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**NOTE**

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from :            Presidency  
to :                Permanent Representatives Committee (part 2)

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Subject:        Cohesion policy legislative package: strategic programming bloc  
- mandate

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1. As outlined in the progress report (document 17667/12) the Council has examined the Cohesion Policy legislative package for the 2014-2020 financing period, which includes a Common Provisions Regulation (CPR) applicable to the five CSF Funds, and Fund specific Regulations for the European Regional Development Fund (ERDF), the European Social Fund (ESF) and the Cohesion Fund (CF) as well as for European Territorial Cooperation (ETC). The European Agricultural Fund for Rural Development (EAFRD) and the European Maritime and Fisheries Fund (EMFF) are also part of this package but under examination by different Council preparatory bodies.

2. Under the Danish and Cyprus Presidencies the Council has reached partial general approaches on most of the thematic blocs concerning the CPR, ERDF, ESF, ETC and CF Regulations.
3. The Cohesion Policy legislative package has also been examined by the European Parliament's Committee on Regional Development (CPR, ERDF, ETC and CF Regulations) and by the Employment and Social Affairs Committee (ESF Regulation). The Committee on Regional Development (REGI) voted on draft amendments as a negotiating mandate, but not a formal report, on 11 July 2012, while the Employment and Social Affairs Committee (EMPL) adopted its report on the 5 July 2012.
4. On the basis of the partial general approaches the Cyprus Presidency entered into informal Trilogue negotiations with the REGI and EMPL Committees. For these informal Trilogues the priority was on the strategic programming bloc of the legislative package in order to provide Member States with legal certainty for their preparations for the next programming period, which have already started.
5. The Structural Actions Working Party (SAWP) has examined the amendments on the strategic programming bloc and provided the Presidency with indications about the outline of possible compromises with the European Parliament.
6. Following intensive negotiations at informal Trilogue meetings, there are indications from the side of the European Parliament that a compromise on the strategic programming bloc in relation to the Common Provisions Regulation and the European Social Fund Regulation could be acceptable on the basis of the text outlined in the fourth column of the Annexes. In the Presidency's assessment the compromise reached is a balanced one and ensures that the interests of the Council on fundamental issues of this bloc are safeguarded.
7. On the *Common Provisions Regulation* in relation to the strategic programming bloc, a number of major issues have posed challenges to the negotiating process with dividing lines between the Council's and Parliament's positions. These issues, for which solutions were found as part of the overall compromise on this bloc, can be summarised as follows:

a) *Code of Conduct on the partnership:*

Without diluting the importance of the principle of partnership, under the Partial General Approach that has been reached on the Programming bloc by the Council in April 2012, the Code of Conduct proposed by the Commission has been deleted. The European Parliament laid large prominence on the adoption of a delegated act containing a Code of Conduct for the participation of the partners in the programming and implementation process. The compromise proposed by the Presidency includes provisions for an adoption of a Code of Conduct as a delegated act, with the following elements which provide the necessary safeguards for Member States:

- The main elements of the delegated act are specified in the Regulation.
- In the text it is also highlighted that the institutional and legal framework as well as the national and regional competences in applying the partnership principle will not be affected by the Code of Conduct.
- It is made sure that no additional obligations as compared to the provisions of the main act will be imposed. Any supplementary information will not supersede the relevant provision of the regulatory framework.
- A clear provision in the text, which stipulates that any infringement by Member States on the Code of Conduct or the provisions of Article 5 of the CPR will not constitute an irregularity leading to financial corrections.
- A provision in the regulation and the text of a Joint Declaration prohibiting any retroactive effect of the delegated act.
- The text of the relevant recital has been revised providing necessary clarifications and safeguards.
- It is noted in the compromise that the agreement on the delegated act is subject to the agreement on all delegated and implementing acts in this bloc.

Furthermore, one of the main distinctive features of the Presidency compromise on the Code of Conduct in comparison with the text suggested by the Parliament, is that the 2-tier approach (in involving regional and local authorities) for establishing partnerships has not been accepted and one single tier was maintained.

b) *Partnership Agreement:*

One of the key aspects of the Partial General Approach on the strategic programming bloc, was the split of the Partnership Agreement into two parts. Namely, one, containing the elements which are to be adopted by a Commission decision, and a second which comprises the elements which do not require Commission approval. However, the EP had a firm position on having all the elements of the Partnership Agreement approved by a Commission decision. As a way to find a compromise between the institutions, some of the elements that under the Partial General Approach were supposed to be approved without a Commission decision have now been envisaged for adoption by a Commission decision. In addition, the relevant texts of the elements included under the decision of the Commission were "slimmed down".

c) *Reference to Country-specific recommendations and National Reform Programme:*

According to the Partial General Approach the country-specific recommendations as well as National Reform Programmes would be the reference points for aligning the Europe 2020 Strategy with Cohesion Policy interventions. On the other hand, the EP suggested using only the National Reform Programmes as the only reference point for the programming documents. The proposed compromise provides that both elements should be kept as reference points across the bloc as proposed by the Council on the basis of Partial General Approach in addition to the definition of "relevant country-specific recommendations" proposed by the Council.

d) *Operational Programmes*

The partial general approach on the programming bloc provides for increased flexibility by allowing Member States to:

- have priority axis which concern more than one category of region;
- combine, within one priority axis, one or more complementary investment priorities from the ERDF, CF and ESF under one thematic objective;
- combine, within one priority axis, one or more complementary investment priorities from different thematic objectives up to 20 % of the EU contribution to an operational programme.

The EP position goes further by allowing for fully-fledged flexibility.

The proposed compromise provides for an adjustment of the relevant text including the removal of the 20% limitation for combining investment priorities from different thematic objectives in duly justified cases.

Furthermore, the spirit and the letter of the provisions as regards the content and the structure of the operational programmes remain in essence as proposed by the Council in the Partial General Approach.

e) *CSF Funds vs Funds covered by the CPR*

Another important issue is the labelling of ERDF, ESF, CF, EMFF and EAFRD as "CSF Funds". The EP proposes to refer to the 5 Funds as "Funds covered by the CPR".

The proposed compromise for labelling of the five Funds working under a common framework is "*European Structural and Investment Funds*".

8. On the *ESF Regulation* in relation to the strategic programming bloc, the most contested issues in the negotiations with the European Parliament have been the following:

The Partial General Approach on the programming bloc has provided for more flexibility for Member States by making specific ESF interventions optional. Namely, on:

- allocating ESF resources to capacity-building of the participating social partners (where the EP's amendment suggested ring-fencing of 2 % of ESF resources);
- allocating ESF resources to capacity-building for non-governmental organisations;
- ESF support to transnational cooperation.

The proposed compromise text in the Regulation provides that Member States should ensure appropriate funds for enhancing the administrative capacity of partners. With regards to transnational cooperation the proposed compromise provides for obligatory support from the ESF for transnational cooperation, while allowing for a derogation for Member States with a single ESF operational programme or a single multi-fund operational programme based on the principle of proportionality.

9. In any case, any preliminary understanding on the strategic programming bloc has to be seen for both the European Parliament and the Council in the overall context of the negotiations on the Cohesion Policy legislative package and understood on the basis of the principle that "nothing is agreed until everything is agreed". Namely, the parts of the Regulations submitted herewith do not prejudge the outcome of negotiations on other blocs or the multiannual financial framework, while necessary consequential amendments in the bloc submitted herewith might be necessary as a result of the negotiations on these other blocs as well as the multiannual financial framework. In addition it should be noted that the text attached is subject to legal scrutiny and finalisation by the jurist-linguists.
  
10. On this basis the Permanent Representatives Committee is invited to:
  - take note of the progress achieved with regard to the strategic programming bloc of the Cohesion Policy legislative package and validate the text in the fourth column of the Annexes I and II as well as the text outlined in the annexes III to V.
  
  - mandate the Presidency to inform the European Parliament that the text outlined in the fourth column of the Annexes I and II as well as the text outlined in the annexes III to V could constitute a basis for a compromise between the two institutions subject to the principle that "nothing is agreed until everything is agreed" and that it is subject to legal scrutiny and finalisation by the jurist-linguists.
  
  - mandate the Presidency to inform the European Parliament that Member States have the intention to take into account in the preparatory stage of programming as far as possible the principles of the draft Regulation (EU) No.../2012 (CPR) as it stands today concerning the strategic programming bloc including the spirit and the content of the principle of partnership as laid down in Article 5 of the draft Regulation (EU) No.../2012 (CPR).

<p><b>Proposal for a Regulation of the European Parliament and of the Council 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 covered by the Common Strategic Framework and laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and repealing Regulation (EC) No 1083/2006 (<u>‘CPR Regulation’</u>)</b></p> <p><b><u>Presidency of the Council Compromise Text on ‘Strategic Programming’ bloc</u></b></p>			
<p><b>CPR Regulation (Commission amended proposal of 11/09/2012)</b></p>	<p><b>Partial General Approach (GAC on 24/04/2012, 26/06/2012, 16/10/2012 and 13/11/2012)</b></p>	<p><b>EP REGI mandate (11.7.2012)</b></p>	<p><b>Presidency Compromise Text</b></p>
<p>Proposal for a Regulation of the European Parliament and of the Council 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 covered by the Common Strategic Framework and laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and repealing Regulation (EC) No 1083/2006</p>		<p><b>Amendment 1: <i>Proposal for a regulation - Title</i></b></p> <p>Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL 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 and the Cohesion Fund and repealing Council Regulation (EC) No 1083/2006</p>	<p><b><i>Proposal for a regulation - Title</i></b></p> <p>Proposal for a Regulation of the European Parliament and of the Council 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 and the Cohesion Fund and repealing Regulation (EC) No 1083/2006</p>

<i>Article 1</i> <b>Subject-matter</b>	<i>Article 1</i> <b>Subject-matter</b>		<i>Article 1</i> <b>Subject-matter</b>
<p>This Regulation lays down the common rules applicable to the European Regional Development Fund (ERDF), the European Social Fund (ESF), the Cohesion Fund (CF), the European Agricultural Fund for Rural Development (EAFRD) and the European Maritime and Fisheries Fund (EMFF), which are operating under the Common Strategic Framework (the '[CSF Funds]'). It also defines the provisions necessary to ensure the effectiveness of the [CSF Funds] and their coordination with one another and with other Union instruments.</p>	<p>This Regulation lays down the common rules applicable to the European Regional Development Fund (ERDF), the European Social Fund (ESF), the Cohesion Fund (CF), the European Agricultural Fund for Rural Development (EAFRD) and the European Maritime and Fisheries Fund (EMFF), which are operating under the Common Strategic Framework (the '[CSF Funds]'). It also defines the provisions necessary to ensure the effectiveness of the [CSF Funds] and their coordination with one another and with other Union instruments.</p>	<p><b>Amendment 2: Part 1 – article 1 – paragraph 1</b></p> <p>This Regulation lays down the common provisions applicable to the European Regional Development Fund (ERDF), the European Social Fund (ESF), the Cohesion Fund (CF), the European Agricultural Fund for Rural Development (EAFRD) and the European Maritime and Fisheries Fund (EMFF), (<i>hereinafter together referred to as the 'Funds covered by the CPR'</i>). It also <i>lays down</i> the provisions necessary to ensure the effectiveness of the Funds <i>covered by the CPR</i> and their coordination with one another and with other Union instruments. (<i>This amendment applies throughout the text. Adopting it will necessitate corresponding changes throughout.</i>)</p>	<p>This Regulation lays down the common rules applicable to the European Regional Development Fund (ERDF), the European Social Fund (ESF), the Cohesion Fund (CF), the European Agricultural Fund for Rural Development (EAFRD) and the European Maritime and Fisheries Fund (EMFF), which are operating <b><u>under a common framework (hereinafter referred to as the 'European Structural and Investment Funds')</u></b>. It also defines the provisions necessary to ensure the effectiveness of the CSF Funds and their coordination with one another and with other Union instruments.</p> <p><b><u>Note:</u></b> <i>The term 'European Structural and Investment Funds' will apply to all relevant references in this Regulation and Fund-specific Regulations.</i></p>
<p>This Regulation also lays down the general rules governing the ERDF, the ESF (together referred to as the 'Structural Funds') and the CF. The Regulation defines the tasks, priority objectives and organisation of the Structural Funds and the CF (the 'Funds'), the criteria for Member States and regions to be eligible for support from the CSF Funds, the financial resources available and the criteria for their allocation.</p>	<p>This Regulation also lays down the general rules governing the ERDF, the ESF (together referred to as the 'Structural Funds') and the CF. The Regulation defines the tasks, priority objectives and organisation of the Structural Funds and the CF (the 'Funds'), the criteria for Member States and regions to be eligible for support from the CSF Funds, the financial resources available and the criteria for their allocation.</p>		<p>This Regulation also lays down the general rules governing the ERDF, the ESF (together referred to as the 'Structural Funds') and the CF. The Regulation defines the tasks, priority objectives and organisation of the Structural Funds and the CF (the 'Funds'), the criteria for Member States and regions to be eligible for support from the CSF Funds, the financial resources available and the criteria for their allocation.</p>



<p>The rules set out in this Regulation apply without prejudice to the provisions laid down in Regulation (EU) No [...] /2012 of the European Parliament and of the Council on the financing, management and monitoring of the common agriculture policy<sup>1</sup> (hereinafter referred as the 'CAP' Regulation) and to the specific provisions laid down in the following Regulations:</p>	<p>The rules set out in this Regulation apply without prejudice to the provisions laid down in Regulation (EU) No [...] /2012 of the European Parliament and of the Council on the financing, management and monitoring of the common agriculture policy<sup>2</sup> (hereinafter referred as the 'CAP' Regulation) and to the specific provisions laid down in the following Regulations <b><u>in accordance with the last sub-paragraph of this Article:</u></b></p>		<p>The rules set out in this Regulation apply without prejudice to the provisions laid down in Regulation (EU) No [...] /2012 of the European Parliament and of the Council on the financing, management and monitoring of the common agriculture policy<sup>3</sup> (hereinafter referred as the 'CAP' Regulation) and to the specific provisions laid down in the following Regulations <b>in accordance with the last sub-paragraph of this Article:</b></p>
<p>(1) Regulation (EU) No [...] /2012 of the European Parliament and of the Council on the European Regional Development Fund and repealing Regulation (EC) No 1080/2006<sup>4</sup> (the 'ERDF Regulation');</p>	<p>(1) Regulation (EU) No [...] /2012 of the European Parliament and of the Council on the European Regional Development Fund and repealing Regulation (EC) No 1080/2006<sup>5</sup> (the 'ERDF Regulation');</p>		<p>(1) Regulation (EU) No [...] /2012 of the European Parliament and of the Council on the European Regional Development Fund and repealing Regulation (EC) No 1080/2006<sup>6</sup> (the 'ERDF Regulation');</p>
<p>(2) Regulation (EU) No [...] /2012 of the European Parliament and of the Council on the European Social Fund and repealing Regulation (EC) No 1081/2006<sup>7</sup> (the 'ESF Regulation');</p>	<p>(2) Regulation (EU) No [...] /2012 of the European Parliament and of the Council on the European Social Fund and repealing Regulation (EC) No 1081/2006<sup>8</sup> (the 'ESF Regulation');</p>		<p>(2) Regulation (EU) No [...] /2012 of the European Parliament and of the Council on the European Social Fund and repealing Regulation (EC) No 1081/2006<sup>9</sup> (the 'ESF Regulation');</p>

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(3) Regulation (EU) No [...] /2012 of the European Parliament and of the Council establishing a Cohesion Fund and repealing Regulation (EC) No 1084/2006 <sup>1</sup> (the 'CF Regulation');	(3) Regulation (EU) No [...] /2012 of the European Parliament and of the Council establishing a Cohesion Fund and repealing Regulation (EC) No 1084/2006 <sup>2</sup> (the 'CF Regulation');		(3) Regulation (EU) No [...] /2012 of the European Parliament and of the Council establishing a Cohesion Fund and repealing Regulation (EC) No 1084/2006 <sup>3</sup> (the 'CF Regulation');
(4) Regulation (EU) No [...] /2012 of the European Parliament and of the Council on European territorial cooperation <sup>4</sup> (the 'ETC Regulation');	(4) Regulation (EU) No [...] /2012 of the European Parliament and of the Council on European territorial cooperation <sup>5</sup> (the 'ETC Regulation');		(4) Regulation (EU) No [...] /2012 of the European Parliament and of the Council on European territorial cooperation <sup>6</sup> (the 'ETC Regulation');
(5) Regulation (EU) No [...] /2012 of the European Parliament and of the Council on the European Agricultural Fund for Rural Development and repealing Regulation (EC) No 1698/2005 <sup>7</sup> (the 'EAFRD Regulation'); and	(5) Regulation (EU) No [...] /2012 of the European Parliament and of the Council on the European Agricultural Fund for Rural Development and repealing Regulation (EC) No 1698/2005 <sup>8</sup> (the 'EAFRD Regulation'); and		(5) Regulation (EU) No [...] /2012 of the European Parliament and of the Council on the European Agricultural Fund for Rural Development and repealing Regulation (EC) No 1698/2005 <sup>9</sup> (the 'EAFRD Regulation'); and
(6) Regulation (EU) No [...] /2012 of the European Parliament and of the Council on the European Maritime and Fisheries Fund and repealing Regulation (EC) No 1198/2006 <sup>10</sup> (the 'EMFF Regulation').	(6) Regulation (EU) No [...] /2012 of the European Parliament and of the Council on the European Maritime and Fisheries Fund and repealing Regulation (EC) No 1198/2006 <sup>11</sup> (the 'EMFF Regulation')		(6) Regulation (EU) No [...] /2012 of the European Parliament and of the Council on the European Maritime and Fisheries Fund and repealing Regulation (EC) No 1198/2006 <sup>12</sup> (the 'EMFF Regulation')
	<b><u>Part II of this Regulation shall apply</u></b>		<b>Part II of this Regulation shall apply to all</b>

<sup>1</sup> OJ L , p. .

<sup>2</sup> OJ L , p. .

<sup>3</sup> OJ L , p. .

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	<u>to all the CSF Funds except when the relevant Fund-specific rules establish special rules, which derogate from the common provisions in which case the special rules shall apply. Any Fund-specific rules falling under the Common Strategic Framework can establish complementary rules to the common provisions. These complementary rules, however, cannot be contradictory to the common provisions. In case of doubt about the application between Part II of this regulation and the corresponding Fund-specific rules, the common provisions shall apply.</u>		the CSF Funds except when the relevant Fund-specific rules establish special rules, which derogate from the common provisions in which case the special rules shall apply. Any Fund-specific rules falling under the Common Strategic Framework can establish complementary rules to the common provisions. These complementary rules, however, cannot be contradictory to the common provisions. In case of doubt about the application between Part II of this regulation and the corresponding Fund-specific rules, the common provisions shall apply. <sup>1</sup>
<i>Article 2</i> <b>Definitions</b>	<i>Article 2</i> <b>Definitions</b>		<i>Article 2</i> <b>Definitions</b>
For the purposes of this Regulation, the definitions on financial instruments as laid down in the Financial Regulation shall apply to financial instruments supported by the CSF Funds, except where otherwise provided in this Regulation	For the purposes of this Regulation, the definitions on financial instruments as laid down in the Financial Regulation shall apply to financial instruments supported by the CSF Funds, except where otherwise provided in this Regulation	<b>Amendment 3: Part 1 – article 2 – paragraph 1</b>  <b>Deleted</b>	<b>Deleted</b>  <i>Note: Paragraph is deleted, provided that a new paragraph is inserted defining financial instruments. To be discussed in the context of Financial Instruments bloc.</i>
In addition, the following definitions shall apply:	In addition, the following definitions shall apply:	<b>Amendment 4: Part 1 – article 2 – paragraph 2 – introductory sentence</b> <i>For the purposes of this Regulation, the following definitions shall apply:</i>	<b><u>For the purposes of this Regulation</u></b> , the following definitions shall apply:
(1) 'Union strategy for smart, sustainable and inclusive growth' means the targets and shared objectives guiding the action of Member States and the	(7) 'Union strategy for smart, sustainable and inclusive growth' means the targets and shared objectives guiding the action of Member States and the		(7) 'Union strategy for smart, sustainable and inclusive growth' means the targets and shared objectives guiding the action of Member States and the Union set out [...] in the Conclusions

<sup>1</sup> To be reviewed by the Legal Services of the European Parliament and the Council at a later stage following information provided by the Commission. It is noted that this is a general issue of the Regulation and does not fall under the “Strategic Programming bloc”.

<p>Union set out in the Communication of the Commission: Europe 2020: A strategy for smart, sustainable and inclusive growth, and contained in the Conclusions adopted by the European Council of 17 June 2010 as Annex I (New European Strategy for Jobs and Growth, EU Headline Targets), Council Recommendation of 13 July 2010 on broad guidelines for the economic policies of the Member States and the Union<sup>1</sup> and Council Decision of 21 October 2010 on guidelines for the employment policies of the Member States<sup>2</sup>, and any revision of such targets and shared objectives.</p>	<p>Union set out [...] in the Conclusions adopted by the European Council of 17 June 2010 as Annex I (New European Strategy for Jobs and Growth, EU Headline Targets), Council Recommendation of 13 July 2010 on broad guidelines for the economic policies of the Member States and the Union<sup>3</sup> and Council Decision of 21 October 2010 on guidelines for the employment policies of the Member States, and any revision of such targets and shared objectives.</p>		<p>adopted by the European Council of 17 June 2010 as Annex I (New European Strategy for Jobs and Growth, EU Headline Targets), Council Recommendation of 13 July 2010 on broad guidelines for the economic policies of the Member States and the Union<sup>4</sup> and Council Decision of 21 October 2010 on guidelines for the employment policies of the Member States, and any revision of such targets and shared objectives.</p>
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<sup>1</sup> OJ L 191, 23.7.2010, p.28.

<sup>2</sup> OJ L 308, 24.11.2010, p.46.

<sup>3</sup> OJ L 191, 23.7.2010, p.28.

<sup>4</sup> OJ L 191, 23.7.2010, p.28.

<p>(2) 'Common Strategic Framework' means the <del>document translating the objectives and targets of the Union strategy for smart, sustainable and inclusive growth into key actions for the CSF Funds, establishing for each thematic objective the key actions to be supported by each CSF Fund and the mechanisms for ensuring the coherence and consistency of the programming of the CSF Funds with the economic and employment policies of the Member States and of the Union; elements that provide clear strategic direction to the programming process and facilitate sectoral and territorial coordination of Union intervention under the CSF Funds and with other relevant Union policies and instruments in line with the objectives and targets of the Union strategy for smart, sustainable and inclusive growth;</del></p>	<p>[...]</p>	<p><b>Amendment 5: Part 1 – article 2 – paragraph 2 – point 2</b></p> <p>(2) 'Common Strategic Framework' means <i>a framework that coordinates and balances priorities, in order to achieve</i> the objectives and targets of the Union strategy for smart, sustainable and inclusive growth, <i>that establishes</i> for each thematic objective the mechanisms for ensuring the coherence and consistency of the programming of the Funds <i>covered by the CPR</i> with the economic, employment <i>and sustainable development</i> policies of the Member States and of the Union;</p>	<p style="text-align: center;"><b>Deleted</b></p> <p><b>Note:</b> Article 10 defines the Common Strategic Framework. To be reviewed at a later stage within the context of the discussion on the CSF.</p>
<p>(3) 'action' means a type of operation to be supported by the CSF Funds to achieve the objectives of a programme;</p>	<p>[...]</p>		<p style="text-align: center;"><b>Deleted</b></p> <p><b>Note:</b> To be reviewed at a later stage within the context of the discussion on the CSF.</p>
<p>(4) 'indicative action of high European added value' means an action which can be expected to make a significant contribution to the achievement of the targets and objectives of the Union strategy for smart, sustainable and inclusive growth and which shall act as a reference point in the preparation of programmes;</p>	<p>[...]</p>		<p style="text-align: center;"><b>Deleted</b></p> <p><b>Note:</b> To be reviewed at a later stage within the context of the discussion on the CSF.</p>
<p>(6) 'programming' means the process</p>	<p>(4) 'programming' means the process</p>	<p><b>Amendment 6: Part 1 – article 2 –</b></p>	<p>(xx) 'programming' means the process of</p>

<p>of organisation, decision-making and allocation of financial resources in several stages intended to implement, on a multi-annual basis, the joint action by the Union and the Member States to achieve Union strategy for smart, sustainable and inclusive growth;</p>	<p>of organisation, decision-making and allocation of financial resources in several stages intended to implement, on a multi-annual basis, the joint action by the Union and the Member States to achieve the Union strategy for smart, sustainable and inclusive growth;</p>	<p><b>paragraph 2 – point 4</b>  (4) ‘programming’ means the process of organisation, decision-making and allocation of financial resources in several stages, <b><i>with the involvement of partners and in line with the multi-level governance approach under Article 5</i></b>, intended to implement, on a multi-annual basis, the joint action by the Union and the Member States to achieve <b><i>the main objectives of the Union through the</i></b> strategy for smart, sustainable and inclusive growth;</p>	<p>organisation, decision-making and allocation of financial resources in several stages, <b><u>with the involvement of partners in accordance with Article 5</u></b>, intended to implement, on a multi-annual basis, the joint action by the Union and the Member States to achieve <b><u>the objectives of the</u></b> Union strategy for smart, sustainable and inclusive growth;</p>
<p>(20) 'Partnership Contract' means the document prepared by the Member State with the involvement of partners in line with the multi-level governance approach, which sets out the Member State's strategy, priorities and arrangements for using the CSF Funds in an effective and efficient way to pursue the Union strategy for smart, sustainable and inclusive growth, and which is approved by the Commission following assessment and dialogue with the Member State;</p>	<p>(18) 'Partnership <b>Agreement</b>' means the document prepared by the Member State with the involvement of partners in line with the multi-level governance approach, which sets out the Member State's strategy, priorities and arrangements for using the CSF Funds in an effective and efficient way to pursue the Union strategy for smart, sustainable and inclusive growth, and which is approved by the Commission following assessment and dialogue with the Member State;</p>		<p>(18) 'Partnership <b>Agreement</b>' means the document prepared by the Member State with the involvement of partners in line with the multi-level governance approach, which sets out the Member State's strategy, priorities and arrangements for using the CSF Funds in an effective and efficient way to pursue the Union strategy for smart, sustainable and inclusive growth, and which is approved by the Commission following assessment and dialogue with the Member State;</p>
		<p><b>Amendment 11: Part 1 – article 2 – paragraph 2 – point 24 a (new)</b>  <i>(24a) 'macro-region' means an integrated framework composed of territories, having one or more common features or challenges, and belonging to a number of Member States.</i></p>	<p><b><u>A 'macroregional strategy' is an integrated framework endorsed by the European Council, which may be supported by the CSF Funds among others, to address common challenges faced by a defined geographical area relating to Member States and third countries located in the same geographical area which thereby benefit from strengthened cooperation contributing to achievement of economic, social and territorial cohesion;</u></b>   <b><u>'sea basin strategy' means a structured framework of cooperation in respect to a</u></b></p>

			<u>given geographical area, developed by European Institutions, Member States, their regions and where appropriate third countries sharing a sea basin; the strategy takes into account the geographic, climatic, economic and political specificities of the sea basin;</u>
	New definition: <u>A specific objective is the result to which an investment priority or Union priority shall contribute in a specific national or regional context through actions or measures undertaken within a priority.</u>		A ‘specific objective’ is the result to which an investment priority or Union priority shall contribute in a specific national or regional context through actions or measures undertaken within a priority;
	New definition: <u>For the purposes of this Regulation, “relevant country-specific recommendations adopted in accordance with Article 121(2)” of the Treaty on the Functioning of the European Union and “relevant Council recommendations adopted in accordance with article 148(4) of the Treaty on the Functioning of the European Union” mean recommendations relating to structural challenges which it is appropriate to address through multiannual investments that fall directly within the scope of the CSF Funds as set out in the Fund-specific regulations.</u>		“Relevant country-specific recommendations adopted in accordance with Article 121(2)” of the Treaty on the Functioning of the European Union and “relevant Council recommendations adopted in accordance with article 148(4) of the Treaty on the Functioning of the European Union” mean recommendations relating to structural challenges which it is appropriate to address through multiannual investments that fall directly within the scope of the CSF Funds as set out in the Fund-specific Regulations;

	<p><b>Article 2A</b></p> <p><u>Where pursuant to Articles 15(2) and (3), 25(3), 26 (2), 92(2), 96(2), and 97(3), a time limit is set for the Commission to adopt or amend a decision, by means of an implementing act, the time limit shall not include the period which starts on the day following the date on which the Commission has sent its observations to the Member State and lasts until the Member State has responded to the observations.</u></p>		<p><b>Article 2A<sup>1</sup></b></p> <p>Where pursuant to Articles 15(2) and (3), 25(3), 26 (2), 92(2), 96(2), and 97(3), a time limit is set for the Commission to adopt or amend a decision, by means of an implementing act, the time limit shall not include the period which starts on the day following the date on which the Commission has sent its observations to the Member State and lasts until the Member State has responded to the observations.</p>
<p><b>PART TWO - COMMON PROVISIONS APPLICABLE TO CSF FUNDS</b></p> <p><b>TITLE I - Principles of Union support for the CSF Funds</b></p>			
<p><i>Article 3</i></p> <p><b>Scope</b></p> <p>The rules set out in this Part shall apply without prejudice to the provisions laid down in Part Three.</p>	<p><i>Article 3</i></p> <p>[...]</p>		<p><i>Article 3</i></p> <p><b>Scope</b></p> <p><b>Deleted</b></p> <p><b>Note:</b> <i>The text is deleted, provided that the last subparagraph of Article 1 is maintained.<sup>2</sup></i></p>

<sup>1</sup> Subject to further examination by the Legal Services of the European Parliament and the Council following information provided by the Commission.

<sup>2</sup> To be reviewed by the Legal Services of the three Institutions in relation to the last subparagraph of Article 1.



<i>Article 4</i> <b>General principles</b>	<i>Article 4</i> <b>General principles</b>		<i>Article 4</i> <b>General principles</b>
<p>1. The CSF Funds shall provide support, through multi-annual programmes, which complements national, regional and local intervention, to deliver the Union strategy for smart, sustainable and inclusive growth, taking account of the Integrated Guidelines, the country-specific recommendations under Article 121(2) of the Treaty and the relevant Council recommendations adopted under 148(4) of the Treaty.</p>	<p>1. The CSF Funds shall provide support, through multi-annual programmes, which complements national, regional and local intervention, to deliver the Union strategy for smart, sustainable and inclusive growth <b><u>as well as the Fund-specific missions pursuant to their Treaty-based objectives</u></b>, taking account of the relevant Integrated Guidelines and the relevant country-specific recommendations <b><u>adopted in accordance with</u></b> Article 121(2) of the Treaty <b><u>on the Functioning of the European Union</u></b> and the relevant Council recommendations adopted <b><u>in accordance with</u></b> article 148(4) of the Treaty <b><u>on the Functioning of the European Union and where appropriate at national level, the national reform programme.</u></b></p>	<p><b>Amendment 13: Part 2 – article 4 – paragraph 1</b></p> <p>1. The Funds <i>covered by the CPR</i> shall provide support, through multi-annual programmes, which complements national, regional and local intervention, to <i>achieve economic, social and territorial cohesion and</i> to deliver the Union strategy for smart, sustainable and inclusive growth, <i>as well as to fulfil the specific missions of the Funds covered by the CPR while</i> taking account of the Integrated Guidelines <i>and National Reform Programmes.</i> (This amendment applies throughout the text. Adopting it will necessitate corresponding changes throughout.)</p>	<p>1. The CSF Funds shall provide support, through multi-annual programmes, which complements national, regional and local intervention to deliver the Union strategy for smart, sustainable and inclusive growth <b>as well as the Fund-specific missions pursuant to their Treaty-based objectives, including economic, social and territorial cohesion</b> taking account of the relevant Integrated Guidelines and the relevant country-specific recommendations <b>adopted in accordance with Article 121(2) of the Treaty on the Functioning of the European Union</b> and the relevant Council recommendations adopted <b>in accordance with</b> article 148(4) of the Treaty <b>on the Functioning of the European Union and where appropriate at national level, the national reform programme.</b></p>
<p>2. The Commission and the Member States shall ensure that support from the CSF Funds is consistent with the policies and priorities of the Union and complementary to other instruments of the Union</p>	<p>2. The Commission and the Member States shall ensure that support from the CSF Funds is consistent with the <b><u>relevant</u></b> policies and priorities of the Union and complementary to other instruments of the Union <b><u>while taking account of the specific context of each Member State.</u></b></p>	<p><b>Amendment 14: Part 2 – article 4 – paragraph 2</b></p> <p>2. The Commission and the Member States shall ensure that support from the Funds <i>covered by the CPR</i> is consistent with the <i>relevant</i> policies, <i>horizontal principles</i> and priorities of the Union and complementary to other instruments of the Union.</p>	<p>2. The Commission and the Member States shall ensure, <b>taking account of the specific context of each Member State</b>, that support from the CSF Funds is consistent with the <b>relevant</b> policies, <b><u>horizontal principles in accordance with Articles 5, 7 and 8</u></b> and priorities of the Union and complementary to other instruments of the Union.</p>

<p>3. Support from the CSF Funds shall be implemented in close cooperation between the Commission and the Member States.</p>	<p>3. Support from the CSF Funds shall be implemented in close cooperation between the Commission and the Member States <b><u>in accordance with the principle of subsidiarity.</u></b></p>		<p>3. Support from the CSF Funds shall be implemented in close cooperation between the Commission and the Member States <b>in accordance with the principle of subsidiarity.</b></p>
<p>4. Member States and the bodies designated by them for that purpose shall be responsible for implementing programmes and carrying out their tasks under this Regulation and the Fund-specific rules at the appropriate territorial level, in accordance with the institutional, legal and financial framework of the Member State and subject to compliance with this Regulation and the Fund-specific rules.</p>	<p>4. Member States, <b>at the appropriate territorial level in accordance with their institutional, legal and financial framework</b> and the bodies designated by them for that purpose shall be responsible for <b>preparing and</b> implementing programmes and carrying out their tasks <b>in compliance with</b> this Regulation and the Fund-specific rules [...].</p>	<p><b>Amendment 15: Part 2 – article 4 – paragraph 4</b>  4. Member States, <i>at the appropriate territorial levels, in accordance with their institutional, legal and financial framework, and subject to compliance with this Regulation and the Fund-specific rules,</i> and the bodies designated by them for that purpose, shall be responsible for <i>preparing and</i> implementing programmes, <i>in partnership with relevant partners as referred to in Article 5,</i> and <i>for</i> carrying out their tasks under this Regulation and the Fund-specific rules.</p>	<p>4. Member States, <b>at the appropriate territorial level, in accordance with their institutional, legal and financial framework,</b> and the bodies designated by them for that purpose shall be responsible for <b>preparing and</b> implementing programmes and carrying out their tasks, <b>in partnership with the relevant partners referred to in Article 5, in compliance with</b> this Regulation and the Fund-specific rules.</p>
<p>5. Arrangements for the implementation and use of the CSF Funds, and in particular the financial and administrative resources required for the implementation of the CSF Funds, in relation to the reporting, evaluation, management and control shall take into account the principle of proportionality having regard to the level of support allocated.</p>	<p>5. Arrangements for the implementation and use of the CSF Funds, and in particular the financial and administrative resources required for the <b>preparation and</b> implementation of the CSF Funds, in relation to the reporting, evaluation, management and control shall <b>respect</b> the principle of proportionality having regard to the level of support allocated <b>and taking into account the overall aim of reducing administrative burdens.</b></p>		<p>5. Arrangements for the implementation and use of the CSF Funds, and in particular the financial and administrative resources required for the <b>preparation and</b> implementation of the CSF Funds, in relation to the <b>monitoring,</b> reporting, evaluation, management and control shall <b>respect</b> the principle of proportionality having regard to the level of support allocated <b>and shall take into account the overall aim of reducing administrative burden for bodies involved in the management and control of the programmes.</b></p>

<p>6. In accordance with their respective responsibilities, the Commission and the Member States shall ensure coordination among the CSF Funds, and with other Union policies and instruments, including those in the framework of the Union's external action.</p>	<p>6. In accordance with their respective responsibilities, the Commission and the Member States shall ensure coordination among the CSF Funds, and with other <b>relevant</b> Union policies, <b>strategies</b> and instruments, including those in the framework of the Union's external action.</p>		<p>6. In accordance with their respective responsibilities, the Commission and the Member States shall ensure coordination among the CSF Funds, and with other <b>relevant</b> Union policies, <b>strategies</b> and instruments, including those in the framework of the Union's external action.</p>
<p>7. The part of the Union budget allocated to the CSF Funds shall be implemented within the framework of shared management between the Member States and the Commission, in accordance with Article 53(b) of the Financial Regulation, with the exception of the amount of the CF transferred to the Connecting Europe Facility referred to in Article 84(4) and innovative actions at the initiative of the Commission under Article 9 of the ERDF Regulation, and technical assistance at the initiative of the Commission.</p>	<p>7. The part of the Union budget allocated to the CSF Funds shall be implemented within the framework of shared management between the Member States and the Commission, in accordance with Article 53(b) of the Financial Regulation, with the exception of [the amount of the CF transferred to the Connecting Europe Facility referred to in Article 84(4) and] innovative actions at the initiative of the Commission under Article 9 of the ERDF Regulation, and technical assistance at the initiative of the Commission.</p>	<p><b>Amendment 16: Part 2 – article 4 – paragraph 7</b>  7. The part of the Union budget allocated to the Funds <b>covered by the CPR</b> shall be implemented within the framework of shared management between the Member States and the Commission, in accordance with Article 55(b) of the Financial Regulation, with the exception of the amount of innovative actions at the initiative of the Commission under Article 9 of the ERDF Regulation, and technical assistance at the initiative of the Commission.</p>	<p>7. The part of the Union budget allocated to the CSF Funds shall be implemented within the framework of shared management between the Member States and the Commission, in accordance with Article 59(b) of the Financial Regulation, with the exception of [the amount of the CF transferred to the Connecting Europe Facility referred to in Article 84(4) and innovative actions at the initiative of the Commission under Article 8 (ex-9) of the ERDF Regulation]<sup>1</sup>, and technical assistance at the initiative of the Commission.</p>
<p>8. The Commission and the Member States shall apply the principle of sound financial management in accordance with Article 27 of the Financial Regulation.</p>	<p>8. The Commission and the Member States shall apply the principle of sound financial management in accordance with Article 27 of the Financial Regulation.</p>		<p>8. The Commission and the Member States shall apply the principle of sound financial management in accordance with Article <b>30</b> of the Financial Regulation.</p>
<p>9. The Commission and the Member States shall ensure the effectiveness of the CSF Funds, in particular through monitoring, reporting and evaluation.</p>	<p>9. The Commission and the Member States shall ensure the effectiveness of the CSF Funds <b>during preparation and implementation, including through monitoring, reporting and evaluation.</b></p>		<p>9. The Commission and the Member States shall ensure the effectiveness of the CSF Funds <b>during preparation and implementation, in relation to monitoring, reporting and evaluation.</b></p>

<sup>1</sup> **Subject to MFF agreement.**

10. The Commission and the Member States shall carry out their respective roles in relation to the CSF Funds with the aim of reducing the administrative burden for beneficiaries.	10. The Commission and the Member States shall carry out their respective roles in relation to the CSF Funds with the aim of reducing the administrative burden for beneficiaries.	<b>Amendment 17: Part 2 – article 4 – paragraph 10</b> 10. The Commission and the Member States shall carry out their respective roles in relation to the Funds <i>covered by the CPR</i> with the aim of reducing the administrative burden for beneficiaries, <i>for national, regional and local public authorities and bodies acting at different levels of administration as managing authorities</i> .	10. The Commission and the Member States shall carry out their respective roles in relation to the CSF Funds with the aim of reducing the administrative burden for beneficiaries.
<i>Article 5</i> <b>Partnership and multi-level governance</b>	<i>Article 5</i> <b>Partnership and multi-level governance</b>		<i>Article 5</i> <b>Partnership and multi-level governance</b>
1. For the Partnership Contract and each programme respectively, a Member State shall organise a partnership with the following partners:	1. For the Partnership <b>Agreement</b> and each programme respectively, a Member State shall <b>in accordance with national rules and practices</b> organise a partnership with the following partners:	<b>Amendment 18: Part 2 – article 5 – paragraph 1</b> 1. For the Partnership Contract and each programme, a Member State shall organise a partnership <i>by concluding a partnership agreement with the relevant regional and local authorities in accordance with Article 4(4)</i> . <i>Member States and the respective regional and local authorities shall also cooperate with the following partners:</i>	1. For the Partnership <b>Agreement</b> and each programme respectively, a Member State shall <b>in accordance with their institutional and legal framework</b> organise a partnership with the <b>competent regional and local authorities</b> . <b>The partnership shall also include the</b> following partners:
(a) competent regional, local, urban and other public authorities;	(a) competent regional, local, urban and other public authorities;	(a) competent public authorities <i>other than those referred to in the introductory sentence to this paragraph</i> ;	(a) <b>competent urban and other public authorities</b> ;
(b) economic and social partners; and	(b) economic and social partners; and	(b) economic and social partners;	(b) economic and social partners; and

<p>(c) bodies representing civil society, including environmental partners, non-governmental organisations, and bodies responsible for promoting equality and non-discrimination.</p>	<p>(c) <b>concerned</b> bodies representing civil society, including environmental partners, non-governmental organisations, and bodies responsible for promoting equality and non-discrimination</p>	<p>(c) <b>relevant</b> bodies representing civil society, including <i>inter alia</i> environmental partners, non-governmental organisations, <b>among them non-profit organisations promoting social inclusion and those active in the areas of culture, education and youth policy</b>, and bodies responsible for promoting <b>gender</b> equality and non-discrimination;</p>	<p>(c) <b>relevant</b> bodies representing civil society, including environmental partners, non-governmental organisations, and bodies responsible for promoting <b>social inclusion, gender</b> equality and non-discrimination.</p>
		<p>(ca) <b>churches and religious communities active in the areas of transnational cooperation, education, culture and social inclusion.</b></p>	
<p>2. In accordance with the multi-level governance approach, the partners shall be involved by Member States in the preparation of Partnership Contracts and progress reports and in the preparation, implementation, monitoring and evaluation of programmes. The partners shall participate in the monitoring committees for programmes.</p>	<p>2. In accordance with the multi-level governance approach, the partners <b>referred to in paragraph 1</b> shall be involved by Member States in the preparation of Partnership <b>Agreements</b> and progress reports and in the preparation <b>and</b> implementation [...] of programmes, <b>including participation in the monitoring committees for programmes</b></p>	<p><b>Amendment 19: Part 2 – article 5 – paragraph 2</b>  2. In accordance with the multi-level governance approach, <b>and in line with the partnership agreement, as referred to in paragraph 1</b>, the partners shall be involved by Member States in <b>all stages of</b> the preparation of Partnership Contracts and progress reports, <b>as well as in all stages of</b> the preparation, implementation, monitoring and evaluation of programmes, <b>from the earliest stage possible</b>. The partners shall participate in the monitoring committees for programmes.</p>	<p>2. In accordance with the multi-level governance approach, the partners <b>referred to in paragraph 1</b> shall be involved by Member States in the preparation of Partnership <b>Agreements</b> and progress reports <b>throughout</b> the preparation <b>and</b> implementation of programmes, <b>including participation in the monitoring committees for programmes in accordance with Article 42.</b></p>

<p>3. The Commission shall be empowered to adopt delegated acts in accordance with Article 142 to provide for a European code of conduct that lays down objectives and criteria to support the implementation of partnership and to facilitate the sharing of information, experience, results and good practices among Member States.</p>	<p>3. [...]</p>	<p><b>Amendment 20: Part 2 – article 5 – paragraph 3</b></p> <p>3. A European code of conduct <i>shall be laid down in order to set out specific</i> objectives and criteria to <i>ensure</i> the implementation of partnership and to facilitate the sharing of information, experience, results and <i>best</i> practices among Member States. <i>The Commission shall be empowered to adopt delegated acts in accordance with Article 142 to provide for this European code of conduct.</i></p> <p><b>Amendment 21: Part 2 – article 5 – paragraph 3 a (new)</b></p> <p><i>3a. The European Code of Conduct should outline inter alia the following specifications:</i></p> <p><i>(a) minimum requirements to ensure transparent selection of partners and clarity about their role in the policy process and their responsibilities;</i></p> <p><i>(b) minimum requirements and guidelines as to how to identify relevant partners, ranging from authorities of different territorial levels, social and economic partners, civil society, science and technology organisations to bodies responsible for promoting gender equality, social inclusion and non-discrimination or that are active in the areas of culture, education and youth policy;</i></p>	<p><b><u>3<sup>1</sup>. The Commission shall be empowered to adopt delegated act<sup>2</sup> in accordance with Article 142 to provide for a European code of conduct in order to support and facilitate Member States in the organisation of the partnership in accordance with paragraphs 1 and 2. The code of conduct shall set out the framework, within which the Member States in accordance with their institutional and legal framework as well as their national and regional competences, shall pursue the implementation of partnership. The code of conduct, while fully respecting the principles of subsidiarity and proportionality, shall lay down the following elements:</u></b></p> <p><b><u>a. the main principles for transparent procedures to be followed for the identification of the relevant partners including, where appropriate, their umbrella organisations in order to facilitate Member States to designate the most representative relevant partners, in accordance with their institutional and legal framework;</u></b></p> <p><b><u>b. the main principles and best practices as regards the involvement of the different categories of relevant partners, as set out in paragraph 1, in the preparation of the Partnership Agreement and programmes, the information to be provided on their involvement, as well as at the various stages of implementation;</u></b></p>
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<sup>1</sup> The Presidency compromise proposal for the ‘Code of Conduct’ is accompanied by revised Recital (9) and Joint Declaration by the European Parliament and the Council. The relevant texts are provided in Annex III.

<sup>2</sup> The agreement on a delegated act is subject to an agreement on all provisions related to delegated and implementing acts of the Strategic Programming Bloc.

		<p><i>(c) the cooperation procedure among the competent national, regional and local authorities;</i></p> <p><i>(d) guidance on how to tailor partnership to programmes, including specificities of multi-fund programmes, joint action plans and integrated territorial investments;</i></p> <p><i>(e) minimum requirements for ensuring meaningful involvement of partners in the preparation of the Partnership Contract and the Programmes;</i></p> <p><i>(f) minimum requirements in terms of the procedures established to ensure effective organisation of partnerships;</i></p> <p><i>(g) guidance on the involvement of partners in monitoring committees, project selection, monitoring and evaluation;</i></p> <p><i>(h) minimum requirements for providing guidance to partners and on facilitating capacity building among partners;</i></p> <p><i>((i) outlining the framework to exchange good practices across Member States.</i></p>	<p><b><u>c. the best practices as regards the formulation of the rules of membership and internal procedures of monitoring committees to be decided, as appropriate, by the Member States or the monitoring committees of programmes in accordance with the relevant provisions of this Regulation and the fund-specific rules;</u></b></p> <p><b><u>d. the main objectives and best practices in cases where the managing authority involves the relevant partners in the preparation of calls for proposals and in particular the best practices to avoid potential conflicts of interest in cases where relevant partners may be potential beneficiaries, and for the involvement of the relevant partners in the preparation of progress reports and in relation to monitoring and evaluation of programmes in accordance with the relevant provisions of this Regulation and the fund-specific rules;</u></b></p> <p><b><u>e. the indicative areas, themes and best practices in order that the competent authorities of the Member States may use the CSF Funds including technical assistance in strengthening the institutional capacity of relevant partners in accordance with the relevant provisions of this Regulation and the fund-specific rules;</u></b></p> <p><b><u>f. the role of the Commission in the dissemination of good practices;</u></b></p> <p><b><u>g. the main principles and best practices that will facilitate the Member States' assessment of the implementation of partnership and its added value.</u></b></p>
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			<b><u>The provisions of the code of conduct shall not in any way contradict the relevant provisions of this Regulation or the Fund specific rules.</u></b>
			<b><u>4. (new paragraph) The Commission shall notify the delegated act on the European code of conduct on Partnership, adopted in accordance with article 142 and as set out in paragraph 3, simultaneously to the European Parliament and to the Council within four months of the adoption of this Regulation. The delegated act cannot specify an earlier day for its entry into force than the day of its adoption after the entry into force of this Regulation.</u></b>
			<b><u>5. (new paragraph ) In the application of this Article, an infringement of any obligation imposed on Member States either by this Article of the Regulation or by the delegated act, adopted in accordance with Article 5(3), cannot constitute an irregularity leading to a financial correction pursuant to Article 77 of this Regulation.</u></b>
4. At least once a year, for each CSF Fund, the Commission shall consult the organisations which represent the partners at Union level on the implementation of support from the CSF Funds.	4. At least once a year, for each CSF Fund, the Commission shall consult the organisations which represent the partners at Union level on the implementation of support from the CSF Funds.	<b>Amendment 22: Part 2 – article 5 – paragraph 4</b> 4. At least once a year, for each Fund <i>covered by the CPR</i> , the Commission shall consult the organisations which represent the partners at Union level on the implementation of support from the Funds <i>covered by the CPR. To this end, the Commission shall undertake an analysis of this implementation and the participation of relevant partners and stakeholders, in particular the economic and social partners.</i>	<b><u>6.</u></b> At least once a year, for each CSF Fund, the Commission shall consult the organisations which represent the partners at Union level on the implementation of support from the Funds <b><u>and shall report to the European Parliament and the Council on the outcome.</u></b>



<p style="text-align: center;"><i>Article 7</i></p> <p style="text-align: center;"><b>Promotion of equality between men and women and non-discrimination</b></p>	<p style="text-align: center;"><i>Article 7</i></p> <p style="text-align: center;"><b>Promotion of equality between men and women and non-discrimination</b></p>		<p style="text-align: center;"><i>Article 7</i></p> <p style="text-align: center;"><b>Promotion of equality between men and women and non-discrimination</b></p>
<p>The Member States and the Commission shall ensure that equality between men and women and the integration of gender perspective is promoted in the preparation and implementation of programmes.</p>	<p>The Member States and the Commission shall ensure that equality between men and women and the integration of gender perspective is promoted in the preparation and implementation of programmes.</p>	<p><b>Amendment 23: Part 2 – article 7 – paragraph 1</b></p> <p>The Member States and the Commission shall ensure that equality between men and women and the <i>coherent</i> integration of gender perspective <i>are taken into account and</i> promoted in <i>all stages of</i> preparation, <i>programming</i> and implementation, <i>as well as monitoring and evaluation</i> of programmes.</p>	<p>The Member States and the Commission shall ensure that equality between men and women and the integration of gender perspective <b>are taken into account and</b> promoted <b>throughout the preparation and</b> implementation, <b>in relation to monitoring, reporting and evaluation</b> of programmes.</p>
<p>The Member States and the Commission shall take appropriate steps to prevent any discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation during the preparation and implementation of programmes.</p>	<p>The Member States and the Commission shall take appropriate steps to prevent any discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation during the preparation and implementation of programmes.</p>	<p><b>Amendment 24: Part 2 – article 7 – paragraph 2</b></p> <p>The Member States and the Commission shall take appropriate steps to prevent <i>and eliminate</i> any discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation <i>or gender identity and to avoid segregation</i> during the preparation and implementation of programmes. <i>In particular, accessibility for disabled persons shall be taken into consideration, in the preparation, programming and implementation of programmes.</i></p>	<p>The Member States and the Commission shall take appropriate steps to prevent any discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation during the preparation and implementation of programmes. <b>In particular, accessibility for persons with disabilities shall be taken into account throughout the preparation and implementation of programmes.</b></p>
<p style="text-align: center;"><i>Article 8</i></p> <p style="text-align: center;"><b>Sustainable development</b></p>	<p style="text-align: center;"><i>Article 8</i></p> <p style="text-align: center;"><b>Sustainable development</b></p>		<p style="text-align: center;"><i>Article 8</i></p> <p style="text-align: center;"><b>Sustainable development</b></p>
<p>The objectives of the CSF Funds shall be pursued in the framework of sustainable development and the Union's promotion of the aim of protecting and improving the environment, as set out in Article 11 of the Treaty, taking into account the polluter pays principle.</p>	<p>The objectives of the CSF Funds shall be pursued in the framework of sustainable development and the Union's promotion of the aim of protecting and improving the environment, as set out in Article 11 of the Treaty, taking into account the polluter pays principle.</p>	<p><b>Amendment 25: Part 2 – article 8 – paragraph 1</b></p> <p>The objectives of the Funds <i>covered by the CPR</i> shall be pursued in the framework of sustainable development and the Union's promotion of the aim of <i>preserving</i>, protecting and improving the environment, as set out in Article 11 <i>and Article 191(1)</i> of the Treaty, taking into account the polluter pays principle.</p>	<p>The objectives of the CSF Funds shall be pursued in the framework of sustainable development and the Union's promotion of the aim of <b>preserving</b>, protecting and improving the environment, as set out in Article 11 <b>and Article 191(1)</b> of the Treaty, taking into account the polluter pays principle.</p>

<p>The Member States and the Commission shall ensure that environmental protection requirements, resource efficiency, climate change mitigation and adaptation, disaster resilience and risk prevention and management are promoted in the preparation and implementation of Partnership Contracts and programmes. Member States shall provide information on the support for climate change objectives using the methodology adopted by the Commission. The Commission shall adopt this methodology by means of an implementing act. The implementing act shall be adopted in accordance with the examination procedure referred to in Article 143(3).</p>	<p>The Member States and the Commission shall ensure that environmental protection requirements, resource efficiency, climate change mitigation and adaptation, disaster resilience and risk prevention and management are promoted in the preparation and implementation of Partnership <b>Agreements</b> and programmes. Member States shall provide information on the support for climate change objectives using the methodology <b><u>based on the categories of intervention or measures</u></b> adopted by the Commission. The Commission shall adopt this methodology by means of an implementing act. The implementing act shall be adopted in accordance with the examination procedure referred to in Article 143(3).</p>	<p><b>Amendment 26: Part 2 – article 8 – paragraph 2</b></p> <p>The Member States and <i>the partners, as referred to in Article 5(1), as well as</i> the Commission shall ensure that environmental protection requirements, resource efficiency, <b><i>biodiversity and ecosystem protection</i></b>, climate change mitigation and adaptation, <b><i>ecosystem-based</i></b> disaster resilience and risk prevention and management are promoted in the preparation and implementation of Partnership Contracts and programmes. Member States shall provide information on the support for climate change <b><i>and biodiversity</i></b> objectives using the methodology adopted by the Commission.</p> <p>The Commission shall <b><i>be empowered to adopt delegated acts, in accordance with Article 142, laying down</i></b> this methodology</p>	<p>The Member States and the Commission shall ensure that environmental protection requirements, resource efficiency, climate change mitigation and adaptation, <b><u>biodiversity and ecosystem protection</u></b>, disaster resilience and risk prevention and management are promoted in the preparation and implementation of Partnership <b>Agreements</b> and programmes. Member States shall provide information on the support for climate change objectives using the methodology <b><u>based on the categories of intervention or measures</u></b> adopted by the Commission. <b><u>This methodology shall consist of attaching weights to expenditure under the CSF Funds at an appropriate level to reflect the contribution to climate change mitigation and adaptation goals.</u></b> The Commission shall <b><u>lay down uniform conditions on the implementation of this methodology to each of the CSF Funds</u></b> by means of implementing acts. The implementing act shall be adopted in accordance with the examination procedure referred to in Article 143(3).<sup>1</sup></p>
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<sup>1</sup> The new text regarding the methodology and the implementing acts is subject to further examination by the Legal Services of the European Parliament and the Council, following information provided by the Commission.

		<p><b>Amendment 27: Part 2 – article 8 a (new)</b></p> <p><b>Article 8a</b></p> <p><i>Macro-regional strategies and sea basin strategies</i></p> <p><i>The Funds covered by the CPR shall contribute to macro regional strategies and sea basin strategies, where Member States and regions participate in such strategies. The Commission and the Member States concerned shall ensure coordination of the Funds covered by the CPR with such strategies at the level of the Common Strategic Framework, of Partnership Contracts and of programmes in order to ensure sufficient allocation from the Funds to the strategies.</i></p>	
<b>CHAPTER II - Partnership Contract</b>			
<i>Article 13</i> <b>Preparation of the Partnership Contract</b>	<i>Article 13</i> <b>Preparation of the Partnership Agreement</b>		<i>Article 13</i> <b>Preparation of the Partnership Agreement</b>
1. Each Member State shall prepare a Partnership Contract for the period from 1 January 2014 to 31 December 2020.	1. Each Member State shall prepare a Partnership <b>Agreement</b> for the period from 1 January 2014 to 31 December 2020.		1. Each Member State shall prepare a Partnership <b>Agreement</b> for the period from 1 January 2014 to 31 December 2020.
2. The Partnership Contract shall be drawn up by Member States in cooperation with the partners referred to in Article 5. The Partnership Contract shall be prepared in dialogue with the Commission. 3. The Partnership Contract shall cover all support from the CSF Funds in the Member State concerned.	2. The Partnership <b>Agreement</b> shall be drawn up by Member States in cooperation with the partners referred to in Article 5. The Partnership <b>Agreement</b> shall be prepared in dialogue with the Commission. 3. The Partnership <b>Agreement</b> shall cover all support from the CSF Funds in the Member State concerned.	<p><b>Amendment 34: Part 2 – article 13 – paragraph 2</b></p> <p>2. The Partnership Contract shall be drawn up, <b>and implemented at all stages</b> by Member States in cooperation with the partners, <b>as</b> referred to in <b>Article 4(4) and</b> Article 5. The Partnership Contract shall be prepared in dialogue with the Commission.</p>	2. The Partnership <b>Agreement</b> shall be drawn up by Member States in cooperation with the partners referred to in Article 5. The Partnership <b>Agreement</b> shall be prepared in dialogue with the Commission. <b><u>The Member States shall draw up the Partnership Agreement following transparent procedures in relation to the public, in accordance with their institutional and legal framework.</u></b>

		<p><b>Amendment 35: Part 2 – article 13 – paragraph 3 a (new)</b></p> <p><i>3a. The Partnership Contract shall be the subject of public consultation prior to its submission to the Commission.</i></p>	<p>3. The Partnership <b>Agreement</b> shall cover all support from the CSF Funds in the Member State concerned.</p>
<p>4. Each Member State shall transmit its Partnership Contract to the Commission within 3 months of the adoption of the Common Strategic Framework</p>	<p>4. Each Member State shall transmit its Partnership <b>Agreement</b> to the Commission within <b>4</b> months of the <b><u>entry into force of this Regulation.</u></b></p>	<p><b>Amendment 36: Part 2 – article 13 – paragraph 4</b></p> <p>4. Each Member State shall transmit its Partnership Contract to the Commission within <b>6</b> months of the <i>entry into force of this Regulation.</i></p>	<p>4. Each Member State shall transmit its Partnership <b>Agreement</b> to the Commission within <b>4</b> months of the <b>entry into force of this Regulation.</b><sup>1</sup></p>
<p><i>Article 14</i> <b>Content of the Partnership Contract</b></p>	<p><i>Article 14</i> <b>Content of the Partnership <u>Agreement</u></b></p>		<p>Article 14 <b>Content of the Partnership Agreement</b></p>
<p>The Partnership Contract shall set out: (a) arrangements to ensure alignment with the Union strategy for smart, sustainable and inclusive growth, including:</p>	<p>1. The Partnership <b>Agreement</b> shall set out: (a) arrangements to ensure alignment with the Union strategy for smart, sustainable and inclusive growth, including:</p>	<p><b>Amendment 37: Part 2 – article 14 – point a</b> (a) arrangements to ensure alignment with the Union strategy for smart, sustainable and inclusive growth <i>and to promote reduction of disparities between levels of development,</i> including:</p>	<p><b>The Presidency compromise text for Article 14 is attached in Annex IV</b></p>

<sup>1</sup> The issue of timing in relation to the submission and adoption of Partnership Agreements and Programmes could be reviewed, if necessary, at a later stage depending on the envisaged entry into force of the CPR and Fund – specific Regulations as well as the MFF agreement. This applies also to the relevant provisions in Articles 15, 23 and 26.

<p>(i) an analysis of disparities and development needs with reference to the thematic objectives, <del>and key actions defined in</del>, the Common Strategic Framework and the targets set in the country-specific recommendations under Article 121(2) of the Treaty and the relevant Council recommendations adopted under Article 148(4) of the Treaty;</p>	<p>(i) an analysis of disparities, development needs, <b><u>and growth potentials</u></b> with reference to the thematic objectives <b><u>and the territorial challenges and taking account of the national reform programme, where appropriate, and relevant</u></b> country-specific recommendations <b><u>adopted in accordance with</u></b> Article 121(2) of the Treaty <b><u>on the Functioning of the European Union</u></b> and relevant Council recommendations adopted <b><u>in accordance with</u></b> Article 148(4) of the Treaty <b><u>on the Functioning of the European Union</u></b>;</p>	<p>(i) an analysis of disparities and <i>sustainable</i> development needs <i>of Member States and regions</i> with reference to the thematic objectives, <i>the horizontal principles laid down in Articles 7 and 8</i>, the Common Strategic Framework <i>set out in Annex -I</i> and the targets set <i>out in the National Reform Programmes</i>;</p>	
<p>(ii) a summary analysis of the <i>ex ante</i> evaluations of the programmes justifying the selection of the thematic objectives and the indicative allocations of the CSF Funds;</p>	<p>(ii) a summary of the <i>ex ante</i> evaluations of the programmes <b><u>or key findings of the ex ante evaluations of the Partnership Agreement where undertaken by the Member State at its own initiative</u></b> [...];</p>	<p>(ii) a summary analysis of the <i>ex ante</i> evaluations of the programmes justifying the selection of the thematic objectives and the indicative allocations of the <i>Funds covered by the CPR; the thematic objectives may differ from one region to another, according to the identified needs of each region</i>;</p>	
<p>(iii) for each thematic objective, a summary of the main results expected for each of the CSF Funds;</p>	<p>(iii) <b><u>selected</u></b> thematic objectives, <b><u>and for each of the selected thematic objectives</u></b> a summary of the main results expected for each of the CSF Funds;</p>	<p>(iii) for each thematic objective <i>that has been selected</i>, a summary of the main results expected for each of the Funds <i>covered by the CPR</i>;</p>	
<p>(iv) the indicative allocation of support by the Union by thematic objective at national level for each of the CSF Funds, as well as the total indicative amount of support foreseen for climate change objectives;</p>	<p>(iv) the indicative allocation of support by the Union by thematic objective at national level for each of the CSF Funds, as well as the total indicative amount of support foreseen for climate change objectives;</p>	<p>(iv) the indicative allocation of support by the Union by thematic objective at national level for each of the Funds <i>covered by the CPR</i>, as well as the total indicative amount of support foreseen for climate change objectives;</p>	

(v) the main priority areas for cooperation, taking account, where appropriate, of macro-regional and sea basin strategies;	(v) [...]; (iii) the main priority areas for cooperation, taking account, where appropriate, of macro-regional strategies and sea basin strategies;	(v) the main priority areas for cooperation, taking account of macro-regional, <i>metropolitan</i> and sea basin strategies, <i>in the event that Member States and regions participate in such strategies, with a view to ensuring sufficient allocation from the Funds covered by the CPR to those strategies</i> ;	
(vi) horizontal principles and policy objectives for the implementation of the CSF Funds;	(v) <b>planned application of</b> horizontal principles and policy objectives for the implementation of the CSF Funds;	(vi) horizontal principles and policy objectives for the implementation of the Funds <i>covered by the CPR</i> ;	
(vii) the list of the programmes under the ERDF, the ESF and the CF, except those under the European territorial cooperation goal, and of the programmes of the EAFRD and the EMFF, with the respective indicative allocations by CSF Fund and by year;	(vi) the list of the programmes under the ERDF, the ESF and the CF, except those under the European territorial cooperation goal, and of the programmes of the EAFRD and the EMFF, with the respective indicative allocations by CSF Fund and by year;	(vii) the list of the programmes under the ERDF, the ESF and the CF, except those under the European territorial cooperation goal, and of the programmes of the EAFRD and the EMFF, with the respective indicative allocations by Fund <i>covered by the CPR</i> and by year;	
	<b><u>2. The Partnership Agreement shall also indicate:</u></b>		
(b) an integrated approach to territorial development supported by the CSF Funds setting out:	(a) an integrated approach to territorial development supported by the CSF Funds <b><u>or a summary of the integrated approaches to territorial development based on the content of the operational programmes, setting out:</u></b>	<b>Amendment 38: Part 2 – article 14 – point b</b> (b) an integrated approach to <i>sustainable</i> territorial development supported by the Funds <i>covered by the CPR</i> setting out:	
(i) the mechanisms at national and regional level that ensure coordination between the CSF Funds and other Union and national funding instruments and with the EIB;	(i) <b><u>the arrangements</u></b> at national and, <b><u>where appropriate,</u></b> regional level that ensure coordination between the CSF Funds and other Union and national funding instruments and with the EIB;	(i) the mechanisms at national and regional level that ensure coordination between the Funds <i>covered by the CPR</i> and other Union and national funding instruments and with the EIB;	

<p>(ii) the arrangements to ensure an integrated approach to the use of the CSF Funds for the territorial development of urban, rural, coastal and fisheries areas and areas with particular territorial features, in particular the implementation arrangements for Articles 28, 29 and 99 accompanied, where appropriate, by a list of the cities to participate in the urban development platform referred to in Article 8 of the ERDF Regulation;</p>	<p><i>moved to 14 (2) (a) (ii)</i></p> <p>(ii) the arrangements to ensure an integrated approach to the use of the CSF Funds for the territorial development of <b><u>specific sub-regional areas</u></b>, in particular the implementation arrangements for Articles 28, 29 and <b><u>ex-99</u></b> accompanied, [...], by [...] <b><u>the principles for identifying the urban areas where integrated actions for sustainable urban development are to be implemented</u></b>;</p>	<p>(ii) the arrangements to ensure an integrated approach to the use of the Funds <b><i>covered by the CPR</i></b> for the territorial <b><i>sustainable</i></b> development of <b><i>different types of territories including</i></b> urban, <b><i>peri-urban</i></b>, rural, coastal, fisheries and <b><i>cross-border areas, as well as</i></b> areas with particular territorial features <b><i>such as mountain ranges, islands or very low population density areas</i></b>, in particular the implementation arrangements for Articles 28, 29 and 99 accompanied <b><i>by the list of criteria for the designation of cities or functional urban areas</i></b>;</p>	
<p>(c) an integrated approach to address the specific needs of geographical areas most affected by poverty or of target groups at highest risk of discrimination or exclusion, with special regard to marginalised communities, where appropriate, including the indicative financial allocation for the relevant CSF Funds;</p>	<p><i>moved to 14 (2)(a)(iv)</i></p> <p><b><u>(iv) where appropriate</u></b>, an integrated approach to address the specific needs of geographical areas most affected by poverty or of target groups at highest risk of discrimination or exclusion, with special regard to marginalised communities [...];</p>	<p><b>Amendment 39: Part 2 – article 14 – point c</b></p> <p>(c) an integrated approach to address <b><i>regional demographic challenges and</i></b> the specific needs of geographical areas most affected <b><i>by serious and permanent natural and demographic disadvantages, as defined in Article 174 of the Treaty</i></b>, by poverty <b><i>and unemployment, with special regard to youth unemployment</i></b> or of target groups at highest risk of discrimination or <b><i>social</i></b> exclusion, with special regard to marginalised communities, <b><i>and persons with disabilities</i></b> where appropriate, including the indicative financial allocation for the relevant Fund <b><i>among the Funds covered by the CPR</i></b>;</p>	
		<p><b>Amendment 40: Part 2 – article 14 – point c a (new)</b></p> <p><b><i>(ca) an integrated strategic approach to infrastructure investments in regions, particularly with reference to the coordinated use of the Funds covered by the CPR, the Connecting Europe Facility and the TENs;</i></b></p>	

		<b>Amendment 41: Part 2 – article 14 – point c b (new)</b> <i>(cb) an integrated approach to climate- and environment-related challenges, particularly with a view to ensuring a complementary use of the Funds covered by the CPR and the LIFE programme;</i>	
(d) arrangements to ensure effective implementation, including:	<i>moved to 14 (b)</i> <b>(b)</b> arrangements to ensure effective implementation, including:	<b>Amendment 42: Part 2 – article 14 – point d</b> (d) arrangements to ensure effective implementation, including:	
(i) a consolidated table of milestones and targets established in programmes for the performance framework referred to in Article 19(1), together with the methodology and mechanism to ensure consistency across programmes and CSF Funds;	<i>moved to 14 (1)(b)(iii)</i> <b><u>(iii) the methodology and mechanism to ensure consistency in the functioning of the performance framework across programmes and CSF Funds;</u></b>	(i) a consolidated table of <i>measurable</i> milestones and targets established in programmes for the performance framework referred to in Article 19(1), together with the methodology and mechanism to ensure consistency across programmes and Funds <i>covered by the CPR</i> ;	
	<b><u>These elements shall be subject to approval by a Commission decision as set out in Article 15.</u></b>  Note: this paragraph was inserted at the end of Article 14 (1) and refers to all elements of subparagraphs <b>a</b> and <b>b</b> as amended by the Council.		
(ii) a summary of the assessment of the fulfilment of <i>ex ante</i> conditionalities and of the actions to be taken at national and regional level, and the timetable for their implementation, where <i>ex ante</i> conditionalities are not fulfilled;	<i>moved to 14 (1)(b)(ii)</i> (ii) a summary of the assessment of the fulfilment of <i>ex ante</i> conditionalities relevant at national level [...] and of the actions to be taken, the responsible bodies and the timetable for their implementation, where <i>ex ante</i> conditionalities are not fulfilled;	(ii) a summary of the assessment of the fulfilment of <i>ex ante</i> conditionalities, <b>in accordance with Article 17</b> and of the actions to be taken at national and regional level, and the timetable for their implementation, where <i>ex ante</i> conditionalities are not fulfilled;	



(iii) the information required for <i>ex ante</i> verification of compliance with the rules on additionality as they are defined in Part Three of this Regulation;	<i>moved to 14 (1)(b)(i)</i> (i) the information required for ex ante verification of compliance with the rules on additionality as they are defined in Part Three of this Regulation;	(iii) the information required for <i>ex ante</i> verification of compliance with the rules on additionality as they are defined in Part Three of this Regulation;	
		<i>(iii a) measures for the correct, efficient and transparent allocation of resources pursuant to competitive procedures;</i>	
(iv) the actions taken to involve the partners and their role in the preparation of the Partnership Contract and the progress report as defined in Article 46 of this Regulation;	<i>moved to 14 (2)(a)(v)</i> <b>(v) a summary of</b> the actions taken to involve the partners <b>referred to in Article 5</b> and their role in the preparation of the Partnership <b>Agreement</b> and the progress report as defined in Article 46 of this Regulation;	(iv) <i>an indicative list of partners</i> , the actions taken <i>by the Member State and the competent regional and local authorities</i> to involve <i>those</i> partners and <i>the role of those partners</i> in the preparation <i>and implementation</i> of the Partnership Contract and the progress report as defined in Article 46 of this Regulation, <i>in accordance with the Code of Conduct</i> ;	
		<i>(iv a) where appropriate , the identification of the legal and administrative barriers to the implementation of partnership in the national context and actions envisaged to address such obstacles.</i>	
(e) arrangements to ensure efficient implementation of the CSF Funds, including:	<b>(b)</b> arrangements to ensure efficient implementation of the CSF Funds, including:		

<p>(i) an assessment of whether there is a need to reinforce the administrative capacity of the authorities and, where appropriate, beneficiaries, and actions to be taken for this purpose;</p>	<p>(i) <b><u>where necessary, measures</u></b> to reinforce the administrative capacity of the authorities and, where appropriate, beneficiaries, and <b><u>a summary of</u></b> actions to be taken for this purpose;</p>		
<p>(ii) a summary of the actions planned and corresponding targets in the programmes to achieve a reduction in the administrative burden for beneficiaries;</p>	<p>(ii) a summary of the actions planned [...] in the programmes to achieve a reduction in the administrative burden for beneficiaries;</p>		
<p>(iii) an assessment of the existing systems for electronic data exchange, and the actions planned to permit all exchanges of information between beneficiaries and authorities responsible for management and control of programmes to be carried out solely by electronic data exchange.</p>	<p>(iii) an assessment of the existing systems for electronic data exchange, and <b><u>a summary of</u></b> the actions planned to <b><u>gradually</u></b> permit all exchanges of information between beneficiaries and authorities responsible for management and control of programmes to be carried out [...] by electronic data exchange.</p>		
	<p><b><u>These elements shall not be subject to approval by Commission decision except, in cases where a Member State has made use of the provisions of Article 87(8), for the elements requiring a Commission decision under Article 87(10).</u></b></p> <p>Note: this paragraph was inserted at the end of Article 14 (2) and refers to all elements of subparagraphs <b>a</b> and <b>b</b> as amended by the Council</p>		

<p style="text-align: center;"><i>Article 15</i></p> <p style="text-align: center;"><b>Adoption and amendment of the Partnership Contract</b></p>	<p style="text-align: center;"><i>Article 15</i></p> <p style="text-align: center;"><b>Adoption and amendment of the Partnership <u>Agreement</u></b></p>		<p style="text-align: center;"><i>Article 15</i></p> <p style="text-align: center;"><b>Adoption and amendment of the Partnership Agreement</b></p>
<p>1. The Commission shall assess the consistency of the Partnership Contract with this Regulation, with the Common Strategic Framework, and the country-specific recommendations under Article 121(2) of the Treaty and the Council recommendations adopted under 148(4) of the Treaty, taking account of the <i>ex ante</i> evaluations of the programmes, and shall make observations within three months of the date of submission of the Partnership Contract. The Member State shall provide all necessary additional information and, where appropriate, shall revise the Partnership Contract.</p>	<p>1. The Commission shall assess the consistency of the Partnership <b><u>Agreement</u></b> with this Regulation [...] taking account of <b><u>the national reform programme, where appropriate, and the relevant country-specific recommendations adopted in accordance with Article 121(2) of the Treaty on the Functioning of the European Union and relevant Council recommendations adopted in accordance with article 148(4) of the Treaty on the Functioning of the European Union, as well as</u></b> of the <i>ex ante</i> evaluations of the programmes, and shall make observations within three months of the date of submission <b><u>by the Member State</u></b> of the Partnership <b><u>Agreement</u></b>. The Member State shall provide all necessary additional information and, where appropriate, shall revise the Partnership <b><u>Agreement</u></b>.</p>	<p><b>Amendment 43: Part 2 – article 15 – paragraph 1</b></p> <p>1. The Commission shall assess the consistency of the Partnership Contract with this Regulation, with the <i>National Reform Programmes</i>, taking account of the <i>ex ante</i> evaluations of the programmes, and shall make observations within three months of the date of submission of the Partnership Contract. The Member State shall provide all necessary additional information and, where appropriate, shall revise the Partnership Contract.</p>	<p>1. The Commission shall assess the consistency of the Partnership <b>Agreement</b> with this Regulation taking account of <b>the national reform programme, where appropriate, and the relevant country-specific recommendations adopted in accordance with Article 121(2) of the Treaty on the Functioning of the European Union and relevant Council recommendations adopted in accordance with article 148 (4) of the Treaty on the Functioning of the European Union, as well as</b> of the <i>ex-ante</i> evaluations of the programmes, and shall make observations within three months of the date of submission <b>by the Member State</b> of the Partnership <b>Agreement</b>. The Member State shall provide all necessary additional information and, where appropriate, shall revise the Partnership <b>Agreement</b>.</p>

<p>2. The Commission shall adopt a decision, by means of implementing acts, approving the Partnership Contract no later than six months after its submission by the Member State, provided that any observations made by the Commission have been satisfactorily taken into account. The Partnership Contract shall not enter into force before 1 January 2014.</p>	<p>2. The Commission shall adopt a decision, by means of implementing acts, approving the <b><u>elements of the Partnership Agreement falling under paragraph 1 of Article 14 and under paragraph 2 of Article 14 in cases where a Member State has made use of the provisions of Article 87(8), for the elements requiring a Commission decision under Article 87(10)</u></b> no later than <b><u>four</u></b> months after its submission by the Member State, provided that any observations made by the Commission have been <b><u>adequately</u></b> taken into account. The Partnership <b><u>Agreement</u></b> shall not enter into force before 1 January 2014.</p>	<p><b>Amendment 44: Part 2 – article 15 – paragraph 2</b></p> <p>2. The Commission shall adopt a decision, by means of implementing acts, approving the Partnership Contract no later than six months after its submission by the Member State, provided that any observations made by the Commission have been satisfactorily taken into account. <i>Competent regional and local authorities as referred to in Article 5(1), may, within this timeframe, notify the Commission, where significant aspects of partnership have been incorrectly implemented in the preparation of the Partnership Contract.</i> The Partnership Contract shall not enter into force before 1 January 2014.</p>	<p>2. The Commission shall adopt a decision, by means of implementing acts, approving the <b><u>elements of the Partnership Agreement falling under paragraph 1 of Article 14 and under paragraph 2 of Article 14 in cases where a Member State has made use of the provisions of Article 87(8), for the elements requiring a Commission decision under Article 87(10)</u></b> no later than <b><u>four</u></b> months after its submission by the Member State, provided that any observations made by the Commission have been <b><u>adequately</u></b> taken into account. The Partnership <b><u>Agreement</u></b> shall not enter into force before 1 January 2014.</p>
		<p><b>Amendment 45: Part 2 – article 15 – paragraph 2 a (new)</b></p> <p><i>2a. The Commission shall prepare a Communication on the outcome of the negotiations concerning the Partnership Contracts and the programmes, including a detailed overview, per Member State, by 31 December 2016. This Communication shall be submitted to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions simultaneously.</i></p>	<p><b><u>2a. The Commission shall prepare a Report on the outcome of the negotiations concerning the Partnership Agreements and the programmes, including an overview of the key issues, for each Member State, by 31 December 2015. This Report shall be submitted to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions simultaneously.</u></b></p>

<p>3. Where a Member State proposes an amendment to the Partnership Contract, the Commission shall carry out an assessment in accordance with paragraph 1 and, where appropriate, shall adopt a decision, by means of implementing acts, approving the amendment.</p>	<p>3. Where a Member State proposes an amendment to <b><u>the elements of the Partnership Agreement covered by the Commission's decision as referred to in paragraph 2</u></b>, the Commission shall carry out an assessment in accordance with paragraph 1 and, where appropriate, shall adopt a decision, by means of implementing acts, approving the amendment <b><u>within three months of its submission by the Member State</u></b>.</p>	<p><b>Amendment 46: Part 2 – article 15 – paragraph 3</b></p> <p>3. Where a Member State proposes an amendment to the Partnership Contract, the Commission shall carry out an assessment in accordance with paragraph 1 and, where appropriate, shall adopt a decision, by means of implementing acts, approving the amendment, <i>within three months of its submission by the Member State at the latest</i>.</p>	<p>3. Where a Member State proposes an amendment to <b>the elements of the Partnership Agreement covered by the Commission's decision as referred to in paragraph 2</b>, the Commission shall carry out an assessment in accordance with paragraph 1 and, where appropriate, shall adopt a decision, by means of implementing acts, approving the amendment <b>within three months of its submission by the Member State</b>.</p>
	<p><b>4. Where a Member State amends <u>elements of the Partnership Agreement not covered by the Commission decision as referred to in paragraph 2</u>, it shall notify the Commission thereof within one month of the date of the decision of the amendment.</b></p>		<p><b>4. Where a Member State amends elements of the Partnership Agreement not covered by the Commission decision as referred to in paragraph 2, it shall notify the Commission thereof within one month of the date of the decision of the amendment.</b></p>
<p><b>TITLE III - PROGRAMMING</b> <b>CHAPTER I - General provisions on the CSF Funds</b></p>			
<p><i>Article 23</i> <b>Preparation of programmes</b></p>	<p><i>Article 23</i> <b>Preparation of programmes</b></p>		<p><i>Article 23</i> <b>Preparation of programmes</b></p>
<p>1. The CSF Funds shall be implemented through programmes in accordance with the Partnership Contract. Each programme shall cover the period from 1 January 2014 to 31 December 2020.</p>	<p>1. The CSF Funds shall be implemented through programmes in accordance with the Partnership <b>Agreement</b>. Each programme shall cover the period from 1 January 2014 to 31 December 2020.</p>		<p>1. The CSF Funds shall be implemented through programmes in accordance with the Partnership <b>Agreement</b>. Each programme shall cover the period from 1 January 2014 to 31 December 2020.</p>

<p>2. Programmes shall be drawn up by Member States or any authority designated by them, in cooperation with the partners.</p>	<p>2. Programmes shall be drawn up by Member States or any authority designated by them, in cooperation with the partners <b><u>referred to in Article 5.</u></b></p>	<p><b>Amendment 60: Part 2 – article 23 – paragraph 2</b>  2. <b><i>Following a public consultation</i></b> programmes shall be drawn up by Member States or any authority designated by them, in cooperation with the partners, <b><i>as referred to in Article 5 and on the basis the European Code of Conduct, prior to their submission to the Commission.</i></b></p>	<p>2. Programmes shall be drawn up by Member States or any authority designated by them, in cooperation with the partners <b><u>referred to in Article 5. Member States shall draw up the programmes following transparent procedures in relation to the public, in accordance with their institutional and legal framework.</u></b></p>
		<p><b>Amendment 61: Part 2 – article 23 – paragraph 2 a (new)</b>  <b><i>2a. The Commission shall support the preparation and implementation of multi-fund programmes (ERDF, ESF, Cohesion Fund, EAFRD, EMFF), subject to the proportionality principle.</i></b></p>	<p><b><u>2a The Member States and the Commission shall cooperate to ensure effective coordination in the preparation and implementation of programmes for the different CSF funds, including, where appropriate, multi-fund programmes for the Funds covered by Part III of this Regulation, taking account of the proportionality principle.</u></b></p>
<p>3. Programmes shall be submitted by the Member States at the same time as the Partnership Contract, with the exception of European territorial cooperation programmes, which shall be submitted within six months of the approval of the Common Strategic Framework. All programmes shall be accompanied by the <i>ex ante</i> evaluation as set out in Article 48.</p>	<p>3. Programmes shall be submitted by the Member States at the same time as the Partnership <b><u>Agreement [...] or at the latest three months after. European territorial cooperation programmes shall be submitted within nine months of the entry into force of this Regulation.</u></b> All programmes shall be accompanied by the <i>ex ante</i> evaluation as set out in Article 48.</p>	<p><b>Amendment 62: Part 2 – article 23 – paragraph 3</b>  3. Programmes shall be submitted by the Member States <b><i>within three months of the adoption by the European Commission of the Partnership Contract</i></b>, with the exception of European territorial cooperation programmes, which shall be submitted within <i>nine</i> months of the <b><i>entry into force of this Regulation</i></b>. All programmes shall be accompanied by the <i>ex ante</i> evaluation as set out in Article 48.</p>	<p>3. Programmes shall be submitted by the Member States <b>at the latest three months following the submission of the Partnership Agreement. European territorial cooperation programmes shall be submitted within nine months of the entry into force of this Regulation.</b> All programmes shall be accompanied by the <i>ex ante</i> evaluation as set out in Article 48.</p>

<i>Article 24</i> <b>Content of programmes</b>	<i>Article 24</i> <b>Content of programmes</b>		<i>Article 24</i> <b>Content of programmes</b>
<p>1. Each programme shall set out a strategy for the programme's contribution to the Union strategy for smart, sustainable and inclusive growth consistent with the Common Strategic Framework and Partnership Contract.</p> <p>Each programme shall include the arrangements to ensure effective, efficient and coordinated implementation of the CSF Funds and actions to achieve a reduction of administrative burden for beneficiaries.</p>	<p>1. Each programme shall set out a strategy for the programme's contribution to the Union strategy for smart, sustainable and inclusive growth consistent with the Common Strategic Framework and Partnership <b>Agreement</b>.</p> <p>Each programme shall include the arrangements to ensure effective, efficient and coordinated implementation of the CSF Funds and actions to achieve a reduction of administrative burden for beneficiaries.</p>	<p><b>Amendment 63: Part 2 – article 24 – paragraph 1</b></p> <p>1. Each programme shall set out a strategy for the programme's contribution to the Union strategy for smart, sustainable and inclusive growth. <i>That strategy shall be</i> consistent with the <i>provisions set out in this Regulation</i> and <i>with the content of the</i> Partnership Contract.</p> <p>Each programme shall include the arrangements, <i>for example in terms of</i>, to ensure effective, efficient and coordinated implementation of the Funds <i>covered by the CPR</i> and actions to achieve a reduction of administrative burden for beneficiaries.</p>	<p>1. Each programme shall set out a strategy for the programme's contribution to the Union strategy for smart, sustainable and inclusive growth consistent <b><u>with the provisions set out in this Regulation, the Fund – specific rules, and with the content of the</u></b> Partnership <b>Agreement</b>.</p> <p>Each programme shall include the arrangements to ensure effective, efficient and coordinated implementation of the CSF Funds and actions to achieve a reduction of administrative burden for beneficiaries.</p>
<p>2. Each programme shall define priorities setting out specific objectives, financial appropriations of support from the CSF Funds and corresponding national co-financing.</p>	<p>2. Each programme shall define priorities setting out specific objectives, financial appropriations of support from the CSF Funds and corresponding national co-financing.</p>	<p><b>Amendment 64: Part 2 – article 24 – paragraph 2</b></p> <p>2. Each programme shall define priorities setting out specific objectives, financial appropriations of support from the Funds <i>covered by the CPR</i> and <i>the</i> corresponding <i>public and private</i> national co-financing.</p>	<p>2. Each programme shall define priorities setting out specific objectives, financial appropriations of support from the CSF Funds and corresponding national co-financing, <b><u>which may be public or private in accordance with Fund-specific rules.</u></b></p>
		<p><b>Amendment 65: Part 2 – article 24 – paragraph 2 a (new)</b></p> <p><i>2 a. Where Member States and regions participate in macro-regional strategies or sea basin strategies, the programme shall be coordinated with those strategies, in accordance with the Partnership Contract.</i></p>	<p><b><u>2a. Where Member States and regions participate in macro-regional strategies or sea basin strategies, the relevant programme, in accordance with the needs of the programmes area as identified by the Member State, shall set out the contribution of the planned interventions to those strategies.</u></b></p>

<p>3. Each priority shall set out indicators to assess progress of programme implementation towards achievement of objectives as the basis for monitoring, evaluation and review of performance. These shall include:</p> <p>(a) financial indicators relating to expenditure allocated;</p> <p>(b) output indicators relating to the operations supported;</p> <p>(c) result indicators relating to the priority.</p>	<p>3. Each priority shall set out indicators to assess progress of programme implementation towards achievement of objectives as the basis for monitoring, evaluation and review of performance. These shall include:</p> <p>(a) financial indicators relating to expenditure allocated;</p> <p>(b) output indicators relating to the operations supported;</p> <p>(c) result indicators relating to the priority.</p>	<p><b>Amendment 66: Part 2 – article 24 – paragraph 3</b></p> <p>3. Each priority shall set out <i>measurable</i> indicators to assess progress of programme implementation towards achievement of objectives as the basis for monitoring, evaluation and review of performance. <i>The indicators</i> shall include:</p> <p>(a) financial indicators relating to expenditure allocated;</p> <p>(b) output indicators relating to the operations supported;</p> <p>(c) result indicators relating to the priority.</p>	<p>3. Each priority shall set out indicators <b><u>and corresponding targets expressed in qualitative or quantitative terms, in accordance with Fund-specific rules</u></b>, to assess progress of programme implementation towards achievement of objectives as the basis for monitoring, evaluation and review of performance. These shall include:</p> <p>(a) financial indicators relating to expenditure allocated;</p> <p>(b) output indicators relating to the operations supported;</p> <p>(c) result indicators relating to the priority.</p>
		<p><i>(ca) where appropriate, indicators related to the programme's contribution to macro regional strategies and sea basins strategies.</i></p>	<p><b>Note:</b> <i>Appropriate reference will be inserted in Article 101: Content of the annual implementation report. To be tackled in the context of Monitoring Bloc.</i></p>
<p>For each CSF Fund, the Fund-specific rules shall set out common indicators and may provide for programme-specific indicators.</p>	<p>For each CSF Fund, the Fund-specific rules shall set out common indicators and may provide for programme-specific indicators.</p>	<p>For each Fund <i>covered by the CPR</i>, the Fund-specific rules shall set out <i>provisions related to</i> common indicators and may provide for programme-specific indicators.</p>	<p>For each CSF Fund, the Fund-specific rules shall set out common indicators <b><u>and may set out provisions related to</u></b> programme-specific indicators.</p>
<p>4. Each programme, except those which cover exclusively technical assistance, shall include a description of the actions to take into account the principles set out in Articles 7 and 8.</p>	<p>4. Each programme, except those which cover exclusively technical assistance, shall include a description of the actions <b><u>in accordance with the Fund-specific rules</u></b> to take into account the principles set out in Articles 7 and 8.</p>	<p><b>Amendment 67: Part 2 – article 24 – paragraph 4</b></p> <p>4. Each programme, except those which cover exclusively technical assistance, shall <i>also</i> include <i>the actions taken to involve the partners, as referred to in Article 5, at all stages of the preparation, implementation, evaluation and monitoring of the programme, and</i> a description of the actions to take into account the principles set out in Articles 7 and 8.</p>	<p>4. Each programme, except those which cover exclusively technical assistance, shall include a description of the actions <b><u>in accordance with the Fund-specific rules</u></b> to take into account the principles set out in Articles <b><u>5</u></b>, 7 and 8.</p>



<p>5. Each programme, except those where technical assistance is undertaken under a specific programme, shall set out the indicative amount of support to be used for climate change objectives.</p> <p>6. Member States shall draft the programme in accordance with the Fund-specific rules.</p>	<p>5. Each programme, except those where technical assistance is undertaken under a specific programme, shall set out the indicative amount of support to be used for climate change objectives.</p> <p>6. Member States shall draft the programme in accordance with the Fund-specific rules.</p>	<p><b>Amendment 68: Part 2 – article 24 – paragraph 5</b></p> <p>5. Each programme, except those where technical assistance is undertaken under a specific programme, shall set out the indicative amount of support to be used for climate change objectives, <i>based on the categories of interventions in the respective programme.</i></p>	<p>5. Each programme, except those where technical assistance is undertaken under a specific programme, shall set out the indicative amount of support to be used for climate change objectives, <b><u>based on the methodology referred to in Article 8.</u></b></p> <p>6. Member States shall draft the programme in accordance with the Fund-specific rules.</p>
<p style="text-align: center;"><i>Article 25</i></p> <p style="text-align: center;"><b>The procedure for adoption of programmes</b></p>	<p style="text-align: center;"><i>Article 25</i></p> <p style="text-align: center;"><b>The procedure for adoption of programmes</b></p>		<p style="text-align: center;"><i>Article 25</i></p> <p style="text-align: center;"><b>The procedure for adoption of programmes</b></p>
<p>1. The Commission shall assess the consistency of programmes with this Regulation, the Fund-specific rules, their effective contribution to the thematic objectives and the Union priorities specific to each CSF Fund, the Common Strategic Framework, the Partnership Contract, the country-specific recommendations under Article 121(2) of the Treaty and the Council recommendations adopted under 148(4) of the Treaty, taking account of the <i>ex ante</i> evaluation. The assessment shall address, in particular, the adequacy of the programme strategy, the corresponding objectives, indicators, targets and the allocation of budgetary resources.</p>	<p>1. The Commission shall assess the consistency of programmes with this Regulation <b><u>and with</u></b> the Fund-specific rules, their effective contribution to the <b><u>selected</u></b> thematic objectives and <b><u>to</u></b> the Union priorities specific to each CSF Fund, [...] and <b><u>also</u></b> the Partnership <b><u>Agreement</u></b>, [...] taking account of <b><u>the relevant country-specific recommendations adopted in accordance with Article 121(2) of the Treaty on the Functioning of the European Union and relevant</u></b> Council recommendations <b><u>adopted in accordance with article 148(4) of the Treaty on the Functioning of the European Union as well as</u></b> of the <i>ex ante</i> evaluation. The assessment shall address, in particular, the adequacy of the programme strategy, the corresponding objectives, indicators, targets and the allocation of budgetary resources.</p>	<p><b>Amendment 69: Part 2 – article 25 – paragraph 1</b></p> <p>1. The Commission shall assess the consistency of programmes <b><i>and their coherence with the provisions set out in the CSF contained in Annex X to this Regulation</i></b>, the Fund-specific rules, their effective contribution to the thematic objectives and the Union priorities specific to each Fund <b><i>covered by the CPR, with the content of</i></b> the Partnership Contract, <b><i>the National Reform Programmes</i></b>, taking account of the <i>ex ante</i> evaluation. The assessment shall address, in particular, the adequacy of the programme strategy, the corresponding objectives, indicators, targets and the allocation of budgetary resources.</p>	<p>1. The Commission shall assess the consistency of programmes with this Regulation <b>and with</b> the Fund-specific rules, their effective contribution to the <b>selected</b> thematic objectives and <b>to</b> the Union priorities specific to each CSF Fund, and <b>also</b> the Partnership <b>Agreement</b>, taking account of <b>the relevant country-specific recommendations adopted in accordance with Article 121(2) of the Treaty on the Functioning of the European Union and relevant</b> Council recommendations <b>adopted in accordance with article 148(4) of the Treaty on the Functioning of the European Union as well as</b> of the <i>ex ante</i> evaluation. The assessment shall address, in particular, the adequacy of the programme strategy, the corresponding objectives, indicators, targets and the allocation of budgetary resources.</p>

<p>2. The Commission shall make observations within three months of the date of submission of the programme. The Member State shall provide to the Commission all necessary additional information and, where appropriate, revise the proposed programme.</p>	<p>2. The Commission shall make observations within three months of the date of submission of the programme. The Member State shall provide to the Commission all necessary additional information and, where appropriate, revise the proposed programme.</p>	<p><b>Amendment 70: Part 2 – article 25 – paragraph 2</b></p> <p>2. The Commission shall make observations within <i>two</i> months of the date of submission of the programme. The Member State shall provide to the Commission all necessary additional information and, where appropriate, revise the proposed programme <i>within two months</i>.</p>	<p>2. The Commission shall make observations within three months of the date of submission of the programme. The Member State shall provide to the Commission all necessary additional information and, where appropriate, revise the proposed programme.</p>
<p>3. In accordance with the Fund-specific rules, the Commission shall approve each programme no later than six months following its formal submission by the Member State(s), provided that any observations made by the Commission have been satisfactorily taken into account, but not before 1 January 2014 or before adoption by the Commission of a decision approving the Partnership Contract.</p>	<p>3. In accordance with the Fund-specific rules, the Commission shall approve each programme no later than six months following its formal submission by the Member State(s), provided that any observations made by the Commission have been <b>adequately</b> taken into account, but not before 1 January 2014 or before adoption by the Commission of a decision approving the Partnership <b>Agreement</b>. <b><u>The condition concerning the decision approving the Partnership Agreement does not apply to programmes under the European territorial cooperation goal.</u></b></p>	<p><b>Amendment 71: Part 2 – article 25 – paragraph 3</b></p> <p>3. In accordance with the Fund-specific rules, the Commission shall approve each programme no later than <i>five</i> months following its formal submission by the Member State(s), provided that any observations made by the Commission have been satisfactorily taken into account, but not before 1 January 2014 or before adoption by the Commission of a decision approving the Partnership Contract.</p>	<p>3. In accordance with the Fund-specific rules, the Commission shall approve each programme no later than six months following its formal submission by the Member State(s), provided that any observations made by the Commission have been <b>adequately</b> taken into account, but not before 1 January 2014 or before adoption by the Commission of a decision approving the Partnership <b>Agreement</b>. <b><u>By derogation to the above, programmes under the European territorial cooperation goal may be approved by the Commission before the adoption of the decision approving the Partnership Agreement.</u></b></p>

<i>Article 26</i> <b>Amendment of programmes</b>	<i>Article 26</i> <b>Amendment of programmes</b>		<i>Article 26</i> <b>Amendment of programmes</b>
<p>1. Requests for amendment of programmes submitted by a Member State shall be duly substantiated and shall in particular set out the expected impact of the changes to the programme on achieving the Union strategy for smart, sustainable and inclusive growth and the specific objectives defined in the programme, taking account of the Common Strategic Framework and the Partnership Contract. They shall be accompanied by the revised programme and, where appropriate, a revised Partnership Contract.</p> <p>In the case of amendment of programmes under the European territorial cooperation goal, the relevant Partnership Contract shall not be amended.</p>	<p>1. Requests for amendment of programmes submitted by a Member State shall be duly substantiated and shall in particular set out the expected impact of the changes to the programme on achieving the Union strategy for smart, sustainable and inclusive growth and the specific objectives defined in the programme, taking account of the Common Strategic Framework and the Partnership <b>Agreement</b>. They shall be accompanied by the revised programme [...].</p> <p>[...]</p>	<p><b>Amendment 72: Part 2 – article 26 – paragraph 1</b></p> <p>1. Requests for amendment of programmes submitted by a Member State shall be duly substantiated and shall in particular set out the expected impact of the changes to the programme <i>with regard to</i> achieving the Union strategy for smart, sustainable and inclusive growth, <i>sustainable development</i> and the specific objectives defined in the programme, taking account of <i>this Regulation</i> and the Partnership Contract. <i>Such requests shall be prepared in accordance with Article 5 and</i> shall be accompanied by the revised programme and, where appropriate, a revised Partnership Contract.</p>	<p>1. Requests for amendment of programmes submitted by a Member State shall be duly substantiated and shall in particular set out the expected impact of the changes to the programme on achieving the Union strategy for smart, sustainable and inclusive growth and the specific objectives defined in the programme, taking account of <b><u>this Regulation and Fund-specific rules, the horizontal principles, in accordance with Articles 5, 7 and 8 as well as</u></b> and the Partnership <b>Agreement</b>. They shall be accompanied by the revised programme.</p> <p>[...]</p>

<p>2. The Commission shall assess the information provided in accordance with paragraph 1, taking account of the justification provided by the Member State. The Commission may make observations and the Member State shall provide to the Commission all necessary additional information. In accordance with Fund-specific rules, the Commission shall approve requests for amendment of a programme no later than five months after their formal submission by the Member State provided that any observations made by the Commission have been satisfactorily taken into account. The Commission shall, where necessary, amend at the same time the decision approving the Partnership Contract in accordance with Article 15(3).</p>	<p>2. The Commission shall assess the information provided in accordance with paragraph 1, taking account of the justification provided by the Member State. The Commission may make observations <b><u>within one month following the formal submission of the revised programme</u></b> and the Member State shall provide to the Commission all necessary additional information. In accordance with Fund-specific rules, the Commission shall approve requests for amendment of a programme <b><u>as soon as possible but</u></b> no later than <b><u>three</u></b> months after their formal submission by the Member State provided that any observations made by the Commission have been <b><u>adequately</u></b> taken into account. [...].</p> <p><b><u>Where the amendment of a programme affects the information provided in the Partnership Agreement in accordance with Article 14(1)(a)(iii), (iv), (vi), the approval of the amendment of the programme by the Commission shall at the same time constitute an approval for the consequential revision of the information in the Partnership Agreement.</u></b></p>	<p><b>Amendment 73: Part 2 – article 26 – paragraph 2</b></p> <p>2. The Commission shall assess the information provided in accordance with paragraph 1, taking account of the justification provided by the Member State. The Commission may make observations and the Member State shall provide to the Commission all necessary additional information. In accordance with Fund-specific rules, the Commission shall approve requests for amendment of a programme no later than <b><i>two</i></b> months after their formal submission by the Member State provided that any observations made by the Commission have been satisfactorily taken into account. The Commission shall, where necessary, amend at the same time the decision approving the Partnership Contract in accordance with Article 15(3).</p>	<p>2. The Commission shall assess the information provided in accordance with paragraph 1, taking account of the justification provided by the Member State. The Commission may make observations <b><u>within one month following the formal submission of the revised programme</u></b> and the Member State shall provide to the Commission all necessary additional information. In accordance with Fund-specific rules, the Commission shall approve requests for amendment of a programme <b><u>as soon as possible but</u></b> no later than <b><u>three</u></b> months after their formal submission by the Member State provided that any observations made by the Commission have been <b><u>adequately</u></b> taken into account.</p> <p><b>Where the amendment of a programme affects the information provided in the Partnership Agreement in accordance with Article 14(1) (a) (iii), (iv), (vi), the approval of the amendment of the programme by the Commission shall at the same time constitute an approval for the consequential revision of the information in the Partnership Agreement.</b></p>
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<p style="text-align: center;"><i>Article 87</i></p> <p style="text-align: center;"><b>Content and adoption of operational programmes under the Investment for growth and jobs goal</b></p>	<p style="text-align: center;"><i>Article 87</i></p> <p style="text-align: center;"><b>Content, adoption <u>and amendment</u> of operational programmes under the Investment for growth and jobs goal</b></p>		<p style="text-align: center;"><i>Article 87</i></p> <p style="text-align: center;"><b><i>Content, adoption <u>and amendment</u> of operational programmes under the Investment for growth and jobs goal</i></b></p>
<p>1. An operational programme shall consist of priority axes. A priority axis shall concern one Fund for a category of region and shall correspond, without prejudice to Article 52, to a thematic objective and comprise one or more investment priorities of that thematic objective, in accordance with the Fund-specific rules. For the ESF, a priority axis may combine investment priorities from different thematic objectives set out in Article 9(8), (9), (10) and (11) in order to facilitate their contribution to other priority axes, in duly justified circumstances.</p>	<p>1. An operational programme shall consist of priority axes. A priority axis shall concern one Fund <b>and one</b> category of region, <b><u>except for the Cohesion Fund</u></b>, and shall correspond, without prejudice to Article 52, to a thematic objective and comprise one or more investment priorities of that thematic objective, in accordance with the Fund-specific rules. <b><u>In duly justified circumstances, a priority axis may where necessary to increase impact and effectiveness in a thematically coherent integrated approach to pursuing the objectives and targets of the Union strategy for smart, sustainable and inclusive growth:</u></b></p> <p><b><u>a. concern more than one category of region;</u></b></p> <p><b><u>b. combine one or more complementary investment priorities from the ERDF, CF and ESF under one thematic objective;</u></b></p> <p><b><u>c. combine one or more complementary investment priorities from different thematic objectives up to 20 % of the EU contribution to an operational programme;</u></b></p>	<p><b>Amendment 150: Part 3 – article 87 – paragraph 1</b></p> <p>1. An operational programme shall consist of priority axes. A priority axis <i>may</i> concern <b><i>one or more categories of region, or combine one or more complementary investment priorities from different thematic objectives and Funds</i></b>, in accordance with the Fund-specific rules.</p>	<p style="text-align: center;"><b>The Presidency compromise text for Article 87 is attached in Annex V</b></p>

	<p><b>d.</b> For the ESF [...] combine investment priorities from different thematic objectives set out in Article 9(8), (9), (10) and (11) in order to facilitate their contribution to other priority axes [...]. <b><u>Member States may combine two or more of the options (a)-(d).</u></b></p>		
<p>2. An operational programme shall set out:</p> <p>(a) a strategy for the operational programme's contribution to the Union strategy for smart, sustainable and inclusive growth, including:</p> <p>(i) an identification of needs addressing the challenges identified in the country-specific recommendations under Article 121(2) and the Council recommendations adopted under Article 148(4) of the Treaty, and taking into account the Integrated Guidelines and national and regional specificities;</p> <p>(ii) a justification of the choice of thematic objectives and corresponding investment priorities, having regard to the Partnership Contract and the results of the <i>ex ante</i> evaluation;</p>	<p>2. An operational programme shall set out:</p> <p>(a) [...] a justification of the choice of thematic objectives, corresponding investment priorities <b><u>and financial allocations</u></b> having regard to the Partnership <b><u>Agreement, (...)based on</u></b> an identification of <b><u>regional and, where appropriate, national</u></b> needs <b><u>including the needs to address</u></b> the challenges identified in the <b><u>relevant</u></b> country-specific recommendations [...] <b><u>adopted in accordance with</u></b> Article 121(2) and the <b><u>relevant</u></b> Council recommendations adopted [...] <b><u>in accordance with</u></b> Article 148(4) of the Treaty <b><u>on the Functioning of the European Union taking into account the ex ante evaluation.</u></b></p>	<p><b>Amendment 151: Part 3 – article 87 – paragraph 2 – point a</b></p> <p>(a) a strategy for the operational programme's contribution to <i>the achievement of economic, social and territorial cohesion and to the</i> Union strategy for smart, sustainable and inclusive growth, including:</p> <p>(i) an identification of needs addressing the challenges identified in the <i>National Reforms Programmes</i>, and taking into account <i>the Integrated Guidelines and</i> national and regional <i>specificities</i>;</p> <p>(ii) a justification of the choice of thematic objectives and corresponding investment priorities, having regard to the Partnership Contract and the results of the <i>ex ante</i> evaluation; <i>and taking into account, where appropriate, the development needs of the region</i>;</p>	
<p>(b) for each priority axis:</p>	<p>(b) for each priority axis <b><u>other than technical assistance</u></b>:</p>		
<p>(i) the investment priorities and corresponding specific objectives;</p>	<p>(i) the investment priorities and corresponding specific objectives;</p>		

<p>(ii) the common and specific output and result indicators, with where appropriate a baseline value and a quantified target value, in accordance with the Fund-specific rules;</p>	<p><u>The first part of the COM (ii) was moved to (2)(b)(iv) and amended as follows:</u></p> <p>the common and specific output (...) indicators, <b><u>including the quantified target value, which are expected to contribute to the results, in accordance with Fund-specific rules, for each investment priority;</u></b></p> <p><u>The second part of the COM (ii) was moved</u> to (2)(b)(ii) and amended as follows:</p> <p><b><u>in order to strengthen the result-orientation of the programming, the expected results for each specific objective, and the corresponding</u></b> result indicators, with a baseline value and a target value, <b><u>where appropriate quantified,</u></b> in accordance with the Fund-specific rules;</p>		
<p>(iii) a description of actions to be supported including the identification of the main target groups, specific territories targeted and types of beneficiaries where appropriate and the planned use of financial instruments;</p>	<p>(iii) a description <b><u>of the type and examples</u></b> of actions to be supported <b><u>under each investment priority and their expected contribution to the specific objectives referred to in point (i)</u></b> including <b><u>the guiding principles for the selection of operations and where appropriate,</u></b> the identification of main target groups, specific territories targeted and types of beneficiaries [...]and the planned use of financial instruments <b><u>and major projects;</u></b></p>		

<p>(iv) the corresponding categories of intervention based on a nomenclature adopted by the Commission by means of implementing acts in accordance with the examination procedure referred to Article 143(3) and an indicative breakdown of the programmed resources;</p>	<p><b><u>*Moved to part (2)(b)(vi)* and to part (2)(c)(v)</u></b>  the corresponding categories of intervention based on a nomenclature adopted by the Commission by means of implementing acts in accordance with the examination procedure referred to Article 143(3), and an indicative breakdown of the programmed resources;</p>		
	<p><b><u>NEW part (2)(c)</u></b>  <b><u>(c) For each priority axis concerning technical assistance:</u></b>  <b><u>(i) specific objectives;</u></b>  <b><u>(ii) the expected results for each specific objective, and, where objectively justified given the content of the actions, the corresponding result indicators, with a baseline value and a target value, in accordance with the Fund-specific rules;</u></b>  <b><u>(iii) a description of actions to be supported and their expected contribution to the specific objectives referred to in point (i);</u></b>  <b><u>(iv) the specific output indicators which are expected to contribute to the results.</u></b>  <b><u>(v) the corresponding categories of intervention based on a nomenclature adopted by the Commission by means of implementing acts in accordance with the examination procedure referred to Article 143(3), and an indicative breakdown of the programmed resources;</u></b></p>		



	<p><b><u>Point (ii) shall not apply where the Union contribution to the priority axis or axes concerning technical assistance in an operational programme does not exceed EUR 15.000.000.</u></b></p>		
<p>(c) the contribution to the integrated approach for territorial development set out in the Partnership Contract, including:</p>	<p>Moved to part (3)</p> <p><b><u>The Operational Programme shall describe, taking into account its content and objectives, [...] the integrated approach to territorial development [...], having regard to the Partnership Agreement, and showing how it contributes to the accomplishment of the Programme objectives and expected results, specifying, where appropriate, the following:</u></b></p>	<p><b>Amendment 152: Part 3 – article 87 – paragraph 2 – point c</b></p> <p>(c) the contribution to the integrated approach for territorial development set out in the Partnership Contract, including:</p>	
<p>(i) the mechanisms that ensure coordination between the Funds, the EAFRD, the EMFF and other Union and national funding instruments, and with the EIB;</p>	<p>Moved to NEW part (6)</p> <p><b><u>The Operational Programme shall also set out the following, having regard to the content of the Partnership Agreement and taking into account the Institutional Framework of the Member States:</u></b></p> <p><b>* Moved to part (6)(a)*</b> the mechanisms that ensure coordination between the Funds, the EAFRD, the EMFF and other Union and national funding instruments, and with the EIB;</p>	<p>(i) the mechanisms that ensure coordination between the Funds, the EAFRD, the EMFF, and other Union and national funding instruments, <i>inter alia CEF and LIFE</i>, and with the EIB;</p>	

<p>(ii) where appropriate, a planned integrated approach to the territorial development of urban, rural, coastal and fisheries areas and areas with particular territorial features, in particular the implementation arrangements for Articles 28 and 29;</p>	<p><b><u>NEW part (3)(c)</u></b></p> <p>[...]</p> <p><b><u>the approach to the use of the Integrated Territorial Investment instrument other than in cases covered by (b), and their indicative financial allocation from each priority axis;</u></b></p>	<p>(ii) where appropriate, a planned integrated approach to the territorial development of urban, rural, coastal, <i>mountain</i> and fisheries areas and areas with particular territorial features, in particular the implementation arrangements for Articles 28 and 29; <i>and the mechanisms contributing to Integrated Territorial Investments ('ITIs');</i></p>	
<p>(iii) the list of cities where integrated actions for sustainable urban development will be implemented, the indicative annual allocation of the ERDF support for these actions, including the resources delegated to cities for management under Article 7(2) of Regulation (EU) No [...] [ERDF] and the indicative annual allocation of ESF support for integrated actions;</p>	<p>Moved to part (3)(b)</p> <p>(...) the indicative (...) <b><u>amount</u></b> of the ERDF support for integrated actions for sustainable urban development [...], <b><u>to be implemented in accordance with the provisions</u></b> under Article 7(2) of Regulation (EU) No [ERDF] and the indicative [...] allocation of ESF support for integrated actions;</p>	<p>(iii) <i>an indicative</i> list of cities <i>or functional urban areas in accordance with the criteria laid down in point (ii) of Article 14(b)</i> where integrated actions for sustainable urban development <i>in accordance with Article 7</i> will be implemented, the indicative annual allocation of the ERDF support for these actions, including the resources delegated to cities for management under Article 7(2) of Regulation (EU) No [ERDF] and the indicative annual allocation of ESF support for integrated actions;</p>	
<p>(iv) the identification of the areas in which community-led local development will be implemented;</p>	<p>Moved to part(3)(a)</p> <p><b><u>the approach to the use of</u></b> community led local development <b><u>instruments and the principles for identifying the areas where it will be implemented;</u></b></p>	<p>(iv) the identification of the areas in which community-led local development will be implemented;</p>	
<p>(v) the arrangements for interregional and transnational actions with beneficiaries located in at least one other Member State;</p>	<p>Moved to part (3)(d)</p> <p>the arrangements for interregional and transnational actions with beneficiaries located in at least one other Member State;</p>	<p>(v) the arrangements for <i>cross-border</i>, interregional and transnational actions with beneficiaries located in at least one other Member State;</p>	

<p>(vi) where appropriate, the contribution of the planned interventions towards macro regional strategies and sea basin strategies;</p>	<p><u>Moved to part (3)(e)</u>          (...) the contribution of the planned interventions [...] <b>to</b> macro-regional strategies and sea-basin strategies <b><u>subject to the needs of the programme area as identified by the Member State.</u></b></p>	<p>(vi) the contribution of the planned interventions towards macro-regional strategies and sea basin strategies <b><i>in the event that Member States and regions participate in such strategies;</i></b></p>	
<p>(d) the contribution to the integrated approach set out in the Partnership Contract to address the specific needs of geographical areas most affected by poverty or target groups at highest risk of discrimination or exclusion, with special regard to marginalised communities, and the indicative financial allocation;</p>	<p><b><u>*Moved to NEW (4)*</u></b>   <b><u>In addition, the Operational Programme may, where appropriate, specify the following:</u></b>   <b><u>(a) the identification of whether and how it</u></b> addresses the specific needs of geographical areas most affected by poverty or target groups at highest risk of discrimination or exclusion, with special regard to marginalised communities, <b><u>where relevant the contribution to the integrated approach set out in the Partnership Agreement to this end;</u></b></p>	<p><b>Amendment 153: Part 3 – article 87 – paragraph 2 – point d</b>           (d) the contribution to the integrated approach <b><i>as</i></b> set out in the Partnership Contract to address <b><i>regional demographic challenges</i></b> <b><i>and</i></b> the specific needs of geographical areas most affected by poverty or target groups at highest risk of discrimination or exclusion, with special regard to marginalized communities <b><i>and persons with disabilities,</i></b> and the indicative financial allocation;</p>	
<p>(e) arrangements to ensure the effective implementation of the Funds, including:</p>	<p>[...]</p>	<p><b>Amendment 154: Part 3 – article 87 – paragraph 2 – point e</b>           (e) arrangements to ensure the effective implementation of the Funds, including:</p>	
<p>(i) a performance framework in accordance with Article 19(1);</p>	<p><u>Moved to part (2)(b)(v)</u>  <b><u>identification of implementation steps and financial and output indicators to act as milestones and targets for the</u></b> performance framework in accordance with Article 19(1) and annex I;</p>	<p>(i) a performance framework in accordance with Article 19(1);</p>	

<p>(ii) for each <i>ex ante</i> conditionality, established in accordance with Annex IV, that is not fulfilled at the date of submission of the Partnership Contract and operational programme, a description of the actions to fulfil the <i>ex ante</i> conditionality and a timetable for such actions;</p>	<p><u>Moved to (6)(b)</u> for each ex ante conditionality, established in accordance with <b>Article 17 and</b> Annex IV, that is not fulfilled at the date of submission of the Partnership <b>Agreement</b> and operational programme, a description of the actions to fulfil the ex ante conditionality, <b>the responsible bodies</b> and a timetable for such actions <b>where applicable in accordance with the summary submitted in the Partnership Agreement;</b></p>	<p>(ii) for each <b>relevant</b> <i>ex ante</i> conditionality, established in accordance with <b>Article 17 and</b> Annex IV, that is not fulfilled at the date of submission of <b>an</b> operational programme, a description of the actions to <b>be taken at national and regional level</b> and a timetable for <b>their implementation to ensure their fulfilment within two years of the adoption of the Partnership Contract, or by 31 December 2016 whichever is the earlier;</b></p>	
<p>(iii) the actions taken to involve the partners in the preparation of the operational programme, and the role of the partners in the implementation, monitoring and evaluation of the operational programme;</p>	<p><b>*Moved to part (5)(c)*</b> the actions taken to involve the partners <b>referred to in Article 5</b> in the preparation of the operational programme, and the role of the partners in the implementation, monitoring and evaluation of the operational programme;</p>	<p>(iii) the actions taken to involve the <b>relevant</b> partners in the preparation of the operational programme, and the role of the partners in the implementation, monitoring and evaluation of the operational programme;</p>	
<p>(f) arrangements to ensure the efficient implementation of the Funds, including:</p>	<p>[...]</p>	<p><b>Amendment 155: Part 3 – article 87 – paragraph 2 – point f</b> (f) arrangements to ensure the efficient implementation of the Funds, including:</p>	
<p>(i) the planned use of technical assistance including actions to reinforce the administrative capacity of authorities and beneficiaries with the relevant information referred to in paragraph 2 (b) for the priority axis concerned;</p>	<p><u>Moved to part (2)(b)(vii)</u> <b>where appropriate, a summary of</b> the planned use of technical assistance including actions to reinforce the administrative capacity of authorities and beneficiaries (...);</p>	<p>(i) the planned use of technical assistance including actions to reinforce the administrative capacity of authorities and beneficiaries with the relevant information referred to in paragraph 2 (b) for the priority axis concerned;</p>	

(ii) an assessment of the administrative burden for beneficiaries and the actions planned to achieve a reduction accompanied by targets;	<b><u>*Moved to part (6)(c)*</u></b> <b>a summary of the</b> assessment of the administrative burden for beneficiaries and the actions planned to achieve a reduction (...);	(ii) an assessment of the administrative burden for beneficiaries and the actions planned to achieve a reduction accompanied by targets <b>and deadlines</b> ;	
(iii) a list of major projects for which the estimated start date for the execution of the main works is before 1 January 2018;	<b><u>*Moved to part (2)(e)*</u></b> A list of major projects for which the <b><u>implementation is planned during the programming period</u></b> ;	(iii) a list of major projects for which the estimated start date for the execution of the main works is before 1 January 2018;	
(g) a financing plan containing two tables:	<u>Moved to (2)(d)</u> a financing plan containing two tables:	(g) a financing plan containing two tables:	
(i) a table specifying for each year, in accordance with Articles 53, 110 and 111, the amount of the total financial appropriation envisaged for the support from each of the Funds;	<u>Moved to part (2)(d)(i)</u> a table specifying for each year, in accordance with Articles 53, 110 and 111, the amount of the total financial appropriation envisaged for the support from each of the Funds;	<b>Amendment 156: Part 3 – article 87 – paragraph 2 – point g</b> (i) a table specifying for each year, in accordance with Articles 53, 110 and 111, the amount of the total financial appropriation envisaged for the support from each of the Funds;	

<p>(ii) a table specifying, for the whole programming period, for the operational programme and for each priority axis, the amount of the total financial appropriation of the support from the Funds and the national co-financing. Where the national co-financing is made up of public and private co-financing, the table shall give the indicative breakdown between the public and the private components. It shall show, for information purposes, the envisaged participation from the EIB;</p>	<p><u>Moved to part (2)(d)(ii)</u></p> <p>a table specifying, for the whole programming period, for the operational programme and for each priority axis, the amount of the total financial appropriation of the support from <b><u>each of</u></b> the Funds and the national cofinancing. <b><u>For priority axes, which concern several categories of region, the table shall specify the amount of total financial appropriation from the Funds and the national co-financing for each category of region.</u></b></p> <p><b><u>For priority axes, which combine investment priorities from different thematic objectives, the table shall specify the amount of total financial appropriation from each of the Funds and the national co-financing for each of the corresponding thematic objectives.</u></b> Where the national co-financing is made up of public and private co-financing, the table shall give the indicative breakdown between the public and the private components. It shall show, for information purposes, the envisaged participation from the EIB;</p>	<p>(ii) a table specifying, for the whole programming period, for the operational programme and for each priority axis, the amount of the total financial appropriation of the support from the Funds and the national co-financing. <i>For priority axes, which concern more than one category of region, the table shall specify the different amounts provided by each specific Fund and the respective co-financed amounts for each category of region. For priority axes, which combine investment priorities from different thematic objectives, the table shall specify the different amounts from the specific Funds and the respective co-financed amounts for each of the investment priorities.</i> Where the national co-financing is made up of public and private co-financing, the table shall give the indicative breakdown between the public and the private components. It shall show, for information purposes, the envisaged participation from the EIB;</p>	
<p>(h) the implementing provisions for the operational programme containing:</p>	<p>[...]</p>	<p><b>Amendment 157: Part 3 – article 87 – paragraph 2 – point h</b></p> <p>(h) the implementing provisions for the operational programme containing:</p>	

	<b>NEW (5)</b> <b>5. The Operational Programme shall identify:</b>		
(i) identification of the accrediting body, the managing authority, the certifying authority, where applicable, and the audit authority;	<b>*Moved to part (5)(a)*</b> [...] the managing authority, the certifying authority, where applicable, and the audit authority;	(i) identification of the <i>designated</i> body ( <i>under the provisions of the Financial Regulation</i> ), the managing authority, the certifying authority, where applicable, and the audit authority;	
(ii) identification of the body to which payments will be made by the Commission.	<b>*Moved to part (5)(b)*</b> (...) the body to which payments will be made by the Commission;	(ii) identification of the body to which payments will be made by the Commission.	
3. Each operational programme, except those where technical assistance is undertaken under a specific operational programme, shall include:	<b>*Moved to part (7)*</b> Each operational programme, except those where technical assistance is undertaken under a specific operational programme, shall, <b><u>subject to the Member State's assessment of their relevance to the content and objectives of the programmes</u></b> , include:		
(i) a description of specific actions to take into account environmental protection requirements, resource efficiency, climate change mitigation and adaptation, disaster resilience and risk prevention and management, in the selection of operations;	<b>*Moved to part (7)(a)*</b> a description of specific actions to take into account environmental protection requirements, resource efficiency, climate change mitigation and adaptation, disaster resilience and risk prevention and management, in the selection of operations;		

<p>(ii) a description of the specific actions to promote equal opportunities and prevent any discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation during the preparation, design and implementation of the operational programme and in particular in relation to access to funding, taking account of the needs of the various target groups at risk of such discrimination and in particular the requirements of ensuring accessibility for disabled persons;</p>	<p><b><u>*Moved to part (7)(b)*</u></b>  a description of the specific actions to promote equal opportunities and prevent any discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation during the preparation, design and implementation of the operational programme and in particular in relation to access to funding, taking account of the needs of the various target groups at risk of such discrimination and in particular the requirements of ensuring accessibility for disabled persons;</p>		
<p>(iii) a description of its contribution to the promotion of equality between men and women and, where appropriate, the arrangements to ensure the integration of gender perspective at operational programme and operation level.</p>	<p><b><u>*Moved to part (7)(c)*</u></b>  a description of its contribution to the promotion of equality between men and women and, where appropriate, the arrangements to ensure the integration of gender perspective at operational programme and operation level.</p>		
<p>Member States shall submit an opinion of the national equality bodies on the measures set out in points (ii) and (iii) with the proposal for an operational programme under the Investment for growth and jobs goal</p>	<p><b><u>*Moved to part (7)*</u></b>  Member States may submit an opinion of the national equality bodies on the measures set out in points <b>(b)</b> and <b>(c)</b> with the proposal for an operational programme under the Investment for growth and jobs goal.</p>		



	<p><b><u>NEW part (8)</u></b></p> <p><b><u>When a Member State prepares a maximum of one operational programme for each Fund, the elements of the operational programme falling under paragraphs 2(a), 3(a), (c) and (d), 4, and 6 of this Article may be incorporated solely under the relevant provisions of the Partnership Agreement.</u></b></p>		
<p>4. Member States shall draft the operational programme according to the model adopted by the Commission.</p> <p>The Commission shall adopt that model by means of implementing acts. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 143(2).</p>	<p><u>Moved to part (9)</u></p> <p>(...) The operational programme shall be prepared according to the model, <b><u>which shall be</u></b> adopted by the Commission, (...) by means of <b><u>an</u></b> implementing <b><u>act,</u></b> with advisory procedure <b><u>in accordance with</u></b> Article 143(2).</p>		

<p>5. The Commission shall adopt a decision approving the operational programme by means of implementing acts.</p>	<p><u>Moved to part (10)</u></p> <p>The Commission shall adopt a decision (...), by means of implementing acts, approving <b><u>all the elements (including any of its future amendments) of the operational programme falling under this Article, except those falling under paragraphs 2(b)(vi), 2 (e), 4, 5, 6(a), 6(c) and 7 of this Article, which remain under the responsibility of the Member States.</u></b></p>		
	<p><b><u>NEW part (11)</u></b></p> <p><b><u>Any decision amending the elements of the operational programme not covered by the Commission decision pursuant to paragraph 10 shall be notified by the managing authority to the Commission within one month of the date of the decision. The decision shall specify the date of its entry into force, which shall not be earlier than the date of its adoption.</u></b></p>		

<i>Article 93</i> <b>Scope</b>	<i>Article 93</i> <b>Scope</b>		<i>Article 93</i> <b>Scope</b>
<p>1. A joint action plan is an operation defined and managed in relation to the outputs and results which it will achieve. It comprises a group of projects, not consisting in the provision of infrastructure, carried out under the responsibility of the beneficiary, as part of an operational programme or programmes. The outputs and results of a joint action plan shall be agreed between the Member State and the Commission and shall contribute to specific objectives of the operational programmes and form the basis of support from the Funds. Results shall refer to direct effects of the joint action plan. The beneficiary shall be a public law body. Joint action plans shall not be considered as major projects.</p>	<p>1. A joint action plan is an operation defined and managed in relation to the outputs and results which it will achieve. It comprises <b>a project</b> or a group of projects, not consisting in the provision of infrastructure, carried out under the responsibility of the beneficiary, as part of an operational programme or programmes. The outputs and results of a joint action plan shall be agreed between the Member State and the Commission and shall contribute to specific objectives of the operational programmes and form the basis of support from the Funds. Results shall refer to direct effects of the joint action plan. The beneficiary shall be a public law body. Joint action plans shall not be considered as major projects.</p>	<p><b>Amendment 162: Part 3 – article 93 – paragraph 1</b></p> <p>1. A joint action plan is an operation defined and managed in relation to the outputs and results which it will achieve. It comprises a group of projects, not consisting in the provision of infrastructure, carried out under the responsibility of <b>a beneficiary or beneficiaries, such as local and regional authorities</b>, as part of an operational programme or programmes. The outputs and results of a joint action plan shall be agreed between the Member State and the Commission and shall contribute to specific objectives of the operational programmes and form the basis of support from the Funds. Results shall refer to direct effects of the joint action plan. The beneficiary shall be a public law body. Joint action plans shall not be considered as major projects.</p>	<p>1. A joint action plan is an operation <b>the scope of which is</b> defined and <b>is</b> managed in relation to the outputs and results which it will achieve. It comprises <b>a project</b> or a group of projects, not consisting in the provision of infrastructure, carried out under the responsibility of the beneficiary, as part of an operational programme or programmes. The outputs and results of a joint action plan shall be agreed between the Member State and the Commission and shall contribute to specific objectives of the operational programmes and form the basis of support from the Funds. Results shall refer to direct effects of the joint action plan The beneficiary shall be a public law body. Joint action plans shall not be considered as major projects.</p>
<p>2. The public support allocated to a joint action plan shall be a minimum of EUR 10 000 000 or 20 % of the public support of the operational programme or programmes, whichever is lower.</p>	<p>2. The public support allocated to a joint action plan shall be a minimum of EUR 10 000 000 or 20 % of the public support of the operational programme or programmes, whichever is lower. <b><u>The public support allocated to one joint action plan per Member State may be a minimum of EUR 5 000 000.</u></b></p>	<p><b>Amendment 163: Part 3 – article 93 – paragraph 2</b></p> <p>2. The public support allocated to a joint action plan shall be a minimum of EUR 5 000 000 or 20 % of the public support of the operational programme or programmes, whichever is lower.</p>	<p>2. The public <b>expenditure</b> allocated to a joint action plan shall be a minimum of EUR 10 000 000 or 20 % of the public support of the operational programme or programmes, whichever is lower. <b><u>For the purpose of undertaking a pilot project, the public expenditure allocated to one joint action plan for each operational programme may be reduced to EUR 5 000 000.</u></b></p>

<i>Article 94</i> <b>Preparation of joint action plans</b>	<i>Article 94</i> <b>Preparation of joint action plans</b>		<i>Article 94</i> <b>Preparation of joint action plans</b>
1. The Member State, the managing authority or any designated public law body may submit a proposal for a joint action plan at the same time as or subsequent to the submission of the operational programmes concerned. It shall contain all the elements referred to in Article 95.	1. The Member State, the managing authority or any designated public law body may submit a proposal for a joint action plan at the same time as or subsequent to the submission of the operational programmes concerned. It shall contain all the elements referred to in Article 95.		1. The Member State, the managing authority or any designated public law body may submit a proposal for a joint action plan at the same time as or subsequent to the submission of the operational programmes concerned. It shall contain all the elements referred to in Article 95.
2. A joint action plan shall cover part of the period between 1 January 2014 and 31 December 2022. The outputs and results of a joint action plan shall give rise to reimbursement only if attained after the date of the decision of approval of the joint action plan and before the end of the implementation period defined.	2. A joint action plan shall cover part of the period between 1 January 2014 and 31 December 2022. The outputs and results of a joint action plan shall give rise to reimbursement only if attained after the date of the decision of approval of the joint action plan and before the end of the implementation period defined.		2. A joint action plan shall cover part of the period between 1 January 2014 and 31 December 2022. The outputs and results of a joint action plan shall give rise to reimbursement only if attained after the date of the decision of approval of the joint action plan and before the end of the implementation period defined.
<i>Article 95</i> <b>Content of joint action plans</b>	<i>Article 95</i> <b>Content of joint action plans</b>		<i>Article 95</i> <b>Content of joint action plans</b>
The joint action plan shall contain: (1) an analysis of the development needs and objectives justifying the joint action plan, taking into account the objectives of the operational programmes and, where applicable, the country-specific recommendations and the broad guidelines of the economic policies of the Member States and of the Union under Article 121(2) and the Council recommendations which the Member States shall take into account in their employment policies under Article 148(4) of the Treaty;	The joint action plan shall contain: (1) an analysis of the development needs and objectives justifying the joint action plan, taking into account the objectives of the operational programmes and, where applicable, the country-specific recommendations and the broad guidelines of the economic policies of the Member States and of the Union under Article 121(2) and the Council recommendations which the Member States shall take into account in their employment policies under Article 148(4) of the Treaty;	<b><i>Amendment 164: Part 3 – article 95 – point 1</i></b> (1) an analysis of the development needs and objectives justifying the joint action plan, taking into account the objectives of the operational programmes and, where applicable, <b><i>an assessment of macro-regional strategies, sea basin strategies and the National Reform Programmes</i></b> ;	The joint action plan shall contain: (1) an analysis of the development needs and objectives justifying the joint action plan, taking into account the objectives of the operational programmes and, where applicable, the <b>relevant</b> country-specific recommendations and the broad guidelines of the economic policies of the Member States and of the Union under Article 121(2) and the <b>relevant</b> Council recommendations which the Member States shall take into account in their employment policies under Article 148(4) of the Treaty;

(2) the framework describing the relationship between the general and specific objectives of the joint action plan, the milestones and the targets for outputs and results, and the projects or types of projects envisaged;	(2) the framework describing the relationship between the general and specific objectives of the joint action plan, the milestones and the targets for outputs and results, and the projects or types of projects envisaged;		(2) the framework describing the relationship between the general and specific objectives of the joint action plan, the milestones and the targets for outputs and results, and the projects or types of projects envisaged;
(3) the common and specific indicators used to monitor outputs and results, where relevant, by priority axis;	(3) the common and specific indicators used to monitor outputs and results, where relevant, by priority axis;		(3) the common and specific indicators used to monitor outputs and results, where relevant, by priority axis;
(4) information on the geographic coverage and target groups of the joint action plan;	(4) information on the geographic coverage and target groups of the joint action plan;		(4) information on the geographic coverage and target groups of the joint action plan;
(5) the expected implementation period of the joint action plan;	(5) the expected implementation period of the joint action plan;		(5) the expected implementation period of the joint action plan;
(6) an analysis of the effects of the joint action plan on the promotion of equality between men and women and the prevention of discrimination;	(6) an analysis of the effects of the joint action plan on the promotion of equality between men and women and the prevention of discrimination;		(6) an analysis of the effects of the joint action plan on the promotion of equality between men and women and the prevention of discrimination;
(7) an analysis of the effects of the joint action plan on the promotion of sustainable development, where appropriate;	(7) an analysis of the effects of the joint action plan on the promotion of sustainable development, where appropriate;		(7) an analysis of the effects of the joint action plan on the promotion of sustainable development, where appropriate;
		<b>Amendment 165: Part 3 – article 95 – point 7 a (new)</b> <i>(7a) a 'state of play' of measures taken or planned in order to involve relevant partners referred to in Article 5 in the preparation , implementation and evaluation of operational programmes;</i>	
(8) the implementing provisions for the joint action plan, including the following:	(8) the implementing provisions for the joint action plan, including the following:		(8) the implementing provisions for the joint action plan, including the following:

(a) the designation of the beneficiary responsible for the implementation of the joint action plan, providing guarantees of its competence in the domain concerned as well as its administrative and financial management capacity;	a) the designation of the beneficiary responsible for the implementation of the joint action plan, providing guarantees of its competence in the domain concerned as well as its administrative and financial management capacity;		(a) the designation of the beneficiary responsible for the implementation of the joint action plan, providing guarantees of its competence in the domain concerned as well as its administrative and financial management capacity;
(b) the arrangements for steering the joint action plan, in accordance with Article 97;	b) the arrangements for steering the joint action plan, in accordance with Article 97;		(b) the arrangements for steering the joint action plan, in accordance with Article 97;
(c) the arrangements for monitoring and evaluating the joint action plan including arrangements ensuring the quality, collection and storage of data on the achievement of milestones, outputs and results;	c) the arrangements for monitoring and evaluating the joint action plan including arrangements ensuring the quality, collection and storage of data on the achievement of milestones, outputs and results;		(c) the arrangements for monitoring and evaluating the joint action plan including arrangements ensuring the quality, collection and storage of data on the achievement of milestones, outputs and results;
(d) the arrangements ensuring the dissemination of information and communication on the joint action plan and on the Funds;	d) the arrangements ensuring the dissemination of information and communication on the joint action plan and on the Funds;		(d) the arrangements ensuring the dissemination of information and communication on the joint action plan and on the Funds;
(9) the financial arrangements of the joint action plan, including the following:	(9) the financial arrangements of the joint action plan, including the following:		(9) the financial arrangements of the joint action plan, including the following:
(a) the costs of achieving milestones, outputs and result targets with reference to point (2), based on the methods set out in Article 57(4) and in Article 14 of the ESF Regulation;	(a) the costs of achieving milestones, outputs and result targets with reference to point (2), based on the methods set out in Article 57(4) and in Article 14 of the ESF Regulation;		(a) the costs of achieving milestones, outputs and result targets with reference to point (2), based on the methods set out in Article 57(4) <b>of this Regulation</b> and in Article 14 of the ESF Regulation;
(b) an indicative schedule of payments to the beneficiary linked to the milestones and targets;	(b) an indicative schedule of payments to the beneficiary linked to the milestones and targets;		(b) an indicative schedule of payments to the beneficiary linked to the milestones and targets;
(c) the financing plan by operational programme and priority axis, including the total eligible amount and the public support.	(c) the financing plan by operational programme and priority axis, including the total eligible amount and the public support.		(c) the financing plan by operational programme and priority axis, including the total eligible amount and the public <b>expenditure</b> .

<p>The format for the joint action plan shall be set up in accordance with the model adopted by the Commission, by means of implementing acts. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 143(2).</p>	<p>The format for the joint action plan shall be set up in accordance with the model adopted by the Commission, by means of implementing acts. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 143(2).</p>		<p>The format for the joint action plan shall be set up in accordance with the model adopted by the Commission, by means of implementing acts. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 143(2).</p>
<p><i>Article 96</i> <b>Decision on the joint action plan</b></p>	<p><i>Article 96</i> <b>Decision on the joint action plan</b></p>		<p><i>Article 96</i> <b>Decision on the joint action plan</b></p>
<p>1. The Commission shall appraise the joint action plan on the basis of the information referred to in Article 95 in order to determine whether support from the Funds is justified.</p>	<p>1. The Commission shall appraise the joint action plan on the basis of the information referred to in Article 95 in order to determine whether support from the Funds is justified.</p>		<p>1. The Commission shall appraise the joint action plan on the basis of the information referred to in Article 95 in order to determine whether support from the Funds is justified.</p>
<p>Where the Commission, within three months following the submission of a joint action plan proposal, considers that it does not meet the appraisal requirements, it shall make observations to the Member State. The Member State shall provide to the Commission all necessary additional information requested and, where appropriate, revise the joint action plan accordingly.</p>	<p>Where the Commission, within <b>two</b> months following the submission of a joint action plan proposal, considers that it does not meet the appraisal requirements, it shall make observations to the Member State. The Member State shall provide to the Commission all necessary additional information requested and, where appropriate, revise the joint action plan accordingly.</p>		<p>Where the Commission, within <b>two</b> months following the submission of a joint action plan proposal, considers that it does not meet the appraisal requirements, it shall make observations to the Member State. The Member State shall provide to the Commission all necessary additional information requested and, where appropriate, revise the joint action plan accordingly.</p>
<p>2. Provided that any observations have been satisfactorily taken into account, the Commission shall adopt a decision approving the joint action plan no later than 6 months after its submission by the Member State but not before the adoption of the operational programmes concerned.</p>	<p>2. Provided that any observations have been <b>adequately</b> taken into account, the Commission shall adopt a decision, <b>by means of an implementing act</b>, approving the joint action plan no later than <b>3</b> months after its submission by the Member State but not before the adoption of the operational programmes concerned.</p>		<p>2. Provided that any observations have been <b>adequately</b> taken into account, the Commission shall adopt a decision, <b>by means of an implementing act</b>, approving the joint action plan no later than <b>four</b> months after its submission by the Member State but not before the adoption of the operational programmes concerned.</p>

<p>3. The decision referred to in paragraph 2 shall indicate the beneficiary and the objectives of the joint action plan, the milestones and targets for outputs and results, the costs of achieving these milestones, outputs and result targets, and the financing plan by operational programme and priority axis, including the total eligible amount and the public contribution, the implementation period of the joint action plan and, where relevant, the geographical coverage and target groups of the joint action plan.</p>	<p>3. The decision referred to in paragraph 2 shall indicate the beneficiary and the objectives of the joint action plan, the milestones and targets for outputs and results, the costs of achieving these milestones, outputs and result targets, and the financing plan by operational programme and priority axis, including the total eligible amount and the public contribution, the implementation period of the joint action plan and, where relevant, the geographical coverage and target groups of the joint action plan.</p>		<p>3. The decision referred to in paragraph 2 shall indicate the beneficiary and the objectives of the joint action plan, the milestones and targets for outputs and results, the costs of achieving these milestones, outputs and result targets, and the financing plan by operational programme and priority axis, including the total eligible amount and the public contribution, the implementation period of the joint action plan and, where relevant, the geographical coverage and target groups of the joint action plan.</p>
<p>4. Where the Commission refuses to allow support from the Funds to be given to a joint action plan, it shall notify the Member State of its reasons within the period laid down in paragraph 2.</p>	<p>4. Where the Commission refuses, <b><u>by means of an implementing act,</u></b> to allow support from the Funds to be given to a joint action plan, it shall notify the Member State of its reasons within the period laid down in paragraph 2.</p>		<p>4. Where the Commission refuses, <b>by means of an implementing act,</b> to allow support from the Funds to be given to a joint action plan, it shall notify the Member State of its reasons within the period laid down in paragraph 2.</p>



<i>Article 97</i> <b>Steering Committee and amendment of the joint action plan</b>	<i>Article 97</i> <b>Steering Committee and amendment of the joint action plan</b>		<i>Article 97</i> <b>Steering Committee and amendment of the joint action plan</b>
<p>1. The Member State or the managing authority shall set up a steering committee for the joint action plan, distinct from the monitoring committee of the operational programmes. The steering committee shall meet at least twice a year.</p> <p>Its composition shall be decided by the Member State in agreement with the managing authority, respecting the principle of partnership.</p> <p>The Commission may participate in the work of the steering committee in an advisory capacity.</p>	<p>1. The Member State or the managing authority shall set up a steering committee for the joint action plan, distinct from the monitoring committee of the operational programmes. The steering committee shall meet at least twice a year.</p> <p>Its composition shall be decided by the Member State in agreement with the managing authority, respecting the principle of partnership.</p> <p>The Commission may participate in the work of the steering committee in an advisory capacity.</p>		<p>1. The Member State or the managing authority shall set up a steering committee for the joint action plan, distinct from the monitoring committee of the <b>relevant</b> operational programmes. The steering committee shall meet at least twice a year and shall <b>report to the managing authority. The managing authority shall inform the relevant Monitoring Committee of the results of the work carried by the Steering Committee and the progress of the implementation of the Joint Action Plan in accordance with Article 100 (1) (e) and 114 (2) (a).</b></p> <p>Its composition shall be decided by the Member State in agreement with <b>the relevant</b> managing authority, respecting the principle of partnership.</p> <p>The Commission may participate in the work of the steering committee in an advisory capacity.</p>
<p>2. The steering committee shall carry out the following activities:</p>	<p>2. The steering committee shall carry out the following activities:</p>	<p><b>Amendment 166: Part 3 – article 97 – paragraph 2</b></p> <p>2. The steering committee shall carry out the following activities:</p>	<p>2. The steering committee shall carry out the following activities:</p>
<p>(a) review progress towards achieving the milestones, outputs and results of the joint action plan;</p>	<p>a) review progress towards achieving the milestones, outputs and results of the joint action plan;</p>	<p>(a) review progress towards achieving the milestones, outputs and results of the joint action plan, <b>and transmit the results to the monitoring committee;</b></p>	<p>(a) review progress towards achieving the milestones, outputs and results of the joint action plan;</p>
<p>(b) consider and approve any proposal to amend the joint action plan in order to take account of any issues affecting its performance.</p>	<p>b) consider and approve any proposal to amend the joint action plan in order to take account of any issues affecting its performance.</p>	<p>(b) consider and approve any proposal to amend the joint action plan in order to take account of any issues affecting its performance, <b>and transmit the results to the monitoring committee.</b></p>	<p>(b) consider and approve any proposal to amend the joint action plan in order to take account of any issues affecting its performance.</p>

<p>3. Requests for amendment of joint action plans submitted by a Member State shall be duly substantiated. The Commission shall assess whether the request for amendment is justified, taking account of the information provided by the Member State. The Commission may make observations and the Member State shall provide to the Commission all necessary additional information. The Commission shall adopt a decision on a request for amendment no later than three months after its formal submission by the Member State, provided that any observations made by the Commission have been satisfactorily taken into account. The amendment shall enter into force from the date of the decision, unless otherwise set out in the decision.</p>	<p>3. Requests for amendment of joint action plans submitted by a Member State shall be duly substantiated. The Commission shall assess whether the request for amendment is justified, taking account of the information provided by the Member State. The Commission may make observations and the Member State shall provide to the Commission all necessary additional information. The Commission shall adopt a decision, <b>by means of an implementing act</b>, on a request for amendment no later than three months after its formal submission by the Member State, provided that any observations made by the Commission have been satisfactorily taken into account. The amendment shall enter into force from the date of the decision, unless otherwise set out in the decision.</p>		<p>3. Requests for amendment of joint action plans submitted by a Member State shall be duly substantiated. The Commission shall assess whether the request for amendment is justified, taking account of the information provided by the Member State. The Commission may make observations and the Member State shall provide to the Commission all necessary additional information. The Commission shall adopt a decision, <b>by means of an implementing act</b>, on a request for amendment no later than three months after its formal submission by the Member State, provided that any observations made by the Commission have been satisfactorily taken into account. The amendment shall enter into force from the date of the decision, unless otherwise set out in the decision.</p>
<p style="text-align: center;"><i>Article 98</i></p> <p style="text-align: center;"><b>Financial management and control of the joint action plan</b></p>	<p style="text-align: center;"><i>Article 98</i></p> <p style="text-align: center;"><b>Financial management and control of the joint action plan</b></p>		<p style="text-align: center;"><i>Article 98</i></p> <p style="text-align: center;"><b>Financial management and control of the joint action plan</b></p>
<p>1. Payments to the beneficiary of a joint action plan shall be treated as lump sums or standard scales of unit costs. The ceiling for lump sums set out in Article 57(1)(c) shall not apply.</p>	<p>1. Payments to the beneficiary of a joint action plan shall be treated as lump sums or standard scales of unit costs. The ceiling for lump sums set out in Article 57(1)(c) shall not apply.</p>		<p>1. Payments to the beneficiary of a joint action plan shall be treated as lump sums or standard scales of unit costs. The ceiling for lump sums set out in Article 57(1)(c) shall not apply.</p>
<p>2. The financial management, control and audit of the joint action plan shall aim exclusively at verifying that the conditions for payments defined in the decision approving the joint action plan have been fulfilled.</p>	<p>2. The financial management, control and audit of the joint action plan shall aim exclusively at verifying that the conditions for payments defined in the decision approving the joint action plan have been fulfilled.</p>		<p>2. The financial management, control and audit of the joint action plan shall aim exclusively at verifying that the conditions for payments defined in the decision approving the joint action plan have been fulfilled.</p>

<p>3. The beneficiary and bodies acting under its responsibility may apply their accounting practices for the costs of implementing operations. These accounting practices and the costs actually incurred by the beneficiary shall not be subject to audit by the audit authority or the Commission.</p>	<p>3. The beneficiary and bodies acting under its responsibility may apply their accounting practices for the costs of implementing operations. These accounting practices and the costs actually incurred by the beneficiary shall not be subject to audit by the audit authority or the Commission.</p>		<p>3. The beneficiary and bodies acting under its responsibility may apply their accounting practices for the costs of implementing operations. These accounting practices and the costs actually incurred by the beneficiary shall not be subject to audit by the audit authority or the Commission.</p>
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**Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the European Social Fund and repealing Regulation (EC) No 1081/2006**

**Presidency of the Council Compromise Text on Strategic Programming bloc**

ESF Regulation (Corrigendum adopted on 14/03/2012)	Partial General Approach (GAC of 24/04/2012 and 26/06/2012)	EP - EMPL Committee Report on ESF (5/07/2012)	Presidency Compromise Text
<b>Recitals</b>			<b>Recitals<sup>1</sup></b>
<p>(11) In accordance with Article 10 of the Treaty, the implementation of the priorities financed by the ESF should contribute to combating discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation. The ESF should support the fulfilment of the obligation under the UN Convention on the Rights of Persons with Disabilities with regard inter alia to education, work and employment and accessibility. The ESF should also promote the transition from institutional to community-based care.</p>			<p>(11) In accordance with Article 10 of the Treaty <b><u>on the Functioning of the EU</u></b>, the implementation of the priorities financed by the ESF should contribute to combating discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation. The ESF should support the fulfilment of the obligation under the UN Convention on the Rights of Persons with Disabilities with regard inter alia to education, work and employment and accessibility. The ESF should also promote the transition from institutional to community-based care. <b><u>The ESF should not support any action that contributes to segregation or to social exclusion.</u></b></p>

<sup>1</sup> Recitals (11) and (12 a) will be reviewed at a later stage in the context of the overall discussion on recitals.

			<b><u>(12 a) Innovative solutions should include, provided they are proven effective, development of social metrics such as in social labeling.</u></b>
<b>Chapter II Specific provisions for programming and implementation</b>			
<i>Article 6</i> <b>Involvement of partners</b>	<i>Article 6</i> <b>Involvement of partners</b>		<i>Article 6</i> <b>Involvement of partners</b>
1. The involvement of the social partners and other stakeholders, in particular non-governmental organisations, in the implementation of operational programmes, as referred to in Article 5 of Regulation (EU) No [...], may take the form of global grants as defined in Article 113 <del>2</del> (7) of Regulation (EU) No [...]. In such a case, the operational programme shall identify the part of the programme concerned by the global grant, including an indicative financial allocation from each priority axis to it.	1. The involvement of the social partners and other stakeholders, in particular non-governmental organisations, in the implementation of operational programmes, as referred to in Article 5 of Regulation (EU) No [...], may take the form of global grants as defined in Article 113(7) of Regulation (EU) No [...]. In such a case, the operational programme shall identify the part of the programme concerned by the global grant, including an indicative financial allocation from each priority axis to it.	<b>Amendment 77: Article 6 – paragraph 1</b> 1. The <i>participation</i> of the [...] partners [...] referred to in Article 5 of Regulation (EU) No [...], <b><i>local and regional authorities and their umbrella associations, all relevant stakeholders including social partners and in particular non-governmental organisations, in the implementation of the operational programmes</i></b> may take the form of global grants as defined in Article 113(7) of Regulation (EU) No [...]. In such a case, the operational programme shall identify the part of the programme concerned by the global grant, including an indicative financial allocation from each priority axis to it.	1. The <b>participation</b> of the partners referred to in Article 5 of Regulation (EU) No [CPR] in the implementation of the operational programmes may take the form of global grants as defined in Article 113(7) of Regulation (EU) No [CPR]. In such a case, the operational programme shall identify the part of the programme concerned by the global grant, including an indicative financial allocation from each priority axis to it.  <i>Note: provisions for the involvement of “umbrella organisations” in the preparation and implementation of programmes are provided in Article 5 of the Common Provisions Regulation under the content of the proposed Code of Conduct.</i>

<p>2. To encourage adequate participation of the social partners in actions supported by the ESF, managing authorities of an operational programme in a region as defined in Article 82(2)(a) of Regulation (EU) No [...] or in Member States eligible for Cohesion Fund support shall ensure that an appropriate amount of ESF resources is allocated to capacity-building activities, in the form of training, networking measures, and strengthening of the social dialogue, and to activities jointly undertaken by the social partners.</p>	<p>2. To encourage adequate participation of the social partners in actions supported by the ESF, managing authorities of an operational programme in a region as defined in Article 82(2)(a) of Regulation (EU) No [...] or in Member States eligible for Cohesion Fund support <b>may</b> ensure that an appropriate amount of ESF resources is allocated to capacity-building activities, in the form of training, networking measures, and strengthening of the social dialogue, and to activities jointly undertaken by the social partners.</p>	<p><b>Amendment 78: Article 6 – paragraph 2</b>  2. To encourage adequate participation of the social partners in actions supported by the ESF, managing authorities of an operational programme in a region as defined in Article 82(2)(a) <b>and (b)</b> of Regulation (EU) No [...] <b>2012 [CPR]</b> or in Member States eligible for Cohesion Fund support shall ensure that 2 % of ESF resources <i>is</i> allocated to capacity-building activities, in the form of training, networking measures, and strengthening of the social dialogue, and to activities jointly undertaken by the social partners.</p>	<p>2. To encourage adequate participation of the social partners in actions supported by the ESF, managing authorities of an operational programme in a region as defined in Article 82(2)(a) <b>[and (b)]</b><sup>1</sup> of Regulation (EU) No [CPR] or in Member States eligible for Cohesion Fund support <b>shall</b> ensure that, <b>according to the needs</b>, an appropriate amount of ESF resources is allocated to capacity-building activities, in the form of training, networking measures, and strengthening of the social dialogue, and to activities jointly undertaken by the social partners.</p>
<p>3. To encourage adequate participation of and access by non-governmental organisations to actions supported by the ESF, notably in the fields of social inclusion, gender equality and equal opportunities, the managing authorities of an operational programme in a region as defined in Article 82(2)(a) of Regulation (EU) No [...] or in Member States eligible for Cohesion Fund support shall ensure that an appropriate amount of ESF resources is allocated to capacity-building for non-governmental organisations.</p>	<p>3. To encourage adequate participation of and access by non-governmental organisations to actions supported by the ESF, notably in the fields of social inclusion, gender equality and equal opportunities, the managing authorities of an operational programme in a region as defined in Article 82(2)(a) of Regulation (EU) No [...] or in Member States eligible for Cohesion Fund support <b>may</b> ensure that an appropriate amount of ESF resources is allocated to capacity-building for non-governmental organisations.</p>	<p><b>Amendment 79: Article 6 – paragraph 3</b>  3. To encourage adequate participation of and access by non-governmental organisations <i>to</i> actions supported by the ESF, <b>particularly for those non-governmental organisations that represent or advocate for beneficiaries of such programmes</b>, notably in the fields of social inclusion, gender equality and equal opportunities, the managing authorities of an operational programme in a region as defined in Article 82(2)(a) <b>and (b)</b> of Regulation (EU) No [...] or in Member States eligible for Cohesion Fund support shall ensure that an appropriate amount of ESF resources is allocated to capacity-building for non-governmental organisations.</p>	<p>3. To encourage adequate participation of and access by non-governmental organisations to actions supported by the ESF, notably in the fields of social inclusion, gender equality and equal opportunities, the managing authorities of an operational programme in a region as defined in Article 82(2)(a) <b>[and (b)]</b><sup>2</sup> of Regulation (EU) No [CPR] or in Member States eligible for Cohesion Fund support <b>shall</b> ensure that an appropriate amount of ESF resources is allocated to capacity-building for non-governmental organisations.</p>

<sup>1</sup> Subject to MFF agreement.

<sup>2</sup> Subject to MFF agreement.

<p style="text-align: center;"><i>Article 7</i></p> <p style="text-align: center;"><b>Promotion of equality between men and women</b></p>	<p style="text-align: center;"><i>Article 7</i></p> <p style="text-align: center;"><b>Promotion of equality between men and women</b></p>		<p style="text-align: center;"><i>Article 7</i></p> <p style="text-align: center;"><b>Promotion of equality between men and women</b></p>
<p>The Member States and the Commission shall promote equality between men and women through mainstreaming as referred to in Article 7 of Regulation (EU) No [...] and specific targeted actions as referred to in Article 3(1)(a)(iv), in particular with the aim of increasing the sustainable participation and progress of women in employment, reducing gender-based segregation in the labour market, combating gender stereotypes in education and training and promoting reconciliation of work and personal life for men and women.</p>	<p>The Member States and the Commission shall promote equality between men and women through mainstreaming as referred to in Article 7 of Regulation (EU) No [...] and specific targeted actions as referred to in Article 3(1)(a)(iv), in particular with the aim of increasing the sustainable participation and progress of women in employment, reducing gender-based segregation in the labour market, combating gender stereotypes in education and training and promoting reconciliation of work and personal life for men and women.</p>	<p><b>Amendment 80: Article 7</b></p> <p>The Member States and the Commission shall promote equality between men and women through mainstreaming <i>throughout the preparation and implementation of the programmes</i>, as referred to in Article 7 of Regulation (EU) No [...]. <i>The ESF shall also support</i> specific targeted actions as referred to in Article,3, <i>and, in particular, in Article 3(1)(a)(iv)</i>, with the aim of increasing the sustainable participation and progress of women in employment, reducing gender-based segregation in the labour market, combating gender stereotypes in education and training, <i>combating gender-specific stereotypes of occupational profiles and professions, addressing the feminisation of poverty</i>, promoting reconciliation of work and personal life for all and <i>equal sharing of care responsibilities between women and men</i>.</p> <p><i>Member States shall ensure that gender equality is promoted at all stages of the operational programmes by means of gender budgeting assessments.</i></p>	<p>The Member States and the Commission shall promote equality between men and women through mainstreaming as referred to in Article 7 of Regulation (EU) No [CPR] <b><u>throughout the preparation, implementation, monitoring and evaluation of the programmes. Through the ESF, they shall also support</u></b> specific targeted actions within <b><u>any of</u></b> the investment priorities as referred to <b><u>in Article 3</u></b>, and in particular Article 3 (1)(a)(iv), <b><u>with the aim of</u></b> increasing the sustainable participation and progress of women in employment, <b><u>thus combating the feminisation of poverty</u></b>, reducing gender-based segregation and combating gender stereotypes in the <b><u>labour market and</u></b> in education and training, promoting reconciliation of work and personal life for all <b><u>and equal sharing of care responsibilities between men and women.</u></b></p>

<p style="text-align: center;"><i>Article 8</i></p> <p style="text-align: center;"><b>Promotion of equal opportunities and non-discrimination</b></p>	<p style="text-align: center;"><i>Article 8</i></p> <p style="text-align: center;"><b>Promotion of equal opportunities and non-discrimination</b></p>		<p style="text-align: center;"><i>Article 8</i></p> <p style="text-align: center;"><b>Promotion of equal opportunities and non-discrimination</b></p>
<p>The Member States and the Commission shall promote equal opportunities for all, including accessibility for disabled persons through mainstreaming the principle of non-discrimination, as referred to in Article 7 of Regulation (EU) No [...], and through specific actions within the investment priorities as defined in Article 3, and in particular Article 3(1)(c)(iii). Such actions shall target people at risk of discrimination and people with disabilities, with a view to increasing their labour market participation, enhancing their social inclusion, reducing inequalities in terms of educational attainment and health status and facilitating the transition from institutional to community-based care.</p>	<p>The Member States and the Commission shall promote equal opportunities for all, including accessibility for disabled persons through mainstreaming the principle of non-discrimination, as referred to in Article 7 of Regulation (EU) No [...]. <b><u>They may also be promoted</u></b> through specific actions within the investment priorities as defined in Article 3, and in particular Article 3(1)(c)(iii). Such actions shall target people at risk of discrimination and people with disabilities, with a view to increasing their labour market participation, enhancing their social inclusion, reducing inequalities in terms of educational attainment and health status and facilitating the transition from institutional to community-based care.</p>	<p><b>Amendment 81: Article 8</b>  The Member States and the Commission shall promote accessibility and equal opportunities for all, <i>without discrimination based on gender, race or ethnic origin, religion or convictions, disability, age or sexual orientation</i>, through mainstreaming such principles as referred to in Articles 7 of Regulation (EU) No [...]. <b><i>In addition, the ESF shall support</i></b> specific actions within the investment priorities as defined in Article 3, and in particular Article 3(1)(c)(iii), <b><i>that aim to fight against</i></b> discrimination and <b><i>to improve accessibility for</i></b> people with disabilities, with a view to reducing inequalities in terms of educational attainment, <b><i>increasing the labour market participation of people at risk of discrimination and enhancing their social inclusion, including by</i></b> facilitating the transition from institutional to community-based care and , <b><i>paying particular attention to those who face multiple discrimination.</i></b></p> <p><b><i>The ESF must not support any actions that strengthen social inequalities or favour segregation.</i></b></p>	<p>The Member States and the Commission shall promote equal opportunities for all, <b><u>without discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation</u></b> through mainstreaming the principle of non-discrimination, as referred to in Article 7 of Regulation (EU) No [CPR]. <b><u>Through the ESF, they shall also support</u></b> specific actions within <b><u>any of</u></b> the investment priorities as defined in Article 3, and in particular Article 3(1) <del>(e)</del><sup>b</sup>(iii). Such actions shall <b><u>aim to combat discrimination for all as well as to improve accessibility for persons</u></b> with disabilities, with a view <b><u>to improve their integration into employment, education and training, thereby</u></b> enhancing their social inclusion, reducing inequalities in terms of educational attainment and health status and facilitating the transition from institutional to community-based care <b><u>in particular for those who face multiple discrimination.</u></b></p>

<sup>1</sup> New numbering based on the Council text agreed at the GAC in June. It refers to investment priority: *Combating discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.*



<i>Article 9</i> <b>Social innovation</b>	<i>Article 9</i> <b>Social innovation</b>		<i>Article 9</i> <b>Social innovation</b>
1. The ESF shall promote social innovation within all areas falling under the scope of the ESF, as defined in Article 3 of this Regulation, in particular with the aim of testing and scaling up innovative solutions to address social needs.	1. The ESF shall promote social innovation within all areas falling under the scope of the ESF, as defined in Article 3 of this Regulation, in particular with the aim of testing and scaling up innovative solutions to address social needs.	<b>Amendment 82: Article 9 – paragraph 1</b> 1. The ESF shall promote social innovation within all areas falling under the scope of the ESF, as defined in Article 3 of this Regulation, in particular with the aim of testing <i>at local or regional level, evaluating and</i> scaling up innovative solutions to address social needs, <i>with the involvement of all the actors concerned and, in particular, in liaison with the social partners.</i>	1. The ESF shall promote social innovation within all areas falling under the scope of the ESF, as defined in Article 3 of this Regulation, in particular with the aim of testing, <b><u>evaluating and</u></b> scaling up innovative solutions, <b><u>including at local or regional level,</u></b> to address social needs, <b><u>in partnership with the relevant partners and, in particular social partners.</u></b>
2. Member States shall identify themes for social innovation, corresponding to their specific needs in their operational programmes.	2. Member States <b><u>may</u></b> identify themes for social innovation, corresponding to their specific needs in their operational programmes.	<b>Amendment 83: Article 9 – paragraph 2</b> 2. Member States shall identify <i>areas and</i> themes for social innovation corresponding to their specific needs in their operational programmes.	2. Member States <b><u>shall</u></b> identify <b><u>fields</u></b> <sup>1</sup> for social innovation corresponding to their specific needs in their operational programmes <b><u>or at a later stage during implementation.</u></b>
3. The Commission shall facilitate capacity building for social innovation, in particular through supporting mutual learning, establishing networks, and disseminating good practices and methodologies.	3. The Commission shall facilitate capacity building for social innovation, in particular through supporting mutual learning, establishing networks, and disseminating good practices and methodologies.	<b>Amendment 84: Article 9 – paragraph 3</b> 3. The Commission shall facilitate capacity building for social innovation, in particular through supporting mutual learning, establishing networks, disseminating <i>and promoting</i> good practices and methodologies, <i>including as regards common criteria for the award of social labels to enterprises on a voluntary basis.</i>	3. The Commission shall facilitate capacity building for social innovation, in particular through supporting mutual learning, establishing networks, disseminating <b><u>and promoting</u></b> good practices and methodologies.

<sup>1</sup> If considered necessary by the co-legislators the terms ‘fields’ and ‘themes’ could be defined at a later stage.

<i>Article 10</i> <b>Transnational cooperation</b>	<i>Article 10</i> <b>Transnational cooperation</b>		<i>Article 10</i> <b>Transnational cooperation</b>
1. Member States shall support transnational cooperation with the aim of promoting mutual learning and thereby increasing the effectiveness of policies supported by the ESF. Transnational cooperation shall involve partners from at least two Member States.	1. Member States <b>may</b> support transnational cooperation with the aim of promoting mutual learning and thereby increasing the effectiveness of policies supported by the ESF. Transnational cooperation shall involve partners from at least two Member States.	<b>Amendment 85: Article 10 – paragraph 1</b> 1. Member States shall support transnational cooperation with the aim of promoting mutual learning and thereby increasing the effectiveness of policies supported by the ESF. Transnational cooperation shall involve partners, <b><i>which may include local and urban authorities</i></b> , from at least two Member States.	1. Member States <b>shall</b> support transnational cooperation with the aim of promoting mutual learning and thereby increasing the effectiveness of policies supported by the ESF. Transnational cooperation shall involve partners from at least two Member States.
			<b><u>Ibis. By way of derogation from paragraph 1, Member States with a single operational programme supported by the ESF or a single multi - Fund operational programme, in duly justified cases and taking account of the principle of proportionality, may exceptionally choose not to support transnational cooperation actions.</u></b>
2. Member States may select themes for transnational co-operation from a list proposed by the Commission and endorsed by the ESF Committee.	2. Member States may select themes for transnational co-operation from a list proposed by the Commission and endorsed by the ESF Committee.	<b>Amendment 86: Article 10 – paragraph 2</b> <b><i>2. In order to identify areas and forms of transnational cooperation corresponding to their specific needs, Member States shall consult the partners referred to in Article 5 of Regulation (EU) No [...] and may select themes from a list proposed by the Commission and endorsed by the ESF Committee provided for in Article 163(2) of the Treaty.</i></b>	2. Member States, <b><u>in partnership with the relevant partners</u></b> , may select themes <sup>1</sup> for transnational co-operation from a list proposed by the Commission and endorsed by the ESF Committee <b><u>or other themes corresponding to their specific needs.</u></b>  <b><u>Note:</u></b> <i>the reference to the Article 163 (2) of the Treaty for the ESF Committee will be reviewed at a later stage in the context of the discussion on final provisions.</i>

<sup>1</sup> See footnote 1 on page 6.

<p>3. The Commission shall facilitate transnational cooperation on the themes referred to in paragraph 2 through mutual learning and coordinated or joint action. In particular, the Commission shall operate an EU-level platform to facilitate the exchange of experience, capacity building and networking, as well as dissemination of the relevant outcomes. In addition, the Commission shall develop a coordinated implementation framework, including common eligibility criteria, types and timing of actions, and common methodological approaches for monitoring and evaluation, with a view to facilitating transnational cooperation.</p>	<p>3. The Commission shall facilitate transnational cooperation on the themes referred to in paragraph 2 through mutual learning and coordinated or joint action. In particular, the Commission shall operate an EU-level platform to facilitate the exchange of experience, capacity building and networking, as well as dissemination of the relevant outcomes. In addition, the Commission shall develop a coordinated implementation framework, including common eligibility criteria, types and timing of actions, and common methodological approaches for monitoring and evaluation, with a view to facilitating transnational cooperation.</p>	<p><b>Amendment 87: Article 10 – paragraph 3</b>  3. The Commission shall facilitate transnational cooperation [...] through mutual learning and coordinated or joint action. In particular, the Commission shall operate an EU-level platform to facilitate the <b>construction of transnational partnerships</b>, the exchange of experience, capacity building and networking <b>and the capitalisation on and the</b> dissemination of the relevant outcomes. In addition, the Commission shall develop a coordinated implementation framework, including common eligibility criteria, types and timing of actions, and common methodological approaches for monitoring and evaluation, with a view to facilitating transnational cooperation.</p>	<p>3. The Commission shall facilitate transnational cooperation on the themes <b>of the list</b> referred to in paragraph 2 <b>and where appropriate other themes selected by Member States</b> through mutual learning and coordinated or joint action. In particular, the Commission shall operate an EU-level platform to facilitate the <b>setting up of transnational partnerships, the</b> exchange of experience, capacity building and networking, and <b>the capitalisation on and the</b> dissemination of the relevant outcomes. In addition, the Commission shall develop a coordinated implementation framework, including common eligibility criteria, types and timing of actions, and common methodological approaches for monitoring and evaluation, with a view to facilitating transnational cooperation.</p>
<p><i>Article 11</i>  <b>Fund-specific provisions for operational programmes</b></p>	<p><i>Article 11</i>  <b>Fund-specific provisions for operational programmes</b></p>		<p><i>Article 11</i>  <b>Fund-specific provisions for operational programmes</b></p>
<p>1. By way of derogation from Article 87(1) of Regulation (EU) No [...], operational programmes may set out priority axes for the implementation of social innovation and transnational cooperation as referred to in Articles 9 and 10.</p>	<p>1. By way of derogation from Article 87(1) of Regulation (EU) No [...], operational programmes may set out priority axes for the implementation of social innovation and transnational cooperation as referred to in Articles 9 and 10.</p>		<p>1. By way of derogation from Article 87(1) of Regulation (EU) No [CPR], operational programmes may set out priority axes for the implementation of social innovation and transnational cooperation as referred to in Articles 9 and 10.</p>

<p>2. By way of derogation from Article <del>109</del><b>110</b>(3) of Regulation (EU) No [...], the maximum co-financing rate for a priority axis shall be increased by ten percentage points, but not exceeding 100%, where the whole of a priority axis is dedicated to social innovation or to transnational cooperation, or a combination of both.</p>	<p>2. By way of derogation from Article 110(3) of Regulation (EU) No [...], the maximum co-financing rate for a priority axis shall be increased by ten percentage points, but not exceeding 100%, where the whole of a priority axis is dedicated to social innovation or to transnational cooperation, or a combination of both.</p>	<p><b>Amendment 88: Article 11 – paragraph 2</b>  2. By way of derogation from Article 110(3) of Regulation (EU) No [...], the maximum co-financing rate for a priority axis shall be increased by ten percentage points, but not exceeding 100 %, where the whole of a priority axis is dedicated to social innovation or to transnational cooperation, or a combination of both <del>or refer to Article 6(1),</del> <b>or where parts of programmes are managed by non-governmental organisations or social partners as referred to in Article 6 (1).</b></p>	<p>2. By way of derogation from Article 110(3) of Regulation (EU) No [CPR], the maximum co-financing rate for a priority axis shall be increased by ten percentage points, but not exceeding 100%, where the whole of a priority axis is dedicated to social innovation or to transnational cooperation, or a combination of both.</p> <p><b>Note:</b> <i>At this stage, the amendment is not possible to be accommodated since the provisions proposed for the co-financing rate is set at the priority axis level which does not correspond to the provisions of Article 6(1). The issue could be reviewed at a later stage, if the co-legislators decide so, subject to the discussions on the relevant provisions.</i></p>
<p>3. In addition to the provision made in Article 87(3) of Regulation (EU) No [...], operational programmes shall also set out the contribution of planned ESF-supported actions:</p>	<p>3. In addition to the provision made in Article 87(3) of Regulation (EU) No [...], operational programmes shall also set out the contribution of planned ESF-supported actions:</p>		<p>3. In addition to the provision made in Article 87(3) of Regulation (EU) No [CPR], operational programmes shall also set out the contribution of planned ESF-supported actions:</p>
<p>(a) to the thematic objectives listed under Article 9(1) to (7) of Regulation (EU) No [...] by priority axis, as appropriate;</p>	<p>(a) to the thematic objectives listed under Article 9(1) to (7) of Regulation (EU) No [...] by priority axis, as appropriate;</p>		<p>(a) to the thematic objectives listed under Article 9(1) to (7) of Regulation (EU) No [CPR] by priority axis, as appropriate;</p>
<p>(b) to social innovation and transnational cooperation, as referred to in Articles 9 and 10, where they are not covered by a dedicated priority axis.</p>	<p>(b) to social innovation and transnational cooperation, as referred to in Articles 9 and 10, where they are not covered by a dedicated priority axis.</p>	<p><b>Amendment 89: Article 11 – paragraph 3 – point b</b>  <i>Does not affect English version</i></p>	<p>(b) to social innovation and transnational cooperation, as referred to in Articles 9 and 10, where they are not covered by a dedicated priority axis.</p>

**Presidency Compromise Text for the "Code of Conduct" in relation to the Partnership  
(to be seen in combination with article 5(3) of the CPR)**

- A. **Retroactive Effect**: Joint Declaration of the European Parliament and the Council on the exclusion of any retroactivity with regard to the application of article 5(3) of Regulation (EU) No .../.../2012 (CPR). The proposed text for this Joint Declaration is the following:

*Joint declaration of the European Parliament and the Council on the application of article 5(3) of Regulation (EU) No .../.../2012 (CPR) and the exclusion of any retroactivity relating to it, in particular concerning its joint application with articles 13, 14 and 23 of Regulation (EU) No .../.../2012 (CPR):*

*The European Parliament and the Council agree that:*

*- concerning the application of Articles 13(2), 14(1)(c), and 23 (2) of Regulation (EU) No[.] /2012 [CPR], the actions taken by the Member States to involve the partners referred to in Article 5(1) in the preparation of the Partnership Agreement and the programmes **referred to in Article 5 (2)** include all actions **taken on a practical level** by the Member States irrespective of their timing **as well as** actions taken by them before the entry into force of the Regulation (EU) No [.] /2012 [CPR] and before the day of the entry into force of the delegated act for a European code of conduct adopted in accordance with Article 5(3) of the same Regulation, during the preparatory phases of **a Member State programming procedure**, provided that the objectives of the partnership principle, laid down in Regulation (EU) No[.] /2012 [CPR], are achieved. In this context Member States, in accordance with their national and regional competences, will decide on the content of both, the proposed Partnership Agreement and **proposed draft** programmes, in accordance with the relevant provisions of this Regulation and the fund specific rules;*

- *the delegated act laying down a European code of conduct, adopted in accordance with Article 5(3) of Regulation (EU) No[.]/2012 [CPR], will under no circumstances and neither directly nor indirectly have any retroactive effect, especially concerning the approval procedure of the Partnership Agreement and the programmes, since it is not the intention of the EU legislature to confer any powers on the Commission to the effect that it could reject the approval of the Partnership Agreement and programmes **solely** and exclusively based on any kind of non-compliance with the European code of conduct, adopted in accordance with Article 5(3) of Regulation (EU) No[.]/2012 [CPR];*

- *the European Parliament and the Council invite the Commission to make available for them the draft text of the delegated act to be adopted under article 5(3) of Regulation (EU) No[.]/2012 [CPR] as early as possible, but not later than the date when the political agreement on the Regulation (EU) No[.]/2012 [CPR] is adopted by the Council or the date when the draft report on the Regulation (EU) No[.]/2012 [CPR] is voted at the plenary of the European Parliament, whichever date is the earliest.*

**B. Recital on the Code of Conduct:** Recital (9) is revised in order to provide sufficient flexibility for the implementation of the partnership to the Member States provided that the objectives are achieved. Proposed text (**amendments to the initial proposal of the Commission in bold**):

Recital (9)

For the Partnership **Agreement** and each programme respectively, a Member State should organise a partnership with the representatives of competent regional, local, urban and other public authorities, economic and social partners and **other** bodies representing civil society, including environmental partners, non-governmental organisations and bodies responsible for promoting equality and non-discrimination, **including, where appropriate, the “umbrella organisations” of such bodies, authorities and organisations.** The purpose of such a partnership is to respect the principles of multi-level governance, **but also of subsidiarity and proportionality and the specificities of the Member States' different legal and institutional frameworks as well as to ensure the ownership of planned interventions by stakeholders and build on the experience and the know-how of relevant actors. The Member States should identify the most representative relevant partners, who should include the institutions, organisations and groups which can influence the preparation or be affected by the preparation and implementation of the programmes. In this context Member States may also identify, where appropriate, as relevant partners, “umbrella organisations” which are the associations, federations or confederations of relevant local, regional and urban authorities or other bodies in accordance with applicable national law and practice.** The Commission shall be empowered to adopt a delegated act providing for a code of conduct in order to **facilitate Member States the implementation of partnership with regard to ensure the involvement of relevant partners** in the preparation, implementation, monitoring and evaluation of Partnership **Agreements** and programmes in a consistent manner. **The adopted delegated act should have under no circumstances and in no way of its interpretation retroactive effect or be the basis to establish irregularities leading to financial corrections. The adopted delegated act should not enter into force earlier than the day of its adoption after the entry into force of this Regulation. The adopted delegated act should allow Member States to determine on the most appropriate modalities for implementing the partnership in accordance with their institutional and legal framework as well as their national and regional competences, provided that its objectives, as laid down in this Regulation, are achieved.**

**CPR**  
**ARTICLE 14**  
**PRESIDENCY COMPROMISE TEXT**

*Article 14*  
**Content of the Partnership Agreement**

1. The Partnership Agreement shall set out:
  - (a) arrangements to ensure alignment with the Union strategy for smart, sustainable and inclusive growth **as well as the Fund specific missions pursuant to their Treaty-based objectives, including economic, social and territorial cohesion, including:**
    - (i) an analysis of disparities, development needs, **and growth potentials** with reference to the thematic objectives **and the territorial challenges and taking account of the national reform programme, where appropriate, and relevant country-specific recommendations adopted in accordance with** Article 121(2) of the Treaty **on the Functioning of the European Union** and relevant Council recommendations adopted **in accordance with** Article 148(4) of the Treaty **on the Functioning of the European Union;**
    - (ii) a summary of the *ex ante* evaluations of the programmes **or key findings of the *ex ante* evaluations of the Partnership Agreement where undertaken by the Member State at its own initiative;**
    - (iii) **selected** thematic objectives, **and for each of the selected thematic objectives** a summary of the main results expected for each of the CSF Funds;
    - (iv) the indicative allocation of support by the Union by thematic objective at national level for each of the CSF Funds, as well as the total indicative amount of support foreseen for climate change objectives;
    - (v) the application of** horizontal principles and policy objectives for the implementation of the CSF Funds;



- (vi) the list of the programmes under the ERDF, the ESF and the CF, except those under the European territorial cooperation goal, and of the programmes of the EAFRD and the EMFF, with the respective indicative allocations by CSF Fund and by year;
- (b) **arrangements to ensure effective implementation of the CSF Funds, including:**
- (i) **the arrangements, in line with the institutional framework of the Member States**, that ensure coordination between the CSF Funds and other Union and national funding instruments and with the EIB;
  - (ii) the information required for ex ante verification of compliance with the rules on additionality as they are defined in Part Three of this Regulation;
  - (iii) a summary of the assessment of the fulfilment of **applicable ex ante conditionalities in accordance with Article 17 and Annex (xx) at national level and of the actions to be taken, the responsible bodies and the timetable for their implementation, where ex ante conditionalities are not fulfilled**<sup>1</sup>;
  - (iv) **the methodology and mechanisms to ensure consistency in the functioning of the performance framework in accordance with Article 19**;
  - (v) **an assessment of whether there is a need to reinforce the administrative capacity of the authorities involved in the management and control of the programmes and, where appropriate, beneficiaries as well as, where necessary, a summary of actions to be taken for this purpose**;
  - (vi) a summary of the actions planned in the programmes, **including indicative timetable** to achieve a reduction in the administrative burden for beneficiaries.
- (c) **arrangements for the partnership principle as referred in Article 5**

**An indicative list of partners and a summary of the actions taken to involve those partners as referred to in Article 5 and their role in the preparation of the Partnership Agreement and the progress report as defined in Article 46 of this Regulation.**

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<sup>1</sup> Subject to legal scrutiny and finalisation by the jurist-linguists.

**2. The Partnership Agreement shall also indicate:**

- (a) an integrated approach to territorial development supported by the CSF Funds **or a summary of the integrated approaches to territorial development based on the content of the programmes**, setting out:
- (i) the arrangements to ensure an integrated approach to the use of the CSF Funds for the territorial development of **specific sub-regional areas**, in particular the implementation arrangements for Articles 28, 29 and ex-99 accompanied, by **the principles for identifying the urban areas where integrated actions for sustainable urban development are to be implemented**;<sup>1</sup>
  - (ii) the main priority areas for cooperation **under the CSF Funds**, taking account, where appropriate, of macro-regional strategies and sea basin strategies;
  - (iii) **where appropriate**, an integrated approach to address the specific needs of geographical areas most affected by poverty or of target groups at highest risk of discrimination or **social** exclusion, with special regard to marginalised communities, **persons with disabilities, long term unemployed and young people not in employment, education or training**;
  - (iv) **where appropriate, an integrated approach, to address demographic challenges of regions or specific needs of geographical areas which suffer by severe and permanent natural or demographic handicaps, as defined in Article 174 of the Treaty.**
- (b) arrangements to ensure efficient implementation of the CSF Funds, including:

An assessment of the existing systems for electronic data exchange, and **a summary of the actions planned to gradually** permit all exchanges of information between beneficiaries and authorities responsible for management and control of programmes to be carried out by electronic data exchange.

**Note:** *The possibility for the introduction of a model for the preparation of the Partnership Agreement will be discussed at a later stage, if the co-legislators decide so, following information by the Commission.*

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<sup>1</sup> **Subject to the discussions on territorial development bloc.**

**CPR**  
**ARTICLE 87**  
**PRESIDENCY COMPROMISE TEXT**

*Article 87*

**Content, adoption and amendment of operational programmes under the Investment for growth and jobs goal**

1. An operational programme shall consist of priority axes. A priority axis shall concern one Fund **and one** category of region, **except for the Cohesion Fund**, and shall correspond, without prejudice to Article 52, to a thematic objective and comprise one or more investment priorities of that thematic objective, in accordance with the Fund-specific rules. **Where appropriate and in order to increase the impact and effectiveness in a thematically coherent integrated approach, a priority axis may:**
  - (a) concern more than one category of region;
  - (b) combine one or more complementary investment priorities from the ERDF, CF and ESF under one thematic objective;
  - (c) **in duly justified cases combine one or more complementary investment priorities from different thematic objectives in order to achieve their maximum contribution to priority axis;**
  - (d) For the ESF combine investment priorities from different thematic objectives set out in Article 9(8), (9), (10) and (11) in order to facilitate their contribution to other priority axes.

**Member States may combine two or more of the options (a) to (d).**

2. An operational programme **shall contribute to the Union strategy for smart, sustainable and inclusive growth and to the achievement of economic, social and territorial cohesion and** shall set out:
  - (a) a justification of the choice of thematic objectives, corresponding investment priorities **and financial allocations** having regard to the Partnership Agreement, based on an identification of regional and, where appropriate, national needs including the needs to address the challenges identified in relevant country-specific recommendations adopted in accordance with Article 121(2) and the relevant Council recommendations adopted in accordance with Article 148(4) of the Treaty on the Functioning of the European Union taking into account the *ex ante* evaluation.

- (b) for each priority axis **other than technical assistance**:
- (i) the investment priorities and corresponding specific objectives;
  - (ii) **in order to strengthen the result-orientation of the programming, the expected results for the specific objectives, and the corresponding** result indicators, with a baseline value and a target value, **where appropriate quantified**, in accordance with the Fund-specific rules;
  - (iii) a description of **the type and examples of** actions to be supported **under each investment priority and their expected contribution to the specific objectives referred to in point (i)** including **the guiding principles for the selection of operations and where appropriate**, the identification of main target groups, specific territories targeted and types of beneficiaries and the planned use of financial instruments **and major projects**;
  - (iv) the output indicators, **including the quantified target value, which are expected to contribute to the results, in accordance with Fund-specific rules, for each investment priority**;
  - (v) **identification of implementation steps and financial and output indicators to act as milestones and targets for the** performance framework in accordance with Article 19(1) and Annex **(xx)**; <sup>1</sup>
  - (vi) the corresponding categories of intervention based on a nomenclature adopted by the Commission by means of implementing acts in accordance with the examination procedure referred to Article 143(3), and an indicative breakdown of the programmed resources;
  - (vii) **where appropriate, a summary of the planned use of technical assistance including, where necessary, actions to reinforce the administrative capacity of authorities involved in the management and control of the programmes and beneficiaries**;
- (c) For each priority axis concerning technical assistance:
- (i) **specific objectives**;
  - (ii) **the expected results for each specific objective, and, where objectively justified given the content of the actions, the corresponding result indicators, with a baseline value and a target value, in accordance with the Fund-specific rules**;

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<sup>1</sup> **To be reviewed at a later stage in the context of the discussion on the performance framework.**

- (iii) a description of actions to be supported and their expected contribution to the specific objectives referred to in point (i);
- (iv) the output indicators which are expected to contribute to the results.
- (v) the corresponding categories of intervention based on a nomenclature adopted by the Commission by means of implementing acts in accordance with the examination procedure referred to Article 143(3), and an indicative breakdown of the programmed resources;

**Point (ii) shall not apply where the Union contribution to the priority axis or axes concerning technical assistance in an operational programme does not exceed EUR 15 000 000.**

- (d) a financing plan containing two tables:
  - (i) a table specifying for each year, in accordance with Articles 53, 110 and 111, the amount of the total financial appropriation envisaged for the support from each of the Funds;
  - (ii) a table specifying, for the whole programming period, for the operational programme and for each priority axis, the amount of the total financial appropriation of the support from **each of the Funds and the national co-financing. For priority axes, which concern several categories of region, the table shall specify the amount of total financial appropriation from the Funds and the national co-financing for each category of region.**

**For priority axes, which combine investment priorities from different thematic objectives, the table shall specify the amount of total financial appropriation from each of the Funds and the national co-financing for each of the corresponding thematic objectives.**

Where the national co-financing is made up of public and private co-financing, the table shall give the indicative breakdown between the public and the private components. It shall show, for information purposes, the envisaged participation from the EIB;

- (e) a list of major projects for which **the implementation is planned during the programming period;**

3. **The Operational Programme shall describe, taking into account its content and objectives, the integrated approach to territorial development, having regard to the Partnership Agreement, and showing how it contributes to the accomplishment of the programme objectives and expected results, specifying, where appropriate, the following:**

- (a) **the approach to the use of community led local development instruments and the principles for identifying the areas where it will be implemented;**
- (b) the indicative **amount** of the ERDF support for integrated actions for sustainable urban development, **to be implemented in accordance with the provisions** under Article 7(2) of Regulation (EU) No [ERDF] and the indicative allocation of ESF support for integrated actions;<sup>1</sup>
- (c) **the approach to the use of the Integrated Territorial Investment instrument other than in cases covered by (b), and their indicative financial allocation from each priority axis;**
- (d) the arrangements for interregional and transnational actions, **within the operational programmes**, with beneficiaries located in at least one other Member State;
- (e) **where Member States and regions participate in** macro-regional strategies and sea-basin strategies, **subject to the needs of the programme area as identified by the Member State**, the contribution of the planned interventions **to such strategies**.

4. **In addition, the Operational Programme shall specify the following:**

- (a) **where appropriate, the identification of whether and how it** addresses the specific needs of geographical areas most affected by poverty or target groups at highest risk of discrimination or **social** exclusion, with special regard to marginalised communities, **and persons with disabilities, and where relevant the contribution to the integrated approach set out in the Partnership Agreement;**
- (b) **where appropriate, the identification of whether and how it addresses demographic challenges of regions or specific needs of geographical areas which suffer by severe and permanent natural or demographic handicaps, as defined in Article 174 of the Treaty and the contribution to the integrated approach set out in the Partnership Agreement to this end;**

5. **The Operational Programme shall identify:**

- (a) the managing authority, the certifying authority, where applicable, and the audit authority;
- (b) the body to which payments will be made by the Commission;
- (c) the actions taken to involve the **relevant** partners **referred to in Article 5** in the preparation of the operational programme, and the role of the partners in the implementation, monitoring and evaluation of the operational programme;

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<sup>1</sup> **Subject to the discussions on territorial development bloc.**

6. **The Operational Programme shall also set out the following, having regard to the content of the Partnership Agreement and taking into account the Institutional Framework of the Member States:**
- (a) the mechanisms that ensure coordination between the Funds, the EAFRD, the EMFF and other Union and national funding instruments, and with the EIB **taking into account the relevant provisions laid down in the CSF as set out in Annex I;**
  - (b) for each ex ante conditionality, established in accordance with **Article 17 and Annex (xx), which is applicable to the operational programme an assessment of whether the ex-ante conditionality is fulfilled** at the date of submission of the Partnership Agreement and operational programme, **and where ex-ante conditionalities are not fulfilled**, a description of the actions to fulfil the ex ante conditionality, **the responsible bodies** and a timetable for such actions **in accordance with the summary submitted in the Partnership Agreement;**
  - (c) **a summary of the** assessment of the administrative burden for beneficiaries and, **where necessary**, the actions planned **to be accompanied by an indicative timeframe to reduce administrative burden;**
7. Each operational programme, except those where technical assistance is undertaken under a specific operational programme, shall, **subject to the Member State's duly justified assessment of their relevance to the content and objectives of the programmes**, include:
- (a) a description of specific actions to take into account environmental protection requirements, resource efficiency, climate change mitigation and adaptation, disaster resilience and risk prevention and management, in the selection of operations;
  - (b) a description of the specific actions to promote equal opportunities and prevent any discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation during the preparation, design and implementation of the operational programme and in particular in relation to access to funding, taking account of the needs of the various target groups at risk of such discrimination and in particular the requirements of ensuring accessibility for persons **with disabilities;**
  - (c) a description of its contribution to the promotion of equality between men and women and, where appropriate, the arrangements to ensure the integration of gender perspective at operational programme and operation level.

Member States may submit an opinion of the national equality bodies on the measures set out in points (b) and (c) with the proposal for an operational programme under the Investment for growth and jobs goal.

- 8. When a Member State prepares a maximum of one operational programme for each Fund, the elements of the operational programme falling under paragraphs 2(a), 3(a), (c) and (d), 4, and 6 of this Article may be incorporated solely under the relevant provisions of the Partnership Agreement.**
9. The operational programme shall be prepared according to the model, which shall be adopted by the Commission, by means of an implementing act, with advisory procedure in accordance with Article 143 (2).
- 10. The Commission shall adopt a decision, by means of implementing acts, approving all the elements (including any of its future amendments) of the operational programme falling under this Article, except those falling under paragraphs 2(b)(vi), 2 (e), 4, 5, 6(a), 6(c) and 7 of this Article, which remain under the responsibility of the Member States.**
11. Any decision amending the elements of the operational programme not covered by the Commission decision pursuant to paragraph 10 shall be notified by the managing authority to the Commission within one month of the date of the decision. The decision shall specify the date of its entry into force, which shall not be earlier than the date of its adoption.

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