Questions and answers concerning the Information and Communication rules 18 July 2012

Based on questions transmitted by the Cypriot EU Presidency through 9 July

The draft information and communication rules are the outcome of discussions with the communication officers of ERDF, CF and ESF programmes, which started in autumn 2010. Several meetings were devoted to identifying the elements that should be kept from the current Commission implementing regulation 1828/2006 (Art. 2-10), and issues where improvements and clarifications are needed. In certain cases, the presentation of the proposed rules might look different from the current rules. They however build on the existing ones and on current practices taking into account proposals from Member States and regions in order to maximise the information and communication potential of the proposed actions.

There are many good projects in all EU regions, but many EU citizens are not aware of the policy. Similarly, many potential beneficiaries are not enough informed about the investment opportunities. The proposed regulation should be seen against the need to improve the visibility of EU Cohesion policy.

This overview of questions and answers has been drawn up to provide further information for delegations. The clarification provided does not prejudge in any way the final position of the Commission on any of these questions.

Article / Subject	QUESTION	ANSWER
 Article 105 Information and publicity 1. Member States and managing authorities shall be responsible for: (a) ensuring the establishment of a single website or a single website portal providing information on, and access to, all operational programmes in that Member 	Art. 105 (1) Single website – It should be allowed to keep the lists of operations of ESF, ERDF, CF operational programmes' on a separate website from EAFRD, EMFF and ETC programmes' websites.	The single website has to include or link to all ERDF, CF or ESF programmes – this includes ETC programmes, which are also ERDF co-funded. The lists of operations are to be shown by programme and by fund.
State; (b) informing potential beneficiaries about funding opportunities under operational programmes; (c) publicising to Union citizens the role and achievements of cohesion policy and of the Funds	Why should the single website include information only about the Structural and Cohesion fund support in a Member State rather than all 5 CSF funds ?	Member States are free and even encouraged to do so, but this part of the proposed regulation is applicable only to the ERDF, CF and ESF.
 through information and communication actions on the results and impact of Partnership Contracts, operational programmes and operations. 2. Member States shall in order to ensure transparency in the support of the Funds maintain a list 	Specify the technical characteristics the Commission is planning to determine according to Art. 105(4)?	The implementing act will provide instructions for creating and using the EU emblem on different backgrounds (notably the colours). It will also contain sample templates for billboards/plaques and a sample poster.
of operations by operational programme and by Fund in CSV or XML format which shall be accessible through the single website or the single website portal providing a list and summary of all operational	How will the Commission ensure that all the MS concerned with an ETC programme have the same information in their websites?	ETC programmes are co-financed by the ERDF and should therefore also be accessible via the single website/portal. This is the responsibility of the national information officers.
programmes in that Member State. The list of operations shall be updated at least every three months. The minimum information to be set out in the list of	What is the added value of having a single website/website portal for each MS? In particular, as the COM-website already contains links to the relevant websites of MS.	The purpose is to have one access point on the internet for the potential beneficiary/citizen which leads to information about all EU Cohesion policy programmes within each Member State.
 operations is laid down in Annex V. 3. Detailed rules concerning the information and publicity measures for the public and information measures for applicants and for beneficiaries are laid down in Annex V. 	Is it relevant to determine specific format for the list of beneficiaries?	The proposed data format is very important as this allows the data to be easily accessible (ranked, sorted and searched), which is not possible in e.g. a PDF format. This addresses current criticism of lack of transparency.
4. Technical characteristics of information and publicity measures for the operation and instructions for creating the emblem and a definition of the standard colours shall be adopted by the Commission by means of implementing acts in accordance with the examination procedure referred to Article 143(3).	We propose that the list of operations should be updated every 6 months. The every 3 months update does contribute to the enhancement of transparency but only adds significant administrative burden.	The list of operations should be updated automatically, with data already available in the Management and Financial implementation systems. In several Member States this data is already now updated on a weekly basis. Beyond the publication of the lists of operations, the issue here is for Member States to make the best use of their monitoring systems. The idea is not to add burden but to best exploit electronic tools.

Art. 105. 1 - Shouldn't Partnership Agreement be included in the responsibilities set out in Article 105 section 1 items 1 (a) and (b) just as in Article 105 section 1 item (c) in order to provide better access and complexity of information on funding opportunities under EU Funds?	Member States and Managing Authorities can, where appropriate, communicate about the partnership agreement. Too institutional a communication should be avoided: information on the projects, strategies and results shall be privileged.
Art 105(1)(c): What should be the communication actions on the results and impact of Partnership Agreements? How would those actions be different from the communication actions on the results of OPs?	Information and communication on the overall strategies pursued beyond individual OPs is relevant as well as on the partnership approach, which can be highlighted by underlining the role of the key partners involved, which contribute to the strategic integrated investments.
Art 105(4): Presumably emblem here refers to the EU flag, or is it possible to have a national emblem? Is a delegated act necessary if it is the EU flag? The technical characteristics, which are already used for the current programming period, could be mentioned in the annex.	Yes, the EU emblem is the blue flag with 12 stars. In addition to the colour code to be used, which will remain unchanged to the current period, technical characteristics, including templates for billboards, plaques and posters will be presented in the implementing act.

Art. 106 Communication strategy1.The managing authority shall draw up acommunication strategy for each operationalprogramme. A common communication strategy maybe drawn up for several operational programmes.The communication strategy shall include the elementsset out in Annex V and annual updates with details ofthe planned information and publicity activities to be	Art 106(1): If there is an obligation for the MA to draw up a communication strategy for each OP and a common strategy may be drawn up to several OPs, does it mean that there always has to be a communication strategy for each OP even if there is a common strategy?	There may be one communication strategy for several operational programmes. However, in order to ensure good visibility and an effective interaction with specific regional or sector target groups, specific actions at regional/programme level have to be foreseen. Logically, a communication strategy covering more than one operational programme has to be approved by the Monitoring Committee of each programme covered.
 carried out. 2. The communication strategy shall be discussed and approved by the first monitoring committee following the adoption of the operational programme. Any revision of the communication strategy shall be discussed in, and approved by, the monitoring committee. 3. The managing authority shall inform the monitoring committee for each operational programme at least once a year of progress in the implementation of the communication strategy and its assessment of the results. 	 Art. 106 (2) It is too ambitious to approve the communication strategy on the first Monitoring Committee meeting. We suggest to introduce a deadline such as "no later than 6 / 12 months after the adoption of the operational programme". What is the added value for the Monitoring committee to examine and approve the communication strategy for the Operational Programme? Does the annual update mean that the strategy will have to be revised also annually as stated in Art. 106.(2)? Cannot the detailed annual planning be separate from the strategy? The annual update is already an element of the communication strategy (Annex V4i). We propose that: The communication strategy including the annual update of the first year of the operational programme (after its approval) is discussed and approved by the first Monitoring Committee. Following, at each consecutive monitoring committee a review of the annual update of the forthcoming year will be discussed and approved. 	The Commission is open to discuss this point. Compared to the communication strategy, which is a strategic document covering the 9 years of programme implementation, the annual update is more a detailed annual communication plan, which is adapted in practice every year, depending on the assessment of the previous communication activities. It is logical that this discussion/approval takes place at an operational level in order for communication actions to best support the implementation of the programmes. The strategy as such does not have to be revised on an annual basis but can be amended whenever necessary. As the Commission will no longer assess the communication strategy, or any amendments of it, the Monitoring Committee is the key body to monitor the implementation of the communication strategy. It therefore has to be involved from the beginning, with its approval. It is recommended to take the local development strategies and their specific audiences into account when drafting the communication strategy.

Art. 106 Communication Strategy	How to apply the rules stipulated in article 106 for a common communication strategy? What body shall draw up a common communication strategy – can it be a Member State? What body shall approve a common communication strategy – can it be on national level i.e. Coordination Committee for Partnership Agreement?	The joint communication strategy may be elaborated at national level but if it covers more than one programme, it has to be approved by the Monitoring Committee of all participating operational programmes. See also above concerning the regional dimension of joint communication strategies.
	The Commission no longer adopts the Communication strategy, which in itself is a simplification. However, is the COM empowered to find the communication on the CSF funds inadequate at a later stage? If that is the case, what kind of consequences will there be?	The Commission is represented in the Monitoring Committees, where the implementation of the communication strategy will be reviewed annually. It is in this context that the Commission will address any problems identified. The Annual review meetings are another occasion to address any deficiencies. Moreover, the annual implementation reports of 2015 and 2017 (Art. 101 3 (g)) have to "assess the results of the information and publicity measures of the Funds carried out under the communication strategy." Clear breaches of the rules in this field, especially in the area of transparency, can lead to audit recommendations and in serious cases, financial corrections. Finally, the work with the EU communication network(s) INFORM & INIO will continue providing positive stimulus and peer pressure to improve communication activities.

Article 107 Information and communication officers and their networks	Is it possible that the Communication officer can be (a unit of) a department or does it has to be a person?	No, the communication officer shall be named, but including his unit or department in case of staff changes.
 Each Member State shall designate an information and communication officer to coordinate information and communication actions in relation to one or several Funds and shall inform the Commission accordingly. The information and communication officer shall coordinate and chair meetings of a national network of Funds' communicators, including relevant European territorial cooperation programmes, the creation and maintenance of the website or website portal referred to in Annex V and the obligation to provide an overview about communication measures undertaken at national level. Each managing authority shall designate one person to be responsible for information and communication at operational programme level and shall inform the Commission of those designated. Union networks comprising the members designated by the Member States and the managing authorities shall be set up by the Commission to ensure exchange on the results of the implementation of the communication strategies, the exchange of experience in implementing the information and communication measures, and the exchange of good practices. 	Why do we need "an information and communication officer to coordinate information and communication"? What is the added-value of this officer? Is it possible to have an information and communication officer per fund? The Regulation mentions 'union networks'. Does this mean several new networks (per fund) will be set up by the COM?	It is up to the Member State to decide on the number of national information and communication officers (1 per fund or 1 per MS). Moreover, regional specificities can be taken into account (e.g. BE). In the present period 2007-2013, the INFORM and INIO (union) networks of communication officers for ERDF/CF and the ESF exist already. No new, additional networks are foreseen. The networks meet 2-3 times per year. The purpose of these networks, animated by the Commission, is to ensure an exchange of results and good practices as regards the implementation of the communication strategies. The exchanges of the network members have led to significant improvements of the communication practice in numerous Member States, notably as regards the visibility of projects, the implementation of joint EU funds campaigns or the creativity and public reach of major annual information activities. It is important to underline that the Commission has had intensive discussions and consultations with the network members since autumn 2010. The draft information and communication platform www.Regionetwork2020.eu in order to encourage a more professional and better shared communication.
	How will these networks be financed?	The networks will continue to be financed out of the TA budget of participating programmes and the Commission's TA budget.
	Is there no overlap with the activities of Urbact?	No, the current Urbact network programme aims to promote cooperation in the field of urban development and to foster the exchange of experience among European cities. It does not focus on communication.

		What is meant by a ' national network of Funds' communicators '? Is this a new structure that should be set up <i>within</i> MS? What is the added- value of this network?	It is a proven good practice and necessity to coordinate the communication activities of the different Cohesion policy programmes in a MS (and, where appropriate, with other EU funds) in a network of funds' communicators. This is already the case in most Member States.
Annex V	7	What is the purpose of the data field " Operation	The rationale of the new List of Operations is to have more
1. List o	f operations	Post Code"?	informative, searchable and sortable data available. The post code allows to clearly identify the location of a project
contain,	of operations referred to Article 105(2) shall in at least one of the official languages of the State, the following data fields:		(operation). It is considered more precise than the name of a municipality, especially for operations in bigger cities, where the use of the post code allows a better localisation. The use of
-	Beneficiary name (only legal entities; no natural persons shall be named);		a postal code also facilitates the presentation of projects in maps on Internet websites, a user-friendly way to show project locations used by an increasing number of operational
-	Operation name;		programmes.
-	Operation summary;	Could an alternative such as "regional unit" be	Regional unit is not a known concept throughout the EU. Post
-	Operation start date;	used?	code should be used whenever possible; alternatively the name
_	Operation end date (expected date for physical completion or full implementation of the operation);	Is this the postcode of the beneficiary or of the location of activities?	of the municipality is acceptable. The post code shall help localise the operation, where the public can see and feel the benefits of an investment. Hence, the postcode of the operation.
-	Total eligible expenditure allocated to the operation;	How to put this obligation into practice for the	In such cases, the reference to the relevant area should be mentioned (at region, province or MS level).
-	EU co-financing rate (as per priority axis);	operations carried out across the whole country (i.e. highway, broadband internet etc.)?	The Commission is open to clarify this.
-	Operation postcode;	What is meant with total eligible expenditure of	It is the total eligible cost of an operation, including the
-	Country;	the operation? What is the purpose of the data field "Name of	contribution from the EU and national sources. As mentioned above, the data in the list of operations will be
_	Name of category of intervention for the operation;	category of intervention for the operation"?	searchable and sortable. By indicating to which category of intervention an operation belongs, it will be possible to get an
-	Date of last update of the list of operations.		overview about operations financed in a given field of investment, e.g. energy, transport, innovation, etc. The
operation	dings of the data fields and the names of the as shall be also provided in at least one other		categories of intervention will be established in an Implementing Act.
official l	anguage of the European Union.	EU co-financing rate : Do we have to provide it, as indicated, per priority axis or rather per operation ?	Per priority axis.
		Beneficiary name : We expect a clarification whether personal companies, self-employed, start-ups are considered legal entities and therefore are	Where the legal entity is clearly linked to one natural person only and the title of the company identifies this person, they do not have to be named.

	going to be included in the list.	
	Is it possible in certain cases to leave out the operation summary where corporate secrets might be at stake?	The operation summary shall give a short description (in 1-3 sentences) of the operation's purpose, which is usually not clear from the project name alone. Corporate secrets do not have to be disclosed; an appropriate way to describe the operation's objective can certainly be found without disclosing corporate secrets.
2. Information and publicity measures for the publicThe Member State, the managing authority and the beneficiaries shall take the steps necessary to provide	2.1.2 (a) Please clarify whether the launching activity could be carried out before the approval of the Communication Strategy by the MC.	Yes.
 information and publicity to the public on operations supported by an operational programme in accordance with this Regulation. 2.1 Responsibilities of the Member State and the managing authority (1) The Member State and the managing authority shall ensure that the information and publicity measures are implemented in 	At least one major information activity a year which promotes the funding opportunities and strategies pursued and presents the achievements of the operational programme" - Which pursued strategies?	The investment strategies pursued in the region or MS, through the operational programme.
 accordance with the communication strategy and that these measures aim at the widest possible media coverage using various forms and methods of communication at the appropriate level. (2) 2. The Member State or the managing authority shall be responsible for organising at least the following information and publicity measures: 	2.1.2(e): What is meant in practice by 'giving examples', is there some standards for the information given or the projects chosen? Is it an obligation to use a widely spoken EU language?	The amount of examples of projects is not defined. It should be a selection of the most interesting and most relevant operations, which can attract the interest of the public and illustrate well the programme's objectives. Out of these some should be translated into a widely spoken other EU language.
 (a) a major information activity publicising the launch of the operational programme; (b) at least one major information activity a year which promotes the funding opportunities and the strategies pursued and presents the achievements of the 		
operational programme, including, where relevant, major projects, joint action plans and other project examples; (c) displaying the flag of the European Union in front of, or at a place visible to the public, at the premises of each managing authority; (d) publishing electronically the list of operations in accordance with section 1;		

 (e) giving examples of operations, by operational programme, on the single website or on the operational programme's website that is accessible through the single website portal; the examples should be in a widely spoken official language of the European Union other than the official language or languages of the Member State concerned; (f) updating information about the operational programme's implementation, including its main achievements, on the single website or on the operational programme's website that is accessible through the single website portal. 3. The managing authority shall involve in information and publicity measures, in accordance with national laws and practices, the following bodies: (a) the partners referred to in Article 5; (b) information centres on Europe, as well as Commission representation offices in the Member States; (c) educational and research institutions. These bodies shall widely disseminate the information described in Article 105(1)(a) and 	What is exactly meant by the involvement of the bodies mentioned in the article? Is it enough if the relevant partners decide on the communication strategy in the MC? Is it enough to arrange a joint activity once? What could be the role of educational and research institutions when all of them are not involved at all in the implementation of the OP? The regulation says we can involve "educational and research institutions". Does it mean that we can only involve high schools and universities?	The bodies and partners mentioned shall be involved to disseminate information about funding opportunities and results of the programme throughout the programme period. This provision deals with dissemination of information, in particular to potential beneficiaries, but also the general public. Educational and research institutions cover more than high schools and universities, for example also private research institutes.
 2.2. Responsibilities of the beneficiaries 1. All information and communication measures provided by the beneficiary shall acknowledge support from the Funds to the operation by displaying: (a) the EU emblem in accordance with the technical characteristics laid down in the implementing act adopted by the Commission under Article 105(4), together with a reference to the European Union; (b) a reference to the Fund or Funds supporting the operation. 2. During implementation of an operation, the beneficiary shall inform the public about the support obtained from the Funds by: 	We expect clarification on whether the website and the A3 posters refer to all operations regardless of their budget and if it should apply on state aids, small entrepreneurs, self-employed etc. Art. 2.2. para 3 it is the obligation that "Any document, including any attendance or other certificate, concerning such an operation shall include a statement to the effect that the	The reference on the web is only required in case a beneficiary already has a website or webpage. Each project, except those which have to display a billboard/plaque, has to show a poster. The Managing Authorities could facilitate this by providing a standard model per programme in electronic format. Any (incl. electronic) document referred to in Annex V, section 2.2., point 3, used to communicate with the public) have to respect the publicity rules (notably the reference to the EU emblem and the support received by the funds). Participants of training measures or of conferences have to be made aware that

 (a) providing on the beneficiary's website, where such a website exists, a short description of the operation, including its aims and results, and highlighting the financial support from the European Union; (b) placing at least one poster with information about 	operational programme was supported by the Fund or Funds". Does this requirement also cover informal/working documents, which are not intended for participants in the operation? Please specify what "any document" means?	they participate in a measure co-financed by one (or more) of the Funds.
 the project (minimum size A3), including the financial support from the European Union, at a location readily visible to the public, such as the entrance area of a building. 3. For operations supported by the ESF, and in 	2.2.4: Does an operation defined here also have the obligation to place a poster as mentioned in 2.2.2(b)?	No, large (infrastructure or works) operations exceeding 500,000 Euros of public support do not have to display a poster in addition to the billboard/plaque.
appropriate cases for operations supported by the ERDF or Cohesion Fund, the beneficiary shall ensure that those taking part in an operation have been informed of this funding. Any document, including any attendance or other certificate, concerning such an operation shall include a statement to the effect that the operational programme was supported by the Fund or Funds.	What is the added value of the required detail information on such plaques or billboards? We consider that the mentioning of the purpose of the operation on the plaque in not necessary and should be avoided. The text on plaque should give a clear message.	The public has the right to know and understand the purpose and size of an investment. Therefore, the type (grant, loan, etc.) name and purpose of the operation (as well as the amount of the support) should be mentioned. This will also be illustrated in the template for billboards/plaques in the Implementing Act.
4. During implementation of an ERDF or Cohesion Fund operation, the beneficiary shall put up, at a location readily visible to the public, a temporary billboard of a significant size for each operation consisting in the financing of infrastructure or construction operations for which the total public support to the operation exceeds EUR 500 000.	We propose that in cases where an operation is co- funded by more than one fund it is not necessary to make reference to all Funds discretely; instead the reference to EU is sufficient.	The Commission is of the view that all the EU Funds that contribute to an operation have to be listed as it is about communication and information on the EU Funds. All these EU Funds have – in accordance with the TFEU – their own tasks and listing the different EU Funds underlines how they can be used in an integrated way. Moreover, it should not pose any problem to list more than one EU Fund.
 5. 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: (a) the total public support to the operation exceeds EUR 500 000; (b) the operation consists in the purchase of a physical object or in the financing of infrastructure or of construction operations. 		
The plaque or billboard shall state the type, name and purpose of the operation and shall be prepared in accordance with the technical characteristics adopted		

by the Commission in		
accordance with Article 105(4). 3.1. Information measures for potential beneficiaries 1. The managing authority shall ensure, in accordance with the communication strategy, that the operational programme's strategy, objectives and funding opportunities offered by joint support from the European Union and the Member State, are disseminated widely to potential beneficiaries and all interested parties, with details of the financial support from the Funds concerned. 2. The managing authority shall ensure that potential beneficiaries are informed on at least the following:	3.1.1: Is publishing in an Internet site considered as "widely disseminated"?	Publication on the internet can contribute to a wide dissemination. This has to be accompanied by publicity measures to raise awareness and to attract interest and traffic to the website, for example and where appropriate by making press releases, organising conferences, sending out newsletters to stakeholders etc.
 (a) the conditions of eligibility of expenditure to be met in order to qualify for support under an operational programme; (b) a description of the procedures for examining applications for funding and of the time periods involved; (c) the criteria for selecting the operations to be supported; (d) the contacts at national, regional or local level that are able to provide information on the operational programmes; (e) that applications should propose communication activities, proportional to the size of the operation, in order to inform the public about the operation's aims and the EU support to the operation. 	Section 3.1.2.(e) - "proportional to the size of the operation" (Annex V 3.1.2.b) – please clarify this expression? Why does the Commission consider the proportionality at the operation level (instead of the programme level)?	Naturally, a small operation of 20,000 Euro does not have to carry out as many communication activities as a major project of \notin 100 million. Mentioning the EU investment on the company (or municipality) website and displaying a poster may be sufficient for a small operation, whereas a major infrastructure project would merit a series of communication actions, with various milestones for communicating with the media, culminating typically in a project inauguration ceremony with a minister and the Commissioner / senior EU representatives.
 3.2 Information measures for beneficiaries 1. The managing authority shall inform beneficiaries that acceptance of funding constitutes an acceptance of their inclusion in the list of operations published in accordance with Article 105(2). 2. The managing authority shall provide information and publicity kits, including templates in electronic format, to help beneficiaries to meet their obligations 		

set out in section 2.2.		
4. ELEMENTS OF THE COMMUNICATION		
 STRATEGY The communication strategy drawn up by the managing authority shall include at least the following elements: (a) a description of the approach taken, including the main information and publicity measures to be taken by the Member State or the managing authority aimed at potential beneficiaries, beneficiaries, multipliers and the wider public, having regard to the aims described in Article 105; (b) a description of materials that will be made available in formats accessible for people with disabilities; (c) a description of how beneficiaries will be supported in their communication activities; (d) the indicative budget for implementation of the 	It is foreseen in the Annex 5 of CPR Art. 4 (g): "an indication of how the information and publicity measures shall be assessed in terms of visibility and awareness of policy, operational programmes and operations, and of the role played by the Funds and the European Union". Could Commission provide the examples of such indications or specify them?	This paragraph is added to ensure that the communication strategy will be assessed in terms of its impact regarding the visibility and awareness of the Cohesion policy programmes and operations. The "indication" should include how this will be measured. For instance: what process shall be followed? which indicators will be used? Quantitative and qualitative indicators? Which base line and which target values are established for quantitative indicators? For qualitative indicators: how will the target audience be able to provide feedback on the communication activities? For example, will there be questionnaires or interviews with a selected number of participants to get a qualitative feedback of the various communication activities?
 (d) the indicative budget for implementation of the strategy; (e) a description of the administrative bodies, including the staff resources, responsible for implementing the information and publicity measures; (f) the arrangements for the information and publicity measures referred to in section 2, including the website or website portal at which such data may be found; (g) an indication of how the information and publicity measures shall be assessed in terms of visibility and awareness of policy, operational programmes and operations, and of the role played by the Funds and the European Union; (h) where appropriate, a description of the use of the main results of the previous operational programme; (i) an annual update setting out the information and communication activities to be carried out. 	What is the added value for the Monitoring committee to examine and approve the communication strategy for the Operational Programme?	See answers provided above (article 106).