




Annex to MC decision nr. 28/05.06.2024

**Corrigendum to the Applicant’s Guide for the Open call for the operations under PO 4, Priority 3: An educated region, Specific Objective 4.2 - Improving equal access to inclusive and quality services in education, training and lifelong learning through developing accessible infrastructure, including by fostering resilience for distance and on-line education and training (April 2024), in the context of Interreg VI-A Romania-Bulgaria Programme**








In the context of the call 3 launched within Interreg VI-A Romania-Bulgaria Programme, namely - **Open call for the operations under PO 4, Priority 3: An educated region, Specific Objective 4.2**, the following clarifications and corrections are made to the dedicated applicant guide:

| Initial Applicant’s guide for the Open call for the operations under PO 4, Priority 3: An educated region, Specific Objective 4.2  | Revised form for the Applicant’s guide for the Open call for the operations under PO 4, Priority 3: An educated region, Specific Objective 4.2  | Justification   |
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| <p>Page 68 - <i>In case clarifications are requested regarding the missing documents/ annexes mandatory to be submitted together with the application, they will not be accepted if the date of issuance/the date of signature is later than the deadline for the AF submission. The rule regarding the date of signature does not apply to missing Annexes A 1-5, 7, 8 and 10</i></p> | <p>Replace by the following:</p> <p><b><i>If mandatory annexes/documents are not submitted together with the application, i.e. the partner forgot to upload them to JeMS, clarifications may be requested. The application shall be equally rejected in case of failure to provide mandatory annexes/documents upon the first request for clarifications. In case of clarification, all mandatory annexes under point B (when applicable) as well as the Annex A6 should have been issued/signed before the submission date of the Application Form, otherwise, the annex will be considered as missing, and the application rejected from funding.</i></b></p> | <p>Considering that Annexes A1-5, 7-10 do not directly impact the application form, a more flexible approach is proposed to be applied in the assessment process regarding the submission of this annex. Similar, in order to limit possible interpretation, the text of the applicant’s guide (page 68) is modified as proposed in column 2.</p> <p>As a conclusion, if any of the missing Annexes is Annex A1-5, 7-10, the respective annex/annexes will still be accepted even if the date of issuance/the date of signature is later than the deadline for the AF submission.</p> |

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| <p>Annex 9 Financial Capacity <i>Self assessment for lead partner and project partners</i>, the Sheet 1 - Introduction</p> <p>1 Introduction: Disclaimer: This tool has to be filled in by lead partners and project partners in order to self-assess their financial capacity for implementing regular projects funded by the Interreg VI-A Romania-Bulgaria Programme. If the terms and expressions are not familiar, please consult with your accountant.</p>   | <p>The text is completed as follows:</p> <p>1 Introduction: Disclaimer: This tool has to be filled in by lead partners and project partners in order to self-assess their financial capacity for implementing regular/<b>small scale projects</b> funded by the Interreg VI-A Romania-Bulgaria Programme. If the terms and expressions are not familiar, please consult with your accountant.</p>   | <p>Due to a technical error, within Annex 9 Financial Capacity <i>Self assessment for lead partner and project partners</i>, the Sheet 1 Financial Capacity <i>Self assessment for lead partner and project partners</i> - Introduction to the applicant's guide, the Small scale projects were not included. Therefore, the Annex 9 to the applicant's guide is updated by including also the Small scale projects.</p> <p>The updated annex is part of the applicant's guide for Call 3.</p> |
| <p>Page 63-64 - section 3.3. Required documents to be submitted with the Application form, 5. Documents certifying the ownership status of the land and/or building (Annex AF_A5):</p> <p><b><u>FOR PUBLIC AUTHORITIES and other PUBLIC BODIES:</u></b></p> <p> the legal act (e.g. government decision, law, government ordinance, decision of local counties, etc.) stating the fact that the land and/or building/ item of infrastructure is in concession/on long term contract/ in administration/ bailment contract/rent contract/ publicly owned by the applicant/ they hold a right under the real property law over the land and/ or</p> | <p>The text is completed as follows:</p> <p><b><u>FOR PUBLIC AUTHORITIES and other PUBLIC BODIES:</u></b></p> <p> the legal act (e.g. government decision, law, government ordinance, decision of local counties, etc.) stating the fact that the land and/or building/ item of infrastructure is in concession/on long term contract/ in administration/ bailment contract/rent contract/ publicly owned by the applicant/ they hold a right under the real property law over the land and/ or building/ item of infrastructure; <b>AND</b></p> <p> it must be proved that the land and/ or building/ item of infrastructure / place of investment installation (in case of equipment) is publicly owned or that the duration of the concession/ long term contract/</p> | <p>For eliminating any possible confusion, the references to the Annex A5 are modified as proposed in column 2</p>   |

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| <p>building/ item of infrastructure.</p> <p> it must be proved that the land and/ or building/ item of infrastructure / place of investment installation (in case of equipment) is publicly owned or that the duration of the concession/ long term contract/ administration contract/ bailment contract/ rent contract/ any other right under the real property law is for at least 5 years after the completion of the operation and that the owner has given it's written agreement saying that the applicant may perform the infrastructure actions on/ in the relevant land/ building/ item of infrastructure. Such a contract should last for at least 5 years after the completion of the operation.</p> <p> declaration from the land and/or building/ item of infrastructure owner that the land and/or building/ item of infrastructure is:</p> <ul style="list-style-type: none"> <li>▪ free of any encumbrances;</li> <li>▪ not the object of a pending litigation;</li> <li>▪ not the object of a claim according to the relevant national legislation.</li> </ul> <p> documents related to the registration of the land and/or building/ item of infrastructure in the relevant public registers.</p> <p><b><u>FOR NGOs and other non-profit bodies</u></b></p> | <p>administration contract/ bailment contract/ rent contract/ any other right under the real property law is for at least 5 years after the completion of the operation and that the owner has given it's written agreement saying that the applicant may perform the infrastructure actions on/ in the relevant land/ building/ item of infrastructure. Such a contract should last for at least 5 years after the completion of the operation; <b>AND</b></p> <p> declaration from the land and/or building/ item of infrastructure owner that the land and/or building/ item of infrastructure is:</p> <ul style="list-style-type: none"> <li>▪ free of any encumbrances;</li> <li>▪ not the object of a pending litigation;</li> <li>▪ not the object of a claim according to the relevant national legislation.</li> </ul> <p> <b>AND</b> documents related to the registration of the land and/or building/ item of infrastructure in the relevant public registers.</p> <p><b><u>FOR NGOs and other non-profit bodies</u></b></p> <p> property/ ownership document for the land and/or building/ item of infrastructure; OR</p> <p> the applicant holds the land and/or building/ item of infrastructure / place of investment installation (in case of equipment) under a concession/on long term contract/ bailment contract/ rent contract/ any other right under the real property law; <b>AND</b></p> <p> documents related to the registration of the land and/or building/ item of infrastructure, by the NGO, in the relevant public registers; <b>AND</b></p> |  |
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| <p>  property/ ownership document for the land and/or building/ item of infrastructure; OR         </p> <p>  the applicant holds the land and/or building/ item of infrastructure / place of investment installation (in case of equipment) under a concession/on long term contract/ bailment contract/ rent contract/ any other right under the real property law;         </p> <p>  documents related to the registration of the land and/or building/ item of infrastructure, by the NGO, in the relevant public registers         </p> <p>  it must be proved that the concession/ long term contract/ bailment contract/ rent contract/ any other right under the real property law is for at least 5 years after the completion of the operation and that the owner has given it's written agreement saying that the applicant may perform the infrastructure actions on/ in the relevant land/ building/ item of infrastructure. Such a contract should last for at least 5 years after the completion of the operation.         </p> <p>  Declaration from the land and/or building/ item of infrastructure owner that the land and/or building/ item of infrastructure is:         <ul style="list-style-type: none"> <li>▪ free of any encumbrances;</li> <li>▪ not the object of a pending litigation;</li> <li>▪ not the object of a</li> </ul> </p> | <p>  it must be proved that the concession/ long term contract/ bailment contract/ rent contract/ any other right under the real property law is for at least 5 years after the completion of the operation and that the owner has given it's written agreement saying that the applicant may perform the infrastructure actions on/ in the relevant land/ building/ item of infrastructure. Such a contract should last for at least 5 years after the completion of the operation; <b>AND</b> </p> <p>  Declaration from the land and/or building/ item of infrastructure owner that the land and/or building/ item of infrastructure is:         <ul style="list-style-type: none"> <li>▪ free of any encumbrances;</li> <li>▪ not the object of a pending litigation;</li> <li>▪ not the object of a claim according to the relevant national legislation.</li> </ul> </p> <p> <b>For both public authorities and other public bodies and for NGOs and other non-profit bodies,</b> in case, the documents certifying the ownership status above-mentioned are not available, a declaration on own responsibility regarding the ownership status of the land and/or building, issued and electronic signed by the legal representative of each project partner, will be submitted with the application form. Please note that the Declaration must include information regarding all the above-mentioned requirements related to the ownership status of the land and/or building, and a clear statement of the reason why the documents are not available at the submission stage. Documents certifying the ownership status of the land and/or building not submitted together with the application form must be submitted during the pre-contracting phase upon receiving the notification regarding MC         </p> |  |
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| <p>claim according to the relevant national legislation.</p> <p>In case, the documents certifying the ownership status above-mentioned are not available, a declaration on own responsibility regarding the ownership status of the land and/or building, issued and electronic signed by the legal representative of each project partner, will be submitted with the application form.</p> <p>Please note that the Declaration must include information regarding all the above-mentioned requirements related to the ownership status of the land and/or building, and a clear statement of the reason why the documents are not available at the submission stage.</p> <p>Documents certifying the ownership status of the land and/or building not submitted together with the application form must be submitted during the pre-contracting phase upon receiving the notification regarding MC Decision on selection.</p> | <p>Decision on selection.</p> <p><i>As a conclusion of the above paragraph, when the documents that prove the applicants (either public authorities and other public bodies or NGOs and other non-profit bodies) hold a right under the real property law over the land and/or building, as above mentioned, are not submitted together with the application form, being replaced for justified reasons with a declaration on own responsibility regarding the ownership status of the land and/or building, please note that those documents certifying the ownership status of the land and/or building will be submitted in the pre-contracting period, otherwise the project will be proposed for rejection from financing.</i></p> |  |
| <p>Page 77, section Relevant documents to be considered when preparing the application form:</p> <p>☹️ JEMS manual - <a href="https://jems.interact-eu.net/manual/">https://jems.interact-eu.net/manual/</a>.</p>   | <p>The text is revised as follows:</p> <p>☺️ JEMS manual - <a href="https://jems.interact.eu/manual/">https://jems.interact.eu/manual/</a></p>  | <p>Interact notified that Jems web sites are all available on the new domain <a href="https://interact.eu">interact.eu</a> (old <a href="https://interact-eu.net">interact-eu.net</a> is now deprecated)</p> |

The present corrigendum becomes part of the Applicant’s Guide for the Applicant’s Guide for the Open call for the operations under PO 4, Priority 3: An educated region, Specific Objective 4.2.