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| 1. **Shall a building permission be provided along with the application form (AF)? According to Annex A9 the beneficiaries only have to provide a self-declaration that a building permission will be submitted in case of a grant award. However some of the beneficiaries are planning to receive a building permission before the submission of the AF. So shall they provide it if it is available? Or shall they provide only a self-declaration?** |
| Annex A9 includes 2 options, out of which each beneficiary of the infrastructure project will have to choose the relevant one by declaring that activities to be implemented:  either   1. are subject to a building permission or its equivalent; in such a case the beneficiary selects one of two possibilities and deletes the irrelevant one:    1. the valid relevant building permission/its equivalent is ready and attached to the AF (the beneficiary has to attach the building permission to the AF) **OR**    2. the valid relevant building permission/its equivalent is not yet ready but will be submitted in case of a grant award within a deadline indicated in the award notification letter, not later than 3 months after the date of the letter;   or  2. do not require a building permission or its equivalent according to the relevant national regulation (in such a case the beneficiary has to provide the appropriate legal provision from the national legislation). |
| **2. How to ensure access to a project and project results to people with disabilities? What does “ensuring access” mean?** |
| The way of ensuring equal access to the project for people with disabilities is described in chapter 2.3.3 *Accessibility of projects and projects results* of the Programme Manual. “Ensuring access” means that each project must ensure accessibility to information about the project for people with disabilities, how to implement it or use, what the project is about and to whom it is addressed, where and when it is implemented.  Moreover, each project must ensure accessibility for people with disabilities to participation in information meetings, conferences, training courses, workshops and other project events. |
| **3. Is there going to be a written guidance on how to fill in the AF in the online system?** |
| Instructions on how to fill in the AF will be available in the online application tool. |
| **4. Shall the feasibility study be prepared according to the EU rules?** |
| The feasibility study will have to be prepared in accordance with the Programme guidelines, which are available on the Programme website. |
| **5. To what extent is the issue of state aid applicable to the Russian lead beneficiaries?** |
| In accordance with chapter 2.3.4 of the Programme Manual the state aid rules are not applicable to the beneficiaries from the Russian Federation. |
| **6. What are the consequences for a project if it starts generating revenue in the process of project implementation and/or after the project implementation period? What if at the stage of planning and application the project does not foresee any possibilities of generating revenue?** |
| The Programme allows generating revenue by the projects; however the revenue generated within a project implementation period cannot exceed the value of co-financing for the whole project (10% of total eligible costs).  On the other hand, there are no limits for generating revenue after the project implementation period. However it should be taken into account that any investment project or project including an infrastructure component shall repay the Union contribution if within five years of the project closure (or within the period of time set out in state aid rules, where applicable) it is subject to a substantial change affecting its nature, objectives or implementation conditions which would result in undermining its original objectives. |
| **7. Is it possible to change the budget of the Large Infrastructure Project (LIP) at the stage of the Full Application Form (FAF) submission?** |
| The budget of the LIP included into the FAF should be coherent with the one presented in the Project Summary (PS) of the LIP. However if the beneficiaries already know that some part of the budget (e.g. technical documentation paid out before 8th December 2016) is ineligible, it could be reasonable to exclude such costs from the budget of the FAF. So a lower budget amount could be acceptable, but the budget in the FAF cannot be higher than the one planned in the PS. |
| **8. Should all applicants provide any proof of their financial stability (Annex A3)?** |
| Submission of Annex A3 *Copies of the profit and loss account and the balance sheets or other relevant fiscal documents for the last 3 years* is not applicable to national, regional, local governments or their associations (neither the Polish, nor the Russian ones). Other types of institutions shall provide Annex 3 along with the AF. |
| **9. How is the beneficiary’s financial capacity going to be assessed on the basis of Annex A3 to the AF? Are there any assumptions (e.g. that total value of the balance for the last 3 years should not be lower than the beneficiary’s total costs in the project)? It is an important issue, especially for a NGO, which has decided to be the lead beneficiary and has planned infrastructure activities.** |
| Projects assessment system will be described in detail in the Evaluation and Assessment Manual, which is going to be published before launching the call for proposals (at the moment this document is being elaborated by the JTS, then it needs to be approved by the JMC). At the current stage it might be concluded that assessment of the financial capacity is going to be part of quality assessment, in particular – under operational criteria 1b) *The lead beneficiary and other beneficiaries demonstrate sufficient technical expertise and management capacity, including staff, equipment, knowledge and ability to handle the budget of the project* and 4a) *Sufficient and reasonable resources are planned to ensure project implementation (both the lead beneficiary and other beneficiaries who financially contribute do the project have stable and sufficient sources of financing)* (see *the Application Form Assessment Checklists*).  Analysis of the financial capacity will aim to check whether the activities and costs planned by each beneficiary are reasonable in relation to its financial capacity. It means that in case a non-public institution (e.g. NGO), which has relatively low financial capacity, is planning to implement an undertaking that highly exceeds its financial abilities, such a situation would cause a lower score for the criterion of financial capacity.  Moreover, it should be underlined that the lead beneficiary submits a declaration on ensuring the total co-financing to be provided by the lead beneficiary and beneficiary(ies), which must correspond to minimum 10% of the total eligible costs (in accordance with Annex A4 to the AF). It means that each institution (especially a non-public one) is encouraged to deeply analyse its financial capacity not just from the point of view of its own investment activities, but also taking into account the above-mentioned declaration in Annex A4. |
| **10. How is the beneficiary’s financial security (e.g. other financial instruments or loans to cover the own contribution) going to be assessed on the basis of points 9.4 and 10.4 of the AF? Is it necessary to submit any supporting documents along with the AF in this respect?** |
| The beneficiaries are obliged to describe the sources of financing of their own contribution (e.g. deriving from other financial instruments or loans) in parts 9.4 (lead beneficiary) and 10.4 (other beneficiaries) of the AF. There is no obligation to submit any documents to confirm the beneficiary’s own contribution sources. However there is such a possibility – these documents might be submitted along with the AF as additional annexes (e.g. Annex A15). |
| **11. Is it acceptable to submit along with the AF a request to issue a building permit as Annex A9?** |
| In the frame of Annex A9 (which will be generated automatically by the online application system) the beneficiaries which are planning to implement infrastructure activities will have to fill in a declaration and select one of the following options:   1. that the planned activities are subject to a building permission or its equivalent (e.g. notification of works component) and then, if the valid relevant building permission/its equivalent is ready – it should be attached to the AF; if the valid relevant building permission/its equivalent is not ready yet – the given beneficiary declares that it will submit the relevant document in case of a grant award within a deadline indicated in the award notification letter, not later than 3 months after the date of the letter;   b) second option, which could be chosen by the beneficiary in the declaration being Annex A9, is a statement that the activities planned within the project do not require a building permission or its equivalent according to the relevant national regulation (an appropriate legal act should be referred to in this case). |
| **12. Is the limit for generating revenue by the project activities up to the value of the beneficiaries’ own contribution applicable only for the project implementation period or is it applicable during 5 years after the project completion as well?** |
| On the basis of the currently applicable rules in the Poland-Russia Programme and taking into account the Community law in terms of the European Neighbourhood Instrument, the limit for the revenue to be generated by the project activities (i.e. up to the value of the beneficiaries’ own contribution – 10% of total eligible project costs) is applicable only in the project implementation period. The limit is not applicable to the eventual revenue generated after the project completion. However, it should be taken into account that any investment project or project including an infrastructure component shall repay the Union contribution if within five years of the project closure (or within the period of time set out in state aid rules, where applicable), it is subject to a substantial change affecting its nature, objectives or implementation conditions which would result in undermining its original objective. |
| **13. Would it be acceptable to indicate “leasing” or “lending for use” in Annex A10 *Declaration of the Lead beneficiary/beneficiary on the right for the land/real estate disposal for the construction/supplies purposes*?** |
| All legally allowed forms of the land/real estate disposal for the construction/supplies purposes are acceptable (e.g. ownership, perpetual usufruct, permanent administration, leasing, etc.). However, if the form of the land/real estate disposal is other than ownership, its validity period must cover the project implementation period as well as the durability period, i.e. 5 years after the project completion. It should be also noted, that consent of the land/real estate’s owner authorising the given body to manage the land/real estate, should be formulated unequivocally and it should express the owner’s consent to build a construction object on its land by clearly indicated body. Such a consent cannot be an implied consent. |
| **14. Is it necessary to submit the financial documents, which have been verified and approved by a certified auditor, as Annex A3 *Copies of the profit and loss account and the balance sheets or other relevant fiscal documents for the last 3 years...*?** |
| The financial documents have to be prepared by a financial department of the institution in accordance with the law on accountancy (approved by the supervisory body, if the internal rules require so) and internal accountancy regulations of the institution. Each set of the documents should refer to a closed turnover (accounting) year. Such documents must be signed by the chief accountant and a person authorised to represent the institution. If the internal regulation of the institution does not require any necessity of approving the financial balance by a certified auditor, the PL-RU Programme does not require that either. |