

ESPON 2013 Programme – Member State's Description of the First Level Control System according to Article 16 of Regulation 1080/2006

Territorial Cooperation Programme, ESPON 2013
CCI 2007CB163PO022

SECTION	DESCRIPTION
1. General	
<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 	<p>The Netherlands</p> <p>Ministry of Infrastructure and Environment (short: IenM) International Affairs Directorate Plesmanweg 1-6 / P.O. Box 20951 2500 EZ Den Haag, The Netherlands</p> <p>Frank.Everaarts@rvo.nl</p>
<p>1.2. The information provided describes the situation on :</p>	<p>01/04/2014</p>
2. System Structure	
<p>What kind of system did you opt for?</p> <ul style="list-style-type: none"> - <u>a 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 question 2.1) <p>or</p> <ul style="list-style-type: none"> - <u>a decentralized control system</u>: 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)? 	<p><u>A decentralized control system</u>: the beneficiaries proposes a controller who is authorized by a central MS body.</p>

2.1 Centralised Control System	
<p><u>Please describe the system.</u> 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><u>Contact details of the controller</u> Please provide the contact details of the designated body who will undertake the controls.</p>	<p><u>Control Body 1</u></p> <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><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><u>Supervisory Body 1</u> Name of body,</p> <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><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>	

2.2 Decentralized Control System	
<p><u>Please describe the system.</u></p> <ul style="list-style-type: none"> - Will the beneficiary select a controller from a list of several public and/or private control bodies established on MS level beforehand <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>The beneficiary will propose an independent controller (internal or external), who is then authorized at national level before the first expenditure is reported and certified</p> <p>The procedure will be:</p> <ol style="list-style-type: none"> 1) The beneficiary will propose an independent controller based on the criteria set out by IenM. For this a document will be used that is similar to the checklist in Annex 4 of the guidance note established by the JTS (see annex). With the request of the beneficiary for designation of the controller, a description of the management and control system for this part of the project is annexed. The controller must assess and approve this system. 2) The Netherlands Enterprise Agency (short: RVO) will assess the controller and the description of management and control system in place. When both are good, RVO will designate the controller and will inform the beneficiary. If it regards a Dutch Project Partner, the beneficiary is asked to inform the Lead Partner and the JTS. RVO will inform the JTS as well. If it regards a Dutch Lead Partner, the beneficiary is asked to inform the JTS and RVO will inform the JTS as well. <p>As central approbation body RVO holds competences for a reliable assessment of the controller.</p>
<p><u>Controllers' qualification:</u></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</p>	<p>The criteria i.e. the minimum requirements will be:</p> <ol style="list-style-type: none"> a. good knowledge and experience with control activities; b. good knowledge and experience with relevant EU-regulations c. independency; d. to be able to validate a payment claim within 2 months. e. internal or external. In case the beneficiary is a non-public organisation with an ERDF budget of more than € 500.000,- the final payment claim needs to be certified by an external certified controller. This external certified controller must also take note of the description of the management and control system. The interim payment claims may in that case be certified by another controller. So a beneficiary may propose 2 controller. <p>For the approbation of the controller RVO confirms that she will always use a checklist similar as the one provided in Annex 4 (see annex).</p>

equivalent documents should be provided to the ESPON Coordination Unit.	
<p><u>Contact details of the central approbation body</u> Please indicate the contact details of the central body in charge of establishing the shortlist of selected control bodies or the body in charge of authorizing the controller proposed by a project partner.</p>	<p>On behalf of The Ministry of Infrastructure and Environment:</p> <p>Netherlands Enterprise Agency Team Regional Development and Mobility Croeselaan 15 / P.O. Box 8242 3503 RE Utrecht, The Netherlands interreg@rvo.nl</p>

4. Separation of Functions	
<p>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 organisation chart to document the separation of functions between the bodies or units in charge of</p> <ul style="list-style-type: none"> - 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)? 	<p>On the one hand project activities and finances will be dealt with by the projects. The first level control will be dealt with the way it is described in this questionnaire. So clear separation of functions there.</p> <p>The person(s) in charge of project approval/Monitoring Committee representation are from the Netherlands Enterprise Agency, on behalf of the Ministry of Infrastructure and Environment. These persons are not involved in the projects and first level control.</p> <p>The body in charge of second level audit is the National Audit Service at the Ministry of Finance.</p> <p>We confirm that the persons and the units they are part of will not be involved in project implementation.</p>

5. First Level Control Delays	
<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>We will ensure that the first level control is carried out within 2 months. On the one hand it is one of the selection criteria. On the other hand the beneficiary should make an agreement with the controller that he/she will ensure that.</p>
6. Quality Assurance/Guidance to FLC bodies	
<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>We will use the standardized documents if they are agreed upon by IenM.</p> <p>An additional guidance will be made if needed, but the aim is to have good quality documents drafted by the programme.</p>
Please describe how you will ensure that the	This will be ensured with performing the audits mentioned in art. 62.b of 1083/06 and the audit

<p>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>protocol for the first level control, which also contains a detailed checklist.</p> <p>For the time being we will not perform additional audits. But IenM and/or RVO will do if risk assessments give rise to such a need. It has not yet been decided which method will be used for the risk assessments.</p> <p>IenM will organise "road shows" in the Netherlands to explain first level control and to bring the first level control audit protocol under the attention of the beneficiaries.</p>
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7. Control Cost	
<p>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?</p> <p>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 project will make the contract with the controller and pay the costs.</p> <p>There are no special rules or conditions. The cost need to be handled as regular eligible costs. So the standard eligibility rules apply.</p>

Name, Title + Organisation of Signatory for the MS	Place, Date and Stamp
 B.J.M. van Bolhuis Director for International Affairs	The Hague, 14 April 2014 