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# INTERREG V A Italy-Croatia CBC Programme

Restricted Call for Proposals  
(IT-HR Clusters)

**Lead partner Declaration**

Version of 5 October 2021





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Before filling in the declaration with due care and attention, the Lead partner is requested to read the Programme Factsheet n. 4 "Project Application" carefully. This form shall not be altered or amended in any way.

Title of the project proposal: [insert title \_\_\_\_\_]

Acronym of the project proposal: [insert acronym \_\_\_\_\_]

I, the undersigned [name, surname \_\_\_\_\_]

born in [city, country \_\_\_\_\_] on [date of birth \_\_\_\_\_] representative of **[Name of the Lead partner in original language and name of Lead partner in English including Department, if applicable \_\_\_\_\_]**,

acting as Lead partner of the above-mentioned project proposal:

DECLARE THAT:

- 1) I am legally authorised to sign this statement on behalf of my organisation<sup>1</sup>;
- 2) the organisation I represent is
  - a) a public body
  - b) a body governed by public law, as defined by Article 2(4) of Directive 2014/24/EU

<sup>1</sup>In case the signatory is different from the legal representative, the person in charge of signature has to correspond to the one indicated in the AF.





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- 3) the Department of the organisation named as follows [insert Department name], is acting as Lead Partner and that the definition of “Department” complies with the one provided in the Programme documents (if applicable);
- 4) the organisation I represent has been / is Lead partner or a Project partner of the project [insert acronym] belonging to IT-HR Cluster n. [insert number and title of the cluster];
- 5) I am aware of the Programme rules on reimbursement of ERDF funds;
- 6) the organisation I represent commits itself to the project proposal, and intends to provide EUR [insert amount] as national co-financing to the total eligible partner’s budget (15%) as follows:

**STATEMENT ON LEAD PARTNER CONTRIBUTION**

National co-financing	EUR	From
Own public contribution	[insert amount]	[insert name of the Lead partner Institution]
Automatic public contribution <sup>2</sup>	[insert amount]	insert name of the contributing Institution]
Other public contribution	[insert amount]	[insert name of the contributing Institution]
Private contribution	[insert amount]	[insert name of the contributing Organisation]_

- 7) no expenditure related to the above-mentioned project proposal has been, is or will be funded by any other EU or national funding instrument;

<sup>2</sup> To be filled in only in case the Member State provides national public contribution at the state level for the project selected by the Monitoring Committee.





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- 8) activities included in the above-mentioned project proposal have not started before the submission of the application;
- 9) the organisation I represent bears full legal capacity and is financially reliable;
- 10) the organisation I represent has the administrative, technical and financial capacity to implement the project proposal;
- 11) the organisation I represent is not in any of the situations referred to in art. 136 to 141 of Regulation (EU, Euratom) No 2018/1046, applicable by analogy;
- 12) the organisation I represent is not in difficulty within the meaning of point 24 (in conjunction with point 20) of the Guidelines on State aid for rescuing and restructuring non-financial undertakings in difficulty (OJ C 249, 31.07.2014, p. 2);

IN ADDITION I DECLARE THAT:

#### VAT STATEMENT

- 13) the status of VAT for my organisation is the following (only one option possible):
  - VAT is non-recoverable**
  - VAT is partially recoverable:** as a consequence, **only non-recoverable VAT** borne by the Lead partner is **included** in the partner budget and I am aware that only this will be eligible for reimbursement;
  - VAT is recoverable:** as a consequence, **recoverable VAT** borne by the Lead partner is **not included** in the Lead partner budget and I am aware that this will not be eligible for reimbursement.
- 14) the organisation I represent commits itself in the relevant public procurement rules and principles (EC, National and Programme) and in making the results available to the public according to the requirements of the Subsidy Contract, which will be signed between the Interreg VA Italy-Croatia CBC Programme Managing Authority and the organisation I represent after the approval of the project proposal;
- 15) I accept the obligations as Lead partner deriving from the Subsidy Contract, which will be signed with the Interreg VA Italy-Croatia CBC Programme Managing Authority after





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the approval of the project proposal, and to respect the engagements deriving from the Partnership Agreement;

#### STATE AID<sup>3</sup> RELEVANCE

- 16) the organisation I represent shall be considered in the context of the project as not undertaking<sup>4</sup>;
- 17) the organisation I represent, in compliance with the IT-HR Cluster requirement call for proposal, does not carry out in the context of the project economic activities<sup>5</sup> that are potentially State Aid relevant;
- 18) In case of approval of the project proposal, I commit myself to:
- ✓ inform the Managing Authority and the Joint Secretariat of the Italy-Croatia Programme if any other conditions underlying this declaration have changed;
  - ✓ inform the Managing Authority and the Joint Secretariat of the Italy-Croatia Programme of any EU or other public funding source, be international, national, regional or local, received after the signature of this declaration for the implementation of the activities that are planned in the above-mentioned project proposal;

I, the undersigned (*name, surname* \_\_\_\_\_)

<sup>3</sup>According to Article 107 of the Treaty on the Functioning of the European Union, State aid is defined as any aid granted by a Member State or through State resources in any form whatsoever which distorts or threatens to distort competition by favouring certain undertakings or the production of certain goods. In order to be considered State Aid, a funded activity must fulfil all the 5 criteria as inferable from the definition of State Aid provided in the Article 107(1) of the Treaty on the Functioning of the European Union, accordingly to the "Commission Notice on the notion of State aid as referred to in Article 107(1) of the Treaty on the Functioning of the European Union" (2016/C 262/01).

<sup>4</sup>State aid occurs when the recipient of the aid is an "undertaking". Undertaking is an entity engaged in an "economic activity" in the context of the project. Any project partner offering goods or services on a market in the context of the project is an undertaking, regardless of its legal status (public or private) and whether its aim to make profit or not. An undertaking can be a SME, a large company, an NGO, an association, a university, etc.

<sup>5</sup>An "economy activity" is broadly defined as offering goods or services on a given market. If the project partner carries out non-economic activities in the project, there is no State aid even if this organisation normally carries out activities of economic nature. The contrary (i.e. economic activities are performed in the project by an organisation that normally does not carry out economic activities) can also occur, thus resulting in State aid relevance.





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acknowledge that untruthful/false declarations, in addition to the administrative sanctions and the request for refunding unduly received contribution charged with the interests, can also be prosecuted by the penal code in compliance with the Italian Law.

I declare that the information provided in this document is true and complete and I am aware that, in case of approval of the project proposal, it shall be treated as invalid from the outset in case of intentional false declaration.

.....

*Signature<sup>6</sup>*

.....

*Place and date*

.....

*Name of the Signatory*

.....

*Position of the Signatory*

LP Stamp

<sup>6</sup> In case of digital signature see Factsheet n. 4 Project Application”, in case of handwritten signature, be sure that an ID copy is attached.





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# INTERREG V A Italy-Croatia CBC Programme

## Restricted Call for Proposals (IT-HR Clusters) **Partner Declaration**

Version of 5 October 2021





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Before filling in the declaration with due care and attention, the Partner Organisation is requested to read the section D of the Programme Factsheet n. 4 "Project Application" carefully. This form shall not be altered or amended in any way.

Title of the project proposal: [insert title\_\_\_\_\_]

Acronym of the project proposal: [insert acronym\_\_\_\_\_]

I, the undersigned [name, surname\_\_\_\_\_],

born in [city, country\_\_\_\_\_] on [date of birth\_\_\_\_\_], representative of [Name of the

Partner Organisation in original language and name of the Partner Organisation in English including

department, if applicable\_\_\_\_\_],

acting as partner N. [insert PP number\_\_\_\_\_] of the above-mentioned project proposal

DECLARE THAT:







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- 19) I am legally authorised to sign this statement on behalf of my organisation<sup>7</sup>;
- 20) the organisation I represent has been / is Lead partner or a Project partner of the project [insert acronym] belonging to IT-HR Cluster n. [insert number and title of the cluster];
- 21) the organisation I represent is
- a) a public body
- b) a body governed by public law, as defined by Article 2(4) of Directive 2014/24/EU
- c) an international organisation acting under the national law of [insert Italy or Croatia \_\_\_\_\_], operational for at least 2 fiscal years [insert starting date of operations \_\_\_\_\_]
- d) a private no-profit body according to the law of the State where it is established, operational for at least 2 fiscal years at the moment of the submission of the proposal [insert starting date of operations \_\_\_\_\_]
- e) a private SME according to the Commission Recommendation 2003/361/EC, operational for at least 2 fiscal years at the moment of the submission of the proposal [insert starting date of operations \_\_\_\_\_]
- f) a private enterprise other than SME, operational for at least 2 fiscal years at the moment of the submission of the proposal [insert starting date of operations \_\_\_\_\_]
- 22) I am aware of the Programme rules on reimbursement of ERDF funds
- 23) the organisation I represent commits itself to the project proposal, and intends to provide EUR [insert amount \_\_\_\_\_] as national co-financing to the total eligible partner's budget (15%) as follows:

#### STATEMENT ON PARTNER CONTRIBUTION

National co-financing	EUR	From
Own public contribution	[insert amount]	[insert name of the Project partner Institution]
Automatic public contribution <sup>8</sup>	[insert amount]	[insert name of the contributing Institution]

<sup>7</sup>In case the signatory is different from the legal representative, the person in charge of signature has to correspond to the one indicated in the AF.

<sup>8</sup>To be filled in only in case the Member State provides national public contribution at the state level for the project selected by the Monitoring Committee.





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Other public contribution	[insert amount]	[insert name of the contributing Institution]
Private contribution	[insert amount]	[insert name of the contributing Organisation or specify own funds]

- 24) no expenditure related to the above-mentioned project proposal has been, is or will be funded by any other EU or national funding instrument;
- 25) activities included in the above-mentioned project proposal have not started before the submission of the application;
- 26) the organisation I represent bears full legal capacity and is financially reliable;
- 27) the organisation I represent has the administrative, technical and financial capacity to implement the project proposal;
- 28) the organisation I represent is not in any of the situations referred to in art. 136 to 141 of Regulation (EU, Euratom) No 2018/1046, applicable by analogy;
- 29) the organisation I represent is not in difficulty within the meaning of point 24 (in conjunction with point 20) of the Guidelines on State aid for rescuing and restructuring non-financial undertakings in difficulty (OJ C 249, 31.07.2014, p. 2);

IN ADDITION I DECLARE THAT:

#### VAT STATEMENT

- 30) the status of VAT for my organisation is the following (only one option possible):
- VAT is non-recoverable;
- VAT is partially recoverable: as a consequence, **only non-recoverable VAT** borne by the partner is **included** in the partner budget and I am aware that only this will be eligible for reimbursement;
- VAT is recoverable: as a consequence, **recoverable VAT** borne by the partner is **not included** in the partner budget and I am aware that this will not be eligible for reimbursement;
- 31) the organisation I represent commits itself in the relevant public procurement rules and principles (EC, national and programme) and in making the results available to the public according to the requirements of the Partnership Agreement, which will be signed between the Lead Partner of the Project and the organisation I represent after the approval of the project proposal;





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- 32) I accept the obligations as partner and to respect the engagements deriving from the Partnership Agreement, which will be signed between the Lead Partner of the Project and the Organisation I represent after the approval of the project proposal;

#### STATE AID<sup>9</sup> RELEVANCE

- 33) the organisation I represent shall be considered in the context of the project proposal as not undertaking<sup>10</sup>;
- 34) the organisation I represent, in compliance with the IT-HR Cluster requirement call announcement, does not carry out in the context of the project proposal economic activities<sup>11</sup> that are potentially State Aid relevant:
- 35) In case of project proposal approval, I commit myself to:
- ✓ inform, through the Lead Partner, the Managing Authority and the Joint Secretariat of the Italy-Croatia Programme if any other conditions underlying this declaration have changed;
  - ✓ inform the Managing Authority and the Joint Secretariat of the Italy-Croatia Programme of any EU or other public funding source, be international, national, regional or local, received after the signature of this declaration for the implementation of the activities that are planned in the above-mentioned project proposal;

I, the undersigned [name, surname\_\_\_\_\_],

acknowledge that untruthful/false declarations, in addition to the administrative sanctions and the request for refunding unduly received contribution charged with the interests, can also be prosecuted by the penal code in compliance with the Italian Law.

<sup>9</sup>According to Article 107 of the Treaty on the Functioning of the European Union, State aid is defined as any aid granted by a Member State or through State resources in any form whatsoever which distorts or threatens to distort competition by favouring certain undertakings or the production of certain goods. In order to be considered State Aid, a funded activity must fulfil all the 5 criteria as inferable from the definition of State Aid provided in the Article 107(1) of the Treaty on the Functioning of the European Union, accordingly to the "Commission Notice on the notion of State aid as referred to in Article 107(1) of the Treaty on the Functioning of the European Union" (2016/C 262/01).

<sup>10</sup>State aid occurs when the recipient of the aid is an "undertaking". Undertaking is an entity engaged in an "economic activity" in the context of the project. Any project partner offering goods or services on a market in the context of the project is an undertaking, regardless of its legal status (public or private) and whether its aim to make profit or not. An undertaking can be a SME, a large company, an NGO, an association, a university, etc.

<sup>11</sup>An "economy activity" is broadly defined as offering goods or services on a given market. If the project partner carries out non-economic activities in the project, there is no State aid even if this organisation normally carries out activities of economic nature. The contrary (i.e., economic activities are performed in the project by an organisation that normally does not carry out economic activities) can also occur, thus resulting in State aid relevance.





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I declare that the information provided on this document is true and complete and I am aware that, in case of approval of the project proposal, it shall be treated as invalid from the outset in case of intentional false declaration.

.....

*Signature<sup>12</sup>*

.....

*Place and date*

.....

*Name of the Signatory*

.....

*Position of the Signatory*

PP Stamp

<sup>12</sup> In case of digital signature see Factsheet n. 4 Project Application”, in case of handwritten signature, be sure that a ID copy is attached.

