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LEGISLATIVE ACTS AND OTHER INSTRUMENTS: CORRIGENDUM/RECTIFICATIF

Subject: Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006 (OJ L 347, 20.12.2013, p. 320)

LANGUAGES concerned: **All linguistic versions**

PROCEDURE APPLICABLE according to the Council Statement of 1975.

(The procedures are explained in Council document 5980/07 JUR 49, available in the official languages, together with a translation of the structure of this cover page.)

— Procedure 2(c) (obvious errors in all language versions)

TIME LIMIT for the objections by the Member States: 15 days.

The corrigendum will be published in the Official Journal after approval by the European Parliament.

Any objections regarding this corrigendum should be notified to the Presidency:

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CORRIGENDUM

to Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006

(OJ L 347, 20.12.2013, p. 320)

1. Page 320, footnote 3

For:

“(3) OJ C 47, 17.2.2011, p. 1, ...”

Read:

“(3) OJ C 47, 17.2.2012, p. 1, ...”.

2. Page 326, recital 39, first sentence

For:

“In order to ensure that resources allocated to financial instruments in favour of SMEs achieve an effective and efficient critical mass of new SME debt finance, it should be possible to use those resources in the entire territory of the Member State concerned regardless of the categories of region therein.”

Read:

“In the context of contributions from ERDF and EAFRD to joint uncapped guarantee and securitisation financial instruments in favour of SMEs, implemented by the EIB, in order to ensure that resources allocated to financial instruments in favour of SMEs achieve an effective and efficient critical mass of new SME debt finance, it should be possible to use those resources in the entire territory of the Member State concerned regardless of the categories of region therein.”;

3. Page 326, recital 40

For:

“The contributions by Member States to joint uncapped guarantee and securitisation financial instruments in favour of SMEs should be phased over the years 2014, 2015 and 2016 and the amounts to be paid by the Member States to the EIB should be scheduled accordingly in the funding agreement, in line with standard banking practice and with a view to spreading the effects on payment appropriations in any individual year.”

Read:

“The ERDF and EAFRD contributions by Member States to joint uncapped guarantee and securitisation financial instruments in favour of SMEs, implemented by the EIB, should be phased over the years 2014, 2015 and 2016 and the amounts to be paid by the Member States to the EIB should be scheduled accordingly in the funding agreement, in line with standard banking practice and with a view to spreading the effects on payment appropriations in any individual year.”;

4. Page 326, recital 41

For:

“In the case of securitisation transactions it should be ensured at programme closure that at least the amount corresponding to the Union contribution has been used for the objective of supporting SMEs, in line with the principles relating to financial instruments set out in the Financial Regulation.”

Read:

“In the context of contributions from ERDF and EAFRD to joint uncapped guarantee and securitisation financial instruments in favour of SMEs, implemented by the EIB, it should be ensured at programme closure that, in the case of securitisation transactions, at least the amount corresponding to the Union contribution has been used for the objective of supporting SMEs, in line with the principles relating to financial instruments set out in the Financial Regulation.”

5. Page 326, recital 42, second sentence

For:

“Managing authorities should also have the possibility of implementing financial instruments directly, through existing or newly created funds or through funds of funds.”

Read:

“In the case of instruments set up at national, regional, transnational or cross-border level and managed by or under the responsibility of the managing authority, managing authorities should have the possibility of implementing financial instruments by directly investing in the capital of existing or newly created legal entities, entrusting such implementation to other bodies or undertaking implementation tasks directly in the case of financial instruments consisting solely of loans or guarantees.”

6. Page 327, recital 46

For:

“... and to lay down further rules regarding the use of resources after the end of the eligibility period.”

Read:

“... and to lay down further rules regarding the re-use of resources after the end of the eligibility period.”

7. Page 329, recital 69

For:

“... it is necessary to lay down common rules for pre-financing, interim requests for payment and the final balance ...”

Read:

“... it is necessary to lay down common rules for pre-financing, interim payment applications and the final balance ...”.

8. Page 329, recital 71, first sentence

For:

“..., evidence of irregularities linked to a request for payment, or ...”

Read:

“...,evidence of irregularities linked to a payment application, or ...”.

9. Page 330, recital 73, first sentence

For:

“..., as well as in a situation in which a request for payment has been made but for which the payment deadline has been interrupted or the payment suspended.”

Read:

“..., as well as in a situation in which a payment application has been made but for which the payment deadline has been interrupted or the payment suspended.”.

10. Page 334, recital 113, fourth sentence

For:

“Annual pre-financing should be cleared each year with the acceptance of accounts.”

Read:

“Annual pre-financing should be cleared with the acceptance of accounts.”.

11. Page 334, recital 118, first sentence

For:

“As accounts are verified and accepted every year, a significant simplification of the closure procedure should be introduced.”

Read:

“As accounts are verified and accepted for each accounting year, a significant simplification of the closure procedure should be introduced.”.

12. Page 336, recital 126

For:

“... assessing the achievement of the milestones and targets, standard terms and conditions for monitoring of financial instruments ...”

Read:

“... assessing the achievement of the milestones and targets, standard terms and conditions for the reporting of financial instruments ...”.

13. Page 339, Article 2, point 22

For:

“(22) ‘request for payment’ means a payment application or declaration of expenditure submitted by the Member State to the Commission;”

Read:

“(22) ‘request for payment’ means, for EAFRD, declaration of expenditure submitted by the Member State to the Commission;”.

14. Page 339, Article 2, point 26

For:

“... a written agreement between a public body beneficiary and the private partner approved by the managing authority or an intermediate body, set up specifically to hold funds to be paid out after the eligibility period, exclusively ...”

Read:

“... a written agreement between a public body beneficiary and the private partner approved by the managing authority or an intermediate body, set up specifically to hold funds to be paid out after the eligibility period in the case of a financial instrument, or during the eligibility period and/or after the eligibility period in the case of a PPP operation, exclusively ...”.

15. Page 340, Article 3

For:

“Where, pursuant to Articles 16(2) and (3), 29(3), 30 (2) and (3) ...”

Read:

“Where, pursuant to Articles 16(2) and (4), 29(4), 30 (2) and (3) ...”.

16. Page 349, Article 23(1), third subparagraph

For:

“For the purposes of point (b) of the second subparagraph, each of those conditions shall be deemed to be satisfied where ...”

Read:

“For the purposes of point (c) of the second subparagraph, each of those conditions shall be deemed to be satisfied where ...”.

17. Page 350, Article 23(5)

For:

“... not later than three months after their submission by the Member State in accordance with paragraph 3.”

Read:

“... not later than three months after their submission by the Member State in accordance with paragraph 4.”

18. Page 350, Article 23(6), second subparagraph, second sentence

For:

“That implementing act shall only apply with respect to requests for payment submitted after the date of the adoption of that implementing act.”

Read:

“That implementing act shall only apply with respect to payment applications submitted after the date of the adoption of that implementing act.”

19. Page 351, Article 23(9), third subparagraph, second sentence

For:

“The suspension of payments shall apply to requests for payment submitted for the programmes concerned after the date of the decision to suspend.”

Read:

“The suspension of payments shall apply to payment applications submitted for the programmes concerned after the date of the decision to suspend.”

20. Page 352, Article 24(1), second sentence

For:

“If a Member State meets one of the following conditions after 21 December 2013, the increased rate, which may not exceed 100 %, shall apply to its requests for payments for the period until 30 June 2016:”

Read:

“If a Member State meets one of the following conditions after 21 December 2013, the increased rate, which may not exceed 100 %, shall apply to its payment applications for the period until 30 June 2016:”.

21. Page 352, Article 24(2)

For:

“(2) ..., Union support through interim payments and payments of the final balance shall not be higher than the public support or the maximum amount of support from the ESI Funds for each priority for the ERDF, ESF and the Cohesion Fund, or for each measure for the EAFRD and the EMFF, as laid down in the decision of the Commission approving the programme.”

Read:

“(2) ... Union support through interim payments and payments of the final balance shall not be higher than:

(a) the public expenditure; or

(b) the maximum amount of support from the ESI Funds for each priority for the ERDF, ESF and the Cohesion Fund, or for each measure for the EAFRD and the EMFF, as laid down in the decision of the Commission approving the programme,

whichever is the lower.”

22. Page 353, Article 25(1)

For:

“..., a part of the resources provided for under Article 59 and programmed in accordance with Fund-specific rules may, in agreement with the Commission, be transferred to technical assistance at the initiative of the Commission for implementation of measures in relation to the Member State concerned in accordance with point (k) of the third subparagraph of Article 58(1) ...”

Read:

“..., a part of the resources provided for under Article 59 and programmed in accordance with Fund-specific rules may, in agreement with the Commission, be transferred to technical assistance at the initiative of the Commission for implementation of measures in relation to the Member State concerned in accordance with point (l) of the third subparagraph of Article 58(1) ...”.

23. Page 356, Article 33(6), second sentence

For:

“... on the basis of a proposal by a Member State the Commission may adopt or amend those population limits in its decision under Article 15(2) or (3) ... ”

Read:

“... on the basis of a proposal by a Member State, the Commission may adopt or amend those population limits in its decision under Article 16(2) or (4)... ”.

24. Page 360, Article 38(5), first sentence

For:

“5. The bodies ... may further entrust part of the implementation to financial intermediaries provided that such entities ensure ...”

Read:

“5. The bodies ... may further entrust part of the implementation to financial intermediaries provided that such bodies ensure ...”.

25. Page 360, Article 38(7), introductory part

For:

“... the terms and conditions for contributions from programmes to financial instruments shall be set out in funding agreements in accordance with Annex III at the following levels:”

Read:

“... the terms and conditions for contributions from programmes to the financial instrument shall be set out in funding agreements in accordance with Annex IV at the following levels:”.

26. Page 363, Article 39(7), first and second sentences

For:

“... the Member State's request for payment to the Commission shall be made ... Such requests for payment shall be based on ...”

Read:

“... the Member State's payment application to the Commission shall be made ... Such payment applications shall be based on ...”.

27. Page 363, Article 39(8), introductory part

For:

“8. At closure of the programme, the eligible expenditure shall be the total amount of programme contributions paid to the financial instrument, corresponding:”

Read:

“8. At closure of the programme, the eligible expenditure as referred to in points (a) and (b) of Article 42(1) shall be the total amount of programme contributions paid to the financial instrument, corresponding:”.

28. Page 363, Article 39(8), point (a)

For:

“(a) ... to the resources referred to in point (b) of the first subparagraph of Article 42(3);”

Read:

“(a) ... to the resources referred to in point (b) of the first subparagraph of Article 42(1);”.29. Page 364, Article 41, title

For:

“Requests for payment including expenditure for financial instruments”

Read:

“Payment applications including expenditure for financial instruments”.30. Page 364, Article 41(1), points (c)(i)

For:

“(i) ... when at least 60 % of the amount included in the first application for interim payments has been spent as eligible expenditure ...”

Read:

“(i) ... when at least 60 % of the amount included in the first application for interim payment has been spent as eligible expenditure ...”.

31. Page 364, Article 41(1), points (c)(ii)

For:

“(ii) ... when at least 85 % of the amounts included in the previous applications for interim payments have been spent as eligible expenditure ...”

Read:

“(ii) ... when at least 85 % of the amounts included in the previous applications for interim payment have been spent as eligible expenditure ...”.

32. Page 364, Article 41(1), point (d)

For:

“(d) each application for interim payment, ... , shall separately disclose the total amount of programme contributions paid to the financial instrument and the amounts paid as eligible expenditure ...”

Read:

“(d) each application for interim payment, ... , shall separately disclose the total amount of programme contributions paid to the financial instruments and the amounts paid as eligible expenditure ...”.

33. Page 364, Article 41(3)

For:

“(3) ... laying down the rules for withdrawal of payments to financial instruments and consequent adjustments in respect of applications for payments.”

Read:

“(3) ... laying down the rules for withdrawal of payments to financial instruments and consequent adjustments in respect of applications for payment.”

34. Page 364, Article 41(4), first sentence

For:

“(4) The Commission shall ... adopt implementing acts laying down the models to be used when submitting additional information concerning financial instruments with the applications for payments to the Commission.”

Read:

“(4) The Commission shall ... adopt implementing acts laying down the models to be used when submitting additional information concerning financial instruments with the applications for payment to the Commission.”

35. Page 364, Article 42(1), point (a)

For:

“(a) payments to final recipients, and in the cases referred to in Article 37(7) payments to the benefit of final recipients;”

Read:

“(a) payments to final recipients, national public and private contributions provided at the level of final recipient, including where relevant contributions in kind as referred to in Article 37(10), and in the cases referred to in Article 37(7) payments to the benefit of final recipients;”.

36. Page 365, Article 42(4), introductory part

For:

“(4) The eligible expenditure disclosed in accordance with paragraphs 1 and 2 shall not exceed ...”

Read:

“(4) The eligible expenditure as referred to in paragraphs 1, 2 and 3 shall not exceed ...”.

37. Page 365, Article 42(4), point (a)

For:

“(a) total amount of the support from the ESI Funds paid for the purposes of paragraphs 1 and 2 ...”

Read:

“(a) total amount of the support from the ESI Funds paid for the purposes of paragraphs 1, 2 and 3 ...”.

38. Page 365, Article 42(5), first subparagraph, first sentence

For:

“(5) Management cost and fees ... may be charged by the body implementing the fund of funds or bodies implementing financial instruments pursuant to points (a) and (b) of Article 38(4) and shall not exceed the thresholds ...”

Read:

“(5) Where management cost and fees ... are charged by the body implementing the fund of funds or bodies implementing financial instruments pursuant to points (a) and (b) of Article 38(4), they shall not exceed the thresholds ...”.

39. Page 365, Article 43(2)

For:

“(2) ... including the reimbursement of management costs incurred or payment of management fees of the financial instrument in accordance with point (d) of the first subparagraph of Article 42(1), and expenditure paid in accordance with Article 42(2), as the initial support from the ESI Funds either within the same financial instrument, or following the winding up of the financial instrument, in other financial instruments or forms of support ...”

Read:

“(2) ... including the reimbursement of management costs incurred or payment of management fees of the financial instrument in accordance with point (d) of the first subparagraph of Article 42(1) and in accordance with Article 42(2) and (3), as the initial support from the ESI Funds, either within the same financial instrument or, following the winding up of the financial instrument, in other financial instruments or forms of support ...”.

40. Page 366, Article 44(2)

For:

“(2) The managing authority shall ensure that adequate records of the use of the resources referred to in paragraph 1 are maintained.”

Read:

“(2) The managing authority shall ensure that adequate records of the re-use of the resources referred to in paragraph 1 are maintained.”.

41. Page 366, Article 45, title and article

For:

“Use of resources after the end of the eligibility period
Member States shall adopt the necessary measures to ensure that resources paid back to financial instruments ... are used in accordance with the aims of the programme or programmes, ...”

Read:

“Re-use of resources after the end of the eligibility period
Member States shall adopt the necessary measures to ensure that resources paid back to financial instruments ... are re-used in accordance with the aims of the programme or programmes, ...”.

42. Page 367, Article 49(2)

For:

“2. ... including the conclusions of the performance reviews.”

Read:

“2. ... including the conclusions of the performance review.”

43. Page 368, Article 50(5)

For:

“5. The annual implementation report to be submitted in 2019 and the final implementation report for the ESI Funds shall, in addition to the information and assessment referred to in paragraphs 2 and 3, include information on ...”

Read:

“5. The annual implementation report to be submitted in 2019 and the final implementation report for the ESI Funds shall, in addition to the information and assessment referred to in paragraphs 2 and 4, include information on ...”.

44. Page 373, Article 61(4)

For:

“4. The method by which the net revenue is deducted from the expenditure of the operation included in the request for payment submitted to the Commission shall be ...”

Read:

“4. The method by which the net revenue is deducted from the expenditure of the operation included in the payment application submitted to the Commission shall be ...”

45. Page 373, Article 61(7), point (h)

For:

“(h) operations for which amounts or rates of support are defined in Annex II to the EAFRD Regulation.”

Read:

“(h) operations for which amounts or rates of support are defined in Annex II to the EAFRD Regulation or in the EMFF Regulation.”

46. Page 374, Article 64(1), introductory part

For:

“1. In the case of a PPP operation where the beneficiary is a public law body, expenditure under a PPP operation which has been incurred and paid by the private partner may, by way of derogation from Article 65(2), be considered as incurred and paid by a beneficiary and included in a request for payment to the Commission ...”

Read:

“1. In the case of a PPP operation where the beneficiary is a public law body, expenditure under a PPP operation which has been incurred and paid by the private partner may, by way of derogation from Article 65(2), be considered as incurred and paid by a beneficiary and included in a payment application to the Commission ...”.

47. Page 374, Article 64(2)

For:

“2. Payments to beneficiaries made in respect of expenditure included in a request for payment in accordance with paragraph 1 shall be paid ...”

Read:

“2. Payments to beneficiaries made in respect of expenditure included in a payment application in accordance with paragraph 1 shall be paid ...”.

48. Page 375, Article 65(8), third subparagraph, point (h)

For:

“(h) operations for which amounts or rates of support are defined in Annex II to the EAFRD Regulation; or”

Read:

“(h) operations for which amounts or rates of support are defined in Annex II to the EAFRD Regulation or in the EMFF Regulation with the exception of those operations for which reference is made to this paragraph under the EMFF Regulation; or”.

49. Page 375, Article 65(11)

For:

“11. ... provided that the expenditure item included in a request for payment for reimbursement by one of the ESI Funds does not receive support from another Fund or Union instrument ...”

Read:

“11. ... provided that the expenditure item included in a payment application for reimbursement by one of the ESI Funds does not receive support from another Fund or Union instrument ...”.

50. Page 379, Article 76, second paragraph

For:

“The decision of the Commission adopting a programme shall constitute a financing decision within the meaning of Article 84 of the Financial Regulation ...”

Read:

“The decision of the Commission adopting a programme shall constitute a financing decision within the meaning of Article 84(2) of the Financial Regulation ...”.

51. Page 379, Article 79, title

For:

“Requests for payment”

Read:

“Payment applications”

52. Page 379, Article 79(1)

For:

“1. The specific procedure and information to be submitted for requests for payment in relation to each ESI Fund ...”

Read:

“1. The specific procedure and information to be submitted for payment applications in relation to each ESI Fund ...”.

53. Page 380, Article 79(2)

For:

“2. The request for payment to be submitted to the Commission ...”

Read:

“2. The payment application to be submitted to the Commission ...”.

54. Page 380, Article 80

For:

“... statements of expenditure, requests for payment, accounts and shall be denominated in euro.”

Read:

“... statements of expenditure, payment applications, accounts and shall be denominated in euro.”.

55. Page 380, Article 83(1), point (b)

For:

“(b) ... expenditure in a request for payment is linked to an irregularity having serious financial consequences;”

Read:

“(b) ... expenditure in a payment application is linked to an irregularity having serious financial consequences;”.

56. Page 381, Article 86(1)

For:

“1. ... amounts linked to a commitment which are not covered by pre-financing or by a request for payment within a defined period, including any request for payment for which all or part is subject to an interruption of the payment deadline or a suspension of payments, shall be decommitted.”

Read:

“1. ... amounts linked to a commitment which are not covered by pre-financing or by a payment application within a defined period, including any payment application shall be decommitted.”.

57. Page 381, Article 87(1), point (b)

For:

“(b) it has not been possible to make a request for payment ...”

Read:

“(b) it has not been possible to make a payment application ...”.

58. Page 383, Article 92(3)

For:

“3. In 2016, the Commission shall, in its technical adjustment for the year 2017 in accordance with Articles 4 and 5 of Regulation (EU, Euratom) No 1311/2013 ... In accordance with Article 5 of Regulation (EU, Euratom) No 1311/2013, adjustments shall be spread in equal proportions ...”

Read:

“3. In 2016, the Commission shall, in its technical adjustment for the year 2017 in accordance with Articles 6 and 7 of Regulation (EU, Euratom) No 1311/2013 ... In accordance with Article 7 of Regulation (EU, Euratom) No 1311/2013, adjustments shall be spread in equal proportions ...”.

59. Page 383, Article 92(6), fourth subparagraph

For:

“The amount transferred ... shall be implemented by launching specific calls for projects implementing the core networks ...”

Read:

“The amount transferred ... shall be implemented by launching specific calls for projects implementing the core network ...”.

60. Page 387, Article 96(3), point (b)

For:

“(b) the indicative amount ... to be implemented in accordance with Article 7(3) of the ERDF Regulation ...”

Read:

“(b) the indicative amount ... to be implemented in accordance with Article 7(4) of the ERDF Regulation ...”.

61. Page 390, Article 102(6)

For:

“6. Expenditure relating to a major project may be included in a request for payment after the notification referred to in paragraph 1 ... the declaration of expenditure following the adoption of the Commission decision shall be rectified accordingly.”

Read:

“6. Expenditure relating to a major project may be included in a payment application after the notification referred to in paragraph 1 ... the payment application following the adoption of the Commission decision shall be rectified accordingly.”.

62. Page 391, Article 106, first paragraph, point (9)(a)

For:

“(a) the costs of achieving milestones, outputs and result targets with reference to point (2), ...”

Read:

“(a) the costs of achieving the milestones and the targets for outputs and results with reference to point (2), ...”.

63. Page 392, Article 107(3)

For:

“3. The decision referred to in paragraph 2 shall indicate ... the costs of achieving those milestones, outputs and result targets ...”

Read:

“3. The decision referred to in paragraph 2 shall indicate ... the costs of achieving those milestones and targets for outputs and results ...”.

64. Page 393, Article 111(4), third subparagraph

For:

“... Member States with no more than one operational programme per Fund may include the information relating to ex ante conditionalities referred to in Article 50(3), the information required by Article 50(4) ...”

Read:

“... Member States with no more than one operational programme per Fund may include the information relating to ex ante conditionalities referred to in Article 50(4), the information required by Article 50(5) ...”.

65. Page 397, Article 122(2), first subparagraph, second sentence

For:

“They shall notify the Commission of irregularities that exceed EUR 10 000 in contribution from the Funds and ...”

Read:

“They shall notify the Commission of irregularities that exceed EUR 10 000 in contribution from any of the Funds or the EMFF, and ...”.

66. Page 397, Article 122(2), point (c)

For:

“(c) cases which are detected and corrected by the managing authority or certifying authority before inclusion of the expenditure concerned in a statement of expenditure submitted to the Commission.”

Read:

“(c) cases which are detected and corrected by the managing authority or certifying authority before inclusion of the expenditure concerned in a payment application submitted to the Commission.”.

67. Page 397, Article 122(2), fourth subparagraph, second sentence

For:

“Member States may decide not to recover an amount unduly paid if the amount to be recovered from the beneficiary, not including interest, does not exceed EUR 250 in contribution from the Funds.”

Read:

“Member States may decide not to recover an amount unduly paid if the amount to be recovered from the beneficiary, not including interest, does not exceed EUR 250 in contribution from any of the Funds or the EMFF.”.

68. Page 398, Article 123(5), first subparagraph

For:

“5. In the case of the Funds relating to the Investment for growth and jobs goal ... the managing authority, the certifying authority, where applicable, and the audit authority may be part of the same public authority or body.”

Read:

“5. In the case of the Funds ... the managing authority, the certifying authority, where applicable, and the audit authority may be part of the same public authority or body.”

69. Page 401, Article 126, point (h), second sentence

For:

“Amounts recovered shall be repaid to the budget of the Union prior to the closure of the operational programme by deducting them from the subsequent statement of expenditure.”

Read:

“Amounts recovered shall be repaid to the budget of the Union prior to the closure of the operational programme by deducting them from the subsequent payment application.”.

70. Page 402, title II

For:

“FINANCIAL MANAGEMENT, PREPARATION, EXAMINATION, ACCEPTANCE AND CLOSURE OF ACCOUNTS AND FINANCIAL CORRECTIONS”

Read:

“FINANCIAL MANAGEMENT, PREPARATION, EXAMINATION AND ACCEPTANCE OF ACCOUNTS AND FINANCIAL CORRECTIONS”

71. Page 402, Article 129

For:

“... the amount of public expenditure paid to beneficiaries is at least equal to the contribution from the Funds paid by the Commission to the Member State.”

Read:

“... the amount of public expenditure paid to beneficiaries is at least equal to the contribution from the Funds and the EMFF paid by the Commission to the Member State.”.

72. Page 402, Article 130(2)

For:

“2. ...

- (a) the eligible public expenditure indicated in the payment application for the priority; or
- (b) the contribution from the Funds or the EMFF for the priority laid down in the decision of the Commission approving the operational programme.”

Read:

“2. ...

- (a) the eligible public expenditure indicated in the payment applications for the priority; or
- (b) the contribution from the Funds or the EMFF for the priority laid down in the decision of the Commission approving the operational programme, whichever is the lower.”

73. Page 406, Article 139(7), third sentence

For:

“Such recovery shall not constitute a financial correction and shall not reduce support from the Funds to the operational programme. The amount recovered shall constitute assigned revenue in accordance with Article 177(3) of the Financial Regulation.”

Read:

“Such recovery shall not constitute a financial correction and shall not reduce support from the Funds and the EMFF to the operational programme. The amount recovered shall constitute assigned revenue in accordance with Article 177(3) of the Financial Regulation.”.

74. Page 406, Article 139(8)

For:

“... the amount chargeable to the Funds for the accounting year ... Such decision shall not constitute a financial correction and shall not reduce support from the Funds to the operational programme ...”

Read:

“... the amount chargeable to the Funds and the EMFF for the accounting year ... Such decision shall not constitute a financial correction and shall not reduce support from the Funds and the EMFF to the operational programme ...”.

75. Page 406, Article 140(1), first subparagraph

For:

“... the managing authority shall ensure that all supporting documents regarding expenditure supported by the Funds on operations ...”

Read:

“... the managing authority shall ensure that all supporting documents regarding expenditure supported by the Funds and the EMFF on operations ...”.

76. Page 406, Article 140(1), fourth subparagraph

For:

“The time period referred to in the first subparagraph shall be interrupted either in the case of legal proceedings or by a duly justified request of the Commission.”

Read:

“The time period referred to in the first or second subparagraph shall be interrupted either in the case of legal proceedings or by a duly justified request of the Commission.”.

77. Page 407, Article 142(1), point (b)

For:

“(b) expenditure in a statement of expenditure is linked to an irregularity having serious financial consequences which has not been corrected;”

Read:

“(b) expenditure in a payment application is linked to an irregularity having serious financial consequences which has not been corrected;”.

78. Page 407, Article 143(2), fourth sentence

For:

“Financial corrections shall be recorded in the accounts by the managing authority for the accounting year in which the cancellation is decided.”

Read:

“Financial corrections shall be recorded in the accounts for the accounting year in which the cancellation is decided.”.

79. Page 408, Article 145(5)

For:

“5. In the event of an agreement, and without prejudice to paragraph 6 of this Article, the Member State may reuse the Funds concerned in accordance with Article 143(3).”

Read:

“5. In the event of an agreement, and without prejudice to paragraph 7 of this Article, the Member State may reuse the Funds concerned in accordance with Article 143(3).”

80. Page 409, Article 147(1), first sentence

For:

“1. Any repayment due to be made to the budget of the Union shall be effected before the due date indicated in the order for recovery drawn up in accordance with Article 73 of the Financial Regulation.”

Read:

“1. Any repayment due to be made to the budget of the Union shall be effected before the due date indicated in the order for recovery drawn up in accordance with Article 78 of the Financial Regulation.”

81. Page 423, Annex II, table, second column

For:

“Indicator and measurement unit, where appropriate”

Read:

“Indicator or, where appropriate, key implementation step and measurement unit”.

82. Page 426, Annex IV, section 1, point (i)

For:

“(i) provisions regarding the re-utilisation of resources attributable to the support from the ESI Funds until the end of the eligibility period in compliance with Article 44;”

Read:

“(i) provisions regarding the re-use of resources attributable to the support from the ESI Funds until the end of the eligibility period in compliance with Article 44;”.

83. Page 426, Annex IV, section 1, point (j)

For:

“(j) provisions regarding the use of resources attributable to the support of the ESI Funds after the end of the eligibility period in compliance with Article 45 and an exit policy for the contribution from the ESI Funds out of the financial instrument;”

Read:

“(j) provisions regarding the re-use of resources attributable to the support of the ESI Funds after the end of the eligibility period in compliance with Article 45 and a policy regarding the exit of those resources from the financial instrument;”.

84. Page 426, Annex IV, section 2, point (a)

For:

“(a) the investment strategy or policy of the financial instrument, general terms and conditions of envisaged debt products, target recipients and actions to be supported;”

Read:

“(a) the investment strategy or policy of the financial instrument, general terms and conditions of envisaged loan or guarantees, target final recipients and actions to be supported;”.

85. Page 426, Annex IV, section 2, point (c)

For:

“(c) the use and re-use of resources attributable to the support of the ESI Funds in accordance with Articles 43, 44 and 45;”

Read:

“(c) the re-use of resources attributable to the support of the ESI Funds in accordance with Articles 44 and 45;”.

86. Page 457, Annex XII, section 1, first paragraph, indent 10

For:

“- name of category of intervention for the operation in accordance with point (b) (vi) of the first subparagraph of Article 96(2);”

Read:

“- name of the intervention field code for the operation in accordance with point (b) (vi) of the first subparagraph of Article 96(2);”.

87. Page 458, Annex XII, section 2.2, paragraph 3, second subparagraph

For:

“Any document, relating to the implementation of an operation which is used for the public or for participants, including any attendance or other certificate, shall include a statement to the effect that the operational programme was supported by the Fund or Funds.”

Read:

“Any document relating to the implementation of an operation which is used for the public or for participants, including any attendance or other certificate, shall include a statement to the effect that the operation was supported by the Fund or Funds.”.

88. Page 459, Annex XII, section 2.2, paragraph 5, introductory part

For:

“No later than three months after completion of an operation, the beneficiary shall put up a permanent plaque or billboard of significant size at a location readily visible to the public for each operation that fulfils the following criteria:”

Read:

“No later than three months after completion of an operation, the beneficiary shall put up a permanent plaque or billboard of significant size at a location readily visible to the public for each operation supported by the ERDF or Cohesion Fund which fulfils the following criteria:”.

89. Page 461, ANNEX XIII, section 3, point A (viii)

For:

“(viii) Procedures to draw up the management declaration of assurance, report on the controls carried out and weaknesses identified, and the annual summary of final audits and controls.”

Read:

“(viii) Procedures to draw up the management declaration referred to in point (a) of Article 59(5) of the Financial Regulation and the annual summary of the final audit reports and of controls carried out, including weaknesses identified, referred to in point (b) of Article 59(5) thereof.”
