

Territorial Cooperation Programme, ESPON 2013
CCI 2007CB163PO022

SECTION	DESCRIPTION
<p>1. General</p> <p>1.1. Information submitted by:</p> <ul style="list-style-type: none"> • Member State • The main contact point <ul style="list-style-type: none"> ○ Name of the institution ○ Responsible unit ○ Address ○ Telephone, fax ○ E-mail address ○ Title (Mr/Mrs) ○ Name and Surname ○ Position within the unit ○ • The second contact point (MC) <ul style="list-style-type: none"> ○ Name of the institution ○ Responsible unit ○ Address ○ Telephone, fax ○ E-mail address ○ Title (Mr/Mrs) ○ Name and Surname ○ Position within the unit <p>1.2. The information provided describes the situation on :</p>	<p>POLAND</p> <p>Ministry of Regional Development Department of Structural Policy Coordination Wspólna 2-4, 00-926 Warsaw Tel: 4822/4613907, fax:4822/4613263 E-mail address: Piotr.Zuber@mrr.gov.pl</p> <p>Mr Piotr Zuber Director</p> <p>POLAND</p> <p>Ministry of Regional Development Department of Structural Policy Coordination Wspólna 2-4, 00-926 Warsaw Tel: 4822/4613294, fax:4822/4613263 E-mail address: Magdalena.zagrzejewska-fiedorowicz@mrr.gov.pl</p> <p>Mrs Magdalena Zagrzejewska- Fiedorowicz Senior Specialist/ ESPON Coordinator/ESPON Monitoring Committee member</p> <p>18/01/2008</p>
<p>2. System Structure</p> <p>What kind of system did you opt for?</p> <ul style="list-style-type: none"> - a <u>centralized control system</u>: a control body appointed at central level to carry out the control for all beneficiaries on the territory (please continue with ques- 	<p>Centralized system – centralized control performed by a public administrative body appointed at MS level for all beneficiaries on the territory of Poland.</p>

tion 2.1)

or

- a decentralized control system: the beneficiaries proposes a controller who is authorized by a central MS body or selects a controller from a short list provided by the MS (please continue with question 2.2)?

The FLC body nominated by the Ministry of Regional Development is the Implementing Authority for European Programmes.

The IAEP reports to the Minister of Internal Affairs and Administration. An agreement has been signed between the IAEP and the Ministry of Regional Development for the delegation to the IAEP of the first level controls within the ESPON 2013 Programme.

<p>2.1 Centralized Control System Please describe the system.</p> <p>Please indicate if the control is carried out by civil servants or by an external audit firm appointed for this specific mission. In case of an external audit firm, please explain how it was/will be appointed.</p>	<p>The control will be carried out by public administration body - Implementing Authority for European Programmes (IAEP). IAEP is a public body financed by state budget and reporting to the Minister of Internal Affairs and Administration. The controllers will be public officers employed at the IAEP.</p>
<p><u>Contact details of the controller</u> Please provide the contact details of the designated body who will undertake the controls.</p>	<p><u>First Level Control Body</u> Implementing Authority for European Programmes- IAEP Wspólna 2/4, 00-926 Warsaw, Contact Mrs Sylwia Tyszk Chief Accountant Tel: +4822/4618804 Fax: +4822/4618722 E-mail address: Sylwia.Tyszko@wwpe.gov.pl</p>
<p><u>Contact details supervisory body</u> In case of an external controller, please specify the body fulfilling the supervisory duties and the contracting.</p>	<p>n/a</p>
<p><u>Controller's qualification</u> Which minimum requirements (degrees, work experience, national qualifications, and/or registration in professional organisations) does the controller under the centralized system described above shall fulfil?</p>	<p>Each controller has to fulfil the following requirements:</p> <ul style="list-style-type: none"> - Bachelor/Master degree, - approximately 3 to 5 years experience in financial controlling, - at least 3 years of experience in the field of control of projects co-financed from EU-funds (Structural Funds and ERDF in particular), - knowledge of the EU Structural Funds regulations, programme documents, guidelines and manuals, - knowledge of national and European rules relevant for ERDF-co-financing, in particular concerning public procurement law and State aid, - Good knowledge of English language (in reading, writing and speaking).
<p>2.2 Decentralized Control System Please describe the system.</p>	
<p>- Will the beneficiary select a controller from a</p>	

<p>list of several public and/or private control bodies established on MS level beforehand</p> <p>Or</p> <ul style="list-style-type: none"> - will the beneficiary propose an independent controller (internal or external), who is then authorized at central level before the first expenditure is reported and confirmed (please also refer to the guidance note established by the CU attached)? <p>In both cases, please explain the procedure for establishing the shortlist or authorizing the controller.</p> <p>If appropriate, please give also examples of types of possible control bodies.</p> <p>In case of use of shortlist of controllers, please provide the list (if not available yet, please indicate date of publication of shortlist).</p> <p><u>Controllers' qualification:</u></p>	<p>n/a</p>
<p>Please explain the <u>minimum requirements</u> for a controller to act as Project partner/Lead partner controller (e.g. degrees, work experience, national qualifications, and/or registration in professional organisations).</p> <p>For the approbation/selection of controllers at central level, we suggest using the checklist provided in Annex 4 of the guidance note. Please confirm the use of this document or explain what kind of other document(s) (which has to be at least equivalent) you will use instead. Copy of the equivalent documents should be provided to the ESPON Coordination Unit.</p> <p><u>Contact details of the central approbation body</u></p> <p>Please indicate the contact details of the central body in charge of establishing the shortlist of se-</p>	<p>n/a</p>
	<p>n/a</p>

lected control bodies or the body in charge of authorizing the controller proposed by a project partner.

4. Separation of Functions

Please explain how your Member State will ensure a clear separation of functions between the different bodies having responsibilities for the management and control of project(s) and/or the programme. If appropriate, please provide an organization chart to document the separation of functions between the bodies or units in charge of

- project activities and finances
- the verification of the project expenditure and delivery of the products and services (so-called "first level control" according to Article 16 of Regulation 1080/2006)
- the sample checks on operations (the so-called "second level audit" according to Article 14 (2) of Regulation 1080/2006 and Article 62 of Regulation 1083/2006)
- and project approval/Monitoring Committee representation (according to Article 63 of Regulation 1083/2006)?

- Department of Structural Policy Coordination of the Ministry of Regional Development, as a rule, does not participate in projects nor in the management of projects' finances. The IAEP as well is not involved at all in projects or projects' financial management.
- First Level Control is performed by Implementing Authority for European Programmes is functionally and operationally independent from managing institutions, will be not involved in projects' implementation and management, is independent from second level audits and also from Polish Monitoring Committee representative.
- Second Level Control in Poland is responsibility of another ministry (Ministry of Finance) and is absolutely independent.
- The Monitoring Committee representative for Poland comes from the Department of Structural Policy Coordination of the Ministry of Regional Development and is absolutely independent from the first level and the second level of financial controls.

<p>5. First Level Control Delays</p> <p>How do you ensure that the first level control is carried out within 2 months after receipt of the documents?</p> <p>Three months are requested by the regulation 1080/2006, but the Lead Partner will also need two months after reception of the certification from the Project Partners to establish its own certification. This will allow the project to present a reimbursement claim four months after the completion of the six months reporting period)?</p>	<p>Implementing Authority for European Programmes will inform projects' Lead Partners about problems which occurred in a process of control that could result in delays of submitting progress reports.</p> <p>According to the Agreement establishing Implementing Authority for European Programmes controller resulting Article 16 of Regulation (EC) No 1080/2006 IAEF is fully liable for appropriate realization of duty unless realization of duty was not possible because of reasons and circumstances beyond IAEF's control and responsibility (e.g. late submission of documentation for FLC) IAEF was also obliged to carry out the control within two months from receiving complete documentation from beneficiary.</p>
<p>6. Quality Assurance/Guidance to FLC bodies</p> <p>The programme will establish</p> <ul style="list-style-type: none"> - ESPON control guidelines - a template for a FLC checklist - a template for a FLC report. - A control certificate inside the progress report to be signed by the FLC. <p>The use of these standardized documents will be obligatory.</p> <p>Have you provided any additional guidance to the body/bodies in charge of first level control to ensure sound financial control (such as written guidelines, training)</p> <p>If yes please provide</p> <ul style="list-style-type: none"> - the reference - the date - related documentation (if applicable). <p>Copies of the additional guidance documents should be provided to the ESPON Coordination Unit as soon as they will become available.</p>	<p>According to the Agreement establishing Implementing Authority for European Programmes controller resulting Article 16 of Regulation (EC) No 1080/2006:</p> <ul style="list-style-type: none"> - IAEF carries control according to directions of (guidelines of) ministers in this range, dispositions, in individual programs directions (guidelines) obligatory and other regulations. Controls are executed according to generally regard standards by properly skilled employee. - IAEF duties are preparation of beneficiaries to accounts of projects by: <ol style="list-style-type: none"> 1) preparation the directions (guidelines) for beneficiaries 2) conduct training for beneficiaries concerning accounts of project; 3) conceding assign information related with control; 4) participation in the meeting and with control at the level of working committees related national and international affairs. <p>Guidelines for beneficiaries will be provided as soon as they will be prepared by IAEF and accepted by Ministry of Regional Development.</p>

<p>Please describe how you will ensure that the guidance is followed and the requirements resulting Article 60 b) of Regulation (EC) No 1083/2006 and from the ESPON 2013 control guidelines and ESPON 2013 control certificate are respected.</p>	<p>Requirements are enclosed in the Agreement between Ministry of Regional Development and Implementing Authority for European Programmes. IAEP will comply to the requirements set by this article for the first level controls. The Minister of Regional Development carries control in range of ensuing execution of duty of IAEP.</p>
<p>7. Control Cost Who will pay for the control? Will it be provided for free (by the MS) or will the cost be borne by the Lead/Project partner and thus reported as eligible cost within the project? If the control cost is borne by the beneficiary and to be reported as eligible project cost, please provide details on how the cost is calculated, what is the basis for the payment (e.g. service contract) and to whom it has to be paid.</p>	<p>The control will be provided for partners free of charge. Control costs will be borne by the Member State.</p>
<p>Name, Title + Organisation of Signatory for the MS Dr Piotr Żuber, Director, Department of Structural Policy Coordination Ministry of Regional Development Magdalena Zagrzejska-Fiedorowicz ESPON Monitoring Committee Member Department of Structural Policy Coordination Ministry of Regional Development Poland</p>	<p>Place, Date and Stamp DIREKTOR DEPARTAMENTU KOORDYNACJI POLITYKI STRUKTURALNEJ <i>Dr Piotr Żuber</i> <i>Magdalena Zagrzejska-Fiedorowicz</i> MINISTERSTWO ROZWOJU REGIONALNEGO 00-926 Warszawa, ul. Wspólna 2/4 NIP: 52 62 89 51 99 REGON EKD: 140315583-7511 <i>Warsaw, 18.01.2008</i></p>