistance (IPA II), allocations 2018 and 2019**

**EuropeAid/173817/ID/ACT/Multi**

No.	Question	Answer
1.	Good morning, we are an Italian NGO, with office, Bosnian Legal Representative, bank account and official recognition in Bosnia and Herzegovina: can we participate presenting an application to the call, with a Serbian partner	In line with the Guidelines for grant applicants (GfA), <b>Section 2.2.4. Further information about the applications</b> , “ <i>to ensure equal treatment of applicants, the contracting authority cannot give a prior opinion on the eligibility of lead applicants, co-applicants, affiliated entity(ies), an action or specific activities</i> ”.  According to the <b>Section 2.1.1 Eligibility of applicants (i.e. lead applicant and co-applicant(s))</b> of the GfA:  <b>“Lead applicant</b> (1) In order to be eligible for a grant, the lead applicant must <ul style="list-style-type: none"><li>• be a legal person, <b>and</b></li><li>• be non-profit-making, <b>and</b></li><li>• <u>be effectively established<sup>4</sup> in either Republic of Serbia or Bosnia and Herzegovina</u> <b>and</b></li><li>• be directly responsible for the preparation and management of the action with the co-applicant(s)</li></ul>

No.	Question	Answer
		<p>and affiliated entity(ies), not acting as an intermediary, <b>and</b></p> <ul style="list-style-type: none"> <li>• be one of the following institutions or organisations:”</li> </ul> <p>The effective establishment of applicants should be proved not only with the statutes but with the registration certificate.</p> <p>Please see footnote no. 4 in the GfA:</p> <p><i><sup>4</sup> To be determined on the basis of the organisation’s statutes, which should demonstrate that it has been established by an instrument governed by the national law of the country concerned and that its head office is located in an eligible country. The effective establishment of applicants should be proved not only with the statutes but with the registration certificate. In this respect, any legal entity whose statutes have been established in another country cannot be considered an eligible local organisation, even if the statutes are registered locally or a ‘Memorandum of Understanding’ has been concluded.</i></p> <p><b>Co-applicant(s)</b></p> <p><b>The lead applicant must act with at least one co-applicant as specified hereafter.</b></p> <p><b>If the lead applicant is established in the Republic of Serbia, at least one co-applicant must be established in Bosnia and Herzegovina, and vice versa.</b></p> <p><b>At least two legal entities in the partnership, one per participating country, being the lead applicant or the co-applicant, must be effectively established or have an office in the programme eligible area.</b></p> <p><b>The maximum number of co-applicants that could be involved in the action is 3.</b></p> <p><b>Co-applicants must satisfy the eligibility criteria as applicable to the lead applicant himself.</b></p> <p><b>Co-applicants must sign the mandate in Part B Section 4.2 of the grant application form.”</b></p>

No.	Question	Answer
2.	<p>This question is related to following public calls: Cross-border Cooperation program Serbia-Bosnia and Herzegovina 2014-2020 and Cross-border Cooperation program Serbia-Montenegro 2014-2020:</p> <p>Under which conditions can be engaged/recruited external professional staff on project, as member of project team (Heading 1), who will work on project implementation and he/she is not employed in institutions members of partnership consortium. Accordingly, in what percentage is their cost eligible (33,3 - 100% of engagement).</p> <p>Also, at which point should they be engaged: before signing the contract, during the clarification or after signing?</p>	<p>In line with the Guidelines for Applicants, <b>Section 2.2.4. Further information about the applications</b>, “<i>to ensure equal treatment of applicants, the contracting authority cannot give a prior opinion on the eligibility of lead applicants, co-applicants, affiliated entity(ies), an action or specific activities</i>”.</p> <p>Please see the following information under the <b>Section 2.1.5. Eligibility of costs</b> of the Guidelines for applicants:</p> <p><u>“Eligible direct costs</u> To be eligible under this call for proposals, costs must comply with the provisions of Article 14 of the General Conditions to the standard grant contract (see Annex G of the guidelines).</p> <p><b>Salary costs of the personnel of national, regional or local administrations, as well as those of other publicly owned or controlled institutions or enterprises</b>, may be eligible to the extent that they relate to the cost of activities which the relevant public authority would not carry out if the action or operation were not undertaken.</p> <p><b>This personnel shall not receive for the engagement in the project activities any other remuneration than their standard, regular salaries in their respective institutions.</b></p> <p><b>The total sum of the salaries of this personnel shall not exceed the total amount of co-financing provided by the applicant, co-applicant(s) and affiliated entity(ies).</b></p> <p>Prior to the signature of a grant contract, the contracting authority may require from the relevant beneficiaries the appointment of these staffers by their authorized representative in writing (indicating their names, project function and gross salaries).</p> <p>Please note that this does not apply to professional staff recruited by the national, regional or local administrations, as well as other publicly owned or controlled institutions or enterprises, for the sole purpose of managing this project resulting from the grant award.</p>

No.	Question	Answer
		<p>Potential applicants are also reminded that assessment of the operational capacities will be focused on in-house expertise, which is reflected in assessment grids”.</p> <p>As a general rule, tasks performed by consultants, experts and/or other service providers (e.g. accountants, lawyers, translators, external IT staff etc...) are to be considered as resulting from implementation contracts (Article 10 of the general conditions to the standard grant contract). Consequently, beneficiaries must award these contracts in accordance with Annex IV. These costs are thus not considered as human resources (budget heading 1) but as other costs/services (notably budget heading 5 or 6).</p> <p>NB: According to the Article 10.1 of the General Conditions to the standard grant contract: <i>“If the implementation of the action requires the beneficiary(ies) to procure goods, works or services, it shall respect the contract-award rules and rules of nationality and origin set out in Annex IV of this contract.”</i></p> <p>Potential applicants don’t have to provide signed contracts for external professional staff on project, during the evaluation clarification phase. But please be reminded that assessment of the operational capacities will be focused on in-house expertise, which is reflected in assessment grids.</p>
3.	<p>Poštovani, Predlog projekta za treći poziv IPA Srbija-BiH je u pripremi. Nismo još ni instituciju registrovali, tako da projekat nema ni pun naziv ni broj.</p> <p>Pitanje se odnosi na PADOR broj pri registraciji institucije. Pošto smo privatni univerzitet, integrisani, da li se "legal entity" smatra kao "public law body"</p> <p><i>Unofficial translation</i></p> <p><i>Dear Sirs, the project proposal for the 3<sup>rd</sup> CfP IPA Serbia-BiH call is under preparation. We haven't registered the institution yet, so the project does not have a full name or number.</i></p>	<p>According to the GfA, <b>Section 2.2 HOW TO APPLY AND THE PROCEDURES TO FOLLOW</b>, <i>“information in PADOR will not be drawn upon in the present call”</i>.</p>

No.	Question	Answer
	<p><i>The question refers to the PADOR number when registering the institution. Since we are a private university, integrated, is a "legal entity" considered as a "public law body".</i></p>	
4.	<p>Dear madam/sir,</p> <p>kind reminder on query in the mail below. According to the call for proposal reply should be received within 11 days.</p> <p>Dear madam/sir,</p> <p>I am writing in regard to the IPA 2 Cross-border cooperation Serbia-BiH call, reference EuropeAid/173817/ID/ACT/Multi, announced on the next link <a href="https://webgate.ec.europa.eu/europeaid/onl ine-services/index.cfm?ADSSChck=1646807380974&amp;do=publi.detPUB&amp;searchtype=QS&amp;orderby=upd&amp;orderbyad=Desc&amp;nbPubli List=15&amp;page=1&amp;aoref=173817">https://webgate.ec.europa.eu/europeaid/onl ine-services/index.cfm?ADSSChck=1646807380974&amp;do=publi.detPUB&amp;searchtype=QS&amp;orderby=upd&amp;orderbyad=Desc&amp;nbPubli List=15&amp;page=1&amp;aoref=173817</a></p> <p>SOS Children’s Villages BiH are locally registered in Bosnia and Herzegovina as Representative office of SOS Children’s Villages International in Bosnia and Herzegovina. We are one of the leading organizations in Bosnia and Herzegovina in the field of social protection, particularly social protection of children and vulnerable families. In the past we have successfully applied to the calls with same or similar eligibility criteria. However, I would kindly ask for clarification can SOS Children’s Villages BiH with this type of registration participate in this call, either as a lead applicant or as a co-applicant?</p>	<p>In line with the Guidelines for grant applicants (GfA), <b>Section 2.2.4. Further information about the applications</b>, “to ensure equal treatment of applicants, the contracting authority cannot give a prior opinion on the eligibility of lead applicants, co-applicants, affiliated entity(ies), an action or specific activities”.</p> <p>According to the <b>Section 2.1.1 Eligibility of applicants (i.e. lead applicant and co-applicant(s))</b> of the GfA:</p> <p><b>“Lead applicant</b></p> <p>(1) In order to be eligible for a grant, the lead applicant must</p> <ul style="list-style-type: none"> <li>• be a legal person, <b>and</b></li> <li>• be non-profit-making, <b>and</b></li> <li>• <u>be effectively established in<sup>4</sup> either Republic of Serbia or Bosnia and Herzegovina <b>and</b></u></li> <li>• be directly responsible for the preparation and management of the action with the co-applicant(s) and affiliated entity(ies), not acting as an intermediary, <b>and</b></li> </ul> <p>be one of the following institutions or organisations:</p> <p><b>Under the specific objective 1.2 Fostering social and economic inclusion</b></p> <ul style="list-style-type: none"> <li>• Central, regional and local government units (ministries, municipalities, departments, agencies) with competencies/responsibilities in the eligible area in the fields relevant to the call</li> <li>• Social welfare institutions</li> <li>• Employment services</li> <li>• Health institutions</li> <li>• Civil society organizations/ NGOs</li> </ul>

No.	Question	Answer
		<ul style="list-style-type: none"> <li>• Chambers of commerce and Chambers of crafts and trades</li> <li>• Professional associations, farmers associations and associations of SMEs</li> <li>• Trade unions</li> <li>• Educational and research institutions and organizations</li> <li>• Local and regional development agencies</li> <li>• Public companies and public institutions</li> </ul> <p><b>Under Specific Objective 3.1: Increasing the contribution of tourism to the socio-economic development of the programme area</b></p> <ul style="list-style-type: none"> <li>• Central, regional and local government units (ministries, municipalities, departments, agencies) with competencies/responsibilities in the eligible area in the fields relevant to the call</li> <li>• Sport organizations</li> <li>• Tourist organizations</li> <li>• Cultural institutions</li> <li>• Civil society organizations</li> <li>• Chambers of commerce and Chambers of crafts and trades</li> <li>• Professional associations, farmers associations and associations of SMEs</li> <li>• National parks</li> <li>• Educational and research institutions and organizations</li> <li>• Local and regional development agencies</li> <li>• Public companies and public institutions”</li> </ul> <p>In addition, please see the footnote no. 4 in the GfA:</p> <p><i>4 To be determined on the basis of the organisation’s statutes, which should demonstrate that it has been established by an instrument governed by the national law of the country concerned and that its head office is located in an eligible country. The effective establishment of applicants should be proved not only with the statutes but with the registration certificate. In this respect, any legal entity whose statutes have been established in another country cannot be considered an eligible local organisation, even if the statutes are registered locally or a ‘Memorandum of Understanding’ has been concluded.</i></p>

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		<p>According to the <b>Section 2.1.1 Eligibility of applicants (i.e. lead applicant and co-applicant(s)) of the GfA:</b></p> <p><b>“Co-applicant(s)</b></p> <p><b>The lead applicant must act with at least one co-applicant as specified hereafter.</b></p> <p><b>If the lead applicant is established in the Republic of Serbia, at least one co-applicant must be established in Bosnia and Herzegovina, and vice versa.</b></p> <p><b>At least two legal entities in the partnership, one per participating country, being the lead applicant or the co-applicant, must be effectively established or have an office in the programme eligible area.</b></p> <p><b>The maximum number of co-applicants that could be involved in the action is 3.</b></p> <p><b>Co-applicants must satisfy the eligibility criteria as applicable to the lead applicant himself.</b></p> <p><b>Co-applicants must sign the mandate in Part B Section 4.2 of the grant application form.”</b></p>

No.	Question	Answer				
5.	<p>Poštovani, vidio sam da je izašao javni poziv prekogranične saradnje Srbije i Bosne i Hercegovine i da je tu dat spisak gradova koji mogu učestvovati. Vodim nevladinu organizaciju iz grada Kaknja Bosna i Hercegovina i njega nema na spisku a imamo bas lijepu ideju za apliciranje pa nas zanima zašto Kakanj nije na listi i koji je bio kriterij za odabir gradova koji mogu učestvovati.</p> <p><i>Unofficial translation</i> <i>Dear,</i> <i>I have seen that a public call for the CBC Serbia-BIH has been published and the list of cities that could participate is provided. I run the NGO from the city of Kakanj, Bosnia and Hercegovina and this city is not on the list. We have a really good idea for applying, so we are interested to know why the city of Kakanj is not on the list and what was the criteria for selecting the cities that could participate.</i></p>	<p>According to GfA, <b>Section 2.1.4. Eligible actions: actions for which an application may be made:</b></p> <p><u>“Location</u> Actions or operations must have as final beneficiaries the population of the programme area. They must take place in one or more of the following territorial units:</p> <table border="1" data-bbox="837 554 1539 1041"> <thead> <tr> <th data-bbox="837 554 1539 590">In the Republic of Serbia</th> </tr> </thead> <tbody> <tr> <td data-bbox="837 590 1539 1041"> <ul style="list-style-type: none"> <li>• Sremski District: Sremska Mitrovica, Šid, Inđija, Irig, Ruma, Stara Pazova, Pećinci;</li> <li>• Mačvanski District: Šabac, Bogatić, Loznica, Vladimirci, Koceljevo, Mali Zvornik, Krupanj, Ljubovija;</li> <li>• Zlatiborski District: Bajina Bašta, Kosjerić, Užice, Požega, Čajetina, Arilje, Priboj, Nova Varoš, Prijepolje, Sjenica;</li> <li>• Kolubarski District: Valjevo, Osečina, Ub, Lajkovac, Mionica and Ljig;</li> </ul> </td> </tr> </tbody> </table> <table border="1" data-bbox="837 1073 1539 1614"> <thead> <tr> <th data-bbox="837 1073 1539 1108">In Bosnia and Herzegovina</th> </tr> </thead> <tbody> <tr> <td data-bbox="837 1108 1539 1614"> <p>Brčko District, Gradačac, Doboj Istok, Gračanica, Srebrenik, Čelić, Lopare, Ugljevik, Donji Žabar, Domaljevac-Šamac, Modriča, Odžak, Osmaci, Banovići, Bijeljina, Brod, Bratunac, Han Pijesak, Kalesija, Kladanj, Šekovići, Lukavac, Milići, Orašje, Pelagićevo, Petrovo, Sapna, Srebrenica, Šamac, Teočak, Tuzla, Vlasenica, Vukosavlje, Zvornik, Živinice, Trnovo RS, Istočna Ilidža, Istočno Novo Sarajevo, Vogošća, Istočni Stari Grad, Vareš, Visoko, Fojnica, Višegrad, Rogatica, Sokolac, Pale, Pale Prača (FBiH), Novo Goražde, Rudo, Čajniče, Goražde, Foča Ustikolina (FBiH), Foča, Kalinovik, Trnovo, Hadžići, Ilidža, Novi Grad Sarajevo, Stari Grad Sarajevo, Ilijaš, Breza, Kiseljak, Kreševo, Olovo, Sarajevo Centar and Novo Sarajevo.</p> </td> </tr> </tbody> </table> <p>Only the enumerated localities are part of the programme eligible area of the IPA II CBC Serbia-Bosnia and Herzegovina Programme.</p> <p>Please also refer to the answer no. 4.</p>	In the Republic of Serbia	<ul style="list-style-type: none"> <li>• Sremski District: Sremska Mitrovica, Šid, Inđija, Irig, Ruma, Stara Pazova, Pećinci;</li> <li>• Mačvanski District: Šabac, Bogatić, Loznica, Vladimirci, Koceljevo, Mali Zvornik, Krupanj, Ljubovija;</li> <li>• Zlatiborski District: Bajina Bašta, Kosjerić, Užice, Požega, Čajetina, Arilje, Priboj, Nova Varoš, Prijepolje, Sjenica;</li> <li>• Kolubarski District: Valjevo, Osečina, Ub, Lajkovac, Mionica and Ljig;</li> </ul>	In Bosnia and Herzegovina	<p>Brčko District, Gradačac, Doboj Istok, Gračanica, Srebrenik, Čelić, Lopare, Ugljevik, Donji Žabar, Domaljevac-Šamac, Modriča, Odžak, Osmaci, Banovići, Bijeljina, Brod, Bratunac, Han Pijesak, Kalesija, Kladanj, Šekovići, Lukavac, Milići, Orašje, Pelagićevo, Petrovo, Sapna, Srebrenica, Šamac, Teočak, Tuzla, Vlasenica, Vukosavlje, Zvornik, Živinice, Trnovo RS, Istočna Ilidža, Istočno Novo Sarajevo, Vogošća, Istočni Stari Grad, Vareš, Visoko, Fojnica, Višegrad, Rogatica, Sokolac, Pale, Pale Prača (FBiH), Novo Goražde, Rudo, Čajniče, Goražde, Foča Ustikolina (FBiH), Foča, Kalinovik, Trnovo, Hadžići, Ilidža, Novi Grad Sarajevo, Stari Grad Sarajevo, Ilijaš, Breza, Kiseljak, Kreševo, Olovo, Sarajevo Centar and Novo Sarajevo.</p>
In the Republic of Serbia						
<ul style="list-style-type: none"> <li>• Sremski District: Sremska Mitrovica, Šid, Inđija, Irig, Ruma, Stara Pazova, Pećinci;</li> <li>• Mačvanski District: Šabac, Bogatić, Loznica, Vladimirci, Koceljevo, Mali Zvornik, Krupanj, Ljubovija;</li> <li>• Zlatiborski District: Bajina Bašta, Kosjerić, Užice, Požega, Čajetina, Arilje, Priboj, Nova Varoš, Prijepolje, Sjenica;</li> <li>• Kolubarski District: Valjevo, Osečina, Ub, Lajkovac, Mionica and Ljig;</li> </ul>						
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No.	Question	Answer
6.	<p>Dear Sirs / Madams, We would appreciate your reply with regards to eligible partners.</p> <p>If a partner is registered as “d.o.o.” according to the Zakon o privrednim društvima Federacije BiH, is it eligible to participate in the program as partner. They are established by and association with the status of social enterprise for the employment of persons with disabilities. We have read the Guidelines for applicants, however we consider the situation is specific since we are talking about Association for the rehabilitation and employment of blind and visually impaired which is in their vocation a social enterprise whose profit is invested in the society.</p>	Please refer to the answer no. 4.
7.	<p>Najljubaznije Vas molim za informaciju da li možemo da konkuriramo na otvorenom pozivu -IPA program prekogranične saradnje Srbija-Bosna i Hercegovina 2014-2020 kao Univerzitet ili kao fakultet ili su obe varijante moguće? U svakom slučaju, na strani Srbije, sedište i Univerziteta i fakulteta je u Novom Sadu, a naša visokoškolska jedinica se nalazi u Šapcu, gde je i predviđeno da se odvija deo programskih aktivnosti.</p> <p>Partner iz Bosne je takođe obrazovna ustanova, te nam je neophodno i za njih da znamo da li mogu konkurisati kao Univerzitet ili fakultet (sedište oba su u programskom području).</p> <p><i>Unofficial translation</i></p> <p><i>I would kindly like to ask you for the information whether we could apply to the open call –IPA cross-border cooperation program Serbia-Bosnia and Hercegovina 2014-2020 as a University or as a Faculty,</i></p>	Please refer to the answer no. 4.

No.	Question	Answer
	<p><i>or both variants are possible? Anyway, on the Serbian side, the head office of both the University and the Faculty is in Novi Sad, and our education unit is in Šabac, where the part of the program activities is planned to take place.</i></p> <p><i>Partner from Bosnia and Herzegovina is also an educational institution, so we also need to know whether they could apply as a University or as a Faculty (head offices of both are located in the programme area).</i></p>	
8.	<p>Najljubaznije Vas molim za informaciju da li je prilikom podnošenja projektne dokumentacije za IPA program prekogranične saradnje Srbija-Bosna i Hercegovina 2014-2020 neophodno:</p> <ul style="list-style-type: none"> <li>- prevesti i celokupnu statusnu dokumentaciju svih nosioca projekta (lead applicant and co-applicant i /ili affiliated entities) na engleski jezik?</li> <li>- prevesti i finansijske izveštaje za poslednje tri godine na engleski jezik (lead applicant and co-applicant i/ili affiliated entities)?</li> </ul> <p><i>Unofficial translation</i></p> <p><i>I would kindly like to ask you for the information on whether when submitting the project documentation for the IPA cross-border cooperation program Serbia - Bosnia and Herzegovina it is necessary:</i></p> <ul style="list-style-type: none"> <li>- <i>to translate the entire status documentation for all project applicants (main applicant and co-applicant and / or related parties) into English,</i></li> <li>- <i>to translate the financial reports for the last three years into English (lead applicant and co-applicant and/or affiliated entities).</i></li> </ul>	<p>According to the <b>Section 2.2.1 Application forms</b> of the GfA:</p> <p><b>“Applicants must apply in English.</b></p> <p>Documents must be supplied in the form of originals, photocopies or scanned versions (i.e., showing legible stamps, signatures and dates) of the said originals.</p> <p>Where such documents are not in one of the official languages of the European Union, <u>a translation into English language of the relevant parts of these documents proving the lead applicant's and, where applicable, co-applicants' and affiliated entity(ies)' eligibility, must be attached for the purpose of analysing the application.</u></p> <p>Where these documents are in an official language of the European Union other than English, it is strongly recommended, in order to facilitate the evaluation, <u>to provide a translation of the relevant parts of the documents, proving the lead applicant's and, where applicable, co-applicants' and affiliated entity(ies)' eligibility, into English.”</u></p>

No.	Question	Answer
9.	<p>Imamo projektnu ideju sa kojom želimo da učestvujemo na otvorenom pozivu -IPA program prekogranične saradnje Srbija-Bosna i Hercegovina 2014-2020 i imamo partnere u Bosni u programskom području, ali imamo nedoumicu da li mi kao Univerzitet/Fakultet sa sedištem u Novom Sadu, a naš fakultet ima visoko školsku jedinicu u Šapcu (Visokoškolska jedinica van sedišta ustanove bez svojstva pravnog lica - bez matičnog broja i PIB-a, sa Rešenjem nadležnog ministarstva), a u čijim prostorijama bi se obavljao deo projektnih aktivnosti (onih koje bi se obavljale u Srbiji), možemo učestvovati u projektu ili nam je neophodan partner i sa strane Srbije koji ima sedišta u programskom području.</p> <p>Najljubaznije Vas molimo za brz odgovor, ukoliko je to moguće, jer od ove informacije zavisi da li možemo učestvovati na pozivu ili ne?</p> <p><i>Unofficial translation</i></p> <p><i>We have a project idea we want to participate with at the open call –IPA CBC programme Serbia-Bosnia and Hercegovina 2014-2020 and we have a partner in the programme area of Bosnia and Herzegovina.</i></p> <p><i>However, we have doubts whether we as a University/Faculty based in Novi Sad and with a higher education unit in Sabac (the higher education unit outside the head office of the institution, without the status of a legal entity - without registration number and PIB, with the Decision of the competent ministry), in whose premises the part of the project activities would take place (activities in Serbia), could participate in the project or we need a partner from Serbia who has the head office in the program area.</i></p>	Please refer to the answer no. 4.

No.	Question	Answer
	<p><i>We are kindly asking for your answer in the shortest notice since our participation in this Call depends on that information.</i></p>	
10.	<p>We are referring to the point “ineligibility of actions” stated on page 23. of the Guidelines for applicants: It is listed that “the following types of actions are ineligible: actions aimed at the upgrading of infrastructure and equipment in privately owned facilities”. If a project targets tourism rural households which previously undergo specific capacity building and training and are submitting business plans which aim to diversify and increase the quality of their offer under a transparent procedure – which together are expected to contribute to overall goal of the project and the fulfilment of indicators- would it be possible to allocate equipment/direct some activities to them which remain under the ownership of the project partners?</p>	<p>In line with the GfA, <b>Section 2.2.4. Further information about the applications</b>, in order “<i>to ensure equal treatment of applicants, the contracting authority cannot give a prior opinion on the eligibility of lead applicants, co-applicants, affiliated entity(ies), an action or specific activities.</i>”</p>
11.	<p>Dear Madam/Sir, On behalf of the National Alliance for Local Economic Development, I am hereby submitting the questions for clarifications with regards to the 3rd Call for Proposals for the Cross-Border Cooperation programme Serbia-Bosnia and Herzegovina (ref. Europe Aid/173817/ID/ACT/Multi).</p> <p>Can the lead applicant be legally registered outside of the programme area whereas two co-applicants and/or affiliated entities are legally registered in the programme area?</p>	<p>According to the <b>Section 2.1.1 Eligibility of applicants (i.e. lead applicant and co-applicant(s)) of the GfA:</b></p> <p><b>“Co-applicant(s)</b></p> <p><b>The lead applicant must act with at least one co-applicant as specified hereafter.</b></p> <p><b>If the lead applicant is established in the Republic of Serbia, at least one co-applicant must be established in Bosnia and Herzegovina, and vice versa.</b></p> <p><b><u>At least two legal entities in the partnership, one per participating country, being the lead applicant or the co-applicant, must be effectively established or have an office in the programme eligible area.</u></b></p> <p><b>The maximum number of co-applicants that could be involved in the action is 3. “</b></p>

No.	Question	Answer
12.	<p>If an entity is legally registered outside of the programme area, but in its statute is defined as an association with a branch office in the programme area, is this entity thus eligible to apply either as a co-applicant or an affiliated entity?</p> <p>Bearing in mind that, as per law in Serbia, it is not mandatory to legally register the address of a branch office in the Business Registry Agency, and the branch office address is not visible on the website of BRA, what type of documents should we provide for this entity to prove its eligibility?</p>	<p>In line with the GfA, <b>Section 2.2.4. Further information about the applications</b>, in order “<i>to ensure equal treatment of applicants, the contracting authority cannot give a prior opinion on the eligibility of lead applicants, co-applicants, affiliated entity(ies), an action or specific activities.</i>”</p> <p>According to the <b>Section 2.1.1 Eligibility of applicants (i.e. lead applicant and co-applicant(s))</b> of the GfA:</p> <p><b>“Lead applicant</b></p> <p>(1) In order to be eligible for a grant, the lead applicant must</p> <ul style="list-style-type: none"> <li>• be a legal person, <b>and</b></li> <li>• be non-profit-making, <b>and</b></li> <li>• <u>be effectively established in<sup>4</sup> either Republic of Serbia or Bosnia and Herzegovina</u> <b>and</b></li> <li>• be directly responsible for the preparation and management of the action with the co-applicant(s) and affiliated entity(ies), not acting as an intermediary, <b>and</b></li> <li>• be one of the following institutions or organisations:...”</li> </ul> <p>The effective establishment of applicants should be proved not only with the statutes but with the registration certificate.</p> <p>Please see footnote no. 4 in the GfA:</p> <p><sup>4</sup> <i>To be determined on the basis of the organisation’s statutes, which should demonstrate that it has been established by an instrument governed by the national law of the country concerned and that its head office is located in an eligible country. The effective establishment of applicants should be proved not only with the statutes but with the registration certificate. In this respect, any legal entity whose statutes have been established in another country cannot be considered an eligible local organisation, even if the statutes are registered locally or a ‘Memorandum of Understanding’ has been concluded.”</i></p>

No.	Question	Answer
13.	Can a consortium be composed of 1 lead applicant, 1 co applicant and 1 affiliated entity or are 2 co-applicants mandatory without counting the affiliated entities?	<p>According to the <b>Section 2.1.1 Eligibility of applicants (i.e. lead applicant and co-applicant(s)) of the GfA:</b></p> <p><b>“Co-applicant(s)</b></p> <p><b><u>The lead applicant must act with at least one co-applicant as specified hereafter.</u></b></p> <p><b>If the lead applicant is established in the Republic of Serbia, at least one co-applicant must be established in Bosnia and Herzegovina, and vice versa.</b></p> <p><b>At least two legal entities in the partnership, one per participating country, being the lead applicant or the co-applicant, must be effectively established or have an office in the programme eligible area.</b></p> <p><b>The maximum number of co-applicants that could be involved in the action is 3.”</b></p> <p>According to the <b>Section 2.1.2 Affiliated entities:</b></p> <p>“The lead applicant and its co-applicant(s) may act with affiliated entity(ies).</p> <p>If the applicants are awarded a grant contract, <b>their affiliated entity(ies) will not become beneficiary(ies) of the action and signatory(ies) of the grant contract.</b> However, they will participate in the design and in the implementation of the action and the costs they incur (including those incurred for implementation contracts and financial support to third parties and subcontractors) may be accepted as eligible costs, provided they comply with all the relevant rules already applicable to the beneficiary(ies) under the grant contract.</p> <p>Affiliated entity(ies) must satisfy the same eligibility criteria as the lead applicant and the co-applicant(s). They must sign the affiliated entity(ies) statement in Part B Section 5.2 of the grant application form.”</p>
14.	Can we propose personnel/staff that is currently employed on a part-time basis?	<p>Types and methods of engagement of personnel/staff are not defined by the GfA.</p> <p>According to the <b>Section 2.1.5 Eligibility of costs: costs</b></p>

No.	Question	Answer
		<p><b>that can be included</b>, “<i>to be eligible under this call for proposals, costs must comply with the provisions of Article 14 of the general conditions to the standard grant contract (see Annex G of the guidelines).</i>”</p> <p><b>Salary costs of the personnel of national, regional or local administrations, as well as those of other publicly owned or controlled institutions or enterprises</b>, may be eligible to the extent that they relate to the cost of activities which the relevant public authority would not carry out if the action or operation were not undertaken.</p> <p><b>These personnel shall not receive for the engagement in the project activities any other remuneration than their standard, regular salaries in their respective institutions.</b></p> <p><b>The total sum of the salaries of this personnel shall not exceed the total amount of co-financing provided by the applicant, co-applicant(s) and affiliated entity(ies).</b></p> <p>Prior to the signature of a grant contract, the contracting authority may require from the relevant beneficiaries the appointment of these staffers by their authorised representative in writing (indicating their names, project function and gross salaries).</p> <p>Please note that this does not apply to professional staff recruited by the national, regional or local administrations, as well as other publicly owned or controlled institutions or enterprises, for the sole purpose of managing this project resulting from the grant award.</p> <p><b><u>Potential applicants are also reminded that assessment of the operational capacities will be focused on in-house expertise, which is reflected in assessment grids.</u></b>”</p> <p>Further, according to the <b>Article 14 of the General Conditions</b>:</p> <p><b>“Eligible direct costs</b>  14.2. Subject to Article 14.1 and, where relevant, to the provisions of Annex IV being respected, the following direct costs of the beneficiary(ies) shall be eligible:</p> <p>a) <b>the cost of staff assigned to the action, corresponding to actual gross salaries including social security charges and other remuneration-related costs (excluding</b></p>

No.	Question	Answer
		<p><b>bonuses); salaries and costs shall not exceed those normally borne by the beneficiary(ies), unless it is justified by showing that it is essential to carry out the action;”</b></p>
15.	<p>Can we propose personnel/staff that is currently employed/engaged as a consultant (without a full-time work contract)? Moreover, do we have to employ them with a part time/full time work contract if the project is awarded or can they stay employed/engaged as consultants</p>	<p>Please refer to answer no. 14.</p>
16.	<p>With regards to the co-financing to be secured from the applicants (to the level of total eligible cost-100% cost of the action), what kind/forms of co-financing are allowed? And is there any proof to be submitted with regards to the budget categories shown as co-funding? Can personnel/staff costs be presented as co-funding in the project budget?</p>	<p>Co-financing can be expressed for all eligible costs, defined under the <b>Section 2.1.5. Eligibility of costs: costs that can be included</b> of the GfA.</p> <p>According to the Section 2.1.5. Eligibility of costs: costs that can be included of the GfA:</p> <p><u>“Eligible direct costs</u> To be eligible under this call for proposals, costs must comply with the provisions of Article 14 of the general conditions to the standard grant contract (see Annex G of the guidelines).”</p> <p>Salary costs of the personnel of national, regional or local administrations, as well as those of other publicly owned or controlled institutions or enterprises, may be eligible to the extent that they relate to the cost of activities which the relevant public authority would not carry out if the action or operation were not undertaken.</p> <p>These personnel shall not receive for the engagement in the project activities any other remuneration than their standard, regular salaries in their respective institutions.</p> <p><b><u>The total sum of the salaries of this personnel shall not exceed the total amount of co-financing provided by the applicant, co-applicant(s) and affiliated entity(ies).</u></b></p> <p><u>Prior to the signature of a grant contract, the contracting authority may require from the relevant beneficiaries the appointment of these staffers by their authorised representative in writing (indicating their names, project function and gross salaries).”</u></p>



No.	Question	Answer
		<p>Please also refer to Article 2.1.5 of the GfA regarding Contributions in kind:</p> <p>“Contributions in kind Contributions in kind mean the provision of goods or services to beneficiaries or affiliated entities free of charge by a third party. As contributions in kind do not involve any expenditure for beneficiaries or affiliated entities, they are not eligible costs (except for personnel costs for the work carried out by volunteers under an action or an operating grant if so authorised). <b><u>Contributions in kind may not be treated as co-financing.</u></b> However, if the description of the action as proposed includes contributions in kind, the contributions have to be made. Other co-financing shall be based on estimates provided by the applicant.”</p>
17.	A) Is there a limit as to which percentage of the budget can be spent on equipment?	<p>A) The percentage of the budget that could be spent on equipment is not defined by the GfA.</p> <p>According to the <b>Section 2.1.5. Eligibility of costs: costs that can be included</b> of the GfA:</p> <p>“<u>Eligible direct costs</u> To be eligible under this call for proposals, costs must comply with the provisions of Article 14 of the general conditions to the standard grant contract (see Annex G of the guidelines).”</p> <p>Please refer to <b>Article 14 of the General Conditions and Article 14.2. of the General Conditions</b> where is stipulated:</p> <p>“<u>Eligible direct costs</u> 14.2. Subject to Article 14.1 and, where relevant, to the provisions of Annex IV being respected, the following direct costs of the beneficiary(ies) shall be eligible: c) <b>purchase costs for equipment (new or used) and supplies specifically dedicated to the purposes of the action, provided that ownership is transferred at the end of the action when required in Article 7.5.</b>”</p>

No.	Question	Answer
	<p>B) Can the equipment be purchased from the beneficiary country?</p>	<p>Please pay attention to the Section <b>2.1.4. Eligible actions: actions for which an application may be made</b> of the GfA:</p> <p><u>“The following types of action are ineligible:</u></p> <ul style="list-style-type: none"> <li>• actions concerned only or mainly with individual sponsorships for participation in workshops, seminars, conferences and congresses;</li> <li>• actions concerned only or mainly with individual scholarships for studies or training courses or research;</li> <li>• <b>actions aimed at the upgrading of infrastructure and equipment in privately owned facilities;</b></li> <li>• preparatory studies or preparation of preliminary design for <u>works to be carried out within the project;</u></li> <li>• actions without a real cross-border impact;</li> <li>• actions linked to political parties;</li> <li>• actions including commercial and profit-making activities;</li> <li>• actions which fall within the general activities of competent state institutions or state administration services, including local government;</li> <li>• actions confined to charitable donations;</li> <li>• actions covered and financed by other EU funded programmes.”</li> </ul> <p>B) In line with the <b>Section 2.6. CONDITIONS FOR IMPLEMENTATION AFTER THE CONTRACTING AUTHORITY’S DECISION TO AWARD A GRANT</b> of the GfA:</p> <p><u>“Implementation contracts</u> Where implementation of the action requires the beneficiary(ies) and its affiliated entity(ies) (if any) to award procurement contracts, those contracts <b>must be awarded in accordance with Annex IV to the standard grant</b></p>

No.	Question	Answer
		<p><b>contract.”</b> Please also refer to the <b>ARTICLE 10 — IMPLEMENTATION of the General Conditions</b> to the grant contract (Annex G2 of the GfA):</p> <p><u>“Implementation contracts</u> 10.1. If the implementation of the action requires the beneficiary(ies) to procure goods, works or services, it shall respect the contract-award rules and <b>rules of nationality and origin set out in Annex IV of this contract.”</b></p>
18.	Should all entities participating in the consortium (lead applicant, co-applicants, affiliated entities) be registered in PADOR or is that the requirement only for the lead applicant?	According to the GfA, Section 2.2 How to apply and procedures to follow, <b>“information in PADOR will not be drawn upon in the present call”.</b>
19.	Should Annex D be submitted by affiliated entities as well?	<p>According to the <b>Section 2.2.1. Application forms:</b></p> <p>“2. Legal entity form (see <b>Annex D</b> of these guidelines) <b><u>duly completed and signed by each of the applicants (i.e., by the lead applicant and by each co-applicant)</u></b>, accompanied by the justifying documents requested there. If the applicants have already signed a contract with the contracting authority, instead of the legal entity sheet and supporting documents, the legal entity number may be provided, unless a change in legal status occurred in the meantime.”</p>

No.	Question	Answer
20.	If accompanying documents (such as the statutes, balance sheets, other) are not in English, do we have to provide official translation into English (certified by a notary/court) or can it be a complementary translation without the notary stamp?	<p>According to the <b>Section 2.2.1 Application forms of the GfA</b>:</p> <p><b>“Applicants must apply in English.</b> Documents must be supplied in the form of originals, photocopies or scanned versions (i.e., showing legible stamps, signatures and dates) of the said originals.</p> <p>Where such documents are not in one of the official languages of the European Union, a translation into English language of the relevant parts of these documents proving the lead applicant's and, where applicable, co-applicants' and affiliated entity(ies)' eligibility, must be attached for the purpose of analyzing the application.</p> <p>Where these documents are in an official language of the European Union other than English, it is strongly recommended, in order to facilitate the evaluation, to provide a translation of the relevant parts of the documents, proving the lead applicant's and, where applicable, co-applicants' and affiliated entity(ies)' eligibility, into English.”</p>
21.	On page 33 of the GfA it says that ‘No additional annexes should be sent’. However, later on page 43 of the GfA the document mentions two additional annexes (Declaration on Honor and Self-evaluation questionnaire on SEA-H). Should we provide these additional documents alongside our application as well?	<p>Documents listed under the <b>Section 2.2.1. Application forms</b> <i>“should be submitted together with Organisation data form and the application form”</i>. At this stage, no additional annexes then those listed under Section 2.2.1. should be sent.</p> <p>In addition, according to the <b>Section 2.4. SUBMISSION OF SUPPORTING DOCUMENTS FOR PROVISIONALLY SELECTED APPLICATIONS</b> of the Guidelines for applicants, <u>“a lead applicant whose application has been provisionally selected or placed on the reserve list will be informed in writing by the contracting authority.”</u> This means that provisionally selected applicants will be requested in writing by Contracting Authority to provide the documents listed under the Section 2.4. Submission of supporting documents for provisionally selected applications of the GfA.</p>
22.	Should co-applicants and affiliated entities also fill in and submit Annex H and Annex L?	<p>According to the <b>Section 2.4 Submission of supporting documents for provisionally selected applications</b>:</p> <p>1. <b><u>Declaration on honour: the lead applicant as well as all co-applicants and affiliated entities shall fill in and sign the declaration on honour</u></b> certifying</p>

No.	Question	Answer
		<p>that they are not in one of the exclusion situations (see Section 2.6.10.1 of the PRAG) where the amount of the grant exceeds EUR 15 000. The declaration on honour shall be dated and signed, either by hand or by applying a qualified electronic signature (QES) by an authorised representative of the signatory.</p> <p>2. <b><u>Self-evaluation questionnaire on SEA-H: the lead applicant as well as all co-applicants and affiliated entities shall fill in the self-evaluation questionnaire</u></b> assessing the organisation’s internal policy and procedure against sexual exploitation, abuse and harassment (SEA-H) (Annex L) where the amount of grant exceeds EUR 60 000 (see Section 2.5.6 of the PRAG)</p>
23.	Should the Concept Note documentation and Full Application documentation be submitted in two separate envelopes or together in one joint envelope but in separate inner envelopes inside of that outer envelope?	<p>The applicants should submit a concept note and full application as two separate documents in one joint envelope, preferably, but not necessarily in the separate inner envelopes.</p> <p>Please refer to <b>Section 2.2.2 Where and how to send applications</b> of the Guidelines for applicants for more details.</p>
24.	Should the Declaration on Honor be provided also in 1 original and 3 copies or is 1 original enough?	<p>According to the Section 2.4 Submission of supporting documents for provisionally selected applications,</p> <p><u>“a lead applicant whose application has been provisionally selected or placed on the reserve list will be informed in writing by the contracting authority. It will be requested to supply the following documents:</u></p> <p>1. Declaration on honour: the lead applicant as well as all co-applicants and affiliated entities shall fill in and sign the declaration on honour certifying that they are not in one of the exclusion situations (see Section 2.6.10.1 of the PRAG) where the amount of the grant exceeds EUR 15 000. The declaration on honour shall be dated and signed, either by hand or by applying a qualified electronic signature (QES) by an authorized representative of the signatory”.</p> <p>Declaration on honour should be submitted in one original and 3 (three) copies in A4 size, but provisionally selected applicants will be informed by Contracting Authority in writing to supply these documents.</p>

No.	Question	Answer
25.	Should affiliated entities also sign a mandate letter in addition to co-applicants?	<p>According to the <b>Section 2.1.2 Affiliated entities of the GfA</b>:</p> <p>„Affiliated entity(ies) must satisfy the same eligibility criteria as the lead applicant and the co-applicant(s). <b>They must sign the affiliated entity(ies) <u>statement in Part B Section 5.2</u> of the grant application form.</b>”</p> <p>In line with the <b>Section 2.1.1. Eligibility of applicants (i.e. lead applicant and co-applicant(s))</b> of the GfA, “<b>Co-applicants must sign the <u>mandate in Part B Section 4.2</u> of the grant application form</b>”.</p>
26.	What is the Financial Guarantee (Annex VIII of the Annex G) and when exactly should it be submitted? Should any documentation in this regard be submitted at the application stage?	<p>In line with the provisions of the <b>Annex G: Standard grant contract, Special Conditions</b> of the Guidelines for applicants:</p> <p>“4.x if a financial guarantee is requested: The first instalment of pre-financing shall be accompanied by a financial guarantee amounting to EUR &lt;amount, usually the amount of the first prefinancing payment&gt; and complying with the requirements of <b>Article 15.8 of Annex II</b>”.</p> <p>If the financial guarantee is requested, such provision shall be inserted in the special conditions of the contract after the successful award.</p>
27.	<p>Imam nekoliko nedoumica vezanih za Treći poziv za dostavljanje predloga projekata u okviru IPA Programa prekogranične saradnje Srbija-Bosna I Hercegovina 2014-2020.</p> <p>Nedoumice su sledeće:</p> <p>a) da li postoji ograničenje u broju pridruženih partnera I saradnika</p> <p>b) da li sam dobro shvatila da da troškovi osoblja ne mogu prelaziti sumu sopstvenih sredstava?</p> <p>c) da li partneri dobijaju 80% avansne uplate nakon potpisivanja ugovora?</p> <p>d) Da li svako od partnera treba da poseduje EuropeAid ID broj. Ukoliko je odgovor potvrđan, molim Vas da me usmerite kako partneri koji ga nemaju mogu da ga pribave?</p>	<p>a) The limit on the number of affiliated entities and associates is not defined by the Guidelines for Applicants.</p> <p>Please refer to the Section 2.1.2 Affiliated entities and Section 2.1.3. Associates and contractors of the Guidelines for applicants for more details.</p> <p>b) According to the <b>Section 2.1.5. Eligibility of costs: costs that can be included</b> of the GfA:</p> <p>“<u>Eligible direct costs</u> To be eligible under this call for proposals, costs must comply with the provisions of Article 14 of the general conditions to the standard grant contract (see Annex G of the guidelines).”</p> <p>Salary costs of the personnel of national, regional or local administrations, as well as those of other publicly owned or</p>

No.	Question	Answer
	<p><i>Unofficial translation</i></p> <p><i>I have several question regarding the 3<sup>rd</sup> Call for Proposals, Cross border Cooperation programme Serbia –Bosnia and Herzegovina:</i></p> <p>a) <i>Is there a limit on the number of affiliated entities and associates?</i></p> <p>b) <i>Did I understand correctly that staff costs cannot exceed the amount of own resources?</i></p> <p>c) <i>Do the partners receive 80% of the advance payment after the contract signature?</i></p> <p>d) <i>Should each of the partners have a EuropeAid ID number? If the answer is yes, please provide instructions on how the partners who do not have it could obtain it.</i></p>	<p>controlled institutions or enterprises, may be eligible to the extent that they relate to the cost of activities which the relevant public authority would not carry out if the action or operation were not undertaken.</p> <p>These personnel shall not receive for the engagement in the project activities any other remuneration than their standard, regular salaries in their respective institutions.</p> <p><b><u>The total sum of the salaries of this personnel shall not exceed the total amount of co-financing provided by the applicant, co-applicant(s) and affiliated entity(ies).</u></b></p> <p>c) In line with the <b>Article 15- PAYMENT AND INTEREST ON LATE PAYMENT of the General Conditions</b> to the standard grant contract (Annex G2 of the GfA), Payment procedures</p> <p>“15.1....  <u>Option 2: Actions with an implementation period of more than 12 months and grant of more than EUR 100 000</u>  (i) <b><u>an initial pre-financing payment of 100 % of the part of the estimated budget financed by the contracting authority for the first reporting period</u></b> (excluding contingencies). The part of the budget financed by the contracting authority is calculated by applying the percentage set out in Article 3.2 of the special conditions;  (ii) further pre-financing payments of 100 % of the part of the estimated budget financed by the contracting authority for the following reporting period (excluding not authorised contingencies):</p> <p><input type="checkbox"/> the reporting period is intended as a twelve-month period unless otherwise provided for in the special conditions. When the remaining period to the end of the action is up to 18 months, the reporting period shall cover it entirely;</p> <p><input type="checkbox"/> within 60 days following the end of the reporting period, the coordinator shall present an interim report or, if unable to do so, it shall inform the contracting authority of the reasons and provide a summary of progress of the action;</p> <p><input type="checkbox"/> if at the end of the reporting period the part of the expenditure actually incurred which is financed by the contracting authority is less than 70 % of the previous payment (and 100 % of any previous payments), the further pre-financing payment shall be reduced by the amount</p>

No.	Question	Answer
		<p>corresponding to the difference between the 70 % of the previous pre-financing payment and the part of the expenditure actually incurred which is financed by the contracting authority;</p> <p><input type="checkbox"/> the coordinator may submit a request for further pre-financing payment before the end of the reporting period, when the part of the expenditure actually incurred which is financed by the contracting authority is more than 70 % of the previous payment (and 100 % of any previous payments). In this case, the following reporting period starts anew from the end date of the period covered by this payment request;</p> <p><input type="checkbox"/> in addition, for grants of more than EUR 5 000 000, a further pre-financing payment may be made only if the part financed by the contracting authority of the eligible costs approved is at least equal to the total amount of all the previous payments excluding the last one;</p> <p><input type="checkbox"/> the total sum of pre-financing payments may not exceed 90 % of the amount referred to in Article 3.2 of the special conditions, excluding not authorised contingencies;</p> <p>(iii) the balance of the final amount of the grant. “</p> <p>d) According to the GfA, Section 2.2 How to apply and procedures to follow, <b>“information in PADOR will not be drawn upon in the present call”</b>.</p> <p>As stated on the page 2 of the Annex A: Application form, footnote no. 6:  “EuropeAid ID  To be inserted if the organisation is registered in PADOR (Potential Applicant Data On-Line Registration). For more information and the need to register, please read the beginning of Section 2.2 of the guidelines of this call and visit <a href="https://ec.europa.eu/europeaid/funding/about-calls-proposals/pador-helpdesk_en">https://ec.europa.eu/europeaid/funding/about-calls-proposals/pador-helpdesk_en</a>.</p> <p>The same applies for both lead applicant and co-applicants.</p>



No.	Question	Answer
28.	<p>Da li se prilikom registracije za dobijanja PADOR broja i u dokumentaciji privatni univerziteti smatraju za Public Law body (u okviru legal entity form)?</p> <p>Predog projekta za treci poziv IPA Srbija-BiH je u pripremi.</p> <p><i>Unofficial translation</i></p> <p><i>When registering to obtain PADOR number and filling in the Legal Entity Form, are private universities considered as a Public Law Bodies?</i></p> <p><i>The project proposal for the 3<sup>rd</sup> CfP CBC Serbia-BiH call is under preparation.</i></p>	<p>According to the GfA, <b>Section 2.2 HOW TO APPLY AND THE PROCEDURES TO FOLLOW</b>, “<i>information in PADOR will not be drawn upon in the present call</i>”.</p> <p>Further, in line with the <b>Annex D: Legal entity form</b> (Annex 5.2) of the Guidelines for applicants:</p> <p><b>“1. Public law body WITH LEGAL PERSONALITY, meaning a public entity being able to represent itself and act in its own name, i.e. being capable of suing or being sued, acquiring and disposing of property, entering into contracts. This legal status is confirmed by the official legal act establishing the entity (a law, a decree, etc.).”</b></p>
29.	<p>Good morning,</p> <p>We are kindly asking for the following clarifications.</p> <p>1. “At least two legal entities in the partnership, one per participating country, being the lead applicant or the co-applicant, must be effectively established or have an office in the programme eligible area.”</p> <p>a) Could you please specify what it means to have an office in the programme area.</p> <p>b) If we open an ineligible office area during the period of the call would we be considered an eligible organization for this Call?</p> <p>Explanation: we are the NGO from Serbia, established out of the eligible area, and we have the MoU with the institution in Serbia within the eligible area who is the beneficiaries of the programme, and not the partner who could participate with the contribution. Our second – cross-border partner is from the eligible area in BIH.</p>	<p>1a) According to the <b>Section 2.1.1 Eligibility of applicants (i.e. lead applicant and co-applicant(s))</b> of the GfA:</p> <p><b>“Lead applicant</b></p> <p>(1) In order to be eligible for a grant, the lead applicant must</p> <ul style="list-style-type: none"> <li>• be a legal person, <b>and</b></li> <li>• be non-profit-making, <b>and</b></li> <li>• <u>be effectively established in<sup>4</sup> either Republic of Serbia or Bosnia and Herzegovina <b>and</b></u></li> <li>• be directly responsible for the preparation and management of the action with the co-applicant(s) and affiliated entity(ies), not acting as an intermediary, <b>and</b></li> <li>• be one of the following institutions or organisations:”</li> </ul> <p>The effective establishment of applicants should be proved not only with the statutes but with the registration certificate.</p> <p>Please see footnote no. 4 in the GfA:</p> <p><i><sup>4</sup> To be determined on the basis of the organisation’s statutes, which should demonstrate that it has been established by an instrument governed by the national law of the country concerned and that its head office is located</i></p>

No.	Question	Answer
	<p>2. OUTPUT INDICATORS for specific objective 1.2 Fostering social and economic inclusion.            Could you please the difference between the two output indicators            a) Number of organizations directly involved in the implementation of this type of project (to be disaggregated by type of organization)             b) Number of organisations participating in cross-border networks /partnerships formed (to be disaggregated by type of organisations).</p>	<p><i>in an eligible country. The effective establishment of applicants should be proved not only with the statutes but with the registration certificate. In this respect, any legal entity whose statutes have been established in another country cannot be considered an eligible local organisation, even if the statutes are registered locally or a ‘Memorandum of Understanding’ has been concluded.”</i></p> <p>1b) Please refer to the answer no. 4.</p> <p>2a) <b>Number of organizations directly involved in the implementation of this type of project (to be disaggregated by type of organization)-</b> This indicator includes all project partners that implement the project, stakeholders involved in project activities and organisations targeted by the project. It does not include those organisations from which individual participants in events come, unless they participated in the event in their capacity as official representative of the organisation.</p> <p>b) <b>Number of organisations participating in cross-border networks /partnerships formed (to be disaggregated by type of organisations)-</b> This indicator is inter-related with the indicator on the Number of cross-border networks/partnerships formed; if one indicator is selected, the other one needs to be selected too. In principle, one CBC project can create 1 network/partnership. Only in exceptional cases, the number can be more than 1, but this would mean that these networks/partnerships have nothing in common, except for the CBC project under which they were formed.</p>
30.	<p>Regarding the 3RD CALL FOR PROPOSALS WITHIN THE IPA CROSS-BORDER PROGRAMME SERBIA-BOSNIA AND HERCEGOVINA 2014-2020, I would like to ask you two questions:             a) Under the Result The employability and entrepreneurship abilities of vulnerable groups are improved through joint cross-border efforts</p>	<p>a) The percentage of the small infrastructure works is not defined by the Guidelines for applicants.</p> <p>According to the <b>Section 2.1.5. Eligibility of costs: costs that can be included</b> of the GfA:   <u>“Eligible direct costs</u>            To be eligible under this call for proposals, costs must comply with the provisions of Article 14 of the general</p>

No.	Question	Answer
	<p>including the promotion of sustainable social entrepreneurship, how much direct eligible costs is eligible to plan for small infrastructure works?, for example: adaptation and creation of common space/HUB for youth from specific municipalities? and is it eligible to plan budget costs for example for small construction works (facade and roof works, replacement of carpentry, installation of carpentry)?</p>	<p>conditions to the standard grant contract (see Annex G of the guidelines).” Please refer to Article 14 of the General Conditions, as well.</p> <p>Furthermore, in line with the Section 2.1.4. <i>Eligible actions: actions for which an application may be made of the GfA</i>, in the subsection <i>Types of action</i>, it is stipulated:</p> <p>“The following types of action are ineligible:</p> <ul style="list-style-type: none"> <li>• actions concerned only or mainly with individual sponsorships for participation in workshops, seminars, conferences and congresses;</li> <li>• actions concerned only or mainly with individual scholarships for studies or training courses or research;</li> <li>• actions aimed at the upgrading of infrastructure and equipment in privately owned facilities;</li> <li>• preparatory studies or preparation of preliminary design for <u>works to be carried out within the project</u>;</li> <li>• actions without a real cross-border impact;</li> <li>• actions linked to political parties;</li> <li>• actions including commercial and profit-making activities;</li> <li>• actions which fall within the general activities of competent state institutions or state administration services, including local government;</li> <li>• actions confined to charitable donations;</li> <li>• actions covered and financed by other EU funded programmes.</li> </ul> <p>Also, please refer to the Article 2.2.1 Application form and 2.4 for the necessary supporting documents in case an operation contains the execution of works.</p>

No.	Question	Answer
	<p>b) Under the direct eligible costs, does contribution of gross salaries from, for example two persons from municipality, are eligible co-finance from that institution in the amount of 15%?</p> <p>Hope you understood my questions</p> <p>Thanks in advance</p>	<p>b) Co-financing can be expressed for all eligible costs, defined under the <b>Section 2.1.5. Eligibility of costs: costs that can be included</b> of the GfA.</p> <p>According to the Section 2.1.5. Eligibility of costs: costs that can be included of the GfA:</p> <p><u>“Eligible direct costs</u> To be eligible under this call for proposals, costs must comply with the provisions of Article 14 of the general conditions to the standard grant contract (see Annex G of the guidelines).”</p> <p>Salary costs of the personnel of national, regional or local administrations, as well as those of other publicly owned or controlled institutions or enterprises, may be eligible to the extent that they relate to the cost of activities which the relevant public authority would not carry out if the action or operation were not undertaken.</p> <p>These personnel shall not receive for the engagement in the project activities any other remuneration than their standard, regular salaries in their respective institutions.</p> <p><b><u>The total sum of the salaries of this personnel shall not exceed the total amount of co-financing provided by the applicant, co-applicant(s) and affiliated entity(ies).</u></b></p>
31.	<p>Poštovani,</p> <p>Na PADOR registraciji postoji opcija Public Law body i Private and public law body. Koju od te dve biramo kao privatni univerzitet? Lako prilazemo LEF tj koji od 2 moguca prilazemo?</p> <p>Takodje, da se tretiramo kao profitna ili neprofitna ustanova?</p> <p>Pretpostavljamo da PADOR mora biti i skladu sa dokumentacijom koju prilazemo prilikom predaje projekta, da ne bismo dosli u eliminatornu situaciju.</p> <p><i>Unofficial translation</i></p> <p><i>Dear,</i></p>	<p>According to the GfA, <b>Section 2.2 HOW TO APPLY AND THE PROCEDURES TO FOLLOW</b>, “<i>information in PADOR will not be drawn upon in the present call</i>”.</p> <p>Further, in line with the <b>Annex D: Legal entity form</b> (Annex 5.2) of the Guidelines for applicants:</p> <p><b>“1. Public law body WITH LEGAL PERSONALITY, meaning a public entity being able to represent itself and act in its own name, i.e. being capable of suing or being sued, acquiring and disposing of property, entering into contracts. This legal status is confirmed by the official legal act establishing the entity (a law, a decree, etc.).”</b></p>

No.	Question	Answer
	<p><i>In the process of registration in PADOR there are options- Public Law body and Private and public law body. Which one do we choose for the private university? How do we submit LEF, i.e. which of the 2 possible LEFs do we submit?</i></p> <p><i>Also, should we be treated as profit or non-profit institution?</i></p> <p><i>We assume that information in PADOR has to be in line with the documentation that we submit with the project proposal, so as not to be in the eliminatory situation.</i></p>	