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(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 31 March 2000

approving a single programming document of Community structural assistance under Objective 1 in certain parts of northern Finland, namely the region of Lapland and the subregions of Kaustinen, Saarijärvi, Viitasaari, Ii, Koillismaa, Nivala-Haapajärvi and Siikalatva

(notified under document number C(2000) 779)

(Only the Finnish and Swedish texts are authentic)

(2002/684/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 15(5) thereof,

After consultation of the Committee on the Development and Conversion of Regions, the Committee pursuant to Article 147 of the Treaty, the Committee on Agricultural Structures and Rural Development and the Committee on Structures for Fisheries and Aquaculture,

Whereas:

- (1) Article 13 et seq. of Title II of Regulation (EC) No 1260/1999 lay down the procedure for preparing and implementing single programming documents.
- (2) Article 15(1) and (2) of Regulation (EC) No 1260/1999 provides that, after consultation with the partners referred to in Article 8 of the Regulation, the Member State may submit to the Commission a development plan which is treated as a draft single programming document, and which contains the information referred to in Article 16 of the Regulation.
- (3) Under Article 15(5) of Regulation (EC) No 1260/1999, the Commission, on the basis of the regional

development plan submitted by the Member State and within the partnership established in accordance with Article 8 of the Regulation, is to take a decision on the single programming document, in agreement with the Member State concerned and in accordance with the procedures laid down in Articles 48 to 51.

- (4) The Finnish Government submitted to the Commission on 12 October 1999 an acceptable draft single programming document for the region of Lapland and the subregions of Kaustinen, Saarijärvi, Viitasaari, Ii, Koillismaa, Nivala-Haapajärvi and Siikalatva, fulfilling the conditions for Objective 1 pursuant to Article 3(1) of Regulation (EC) No 1260/1999. The draft contains the information listed in Article 16 of the Regulation, and in particular a description of the priorities selected and an indication of the financial contribution from the European Regional Development Fund (ERDF), the European Social Fund (ESF), the European Agricultural Guidance and Guarantee Fund (EAGGF), Guidance Section, and the Financial Instrument for Fisheries Guidance (FIFG).
- (5) The date of submission of the draft which was considered acceptable by the Commission constitutes the date from which expenditure under the plan is eligible. Under Article 30 of Regulation (EC) No 1260/1999, it is necessary to lay down the final date for the eligibility of expenditure.
- (6) The rural development measures to be financed by the EAGGF are governed, in particular as regards accounting and the measures' compatibility and consistency with common agricultural policy measures, by Council Regulation (EC) No 1257/1999 of 17 May 1999 on support for rural development from the

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

European Agricultural Guidance and Guarantee Fund (EAGGF) and amending and repealing certain regulations ⁽²⁾.

- (7) The single programming document has been drawn up in agreement with the Member State concerned and within the partnership.
- (8) The Commission has satisfied itself that the single programming document is in accordance with the principle of additionality.
- (9) Under Article 10 of Regulation (EC) No 1260/1999, the Commission and the Member State are required to ensure, in a manner consistent with the principle of partnership, coordination between assistance from the Funds and from the EIB and other existing Financial Instruments.
- (10) The EIB has been involved in drawing up the single programming document in accordance with the provisions of Article 15(5) of Regulation (EC) No 1260/1999 and has declared itself prepared to contribute to its implementation with the estimated loan amounts indicated in this Decision in conformity with its statutory provisions.
- (11) The financial contribution from the Community available over the entire period and its year-by-year breakdown are expressed in euro. The annual breakdown must be consistent with the relevant financial perspective. Under Article 7(7) of Regulation (EC) No 1260/1999, the Community contribution has already been indexed at a rate of 2 % per year. Under Articles 7(7) and 44(2) of the Regulation, the Community contribution may be reviewed at mid-term, and not later than 31 December 2004, to take account of the effective level of inflation and the allocation of the performance reserve,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance under Objective 1 in certain parts of Northern Finland, namely the region of Lapland and the subregions of Kaustinen, Saarijärvi, Viitasaari, Ii, Koillismaa, Nivala-Haapajärvi and Siikalatva, for the period 1 January 2000 to 31 December 2006 is hereby approved.

Article 2

1. In accordance with Article 19 of Regulation (EC) No 1260/1999, the single programming document includes the following elements:

- (a) the strategy and priorities for the joint action of the Community Structural Funds and the Member State; their specific quantified targets; the ex ante evaluation of the expected impact, including on the environmental situation, and the consistency of the priorities with the economic, social and regional policies and the employment strategy of Finland.

The priorities are as follows:

- (1) business development;
- (2) rural development;
- (3) development of know-how and employment;
- (4) technical assistance;
- (b) a summary description of the measures planned to implement the priorities, including the information needed to check compliance with the State aid rules under Article 87 of the Treaty;
- (c) the indicative financing plan specifying for each priority and each year the financial allocation envisaged for the contribution from each Fund and the total amounts of eligible public or equivalent expenditure and estimated private funding in the Member State. The total contribution from the Funds planned for each year for the single programming document is consistent with the relevant financial perspective;
- (d) the provisions for implementing the single programming document including designation of the managing authority, a description of the arrangements for managing the single programming document and the use to be made of global grants, a description of the systems for monitoring and evaluation, including the role of the Monitoring Committee, and the arrangements for the participation of the partners in that Committee;
- (e) the ex ante verification and information on the transparency of financial flows;
- (f) information on the resources required for preparing, monitoring and evaluating the single programming document.

2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 642 808 000 for the whole period and the financial contribution from the Structural Funds at EUR 321 404 000.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

The resulting requirement for national resources of EUR 321 404 000 from the public sector and EUR 410 251 000 from the private sector can be partly met by Community loans from the European Investment Bank and other lending instruments.

Article 3

1. The total assistance from the Structural Funds granted under the single programming document amounts to EUR 321 404 000.

The procedure for granting the financial assistance, including the financial contribution from the Funds for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

2. The indicative initial estimated breakdown among the Structural Funds of the total Community assistance available is as follows:

ERDF	EUR 159 858 000,
ESF	EUR 89 375 000,
EAGGF, Guidance Section	EUR 69 525 000,
FIFG	EUR 2 646 000.

Article 4

This Decision is without prejudice to the Commission's position on aid schemes falling within Article 87(1) of the Treaty that are included in this assistance and which have not yet been approved by the Commission. Submission of the application for assistance, the programme complement or a request for payment by the Member State does not replace the notification required by Article 88(3) of the Treaty.

Community financing of State aid falling within Article 87(1) of the Treaty, granted under aid schemes or in individual cases, requires prior approval by the Commission under Article 88 of the Treaty, except where the aid falls within the *de minimis* rule or is exempted under an exemption regulation adopted by the Commission under Council Regulation (EC) No 994/98 of 7

May 1998 on the application of Articles 92 and 93 [now Articles 87 and 88] of the Treaty establishing the European Community to certain categories of horizontal State aid ⁽³⁾. In the absence of such exemption or approval, aid is illegal and subject to the consequences set out in the procedural regulation for State aid, and its part-financing would be treated as an irregularity within the meaning of Article 38(5) of Regulation (EC) No 1260/1999.

Consequently, the Commission will not accept requests for interim and final payments under Article 32 of the Regulation for measures being part-financed with new or altered aid, as defined in the procedural regulation for State aid, granted under aid schemes or in individual cases, until such aid has been notified to and formally approved by the Commission.

By way of derogation from the preceding paragraphs, Articles 51 and 52 of Regulation (EC) No 1257/1999 shall apply in the context of rural development part-financed by the ERDF.

Article 5

The date from which expenditure shall be eligible is 12 October 1999. The closing date for the eligibility of expenditure shall be 31 December 2008. This date is extended to 30 April 2009 for expenditure incurred by bodies granting assistance under Article 9(l) of Regulation (EC) No 1260/1999.

Article 6

This Decision is addressed to the Republic of Finland.

Done at Brussels, 31 March 2000.

For the Commission

Michel BARNIER

Member of the Commission

⁽³⁾ OJ L 142, 14.5.1998, p. 1.

COMMISSION DECISION

of 31 March 2000

approving a single programming document of Community structural assistance under Objective 1 in certain parts of eastern Finland, namely the regions of South Savo, Kainuu, North Karelia and North Savo

*(notified under document number C(2000) 844)***(Only the Finnish and Swedish texts are authentic)**

(2002/685/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 15(5) thereof,

After consultation of the Committee on the Development and Conversion of Regions, the Committee pursuant to Article 147 of the Treaty, the Committee on Agricultural Structures and Rural Development and the Committee on Structures for Fisheries and Aquaculture,

Whereas:

- (1) Article 13 et seq. of Title II of Regulation (EC) No 1260/1999 lay down the procedure for preparing and implementing single programming documents.
- (2) Article 15(1) and (2) of Regulation (EC) No 1260/1999 provides that, after consultation with the partners referred to in Article 8 of the Regulation, the Member State may submit to the Commission a development plan which is treated as a draft single programming document, and which contains the information referred to in Article 16 of the Regulation.
- (3) Under Article 15(5) of Regulation (EC) No 1260/1999, the Commission, on the basis of the regional development plan submitted by the Member State and within the partnership established in accordance with Article 8 of the Regulation, is to take a decision on the single programming document, in agreement with the Member State concerned and in accordance with the procedures laid down in Articles 48 to 51.
- (4) The Finnish Government submitted to the Commission on 12 October 1999 an acceptable draft single programming document for the regions of South Savo, Kainuu, North Karelia and North Savo, fulfilling the conditions for Objective 1 pursuant to Article 3(1) of

Regulation (EC) No 1260/1999. The draft contains the information listed in Article 16 of the Regulation, and in particular a description of the priorities selected and an indication of the financial contribution from the European Regional Development Fund (ERDF), the European Social Fund (ESF), the European Agricultural Guidance and Guarantee Fund (EAGGF), Guidance Section, and the Financial Instrument for Fisheries Guidance (FIFG).

- (5) The date of submission of the draft which was considered acceptable by the Commission constitutes the date from which expenditure under the plan is eligible. Under Article 30 of Regulation (EC) No 1260/1999, it is necessary to lay down the final date for the eligibility of expenditure.
- (6) The rural development measures to be financed by the EAGGF are governed, in particular as regards accounting and the measures' compatibility and consistency with common agricultural policy measures, by Council Regulation (EC) No 1257/1999 of 17 May 1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) and amending and repealing certain regulations ⁽²⁾.
- (7) The single programming document has been drawn up in agreement with the Member State concerned and within the partnership.
- (8) The Commission has satisfied itself that the single programming document is in accordance with the principle of additionality.
- (9) Under Article 10 of Regulation (EC) No 1260/1999, the Commission and the Member State are required to ensure, in a manner consistent with the principle of partnership, coordination between assistance from the Funds and from the EIB and other existing Financial Instruments.

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

- (10) The EIB has been involved in drawing up the single programming document in accordance with the provisions of Article 15(5) of Regulation (EC) No 1260/1999 and has declared itself prepared to contribute to its implementation with the estimated loan amounts indicated in this Decision in conformity with its statutory provisions.
- (11) The financial contribution from the Community available over the entire period and its year-by-year breakdown are expressed in euro. The annual breakdown must be consistent with the relevant financial perspective. Under Article 7(7) of Regulation (EC) No 1260/1999, the Community contribution has already been indexed at a rate of 2 % per year. Under Articles 7(7) and 44(2) of the Regulation, the Community contribution may be reviewed at mid-term, and not later than 31 December 2004, to take account of the effective level of inflation and the allocation of the performance reserve,
- (b) a summary description of the measures planned to implement the priorities, including the information needed to check compliance with the State aid rules under Article 87 of the Treaty;
- (c) the indicative financing plan specifying for each priority and each year the financial allocation envisaged for the contribution from each Fund and the total amounts of eligible public or equivalent expenditure and estimated private funding in the Member State. The total contribution from the Funds planned for each year for the single programming document is consistent with the relevant financial perspective;
- (d) the provisions for implementing the single programming document including designation of the managing authority, a description of the arrangements for managing the single programming document and the use to be made of global grants, a description of the systems for monitoring and evaluation, including the role of the Monitoring Committee, and the arrangements for the participation of the partners in that Committee;

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance under Objective 1 in certain parts of eastern Finland, namely the regions of South Savo, Kainuu, North Karelia and North Savo, for the period 1 January 2000 to 31 December 2006 is hereby approved.

Article 2

1. In accordance with Article 19 of Regulation (EC) No 1260/1999, the single programming document includes the following elements:

- (a) the strategy and priorities for the joint action of the Community Structural Funds and the Member State; their specific quantified targets; the ex ante evaluation of the expected impact, including on the environmental situation, and the consistency of the priorities with the economic, social and regional policies and the employment strategy of Finland.

The priorities are as follows:

1. business development;
2. development of know-how and employment;
3. rural development;
4. development of infrastructure;
5. technical assistance;

- (e) the ex ante verification and information on the transparency of financial flows;
- (f) information on the resources required for preparing, monitoring and evaluating the single programming document.

2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 1 253 192 000 for the whole period and the financial contribution from the Structural Funds at EUR 626 596 000.

The resulting requirement for national resources of EUR 626 596 000 from the public sector and EUR 1 305 368 000 from the private sector can be partly met by Community loans from the European Investment Bank and other lending instruments.

Article 3

1. The total assistance from the Structural Funds granted under the single programming document amounts to EUR 626 596 000.

The procedure for granting the financial assistance, including the financial contribution from the Funds for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

2. The indicative initial estimated breakdown among the Structural Funds of the total Community assistance available is as follows:

ERDF	EUR 311 176 000,
ESF	EUR 183 592 000,
EAGGF, Guidance Section	EUR 127 621 000,
FIFG	EUR 4 207 000.

Article 4

This Decision is without prejudice to the Commission's position on aid schemes falling within Article 87(1) of the Treaty that are included in this assistance and which have not yet been approved by the Commission. Submission of the application for assistance, the programme complement or a request for payment by the Member State does not replace the notification required by Article 88(3) of the Treaty.

Community financing of State aid falling within Article 87(1) of the Treaty, granted under aid schemes or in individual cases, requires prior approval by the Commission under Article 88 of the Treaty, except where the aid falls within the *de minimis* rule or is exempted under an exemption regulation adopted by the Commission under Council Regulation (EC) No 994/98 of 7 May 1998 on the application of Articles 92 and 93 [now Articles 87 and 88] of the Treaty establishing the European Community to certain categories of horizontal State aid ⁽³⁾. In the absence of such exemption or approval, aid is illegal and subject to the consequences set out in the procedural regulation for State aid, and its part-financing would be treated as an irregularity within the meaning of Article 38(5) of Regulation (EC) No 1260/1999.

Consequently, the Commission will not accept requests for interim and final payments under Article 32 of the Regulation for measures being part-financed with new or altered aid, as defined in the procedural regulation for State aid, granted under aid schemes or in individual cases, until such aid has been notified to and formally approved by the Commission.

By way of derogation from the preceding paragraphs, Articles 51 and 52 of Regulation (EC) No 1257/1999 shall apply in the context of rural development part-financed by the ERDF.

Article 5

The date from which expenditure shall be eligible is 12 October 1999. The closing date for the eligibility of expenditure shall be 31 December 2008. This date is extended to 30 April 2009 for expenditure incurred by bodies granting assistance under Article 9(l) of Regulation (EC) No 1260/1999.

Article 6

This Decision is addressed to the Republic of Finland.

Done at Brussels, 31 March 2000.

For the Commission

Michel BARNIER

Member of the Commission

⁽³⁾ OJ L 142, 14.5.1998, p. 1.

COMMISSION DECISION**of 7 April 2000****approving the single programming document for Community structural assistance in the Objective 1 region of Burgenland in Austria***(notified under document number C(2000) 950)***(Only the German text is authentic)**

(2002/686/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 15(5) thereof,

After consulting the Committee on the Development and Conversion of Regions, the Committee pursuant to Article 147 of the Treaty, the Committee on Agricultural Structures and Rural Development and the Committee on Structures for Fisheries and Aquaculture,

Whereas:

- (1) Article 13 et seq. of Title II of Regulation (EC) No 1260/1999 lay down the procedure for preparing and implementing single programming documents.
- (2) Article 15(1) and (2) of Regulation (EC) No 1260/1999 provides that, after consultation with the partners referred to in Article 8 of the Regulation, the Member State may submit to the Commission a development plan which is treated as a draft single programming document, and which contains the information referred to in Article 16 of the Regulation.
- (3) Pursuant to Article 15(5) of Regulation (EC) No 1260/1999, on the basis of the regional development plan submitted by the Member State and within the partnership established in accordance with Article 8 of that Regulation, the Commission is to take a decision on the single programming document, in agreement with the Member State concerned and in accordance with the procedures laid down in Articles 48 to 51.
- (4) The Austrian Government submitted to the Commission on 9 November 1999 an acceptable draft single programming document for the region of Burgenland in Austria fulfilling the conditions for Objective 1 pursuant to Article 3(1) of Regulation (EC) No 1260/1999. The draft contains the information listed in Article 16 of the

Regulation, and in particular a description of the priorities selected and an indication of the financial contribution from the European Regional Development Fund (ERDF), the European Social Fund (ESF), the European Agricultural Guidance and Guarantee Fund (EAGGF) — Guidance Section, and the Financial Instrument for Fisheries Guidance (FIFG).

- (5) The date of submission of the draft which was considered acceptable by the Commission constitutes the date from which expenditure under the plan is eligible. Under Article 30 of Regulation (EC) No 1260/1999, it is necessary to lay down the final date for the eligibility of expenditure.
- (6) The rural development measures to be financed by the EAGGF are governed, in particular as regards their compatibility and consistency with common agricultural policy measures, by Council Regulation (EC) No 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) ⁽²⁾.
- (7) The single programming document has been drawn up in agreement with the Member State concerned and within the partnership.
- (8) The Commission has satisfied itself that the single programming document is in accordance with the principle of additionality.
- (9) Under Article 10 of Regulation (EC) No 1260/1999, the Commission and the Member State are required to ensure, in a manner consistent with the principle of partnership, coordination between assistance from the Funds and from the EIB and other existing Financial Instruments.

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

- (10) Under Article 15(5) of Regulation (EC) No 1260/1999, the EIB has been involved in drawing up the single programming document and has stated that it is willing to assist in implementing the Document in conformity with its statutory provisions.
- (11) The financial contribution from the Community available over the entire period and its year-by-year breakdown are expressed in euro. The annual breakdown should be consistent with the relevant financial perspective. Under Article 7(7) of Regulation (EC) No 1260/1999, the Community contribution has already been indexed at a rate of 2 % per year. Under Article 7(7) and Article 44(2) of the Regulation, the Community contribution may be reviewed at mid-term, and not later than 31 March 2004, to take account of the effective level of inflation and the allocation of the performance reserve.
- (12) Provision must be made for adapting the financial allocations of the priorities of this single programming document within certain limits to actual requirements reflected by the pattern of implementation on the ground, in agreement with the Member State concerned,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance to the Objective 1 region of Burgenland in Austria for the period 1 January 2000 to 31 December 2006 is hereby approved.

Article 2

1. In accordance with Article 19 of Regulation (EC) No 1260/1999, the single programming document includes the following elements:

- (a) the strategy and priorities for the joint action of the Structural Funds and the Member State; their specific quantified targets; the ex ante evaluation of the expected impact, including on the environmental situation, and the consistency of the priorities with the economic, social and regional policies and the employment strategy of Austria.

The priorities are as follows:

1. trade and industry;
2. research, technology and innovation;
3. tourism and culture;
4. agriculture and forestry, fisheries and nature conservation;

5. human resources, employment and training;
6. technical assistance and evaluation;

- (b) a summary description of the measures planned to implement the priorities, including the information needed to check compliance with the State aid rules under Article 87 of the Treaty;
- (c) the indicative financing plan specifying for each priority and each year the financial allocation envisaged for the contribution from each Fund, and the amounts of eligible public or equivalent expenditure and estimated private funding in the Member State. The total contribution from the Funds planned for each year for the single programming document is consistent with the relevant financial perspective;
- (d) the provisions for implementing the single programming document including designation of the managing authority, a description of the arrangements for managing the single programming document and the use to be made of global grants, a description of the systems for monitoring and evaluation, including the role of the Monitoring Committee and the arrangements for the participation of the partners in that Committee;
- (e) the ex ante verification of compliance with additionality and information on the transparency of financial flows;
- (f) information on the resources required for preparing, monitoring and evaluating the assistance.

2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 863 895 377 for the whole period and the financial contribution from the Structural Funds at EUR 271 000 000.

The resulting requirement for national resources of EUR 98 573 454 from the public sector and EUR 494 321 923 from the private sector can be partly met by Community loans from the European Investment Bank and other lending instruments.

Article 3

1. The total assistance from the Structural Funds granted under the single programming document amounts to EUR 271 000 000.

The procedure for granting the financial assistance, including the financial contribution from the Funds for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

2. The indicative initial estimated breakdown among the Structural Funds of the total Community assistance available is as follows:

ERDF	EUR 173 815 630,
ESF	EUR 55 013 336,
EAGGF, Guidance Section	EUR 41 345 471,
FIFG	EUR 825 563.

3. During implementation of the financing plan, the total cost or Community financing of a given priority may be adjusted in agreement with the Member State by up to 25 % of the total Community contribution to the single programming document throughout the programme period, or by up to EUR 60 million, without altering the total Community contribution referred to in paragraph 1.

Article 4

This Decision is without prejudice to the Commission's position on aid schemes falling within Article 87(1) of the Treaty that are included in this assistance and which it has not yet approved. Submission of the application for assistance, the programme complement or a request for payment by the Member State does not replace the notification required by Article 88(3) of the Treaty.

Community financing of State aid falling within Article 87(1) of the Treaty, granted under aid schemes or in individual cases, requires prior approval by the Commission under Article 88(3) of the Treaty, except where the aid falls under the *de minimis* rule or is exempted under an exemption regulation adopted by the Commission under Council Regulation (EC) No 994/98 of 7 May 1998 on the application of Articles 92 and 93 [now Articles 87 and 88] to certain categories of horizontal aid ⁽³⁾. In the absence of such exemption or approval, aid is illegal

and subject to the consequences set out in the procedural regulation for State aid, and its part-financing would be treated as an irregularity within the meaning of Articles 38 and 39 of Regulation (EC) No 1260/1999.

Consequently, the Commission will not accept requests for interim and final payments under Article 32 of the Regulation for measures being part-financed with new or altered aid, as defined in the procedural regulation for State aid, granted under aid schemes or in individual cases, until such aid has been notified to and formally approved by the Commission.

By way of derogation from the preceding paragraphs, Articles 51 and 52 of Regulation (EC) No 1257/1999 shall apply in the context of rural development part-financed by the ERDF.

Article 5

The date from which expenditure shall be eligible is 9 November 1999. The closing date for the eligibility of expenditure shall be 31 December 2008. This date is extended to 30 April 2009 for expenditure incurred by bodies granting assistance under Article 9(l) of Regulation (EC) No 1260/1999.

Article 6

This Decision is addressed to the Republic of Austria.

Done at Brussels, 7 April 2000.

For the Commission

Michel BARNIER

Member of the Commission

⁽³⁾ OJ L 142, 14.5.1998, p. 1.

COMMISSION DECISION

of 24 May 2000

approving a single programming document of Community structural assistance under Objective 1 in the region of Södra Skogslänen, namely the Counties of Jämtland and Västernorrland, the municipality of Torsby in Värmland County, the municipality of Ljusdal in Gävleborg County, and the municipalities of Malung, Orsa, Vansbro and Älvdalen and communities of Venjan and Våmhus in Dalarna County in Sweden

(notified under document number C(2000) 1406 COR)

(Only the Swedish text is authentic)

(2002/687/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 15(5) thereof,

After consultation of the Committee on the Development and Conversion of Regions, the Committee pursuant to Article 147 of the Treaty, the Committee on Agricultural Structures and Rural Development and the Committee on Structures for Fisheries and Aquaculture,

Whereas:

- (1) Article 13 et seq. of Title II of Regulation (EC) No 1260/1999 lay down the procedure for preparing and implementing single programming documents.
- (2) Article 15(1) and (2) of Regulation (EC) No 1260/1999 provides that, after consultation with the partners referred to in Article 8 of the Regulation, the Member State may submit to the Commission a development plan which is treated as a draft single programming document, and which contains the information referred to in Article 16 of the Regulation.
- (3) Under Article 15(5) of Regulation (EC) No 1260/1999, the Commission, on the basis of the regional development plan submitted by the Member State and within the partnership established in accordance with Article 8 of the Regulation, is to take a decision on the single programming document, in agreement with the Member State concerned and in accordance with the procedures laid down in Articles 48 to 51.
- (4) The Swedish Government submitted to the Commission on 23 November 1999 an acceptable draft single programming document for the region of Södra

Skogslänen, namely the Counties of Jämtland and Västernorrland, the municipality of Torsby in Värmland County, the municipality of Ljusdal in Gävleborg County, and the municipalities of Malung, Orsa, Vansbro and Älvdalen and communities of Venjan and Våmhus in Dalarna County, fulfilling the conditions for Objective 1 pursuant to Articles 3(1) and 7(4) of Regulation (EC) No 1260/1999. The draft contains the information listed in Article 16 of the Regulation, and in particular a description of the priorities selected and an indication of the financial contribution from the European Regional Development Fund (ERDF), the European Social Fund (ESF), the European Agricultural Guidance and Guarantee Fund (EAGGF), Guidance Section, and the Financial Instrument for Fisheries Guidance (FIFG).

- (5) The date of submission of the draft which was considered acceptable by the Commission constitutes the date from which expenditure under the plan is eligible. Under Article 30 of Regulation (EC) No 1260/1999, it is necessary to lay down the final date for the eligibility of expenditure.
- (6) The rural development measures to be financed by the EAGGF are governed, in particular as regards accounting and the measures' compatibility and consistency with common agricultural policy measures, by Council Regulation (EC) No 1257/1999 of 17 May 1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) and amending and repealing certain regulations ⁽²⁾.
- (7) The single programming document has been drawn up in agreement with the Member State concerned and within the partnership.
- (8) The Commission has satisfied itself that the single programming document is in accordance with the principle of additionality.

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

(9) Under Article 10 of Regulation (EC) No 1260/1999, the Commission and the Member State are required to ensure, in a manner consistent with the principle of partnership, coordination between assistance from the Funds and from the European Investment Bank (EIB) and other existing financial instruments.

(10) The EIB has been involved in drawing up the single programming document in accordance with the provisions of Article 15(5) of Regulation (EC) No 1260/1999 and has declared itself prepared to contribute to its implementation with the estimated loan amounts indicated in this Decision in conformity with its statutory provisions.

(11) The financial contribution from the Community available over the entire period and its year-by-year breakdown are expressed in euro. The annual breakdown must be consistent with the relevant financial perspective. Under Article 7(7) of Regulation (EC) No 1260/1999, the Community contribution has already been indexed at a rate of 2 % per year. Under Articles 7(7) and 44(2) of the Regulation, the Community contribution may be reviewed at mid-term, and not later than 31 December 2004, to take account of the effective level of inflation and the allocation of the performance reserve.

(12) Provision should be made for adapting the financial allocations of the priorities of this single programming document within certain limits to actual requirements reflected by the pattern of implementation on the ground, in agreement with the Member State concerned,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance under Objective 1 in the region of Södra Skogslänen, namely the Counties of Jämtland and Västernorrland, the municipality of Torsby in Värmland County, the municipality of Ljusdal in Gävleborg County, and the municipalities of Malung, Orsa, Vansbro and Älvdalen and communities of Venjan and Våmhus in Dalarna County, for the period 1 January 2000 to 31 December 2006 is hereby approved.

Article 2

1. In accordance with Article 19 of Regulation (EC) No 1260/1999, the single programming document includes the following elements:

(a) the strategy and priorities for the joint action of the Community Structural Funds and the Member State, their specific quantified targets, the *ex ante* evaluation of the expected impact, including on the environmental situation, and the consistency of the priorities with the economic, social and regional policies and the employment strategy of Sweden.

The priorities are as follows:

1. Economic development
2. Lifelong learning and development of human resources in working life
3. Development of agriculture and forestry, rural development and development of fisheries
4. Development of living environment and infrastructure
5. The Sami area — Sápmi
6. Technical assistance;

(b) a summary description of the measures planned to implement the priorities, including the information needed to check compliance with the State aid rules under Article 87 of the Treaty;

(c) the indicative financing plan specifying for each priority and each year, the financial allocation envisaged for the contribution from each fund and the total amounts of eligible public or equivalent expenditure and estimated private funding in the Member State;

The total contribution from the funds planned for each year for the single programming document is consistent with the relevant financial perspective;

(d) the provisions for implementing the single programming document including designation of the managing authority, a description of the arrangements for managing the single programming document and the use to be made of global grants, a description of the systems for monitoring and evaluation, including the role of the Monitoring Committee, and the arrangements for the participation of the partners in that Committee;

(e) the *ex ante* verification and information on the transparency of financial flows;

(f) information on the resources required for preparing, monitoring and evaluating the single programming document.

2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 672 811 693 for the whole period and the financial contribution from the Structural Funds at EUR 356 600 000.

The resulting requirement for national resources of EUR 316 211 693 from the public sector and EUR 335 806 321 from the private sector can be partly met by Community loans from the EIB and other lending instruments.

Article 3

1. The total assistance from the Structural Funds granted under the single programming document amounts to EUR 356 600 000.

The procedure for granting the financial assistance, including the financial contribution from the funds for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

2. The indicative initial estimated breakdown among the Structural Funds of the total Community assistance available is as follows:

ERDF	EUR 219 117 352,
ESF	EUR 70 518 508,
EAGGF, Guidance Section	EUR 61 148 760,
FIFG	EUR 5 815 380.

3. During implementation of the financing plan, the total cost or Community financing of a given priority may be adjusted in agreement with the Member State by up to 25 % of the total Community contribution to the single programming document throughout the programme period, or by up to EUR 60 million, without altering the total Community contribution referred to in paragraph 1.

Article 4

This Decision is without prejudice to the Commission's position on aid schemes falling within Article 87(1) of the Treaty that are included in this assistance and which have not yet been approved by the Commission. Submission of the application for assistance, the programming complement or a request for payment by the Member State does not replace the notification required by Article 88(3) of the Treaty.

Community financing of State aid falling within Article 87(1) of the Treaty, granted under aid schemes or in individual cases, requires prior approval by the Commission under Article 88 of the Treaty, except where the aid falls within the *de minimis* rule or is exempted under an exemption regulation adopted by the Commission under Council Regulation (EC) No 994/98 of 7 May 1998 on the application of Articles 87 and 88 of the Treaty establishing the European Community to certain categories of horizontal State aid ⁽³⁾. In the absence of such exemption or approval, aid is illegal and subject to the consequences set out in the procedural regulation for State aid, and its part-financing would be treated as an irregularity within the meaning of Article 38(5) of Regulation (EC) No 1260/1999.

Consequently, the Commission will not accept requests for interim and final payments under Article 32 of the Regulation for measures being part-financed with new or altered aid, as defined in the procedural regulation for State aid, granted under aid schemes or in individual cases, until such aid has been notified to and formally approved by the Commission.

By way of derogation from the preceding paragraphs, Articles 51 and 52 of Regulation (EC) No 1257/1999 shall apply in the context of rural development part-financed by the ERDF.

Article 5

The date from which expenditure shall be eligible is 23 November 1999. The closing date for the eligibility of expenditure shall be 31 December 2008. This date is extended to 30 April 2009 for expenditure incurred by bodies granting assistance under Article 9(l) of Regulation (EC) No 1260/1999.

Article 6

This Decision is addressed to the Kingdom of Sweden.

Done at Brussels, 24 May 2000.

For the Commission

Michel BARNIER

Member of the Commission

⁽³⁾ OJ L 142, 14.5.1998, p. 1.

COMMISSION DECISION

of 24 May 2000

approving a single programming document of Community structural assistance under Objective 1 in the region of Norra Norrland, namely the counties of Norrbotten and Västerbotten, in Sweden*(notified under document number C(2000) 1408)***(Only the Swedish text is authentic)**

(2002/688/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 15(5) thereof,

After consultation of the Committee on the Development and Conversion of Regions, the Committee pursuant to Article 147 of the Treaty, the Committee on Agricultural Structures and Rural Development and the Committee on Structures for Fisheries and Aquaculture,

Whereas:

- (1) Article 13 et seq. of Title II of Regulation (EC) No 1260/1999 lay down the procedure for preparing and implementing single programming documents.
- (2) Article 15(1) and (2) of Regulation (EC) No 1260/1999 provides that, after consultation with the partners referred to in Article 8 of the Regulation, the Member State may submit to the Commission a development plan which is treated as a draft single programming document, and which contains the information referred to in Article 16 of the Regulation.
- (3) Under Article 15(5) of Regulation (EC) No 1260/1999, the Commission, on the basis of the regional development plan submitted by the Member State and within the partnership established in accordance with Article 8 of the Regulation, is to take a decision on the single programming document, in agreement with the Member State concerned and in accordance with the procedures laid down in Articles 48 to 51.
- (4) The Swedish Government submitted to the Commission on 23 November 1999 an acceptable draft single programming document for the region of Norra Norrland, namely the counties of Norrbotten and Västerbotten, fulfilling the conditions for Objective 1 pursuant to Articles 3(1) and 7(4) of Regulation (EC) No 1260/1999. The draft contains the information listed in Article 16 of the Regulation, and in particular a

description of the priorities selected and an indication of the financial contribution from the European Regional Development Fund (ERDF), the European Social Fund (ESF), the European Agricultural Guidance and Guarantee Fund (EAGGF), Guidance Section, and the Financial Instrument for Fisheries Guidance (FIFG).

- (5) The date of submission of the draft which was considered acceptable by the Commission constitutes the date from which expenditure under the plan is eligible. Under Article 30 of Regulation (EC) No 1260/1999, it is necessary to lay down the final date for the eligibility of expenditure.
- (6) The rural development measures to be financed by the EAGGF are governed, in particular as regards accounting and the measures' compatibility and consistency with common agricultural policy measures, by Council Regulation (EC) No 1257/1999 of 17 May 1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) and amending and repealing certain regulations ⁽²⁾.
- (7) The single programming document has been drawn up in agreement with the Member State concerned and within the partnership.
- (8) The Commission has satisfied itself that the single programming document is in accordance with the principle of additionality.
- (9) Under Article 10 of Regulation (EC) No 1260/1999, the Commission and the Member State are required to ensure, in a manner consistent with the principle of partnership, coordination between assistance from the funds and from the European Investment Bank (EIB) and other existing financial instruments.

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

- (10) The EIB has been involved in drawing up the single programming document in accordance with the provisions of Article 15(5) of Regulation (EC) No 1260/1999 and has declared itself prepared to contribute to its implementation with the estimated loan amounts indicated in this Decision in conformity with its statutory provisions.
- (11) The financial contribution from the Community available over the entire period and its year-by-year breakdown are expressed in euro. The annual breakdown must be consistent with the relevant financial perspective. Under Article 7(7) of Regulation (EC) No 1260/1999, the Community contribution has already been indexed at a rate of 2 % per year. Under Articles 7(7) and 44(2) of the Regulation, the Community contribution may be reviewed at mid-term, and not later than 31 December 2004, to take account of the effective level of inflation and the allocation of the performance reserve.
- (12) Provision should be made for adapting the financial allocations of the priorities of this single programming document within certain limits to actual requirements reflected by the pattern of implementation on the ground, in agreement with the Member State concerned,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance under Objective 1 in the region of Norra Norrland, namely the counties of Norrbotten and Västerbotten, in Sweden for the period 1 January 2000 to 31 December 2006 is hereby approved.

Article 2

1. In accordance with Article 19 of Regulation (EC) No 1260/1999, the single programming document includes the following elements:

- (a) the strategy and priorities for the joint action of the Community Structural Funds and the Member State, their specific quantified targets, the *ex ante* evaluation of the expected impact, including on the environmental situation, and the consistency of the priorities with the economic, social and regional policies and the employment strategy of Sweden.

The priorities are as follows:

1. Development of infrastructure
2. Economic development
3. Development of skills and employment
4. Rural development, fisheries and aquaculture
5. Nature, culture and the human environment
6. Sami development
7. Technical assistance;

- (b) a summary description of the measures planned to implement the priorities, including the information needed to check compliance with the State aid rules under Article 87 of the Treaty;

- (c) the indicative financing plan specifying for each priority and each year, the financial allocation envisaged for the contribution from each fund and the total amounts of eligible public or equivalent expenditure and estimated private funding in the Member State;

The total contribution from the funds planned for each year for the single programming document is consistent with the relevant financial perspective;

- (d) the provisions for implementing the single programming document including designation of the managing authority, a description of the arrangements for managing the single programming document and the use to be made of global grants, a description of the systems for monitoring and evaluation, including the role of the Monitoring Committee, and the arrangements for the participation of the partners in that Committee;

- (e) the *ex ante* verification and information on the transparency of financial flows;

- (f) information on the resources required for preparing, monitoring and evaluating the single programming document.

2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 687 180 000 for the whole period and the financial contribution from the Structural Funds at EUR 391 400 000.

The resulting requirement for national resources of EUR 295 780 000 from the public sector and EUR 353 467 000 from the private sector can be partly met by Community loans from the EIB and other lending instruments.

Article 3

1. The total assistance from the Structural Funds granted under the single programming document amounts to EUR 391 400 000.

The procedure for granting the financial assistance, including the financial contribution from the funds for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

2. The indicative initial estimated breakdown among the Structural Funds of the total Community assistance available is as follows:

ERDF	EUR 246 622 000,
ESF	EUR 88 217 000,
EAGGF Guidance Section	EUR 50 609 000,
FIFG	EUR 5 952 000.

3. During implementation of the financing plan, the total cost or Community financing of a given priority may be adjusted in agreement with the Member State by up to 25 % of the total Community contribution to the single programming document throughout the programme period, or by up to EUR 60 million, without altering the total Community contribution referred to in paragraph 1.

Article 4

This Decision is without prejudice to the Commission's position on aid schemes falling within Article 87(1) of the Treaty that are included in this assistance and which have not yet been approved by the Commission. Submission of the application for assistance, the programming complement or a request for payment by the Member State does not replace the notification required by Article 88(3) of the Treaty.

Community financing of State aid falling within Article 87(1) of the Treaty, granted under aid schemes or in individual cases, requires prior approval by the Commission under Article 88 of the Treaty, except where the aid falls within the *de minimis* rule or is exempted under an exemption regulation adopted by the Commission under Council Regulation (EC) No 994/98 of 7 May 1998 on the application of Articles 87 and 88 of the Treaty establishing the European Community to certain categories of horizontal State aid ⁽³⁾. In the absence of such exemption or approval, aid is illegal and subject to the consequences set out in the procedural regulation for State aid, and its part-financing would be treated as an irregularity within the meaning of Article 38(5) of Regulation (EC) No 1260/1999.

Consequently, the Commission will not accept requests for interim and final payments under Article 32 of the Regulation for measures being part-financed with new or altered aid, as defined in the procedural regulation for State aid, granted under aid schemes or in individual cases, until such aid has been notified to and formally approved by the Commission.

By way of derogation from the preceding paragraphs, Articles 51 and 52 of Regulation (EC) No 1257/1999 shall apply in the context of rural development part-financed by the ERDF.

Article 5

The date from which expenditure shall be eligible is 23 November 1999. The closing date for the eligibility of expenditure shall be 31 December 2008. This date is extended to 30 April 2009 for expenditure incurred by bodies granting assistance under Article 9(l) of Regulation (EC) No 1260/1999.

Article 6

This Decision is addressed to the Kingdom of Sweden.

Done at Brussels, 24 May 2000.

For the Commission

Michel BARNIER

Member of the Commission

⁽³⁾ OJ L 142, 14.5.1998, p. 1.

COMMISSION DECISION

of 30 June 2000

approving the single programming document for Community structural assistance in certain areas of the regions of South Ostrobothnia, Central Ostrobothnia, Central Finland, Pirkanmaa, Ostrobothnia, Northern Ostrobothnia and Satakunta under Objective 2 in Finland

*(notified under document number C(2000) 1523)***(Only the Finnish and Swedish texts are authentic)**

(2002/689/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 15(5) thereof,

After consultation of the Committee on the Development and Conversion of Regions and the Committee pursuant to Article 147 of the Treaty,

Whereas:

- (1) Article 13 et seq. of Title II of Regulation (EC) No 1260/1999 lay down the procedure for preparing and implementing single programming documents.
- (2) Article 15(1) and (2) of Regulation (EC) No 1260/1999 provides that, after consultation with the partners referred to in Article 8 of the Regulation, the Member State may submit to the Commission a development plan which is treated as a draft single programming document, and which contains the information referred to in Article 16 of the Regulation.
- (3) Under Article 15(5) of Regulation (EC) No 1260/1999, the Commission, on the basis of the regional development plan submitted by the Member State and within the partnership established in accordance with Article 8 of the Regulation, is to take a decision on the single programming document, in agreement with the Member State concerned and in accordance with the procedures laid down in Articles 48 to 51.
- (4) The Finnish Government submitted to the Commission on 3 January 2000 an acceptable draft single programming document for the regions fulfilling the conditions for Objective 2 pursuant to Article 4(1) qualifying for transitional support under Objectives 2 and 5b pursuant to Article 6(2) of Regulation (EC) No 1260/1999. The draft contains the information listed in Article 16 of the Regulation, and in particular a

description of the priorities selected and an indication of the financial contribution from the European Regional Development Fund (ERDF), the European Social Fund (ESF) and the other Financial Instruments proposed for implementing the plan.

- (5) The date of submission of the draft which was considered acceptable by the Commission constitutes the date from which expenditure under the plan is eligible. Under Article 52(4) of Regulation (EC) No 1260/1999, as an acceptable plan was submitted between 1 January and 30 April 2000, the date from which expenditure under the plan is eligible is 1 January 2000. Under Article 30 of the Regulation, it is necessary to lay down the final date for the eligibility of expenditure.
- (6) The single programming document has been drawn up in agreement with the Member State concerned and within the partnership.
- (7) The Commission has satisfied itself that the single programming document is in accordance with the principle of additionality.
- (8) Under Article 10 of Regulation (EC) No 1260/1999, the Commission and the Member State are required to ensure, in a manner consistent with the principle of partnership, coordination between assistance from the Funds and from the EIB and other existing Financial Instruments.
- (9) The financial contribution from the Community available over the entire period and its year-by-year breakdown are expressed in euro. The annual breakdown must be consistent with the relevant financial perspective. Under Article 7(7) of Regulation (EC) No 1260/1999, the Community contribution has already been indexed at a rate of 2 % per year. Under Articles 7(7) and 44(2) of the Regulation, the Community contribution may be reviewed at mid-term, and not later than 31 December 2004, to take account of the effective level of inflation and the allocation of the performance reserve.

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

(10) Provision must be made for adapting the financial allocations of the priorities of this single programming document within certain limits to actual requirements reflected by the pattern of implementation on the ground, in agreement with the Member State concerned,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in certain areas of the regions of South Ostrobothnia, Central Ostrobothnia, Central Finland, Pirkanmaa, Ostrobothnia, Northern Ostrobothnia and Satakunta under Objective 2, and in certain areas of these regions qualifying for transitional support under Objectives 2 and 5b in Finland, for the period 1 January 2000 to 31 December 2006 is hereby approved.

Article 2

1. In accordance with Article 19 of Regulation (EC) No 1260/1999, the single programming document includes the following elements:

(a) the strategy and priorities for the joint action of the Community Structural Funds and the Member State; their specific quantified targets; the *ex ante* evaluation of the expected impact, including on the environmental situation, and the consistency of the priorities with the economic, social and regional policies and the employment strategy of Finland.

The priorities are as follows:

- (1) business development and economic restructuring;
 - (2) development of skills and new technologies;
 - (3) modernisation of regional infrastructure and development of the living environment;
 - (4) technical assistance;
- (b) a summary description of the measures planned to implement the priorities, including the information needed to check compliance with the State aid rules under Article 87 of the Treaty;

(c) the indicative financing plan specifying for each priority and each year the financial allocation envisaged for the contribution from each Fund, the EIB and the other Financial Instruments and indicating separately the funding planned for the regions receiving transitional support in respect of Objectives 2 and 5b and the total amounts of eligible public or equivalent expenditure and estimated private funding in the Member State. The total contribution from the Funds planned for each year for the single programming document is consistent with the relevant financial perspective;

(d) the provisions for implementing the single programming document including designation of the managing authority, a description of the arrangements for managing the single programming document and the use to be made of global grants, a description of the systems for monitoring and evaluation, including the role of the Monitoring Committee and the arrangements for the participation of the partners, including partners representing the interests of equality between men and women, and the environment in that Committee;

(e) the *ex ante* verification of compliance with additionality and information on the transparency of financial flows;

(f) information on the resources required for preparing, monitoring and evaluating the single programming document.

2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 710 374 000 for the whole period and the financial contribution from the Structural Funds at EUR 284 151 000.

The resulting requirement for national resources of EUR 426 223 000 from the public sector and EUR 596 274 000 from the private sector can be partly met by Community loans from the European Investment Bank and other lending instruments.

Article 3

1. The total assistance from the Structural Funds granted under the single programming document amounts to EUR 284 151 000.

The procedure for granting the financial assistance, including the financial contribution from the Funds for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

2. The indicative initial estimated breakdown of the total Community assistance available between the Structural Funds is as follows:

ERDF	EUR 218 451 000,
ESF	EUR 65 700 000.

3. During implementation of the financing plan, the total cost or Community financing of a given priority can be adjusted in agreement with the Member State by up to 25 % of the total Community contribution to the single programming document throughout the programme period or by up to EUR 30 000 000, whichever is the greater, without altering the total Community contribution referred to in paragraph 1.

Article 4

This Decision is without prejudice to the Commission's position on aid schemes falling within Article 87(1) of the Treaty that are included in this assistance and which have not yet been approved by the Commission. Submission of the application for assistance, the programming complement or a request for payment by the Member State does not replace the notification required by Article 88(3) of the Treaty.

Community financing of State aid falling within Article 87(1) of the Treaty, granted under aid schemes or in individual cases, requires prior approval by the Commission under Article 88 of the Treaty, except where the aid falls within the *de minimis* rule or is exempted under an exemption regulation adopted by the Commission under Council Regulation (EC) No 994/98 of 7 May 1998 on the application of Articles 92 and 93 [now Articles 87 and 88] of the Treaty establishing the European Community to certain categories of horizontal State aid ⁽²⁾. In

the absence of such exemption or approval, aid is illegal and subject to the consequences set out in the procedural regulation for State aid, and its part-financing would be treated as an irregularity within the meaning of Article 38(5) of Regulation (EC) No 1260/1999. Consequently, the Commission will not accept requests for interim and final payments under Article 32 of the Regulation for measures being part-financed with new or altered aid, as defined in the procedural regulation for State aid, granted under aid schemes or in individual cases, until such aid has been notified to and formally approved by the Commission.

By way of derogation from the preceding paragraphs, Articles 51 and 52 of Regulation (EC) No 1257/1999 shall apply in the context of rural development part-financed by the ERDF.

Article 5

The date from which expenditure shall be eligible is 1 January 2000. The closing date for the eligibility of expenditure shall be 31 December 2008. This date is extended to 30 April 2009 for expenditure incurred by bodies granting assistance under Article 9(l) of Regulation (EC) No 1260/1999.

Article 6

This Decision is addressed to the Republic of Finland.

Done at Brussels, 30 June 2000.

For the Commission

Michel BARNIER

Member of the Commission

⁽²⁾ OJ L 142, 14.5.1998, p. 1.

COMMISSION DECISION

of 30 June 2000

approving the single programming document for Community structural assistance in the regions of South Karelia, Kanta-Häme and Päijät-Häme and in certain areas of the regions of Eastern Uusimaa, Kymenlaakso, Uusimaa and South-west Finland under Objective 2 in Finland

*(notified under document number C(2000) 1741)***(Only the Finnish and Swedish texts are authentic)**

(2002/690/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 15(5) thereof,

After consultation of the Committee on the Development and Conversion of Regions and the Committee pursuant to Article 147 of the Treaty,

Whereas:

(1) Article 13 et seq. of Title II of Regulation (EC) No 1260/1999 lay down the procedure for preparing and implementing single programming documents.

(2) Article 15(1) and (2) of Regulation (EC) No 1260/1999 provides that, after consultation with the partners referred to in Article 8 of the Regulation, the Member State may submit to the Commission a development plan which is treated as a draft single programming document, and which contains the information referred to in Article 16 of the Regulation.

(3) Under Article 15(5) of Regulation (EC) No 1260/1999, the Commission, on the basis of the regional development plan submitted by the Member State and within the partnership established in accordance with Article 8 of the Regulation, is to take a decision on the single programming document, in agreement with the Member State concerned and in accordance with the procedures laid down in Articles 48 to 51.

(4) The Finnish Government submitted to the Commission on 3 January 2000 an acceptable draft single programming document for the regions fulfilling the conditions for Objective 2 pursuant to Article 4(1) qualifying for transitional support under Objectives 2

and 5b pursuant to Article 6(2) of Regulation (EC) No 1260/1999. The draft contains the information listed in Article 16 of the Regulation, and in particular a description of the priorities selected and an indication of the financial contribution from the European Regional Development Fund (ERDF), the European Social Fund (ESF) and the other Financial Instruments proposed for implementing the plan.

(5) The date of submission of the draft which was considered acceptable by the Commission constitutes the date from which expenditure under the plan is eligible. Under Article 52(4) of Regulation (EC) No 1260/1999, as an acceptable plan was submitted between 1 January and 30 April 2000, the date from which expenditure under the plan is eligible is 1 January 2000. Under Article 30 of the Regulation, it is necessary to lay down the final date for the eligibility of expenditure.

(6) The single programming document has been drawn up in agreement with the Member State concerned and within the partnership.

(7) The Commission has satisfied itself that the single programming document is in accordance with the principle of additionality.

(8) Under Article 10 of Regulation (EC) No 1260/1999, the Commission and the Member State are required to ensure, in a manner consistent with the principle of partnership, coordination between assistance from the Funds and from the EIB and other existing Financial Instruments.

(9) The financial contribution from the Community available over the entire period and its year-by-year breakdown are expressed in euro. The annual breakdown must be consistent with the relevant financial perspective. Under Article 7(7) of Regulation (EC) No 1260/1999, the Community contribution has already been indexed at a rate of 2 % per year. Under

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

Article 7(7) and Article 44(2) of the Regulation, the Community contribution may be reviewed at mid-term, and not later than 31 December 2004, to take account of the effective level of inflation and the allocation of the performance reserve.

- (10) Provision must be made for adapting the financial allocations of the priorities of this single programming document within certain limits to actual requirements reflected by the pattern of implementation on the ground, in agreement with the Member State concerned,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the regions of South Karelia, Kanta-Häme and Päijät-Häme and in certain areas of the regions of Eastern Uusimaa, Kymenlaakso, Uusimaa and South-west Finland under Objective 2, and in certain areas of these regions qualifying for transitional support under Objectives 2 and 5b in Finland, for the period 1 January 2000 to 31 December 2006 is hereby approved.

Article 2

1. In accordance with Article 19 of Regulation (EC) No 1260/1999, the single programming document includes the following elements:

- (a) the strategy and priorities for the joint action of the Community Structural Funds and the Member State; their specific quantified targets; the *ex ante* evaluation of the expected impact, including on the environmental situation, and the consistency of the priorities with the economic, social and regional policies and the employment strategy of Finland.

The priorities are as follows:

- (1) development of the attractiveness of southern Finland and of the competitiveness of businesses;
- (2) development of skills and human resources;
- (3) promotion of a functioning and good-quality habitat;
- (4) technical assistance;

- (b) a summary description of the measures planned to implement the priorities, including the information needed to check compliance with the State aid rules under Article 87 of the Treaty;

- (c) the indicative financing plan specifying for each priority and each year the financial allocation envisaged for the contribution from each Fund, the EIB and the other Financial Instruments and indicating separately the funding planned for the regions receiving transitional support in respect of Objectives 2 and 5b and the total amounts of eligible public or equivalent expenditure and estimated private funding in the Member State. The total contribution from the Funds planned for each year for the single programming document is consistent with the relevant financial perspective;

- (d) the provisions for implementing the single programming document including designation of the managing authority, a description of the arrangements for managing the single programming document and the use to be made of global grants, a description of the systems for monitoring and evaluation, including the role of the Monitoring Committee and the arrangements for the participation of the partners, including partners representing the interests of equality between men and women, and the environment in that Committee;

- (e) the *ex ante* verification of compliance with additionality and information on the transparency of financial flows;

- (f) information on the resources required for preparing, monitoring and evaluating the single programming document.

2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 545 895 000 for the whole period and the financial contribution from the Structural Funds at EUR 218 289 000.

The resulting requirement for national resources of EUR 327 606 000 from the public sector and EUR 448 226 000 from the private sector can be partly met by Community loans from the EIB and other lending instruments.

Article 3

1. The total assistance from the Structural Funds granted under the single programming document amounts to EUR 218 289 000.

The procedure for granting the financial assistance, including the financial contribution from the Funds for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

2. The indicative initial estimated breakdown of the total Community assistance available between the Structural Funds is as follows:

ERDF	EUR 173 820 000,
ESF	EUR 44 469 000.

3. During implementation of the financing plan, the total cost or Community financing of a given priority can be adjusted in agreement with the Member State by up to 25 % of the total Community contribution to the single programming document throughout the programme period or by up to EUR 30 000 000, whichever is the greater, without altering the total Community contribution referred to in paragraph 1.

Article 4

This Decision is without prejudice to the Commission's position on aid schemes falling within Article 87(1) of the Treaty that are included in this assistance and which have not yet been approved by the Commission. Submission of the application for assistance, the programming complement or a request for payment by the Member State does not replace the notification required by Article 88(3) of the Treaty.

Community financing of State aid falling within Article 87(1) of the Treaty, granted under aid schemes or in individual cases, requires prior approval by the Commission under Article 88 of the Treaty, except where the aid falls within the *de minimis* rule or is exempted under an exemption regulation adopted by the Commission under Council Regulation (EC) No 994/98 of 7 May 1998 on the application of Articles 92 and 93 [now Articles 87 and 88] of the Treaty establishing the European Community to certain categories of horizontal State aid ⁽²⁾. In the absence of such exemption or approval, aid is illegal and

subject to the consequences set out in the procedural regulation for State aid, and its part-financing would be treated as an irregularity within the meaning of Article 38(5) of Regulation (EC) No 1260/1999.

Consequently, the Commission will not accept requests for interim and final payments under Article 32 of the Regulation for measures being part-financed with new or altered aid, as defined in the procedural regulation for State aid, granted under aid schemes or in individual cases, until such aid has been notified to and formally approved by the Commission.

By way of derogation from the preceding paragraphs, Articles 51 and 52 of Regulation (EC) No 1257/1999 shall apply in the context of rural development part-financed by the ERDF.

Article 5

The date from which expenditure shall be eligible is 1 January 2000. The closing date for the eligibility of expenditure shall be 31 December 2008. This date is extended to 30 April 2009 for expenditure incurred by bodies granting assistance under Article 9(l) of Regulation (EC) No 1260/1999.

Article 6

This Decision is addressed to the Republic of Finland.

Done at Brussels, 30 June 2000.

For the Commission

Michel BARNIER

Member of the Commission

⁽²⁾ OJ L 142, 14.5.1998, p. 1.

COMMISSION DECISION

of 24 July 2000

approving the single programming document for Community structural assistance under Objective 1 in the region of Cornwall and the Isles of Scilly in the United Kingdom.

*(notified under document number C(2000) 2046)***(Only the English text is authentic)**

(2002/691/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 15(5) thereof,

After consultation of the Committee on the Development and Conversion of Regions, the Committee pursuant to Article 147 of the Treaty, the Committee on Agricultural Structures and Rural Development and the Committee on Structures for Fisheries and Aquaculture,

Whereas:

- (1) Article 13 et seq. of Title II of Regulation (EC) No 1260/1999 lay down the procedure for preparing and implementing single programming documents.
- (2) Article 15(1) and (2) of Regulation (EC) No 1260/1999 provides that, after consultation with the partners referred to in Article 8 of the Regulation, the Member State may submit to the Commission a development plan which is treated as a draft single programming document, and which contains the information referred to in Article 16 of the Regulation.
- (3) Under Article 15(5) of Regulation (EC) No 1260/1999, on the basis of the regional development plan submitted by the Member State and within the partnership established in accordance with Article 8 of the Regulation, the Commission shall take a decision on the single programming document, in agreement with the Member State concerned and in accordance with the procedures laid down in Articles 48 to 51.
- (4) The United Kingdom Government submitted to the Commission on 15 November 1999 an acceptable draft single programming document for the regions fulfilling the conditions for Objective 1 pursuant to Article 3(1) of Regulation (EC) No 1260/1999. The draft contains the information listed in Article 16 of the Regulation, and in particular a description of the priorities selected

and an indication of the financial contribution from the European Regional Development Fund (ERDF), the European Social Fund (ESF), the European Agricultural Guidance and Guarantee Fund (EAGGF), Guidance Section, and the Financial Instrument for Fisheries Guidance (FIFG), and the European Investment Bank (EIB) and the other financial instruments proposed for implementing the plan.

- (5) The date of submission of the draft which was considered acceptable by the Commission constitutes the date from which expenditure under the plan is eligible. Under Article 30 of the Regulation, it is necessary to lay down the final date for the eligibility of expenditure.
- (6) The rural development measures to be financed by the EAGGF are governed, in particular as regards their compatibility and consistency with common agricultural policy measures by Council Regulation (EC) No 1257/1999 of 17 May 1999 on support for rural development from the EAGGF and amending and repealing certain regulations ⁽²⁾.
- (7) The single programming document has been drawn up in agreement with the Member State concerned and within the partnership.
- (8) The Commission has satisfied itself that the single programming document is in accordance with the principle of additionality.
- (9) Under Article 10 of Regulation (EC) No 1260/1999, the Commission and the Member State are required to ensure, in a manner consistent with the principle of partnership, coordination between assistance from the Funds and from the EIB and other existing financial instruments.

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

- (10) The EIB has been involved in drawing up the single programming document in accordance with the provisions of Article 15(5) of Regulation (EC) No 1260/1999 and has declared itself prepared to contribute to its implementation in conformity with its statutory provisions.
- (11) The financial contribution from the Community available over the entire period and its year-by-year breakdown are expressed in euro. The annual breakdown must be consistent with the relevant financial perspective. Under Article 7(7) of Regulation (EC) No 1260/1999, the Community contribution has already been indexed at a rate of 2 % per year. Under Article 7(7) and Article 44(2) of the Regulation, the Community contribution may be reviewed at mid-term, and not later than 31 March 2004, to take account of the effective level of inflation and the allocation of the performance reserve.
- (12) Provision must be made for adapting the financial allocations of the priorities of this single programming document within certain limits to actual requirements reflected by the pattern of implementation on the ground, in agreement with the Member State concerned.
2. strategic investments,
3. developing people,
4. community economic development and rural structural adjustment,
5. regional distinctiveness;
- (b) a summary description of the measures planned to implement the priorities, including the information needed to check compliance with the State aid rules under Article 87 of the Treaty;
- (c) the indicative financing plan specifying for each priority and each year the financial allocation envisaged for the contribution from each Fund and the total amounts of eligible public or equivalent expenditure and estimated private funding in the Member State. The total contribution from the Funds planned for each year for the single programming document is consistent with the relevant financial perspectives;

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance under Objective 1 in the region of Cornwall and the Isles of Scilly in the United Kingdom for the period 1 January 2000 to 31 December 2006 is hereby approved.

Article 2

1. In accordance with Article 19 of Regulation (EC) No 1260/1999, the single programming document includes the following elements:

- (a) the strategy and priorities for the joint action of the Community Structural Funds and the Member State; their specific quantified targets; the *ex ante* evaluation of the expected impact, including on the environmental situation, and the consistency of the priorities with the economic, social and regional policies and the employment strategy of the United Kingdom.

The priorities are as follows:

1. small and medium-sized enterprises and micro-business support,

- (d) the provisions for implementing the single programming document including designation of the managing authority, a description of the arrangements for managing the single programming document and the use to be made of global grants, a description of the systems for monitoring and evaluation, including the role of the Monitoring Committee and the arrangements for the participation of the partners in that Committee;

- (e) the *ex ante* verification of compliance with additionality and information on the transparency of financial flows;

- (f) information on the resources required for preparing, monitoring and evaluating the assistance.

2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 1 180 844 000 for the whole period and the financial contribution from the Structural Funds at EUR 497 844 000.

The resulting requirement for national resources of EUR 483 million from the public sector and EUR 200 million from the private sector can be partly met by Community loans from the EIB and other lending instruments.

Article 3

1. The total assistance from the Structural Funds granted under the single programming document amounts to EUR 497 844 000.

The procedure for granting the financial assistance, including the financial contribution from the Funds for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

2. The indicative initial estimated breakdown of the total Community assistance available between the Structural Funds is as follows:

ERDF	EUR 300 906 000,
ESF	EUR 100 968 000,
EAGGF Guidance Section	EUR 78 975 000,
FIFG	EUR 16 995 000.

During implementation of the financing plan, the total cost or Community financing of a given priority can be adjusted in agreement with the Member State by up to 25 % of the total Community contribution to the single programming document throughout the programme period or by up to EUR 60 million, whichever is the greater, without altering the total Community contribution referred to in paragraph 1.

Article 4

This Decision is without prejudice to the Commission's position on aid schemes falling within Article 87(1) of the Treaty that are included in this assistance and which have not yet been approved by the Commission. Submission of the application for assistance, the programming complement or a request for payment by the Member State does not replace the notification required by Article 88(3) of the Treaty.

Community financing of State aid falling within Article 87(1) of the Treaty, granted under aid schemes or in individual cases, requires prior approval by the Commission under Article 88 of the Treaty, except where the aid falls within the *de minimis* rule or is exempted under an exemption regulation adopted by the Commission under Council Regulation (EC) No 994/98 of 7

May 1998 on the application of Articles 87 and 88 to certain categories of horizontal aid ⁽³⁾. In the absence of such exemption or approval, aid is illegal and subject to the consequences set out in the procedural regulation for State aid, and its cofinancing would be treated as an irregularity within the meaning of Articles 38 and 39 of Regulation (EC) No 1260/1999. Consequently, the Commission will not accept requests for interim and final payments under Article 32 of the Regulation for measures being cofinanced with new or altered aid, as defined in the procedural regulation for State aid, granted under aid schemes or in individual cases, until such aid has been notified to and formally approved by the Commission.

By way of derogation from the preceding paragraphs, Articles 51 and 52 of Regulation (EC) No 1257/1999 shall apply in the context of rural development cofinanced by the EAGGF.

Article 5

The date from which expenditure shall be eligible is 15 November 1999. The closing date for the eligibility of expenditure shall be 31 December 2008. This date is extended to 30 April 2009 for expenditure incurred by bodies granting assistance under Article 9(l) of Regulation (EC) No 1260/1999.

Article 6

This Decision is addressed to the United Kingdom.

Done at Brussels, 24 July 2000.

For the Commission

Michel BARNIER

Member of the Commission

⁽³⁾ OJ L 142, 14.5.1998, p. 1.

COMMISSION DECISION

of 24 July 2000

approving the single programming document for Community structural assistance under Objective 1 in the region of Merseyside in the United Kingdom.

*(notified under document number C(2000) 2047)***(Only the English text is authentic)**

(2002/692/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 15(5) thereof,

After consultation of the Committee on the Development and Conversion of Regions, the Committee pursuant to Article 147 of the Treaty, the Committee on Agricultural Structures and Rural Development and the Committee on Structures for Fisheries and Aquaculture,

Whereas:

- (1) Article 13 et seq. of Title II of Regulation (EC) No 1260/1999 lay down the procedure for preparing and implementing single programming documents.
- (2) Article 15(1) and (2) of Regulation (EC) No 1260/1999 provides that, after consultation with the partners referred to in Article 8 of the Regulation, the Member State may submit to the Commission a development plan which is treated as a draft single programming document, and which contains the information referred to in Article 16 of the Regulation.
- (3) Under Article 15(5) of Regulation (EC) No 1260/1999, on the basis of the regional development plan submitted by the Member State and within the partnership established in accordance with Article 8 of the Regulation, the Commission shall take a decision on the single programming document, in agreement with the Member State concerned and in accordance with the procedures laid down in Articles 48 to 51.
- (4) The United Kingdom Government submitted to the Commission on 16 November 1999 an acceptable draft single programming document for the region of Merseyside fulfilling the conditions for Objective 1 pursuant to Article 3(1) of Regulation (EC) No 1260/1999. The draft contains the information listed in Article 16 of the Regulation, and in particular a

description of the priorities selected and an indication of the financial contribution from the European Regional Development Fund (ERDF), the European Social Fund (ESF), the European Agricultural Guidance and Guarantee Fund (EAGGF), Guidance Section, and the Financial Instrument for Fisheries Guidance (FIFG), and the European Investment Bank (EIB) and the other financial instruments proposed for implementing the plan.

- (5) The date of submission of the draft which was considered acceptable by the Commission constitutes the date from which expenditure under the plan is eligible. Under Article 30 of the Regulation, it is necessary to lay down the final date for the eligibility of expenditure.
- (6) The rural development measures to be financed by the EAGGF are governed, in particular as regards their compatibility and consistency with common agricultural policy measures by Council Regulation (EC) No 1257/1999 of 17 May 1999 on support for rural development from the EAGGF and amending and repealing certain regulations ⁽²⁾.
- (7) The single programming document has been drawn up in agreement with the Member State concerned and within the partnership.
- (8) The Commission has satisfied itself that the single programming document is in accordance with the principle of additionality.
- (9) Under Article 10 of Regulation (EC) No 1260/1999, the Commission and the Member State are required to ensure, in a manner consistent with the principle of partnership, coordination between assistance from the Funds and from the EIB and other existing financial instruments.

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

- (10) The EIB has been involved in drawing up the single programming document in accordance with the provisions of Article 15(5) of Regulation (EC) No 1260/1999 and has declared itself prepared to contribute to its implementation in conformity with its statutory provisions.
- (11) The financial contribution from the Community available over the entire period and its year-by-year breakdown are expressed in euro. The annual breakdown must be consistent with the relevant financial perspective. Under Article 7(7) of Regulation (EC) No 1260/1999, the Community contribution has already been indexed at a rate of 2 % per year. Under Article 7(7) and Article 44(2) of the Regulation, the Community contribution may be reviewed at mid-term, and not later than 31 March 2004, to take account of the effective level of inflation and the allocation of the performance reserve.
- (12) Provision must be made for adapting the financial allocations of the priorities of this single programming document within certain limits to actual requirements reflected by the pattern of implementation on the ground, in agreement with the Member State concerned.
1. developing business,
 2. developing people,
 3. developing locations,
 4. developing 'pathways' communities,
 6. technical assistance;
- (b) a summary description of the measures planned to implement the priorities, including the information needed to check compliance with the State aid rules under Article 87 of the Treaty;
- (c) the indicative financing plan specifying for each priority and each year the financial allocation envisaged for the contribution from each Fund, and the total amounts of eligible public or equivalent expenditure and estimated private funding in the Member State. The total contribution from the Funds planned for each year for the single programming document is consistent with the relevant financial perspectives;
- (d) the provisions for implementing the single programming document including designation of the managing authority, a description of the arrangements for managing the single programming document and the use to be made of global grants, a description of the systems for monitoring and evaluation, including the role of the Monitoring Committee and the arrangements for the participation of the partners in that Committee;
- (e) the *ex ante* verification of compliance with additionality and information on the transparency of financial flows;
- (f) information on the resources required for preparing, monitoring and evaluating the assistance.

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance under Objective 1 in the region of Merseyside in the United Kingdom for the period 1 January 2000 to 31 December 2006 is hereby approved.

Article 2

1. In accordance with Article 19 of Regulation (EC) No 1260/1999, the single programming document includes the following elements:

- (a) the strategy and priorities for the joint action of the Community Structural Funds and the Member State; their specific quantified targets; the *ex ante* evaluation of the expected impact, including on the environmental situation, and the consistency of the priorities with the economic, social and regional policies and

2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 3 297 796 000 for the whole period and the financial contribution from the Structural Funds at EUR 1 333 248 000.

The resulting requirement for national resources of EUR 1 333 248 000 from the public sector and EUR 631 300 000 from the private sector can be partly met by Community loans from the EIB and other lending instruments.

Article 3

1. The total assistance from the Structural Funds granted under the single programming document amounts to EUR 1 333 248 000.

The procedure for granting the financial assistance, including the financial contribution from the Funds for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

2. The indicative initial estimated breakdown of the total Community assistance available between the Structural Funds is as follows:

ERDF	EUR 893 048 000,
ESF	EUR 434 300 000,
EAGGF Guidance Section	EUR 5 500 000,
FIFG	EUR 400 000.

During implementation of the financing plan, the total cost or Community financing of a given priority can be adjusted in agreement with the Member State by up to 25 % of the total Community contribution to the single programming document throughout the programme period or by up to EUR 60 million, whichever is the greater, without altering the total Community contribution referred to in paragraph 1.

Article 4

This Decision is without prejudice to the Commission's position on aid schemes falling within Article 87(1) of the Treaty that are included in this assistance and which have not yet been approved by the Commission. Submission of the application for assistance, the programming complement or a request for payment by the Member State does not replace the notification required by Article 88(3) of the Treaty.

Community financing of State aid falling within Article 87(1) of the Treaty, granted under aid schemes or in individual cases, requires prior approval by the Commission under Article 88 of the Treaty, except where the aid falls within the *de minimis* rule or is exempted under an exemption regulation adopted by the Commission under Council Regulation (EC) No 994/98 of 7 May 1998 on the application of Articles 87 and 88 to certain

categories of horizontal aid ⁽³⁾. In the absence of such exemption or approval, aid is illegal and subject to the consequences set out in the procedural regulation for State aid, and its cofinancing would be treated as an irregularity within the meaning of Articles 38 and 39 of Regulation (EC) No 1260/1999. Consequently, the Commission will not accept requests for interim and final payments under Article 32 of the Regulation for measures being cofinanced with new or altered aid, as defined in the procedural regulation for State aid, granted under aid schemes or in individual cases, until such aid has been notified to and formally approved by the Commission.

By way of derogation from the preceding paragraphs, Articles 51 and 52 of Regulation (EC) No 1257/1999 shall apply in the context of rural development cofinanced by the EAGGF.

Article 5

The date from which expenditure shall be eligible is 16 November 1999. The closing date for the eligibility of expenditure shall be 31 December 2008. This date is extended to 30 April 2009 for expenditure incurred by bodies granting assistance under Article 9(l) of Regulation (EC) No 1260/1999.

Article 6

This Decision is addressed to the United Kingdom.

Done at Brussels, 24 July 2000.

For the Commission

Michel BARNIER

Member of the Commission

⁽³⁾ OJ L 142, 14.5.1998, p. 1.

COMMISSION DECISION

of 24 July 2000

**approving the single programming document for Community structural assistance under
Objective 1 in the region of South Yorkshire in the United Kingdom***(notified under document number C(2000) 2048)***(Only the English text is authentic)**

(2002/693/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 15(5) thereof,

After consultation of the Committee on the Development and Conversion of Regions, the Committee pursuant to Article 147 of the Treaty, the Committee on Agricultural Structures and Rural Development and the Committee on Structures for Fisheries and Aquaculture,

Whereas:

- (1) Article 13 et seq. of Title II of Regulation (EC) No 1260/1999 lay down the procedure for preparing and implementing single programming documents.
- (2) Article 15(1) and (2) of Regulation (EC) No 1260/1999 provides that, after consultation with the partners referred to in Article 8 of the Regulation, the Member State may submit to the Commission a development plan which is treated as a draft single programming document, and which contains the information referred to in Article 16 of the Regulation.
- (3) Under Article 15(5) of Regulation (EC) No 1260/1999, on the basis of the regional development plan submitted by the Member State and within the partnership established in accordance with Article 8 of the Regulation, the Commission shall take a decision on the single programming document, in agreement with the Member State concerned and in accordance with the procedures laid down in Articles 48 to 51.
- (4) The United Kingdom Government submitted to the Commission on 15 November 1999 an acceptable draft single programming document for South Yorkshire fulfilling the conditions for Objective 1 pursuant to Article 3(1) of Regulation (EC) No 1260/1999. The draft contains the information listed in Article 16 of the Regulation, and in particular a description of the

priorities selected and an indication of the financial contribution from the European Regional Development Fund (ERDF), the European Social Fund (ESF), the European Agricultural Guidance and Guarantee Fund (EAGGF), Guidance Section, and the European Investment Bank (EIB) and the other financial instruments proposed for implementing the plan.

- (5) The date of submission of the draft which was considered acceptable by the Commission constitutes the date from which expenditure under the plan is eligible. Under Article 30 of the Regulation, it is necessary to lay down the final date for the eligibility of expenditure.
- (6) The rural development measures to be financed by the EAGGF are governed, in particular as regards their compatibility and consistency with common agricultural policy measures by Council Regulation (EC) No 1257/1999 of 17 May 1999 on support for rural development from the EAGGF and amending and repealing certain regulations ⁽²⁾.
- (7) The single programming document has been drawn up in agreement with the Member State concerned and within the partnership.
- (8) The Commission has satisfied itself that the single programming document is in accordance with the principle of additionality.
- (9) Under Article 10 of Regulation (EC) No 1260/1999, the Commission and the Member State are required to ensure, in a manner consistent with the principle of partnership, coordination between assistance from the Funds and from the EIB and other existing financial instruments.

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

- (10) The EIB has been involved in drawing up the single programming document in accordance with the provisions of Article 15(5) of Regulation (EC) No 1260/1999 and has declared itself prepared to contribute to its implementation in conformity with its statutory provisions.
- (11) The financial contribution from the Community available over the entire period and its year-by-year breakdown are expressed in euro. The annual breakdown must be consistent with the relevant financial perspective. Under Article 7(7) of Regulation (EC) No 1260/1999, the Community contribution has already been indexed at a rate of 2 % per year. Under Article 7(7) and Article 44(2) of the Regulation, the Community contribution may be reviewed at mid-term, and not later than 31 March 2004, to take account of the effective level of inflation and the allocation of the performance reserve.
- (12) Provision must be made for adapting the financial allocations of the priorities of this single programming document within certain limits to actual requirements reflected by the pattern of implementation on the ground, in agreement with the Member State concerned.
2. modernising businesses through enhancing competitiveness and innovation,
3. building a world leading learning region which promotes equity, employment and social inclusion,
4. developing economic opportunities in targeted communities,
5. supporting business investment through strategic spatial development,
6. providing the foundations for a successful programme,
7. technical assistance;
- (b) a summary description of the measures planned to implement the priorities, including the information needed to check compliance with the State aid rules under Article 87 of the Treaty;
- (c) the indicative financing plan specifying for each priority and each year the financial allocation envisaged for the contribution from each Fund and the total amounts of eligible public or equivalent expenditure and estimated private funding in the Member State. The total contribution from the Funds planned for each year for the single programming document is consistent with the relevant financial perspectives;
- (d) the provisions for implementing the single programming document including designation of the managing authority, a description of the arrangements for managing the single programming document and the use to be made of global grants, a description of the systems for monitoring and evaluation, including the role of the Monitoring Committee and the arrangements for the participation of the partners in that Committee.
- (e) the *ex ante* verification of compliance with additionality and information on the transparency of financial flows;
- (f) information on the resources required for preparing, monitoring and evaluating the assistance.

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance under Objective 1 in the region of South Yorkshire in the United Kingdom for the period 1 January 2000 to 31 December 2006 is hereby approved.

Article 2

1. In accordance with Article 19 of Regulation (EC) No 1260/1999, the single programming document includes the following elements:

- (a) the strategy and priorities for the joint action of the Community Structural Funds and the Member State; their specific quantified targets; the *ex ante* evaluation of the expected impact, including on the environmental situation, and the consistency of the priorities with the economic, social and regional policies and the employment strategy of the United Kingdom.

The priorities are as follows:

1. stimulating the emergence of new growth and high technology sectors,

2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 3 039 223 000 for the whole period and the financial contribution from the Structural Funds at EUR 1 172 480 000.

The resulting requirement for national resources of EUR 1 103 115 000 from the public sector and EUR 763 628 000 from the private sector can be partly met by Community loans from the EIB and other lending instruments.

Article 3

1. The total assistance from the Structural Funds granted under the single programming document amounts to EUR 1 172 480 000.

The procedure for granting the financial assistance, including the financial contribution from the Funds for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

2. The indicative initial estimated breakdown of the total Community assistance available between the Structural Funds is as follows:

ERDF	EUR 785 588 000,
ESF	EUR 363 842 000,
EAGGF Guidance Section	EUR 23 050 000.

During implementation of the financing plan, the total cost or Community financing of a given priority can be adjusted in agreement with the Member State by up to 25 % of the total Community contribution to the single programming document throughout the programme period or by up to EUR 60 million, whichever is the greater, without altering the total Community contribution referred to in paragraph 1.

Article 4

This Decision is without prejudice to the Commission's position on aid schemes falling within Article 87(1) of the Treaty that are included in this assistance and which have not yet been approved by the Commission. Submission of the application for assistance, the programming complement or a request for payment by the Member State does not replace the notification required by Article 88(3) of the Treaty.

Community financing of State aid falling within Article 87(1) of the Treaty, granted under aid schemes or in individual cases, requires prior approval by the Commission under Article 88 of the Treaty, except where the aid falls within the *de minimis* rule or is exempted under an exemption regulation adopted by the Commission under Council Regulation (EC) No 994/98 of 7 May 1998 on the application of Articles 87 and 88 to certain

categories of horizontal aid ⁽³⁾. In the absence of such exemption or approval, aid is illegal and subject to the consequences set out in the procedural regulation for State aid, and its cofinancing would be treated as an irregularity within the meaning of Articles 38 and 39 of Regulation (EC) No 1260/1999. Consequently, the Commission will not accept requests for interim and final payments under Article 32 of the Regulation for measures being cofinanced with new or altered aid, as defined in the procedural regulation for State aid, granted under aid schemes or in individual cases, until such aid has been notified to and formally approved by the Commission.

By way of derogation from the preceding paragraphs, Articles 51 and 52 of Regulation (EC) No 1257/1999 shall apply in the context of rural development cofinanced by the EAGGF.

Article 5

The date from which expenditure shall be eligible is 15 November 1999. The closing date for the eligibility of expenditure shall be 31 December 2008. This date is extended to 30 April 2009 for expenditure incurred by bodies granting assistance under Article 9(l) of Regulation (EC) No 1260/1999.

Article 6

This Decision is addressed to the United Kingdom.

Done at Brussels, 24 July 2000.

For the Commission

Michel BARNIER

Member of the Commission

⁽³⁾ OJ L 142, 14.5.1998, p. 1.

COMMISSION DECISION

of 24 July 2000

**approving the single programming document for Community structural assistance, under
Objective 1, for West Wales and the Valleys in the United Kingdom**

*(notified under document number C(2000) 2049)***(Only the English text is authentic)**

(2002/694/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 15(5) thereof,

After consultation of the Committee on the Development and Conversion of Regions, the Committee pursuant to Article 147 of the Treaty, the Committee on Agricultural Structures and Rural Development and the Committee on Structures for Fisheries and Aquaculture,

Whereas:

- (1) Article 13 et seq. of Title II of Regulation (EC) No 1260/1999 lay down the procedure for preparing and implementing single programming documents.
- (2) Article 15(1) and (2) of Regulation (EC) No 1260/1999 provides that, after consultation with the partners referred to in Article 8 of the Regulation, the Member State may submit to the Commission a development plan which is treated as a draft single programming document, and which contains the information referred to in Article 16 of the Regulation.
- (3) Under Article 15(5) of Regulation (EC) No 1260/1999, on the basis of the regional development plan submitted by the Member State and within the partnership established in accordance with Article 8 of the Regulation, the Commission shall take a decision on the single programming document, in agreement with the Member State concerned and in accordance with the procedures laid down in Articles 48 to 51.
- (4) The United Kingdom authorities submitted to the Commission on 15 November 1999 an acceptable draft single programming document for West Wales and the

Valleys fulfilling the conditions for Objective 1 pursuant to Article 3(1) of Regulation (EC) No 1260/1999. The draft contains the information listed in Article 16 of the Regulation, and in particular a description of the priorities selected and an indication of the financial contribution from the European Regional Development Fund (ERDF), the European Social Fund (ESF), the European Agricultural Guidance and Guarantee Fund (EAGGF), Guidance Section, and the Financial Instrument for Fisheries Guidance (FIFG), and the European Investment Bank (EIB) and the other financial instruments proposed for implementing the plan.

- (5) The date of submission of the draft which was considered acceptable by the Commission constitutes the date from which expenditure under the plan is eligible. Under Article 30 of the Regulation, it is necessary to lay down the final date for the eligibility of expenditure.
- (6) The rural development measures to be financed by the EAGGF are governed, in particular as regards their compatibility and consistency with common agricultural policy measures by Council Regulation (EC) No 1257/1999 of 17 May 1999 on support for rural development from the EAGGF and amending and repealing certain regulations ⁽²⁾.
- (7) The single programming document has been drawn up in agreement with the Member State concerned and within the partnership.
- (8) The Commission has satisfied itself that the single programming document is in accordance with the principle of additionality.
- (9) Under Article 10 of Regulation (EC) No 1260/1999, the Commission and the Member State are required to

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

ensure, in a manner consistent with the principle of partnership, coordination between assistance from the Funds and from the EIB and other existing financial instruments.

- (10) The EIB has been involved in drawing up the single programming document in accordance with the provisions of Article 15(5) of Regulation (EC) No 1260/1999 and has declared itself prepared to contribute to its implementation in conformity with its statutory provisions.
- (11) The financial contribution from the Community available over the entire period and its year-by-year breakdown are expressed in euro. The annual breakdown must be consistent with the relevant financial perspective. Under Article 7(7) of Regulation (EC) No 1260/1999, the Community contribution has already been indexed at a rate of 2 % per year. Under Article 7(7) and Article 44(2) of the Regulation, the Community contribution may be reviewed at mid-term, and not later than 31 March 2004, to take account of the effective level of inflation and the allocation of the performance reserve.
- (12) Provision must be made for adapting the financial allocations of the priorities of this single programming document within certain limits to actual requirements reflected by the pattern of implementation on the ground, in agreement with the Member State concerned.

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance under Objective 1 in West Wales and the Valleys in the United Kingdom for the period 1 January 2000 to 31 December 2006 is hereby approved.

Article 2

1. In accordance with Article 19 of Regulation (EC) No 1260/1999, the single programming document includes the following elements:

- (a) the strategy and priorities for the joint action of the Community Structural Funds and the Member State; their specific quantified targets; the *ex ante* evaluation of the expected impact, including on the environmental situation, and the consistency of the priorities with the economic, social and regional policies and the employment strategy of the United Kingdom.

The priorities are as follows:

- (i) expanding and developing the small and medium-sized enterprise base,
 - (ii) developing innovation and the knowledge based economy,
 - (iii) community economic regeneration,
 - (iv) developing people,
 - (v) rural development and the sustainable use of natural resources,
 - (vi) strategic infrastructure development,
 - (vii) use of technical assistance;
- (b) a summary description of the measures planned to implement the priorities, including the information needed to check compliance with the State aid rules under Article 87 of the Treaty;
- (c) the indicative financing plan specifying for each priority and each year the financial allocation envisaged for the contribution from each Fund and the total amounts of eligible public or equivalent expenditure and estimated private funding in the Member State. The total contribution from the Funds planned for each year for the single programming document is consistent with the relevant financial perspectives;
- (d) the provisions for implementing the single programming document including designation of the managing authority, a description of the arrangements for managing the single programming document and the use to be made of global grants, a description of the systems for monitoring and evaluation, including the role of the Monitoring Committee and the arrangements for the participation of the partners in that Committee;
- (e) the *ex ante* verification of compliance with additionality and information on the transparency of financial flows;
- (f) information on the resources required for preparing, monitoring and evaluating the assistance.

2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 3 936 584 000 for the whole period and the financial contribution from the Structural Funds at EUR 1 853 431 000.

The resulting requirement for national resources of EUR 1 391 722 000 from the public sector and EUR 691 431 000 from the private sector can be partly met by Community loans from the EIB and other lending instruments.

Article 3

1. The total assistance from the Structural Funds granted under the single programming document amounts to EUR 1 853 431 000.

The procedure for granting the financial assistance, including the financial contribution from the Funds for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

2. The indicative initial estimated breakdown of the total Community assistance available between the Structural Funds is as follows:

ERDF	EUR 1 116 011 000,
ESF	EUR 591 720 000,
EAGGF Guidance Section	EUR 130 500 000,
FIFG	EUR 15 200 000.

3. During implementation of the financing plan, the total cost or Community financing of a given priority can be adjusted in agreement with the Member State by up to 25 % of the total Community contribution to the single programming document throughout the programme period or by up to EUR 60 million, whichever is the greater, without altering the total Community contribution referred to in paragraph 1.

Article 4

This Decision is without prejudice to the Commission's position on aid schemes falling within Article 87(1) of the Treaty that are included in this assistance and which have not yet been approved by the Commission. Submission of the application for assistance, the programming complement or a request for payment by the Member State does not replace the notification required by Article 88(3) of the Treaty.

Community financing of State aid falling within Article 87(1) of the Treaty, granted under aid schemes or in individual cases, requires prior approval by the Commission under Article 88 of the Treaty, except where the aid falls within the *de minimis* rule

or is exempted under an exemption regulation adopted by the Commission under Council Regulation (EC) No 994/98 of 7 May 1998 on the application of Articles 87 and 88 to certain categories of horizontal aid ⁽³⁾. In the absence of such exemption or approval, aid is illegal and subject to the consequences set out in the procedural regulation for State aid, and its cofinancing would be treated as an irregularity within the meaning of Articles 38 and 39 of Regulation (EC) No 1260/1999. Consequently, the Commission will not accept requests for interim and final payments under Article 32 of the Regulation for measures being cofinanced with new or altered aid, as defined in the procedural regulation for State aid, granted under aid schemes or in individual cases, until such aid has been notified to and formally approved by the Commission.

By way of derogation from the preceding paragraphs, Articles 51 and 52 of Regulation (EC) No 1257/1999 shall apply in the context of rural development cofinanced by the EAGGF.

Article 5

The date from which expenditure shall be eligible is 15 November 1999. The closing date for the eligibility of expenditure shall be 31 December 2008. This date is extended to 30 April 2009 for expenditure incurred by bodies granting assistance under Article 9(l) of Regulation (EC) No 1260/1999.

Article 6

This Decision is addressed to the United Kingdom.

Done at Brussels, 24 July 2000.

For the Commission

Michel BARNIER

Member of the Commission

⁽³⁾ OJ L 142, 14.5.1998, p. 1.

COMMISSION DECISION

of 27 July 2000

**approving the single programming document for Community structural assistance under
Objective 1 in the region of Flevoland in the Netherlands**

*(notified under document number C(2001) 1507)***(Only the Dutch text is authentic)**

(2002/695/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 15(5) thereof,

After consulting the Committee on the Development and Conversion of Regions, the Committee pursuant to Article 147 of the Treaty, the Committee on Agricultural Structures and Rural Development and the Committee on Structures for Fisheries and Aquaculture,

Whereas:

- (1) Article 13 et seq. of Title II of Regulation (EC) No 1260/1999 lay down the procedure for preparing and implementing single programming documents.
- (2) Article 15(1) and (2) of Regulation (EC) No 1260/1999 provides that, after consultation with the partners referred to in Article 8 of the Regulation, the Member State may submit to the Commission a development plan which is treated as a draft single programming document, and which contains the information referred to in Article 16 of the Regulation.
- (3) Under Article 15(5) of Regulation (EC) No 1260/1999, on the basis of the regional development plan submitted by the Member State and within the partnership established in accordance with Article 8 of that Regulation, the Commission is to take a decision on the single programming document, in agreement with the Member State concerned and in accordance with the procedures laid down in Articles 48 to 51.
- (4) The Dutch Government submitted to the Commission on 23 November 1999 an acceptable draft single programming document for Flevoland qualifying for transitional support under Objective 1 pursuant to Article 3(1) of Regulation (EC) No 1260/1999. The draft contains the information listed in Article 16 of the

Regulation, and in particular a description of the priorities selected and an indication of the financial contribution from the European Regional Development Fund (ERDF), the European Social Fund (ESF), the European Agricultural Guidance and Guarantee Fund (EAGGF), Guidance Section, and the Financial Instrument for Fisheries Guidance (FIFG).

- (5) The date of submission of the draft which was considered acceptable by the Commission constitutes the date from which expenditure under the plan is eligible. Under Article 30 of the Regulation, it is necessary to lay down the final date for the eligibility of expenditure.
- (6) The rural development measures to be financed by the EAGGF are governed, in particular as regards their compatibility and consistency with common agricultural policy measures, by Council Regulation (EC) No 1257/1999 of 17 May 1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) and amending and repealing certain Regulations ⁽²⁾.
- (7) The single programming document has been drawn up in agreement with the Member State concerned and within the partnership.
- (8) The Commission has satisfied itself that the single programming document is in accordance with the principle of additionality.
- (9) Under Article 10 of Regulation (EC) No 1260/1999, the Commission and the Member State are required to ensure, in a manner consistent with the principle of partnership, coordination between assistance from the Funds and from the EIB and other existing Financial Instruments.

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

- (10) The financial contribution from the Community available over the entire period and its year-by-year breakdown are expressed in euro. The annual breakdown should be consistent with the relevant financial perspective. Under Article 7(7) of Regulation (EC) No 1260/1999, the Community contribution has already been indexed at a rate of 2 % per year. Under Article 7(7) and Article 44(2) of the Regulation, the Community contribution may be reviewed at mid-term, and not later than 31 March 2004, to take account of the effective level of inflation and the allocation of the performance reserve.
- (11) Provision should be made for adapting the financial allocations of the priorities of this single programming document within certain limits to actual requirements reflected by the pattern of implementation on the ground, in agreement with the Member State concerned,
- (b) a summary description of the measures planned to implement the priorities, including the information needed to check compliance with the State aid rules under Article 87 of the Treaty;
- (c) the indicative financing plan specifying for each priority and each year the financial allocation envisaged for the contribution from each Fund and the total amounts of eligible public or equivalent expenditure and estimated private funding in the Member State. The total contribution from the Funds planned for each year for the single programming document is consistent with the relevant financial perspective;
- (d) the provisions for implementing the single programming document, including designation of the managing authority, a description of the arrangements for managing the single programming document and the use to be made of global grants, a description of the systems for monitoring and evaluation, including the role of the Monitoring Committee and the arrangements for the participation of the partners in that Committee;

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the region of Flevoland in the Netherlands qualifying for transitional support under Objective 1 for the period 1 January 2000 to 31 December 2006 is hereby approved.

Article 2

1. In accordance with Article 19 of Regulation (EC) No 1260/1999, the single programming document includes the following elements:

- (a) the strategy and priorities for the joint action of the Structural Funds and the Member State; their specific quantified targets; the *ex ante* evaluation of the expected impact, including on the environmental situation, and the consistency of the priorities with the economic, social and regional policies and the employment strategy of the Netherlands.

The priorities are as follows:

- (1) developing urban areas;
- (2) developing rural areas;
- (3) improving production facilities;
- (4) social cohesion and labour market;
- (5) technical assistance;

- (e) the *ex ante* verification and information on the transparency of financial flows;
- (f) information on the resources required for preparing, monitoring and evaluating the assistance.

2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 471 260 000 for the whole period and the financial contribution from the Structural Funds at EUR 126 000 000.

The resulting requirement for national resources of EUR 280 760 000 from the public sector and EUR 64 500 000 from the private sector can be partly met by Community loans from the EIB and other lending instruments.

Article 3

1. The total assistance from the Structural Funds granted under the single programming document amounts to EUR 126 000 000.

The procedure for granting the financial assistance, including the financial contribution from the Funds for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

2. The indicative initial estimated breakdown among the Structural Funds of the total Community assistance available is as follows:

ERDF	EUR 76 660 000,
ESF	EUR 33 340 000,
EAGGF Guidance Section	EUR 10 000 000,
FIFG	EUR 6 000 000.

3. During implementation of the financing plan, the total cost or Community financing of a given priority may be adjusted in agreement with the Member State by up to 25 % of the total Community contribution to the single programming document throughout the programme period, or by up to EUR 60 million, without altering the total Community contribution referred to in paragraph 1.

Article 4

This Decision is without prejudice to the Commission's position on aid schemes falling within Article 87(1) of the Treaty that are included in this assistance and which it has not yet approved. Submission of the application for assistance, the programme complement or a request for payment by the Member State does not replace the notification required by Article 88(3) of the Treaty.

Community financing of State aid falling within Article 87(1) of the Treaty, granted under aid schemes or in individual cases, requires prior approval by the Commission under Article 88 of the Treaty, except where the aid falls under the *de minimis* rule or is exempted under an exemption regulation adopted by the Commission under Council Regulation (EC) No 994/98 of 7 May 1998 on the application of Articles 92 and 93 (now Articles 87 and 88) of the Treaty establishing the European Community to certain categories of horizontal State aid ⁽³⁾. In the absence of such exemption or approval, aid is illegal and

subject to the consequences set out in the procedural regulation for State aid, and its part-financing would be treated as an irregularity within the meaning of Articles 38 and 39 of Regulation (EC) No 1260/1999. Consequently, the Commission will not accept requests for interim and final payments under Article 32 of the Regulation for measures being part-financed with new or altered aid, as defined in the procedural regulation for State aid, granted under aid schemes or in individual cases, until such aid has been notified to and formally approved by the Commission.

By way of derogation from the preceding paragraphs, Articles 51 and 52 of Regulation (EC) No 1257/1999 shall apply in the context of rural development part-financed by the EAGGF.

Article 5

The date from which expenditure under the plan shall be eligible is 23 November 1999. The closing date for the eligibility of expenditure shall be 31 December 2008. This date is extended to 30 April 2009 for expenditure incurred by bodies granting assistance under Article 9(l) of Regulation (EC) No 1260/1999.

Article 6

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 27 July 2000.

For the Commission

Michel BARNIER

Member of the Commission

⁽³⁾ OJ L 142, 14.5.1998, p. 1.

COMMISSION DECISION

of 8 August 2000

**approving the single programming document for Community structural assistance under
Objective 1 in the region of Highlands and Islands in the United Kingdom**

*(notified under document number C(2000)2348)***(Only the English text is authentic)**

(2002/696/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 15(5) thereof,

After consultation of the Committee on the Development and Conversion of Regions, the Committee pursuant to Article 147 of the Treaty, the Committee on Agricultural Structures and Rural Development and the Committee on Structures for Fisheries and Aquaculture,

Whereas:

- (1) Article 13 et seq. of Title II of Regulation (EC) No 1260/1999 lay down the procedure for preparing and implementing single programming documents.
- (2) Article 15(1) and (2) of Regulation (EC) No 1260/1999 provides that, after consultation with the partners referred to in Article 8 of the Regulation, the Member State may submit to the Commission a development plan which is treated as a draft single programming document, and which contains the information referred to in Article 16 of the Regulation.
- (3) Under Article 15(5) of Regulation (EC) No 1260/1999, on the basis of the regional development plan submitted by the Member State and within the partnership established in accordance with Article 8 of the Regulation, the Commission shall take a decision on the single programming document, in agreement with the Member State concerned and in accordance with the procedures laid down in Articles 48 to 51.
- (4) The United Kingdom Government submitted to the Commission on 3 November 1999 an acceptable draft single programming document for the Highlands and Islands qualifying for transitional support under Objective 1, pursuant to Article 6(1) of Regulation (EC) No 1260/1999. The draft contains the information listed in Article 16 of the Regulation, and in particular a

description of the priorities selected and an indication of the financial contribution from the European Regional Development Fund (ERDF), the European Social Fund (ESF), the European Agricultural Guidance and Guarantee Fund (EAGGF), Guidance Section, and the Financial Instrument for Fisheries Guidance (FIFG), the European Investment Bank (EIB) and the other financial instruments proposed for implementing the plan.

- (5) The date of submission of the draft which was considered acceptable by the Commission constitutes the date from which expenditure under the plan is eligible. Under Article 30 of the Regulation, it is necessary to lay down the final date for the eligibility of expenditure.
- (6) The rural development measures to be financed by the EAGGF are governed, in particular as regards their compatibility and consistency with common agricultural policy measures by Council Regulation (EC) No 1257/1999 of 17 May 1999 on support for rural development from the EAGGF and amending and repealing certain regulations ⁽²⁾.
- (7) The single programming document has been drawn up in agreement with the Member State concerned and within the partnership.
- (8) The Commission has satisfied itself that the single programming document is in accordance with the principle of additionality.
- (9) Under Article 10 of Regulation (EC) No 1260/1999, the Commission and the Member State are required to ensure, in a manner consistent with the principle of partnership, coordination between assistance from the Funds and from the EIB and other existing financial instruments.

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

- (10) The EIB has been involved in drawing up the single programming document in accordance with the provisions of Article 15(5) of Regulation (EC) No 1260/1999 and has declared itself prepared to contribute to its implementation in conformity with its statutory provisions.
- (11) The financial contribution from the Community available over the entire period and its year-by-year breakdown are expressed in euro. The annual breakdown must be consistent with the relevant financial perspective. Under Article 7(7) of Regulation (EC) No 1260/1999, the Community contribution has already been indexed at a rate of 2 % per year. Under Article 7(7) and Article 44(2) of the Regulation, the Community contribution may be reviewed at mid-term, and not later than 31 March 2004, to take account of the effective level of inflation and the allocation of the performance reserve.
- (12) Provision must be made for adapting the financial allocations of the priorities of this single programming document within certain limits to actual requirements reflected by the pattern of implementation on the ground, in agreement with the Member State concerned.
- developing the region's human resources,
 - assisting rural communities,
 - technical assistance;
- (b) a summary description of the measures planned to implement the priorities, including the information needed to check compliance with the state aid rules under Article 87 of the Treaty;
- (c) the indicative financing plan specifying for each priority and each year the financial allocation envisaged for the contribution from each Fund, and the total amounts of eligible public or equivalent expenditure and estimated private funding in the Member State. The total contribution from the Funds planned for each year for the single programming document is consistent with the relevant financial perspectives;
- (d) the provisions for implementing the single programming document including designation of the managing authority, a description of the arrangements for managing the single programming document and the use to be made of global grants, a description of the systems for monitoring and evaluation, including the role of the Monitoring Committee and the arrangements for the participation of the partners in that Committee;
- (e) the *ex ante* verification of compliance with additionality and information on the transparency of financial flows;
- (f) information on the resources required for preparing, monitoring and evaluating the assistance.

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance qualifying for transitional support under Objective 1 in Highlands and Islands in the United Kingdom for the period 1 January 2000 to 31 December 2006 is hereby approved.

Article 2

1. In accordance with Article 19 of Regulation (EC) No 1260/1999, the single programming document includes the following elements:

- (a) the strategy and priorities for the joint action of the Community Structural Funds and the Member State; their specific quantified targets; the *ex ante* evaluation of the expected impact, including on the environmental situation, and the consistency of the priorities with the economic, social and regional policies and the employment strategy of the United Kingdom.

The priorities are as follows:

- increasing business competitiveness,
- improving the conditions for regional competitiveness,

2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 853 114 million for the whole period and the financial contribution from the Structural Funds at EUR 308 502 000 million.

The resulting requirement for national resources of EUR 367 335 million from the public sector and EUR 177 277 million from the private sector can be partly met by Community loans from the EIB and other lending instruments.

Article 3

1. The total assistance from the Structural Funds granted under the single programming document amounts to EUR 308 502 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

2. The indicative initial estimated breakdown of the total Community assistance available between the Structural Funds is as follows:

ERDF	EUR 181 405 million,
ESF	EUR 59 540 million,
EAGGF Guidance Section	EUR 39 794 million,
FIFG	EUR 27 763 million.

3. During implementation of the financing plan, the total cost or Community financing of a given priority can be adjusted in agreement with the Member State by up to 25 % of the total Community contribution to the single programming document throughout the programme period or by up to EUR 60 million, whichever is the greater, without altering the total Community contribution referred to in paragraph 1.

Article 4

This Decision is without prejudice to the Commission's position on aid schemes falling within Article 87(1) of the Treaty that are included in this assistance and which have not yet been approved by the Commission. Submission of the application for assistance, the programming complement or a request for payment by the Member State does not replace the notification required by Article 88(3) of the Treaty.

Community financing of State aid falling within Article 87(1) of the Treaty, granted under aid schemes or in individual cases, requires prior approval by the Commission under Article 88 of the Treaty, except where the aid falls within the *de minimis* rule or is exempted under an exemption regulation adopted by the Commission under Council Regulation (EC) No 994/98 of 7 May 1998 on the application of Articles 87 and 88 to certain

categories of horizontal aid ⁽³⁾. In the absence of such exemption or approval, aid is illegal and subject to the consequences set out in the procedural regulation for State aid, and its cofinancing would be treated as an irregularity within the meaning of Articles 38 and 39 of Regulation (EC) No 1260/1999. Consequently, the Commission will not accept requests for interim and final payments under Article 32 of the Regulation for measures being cofinanced with new or altered aid, as defined in the procedural regulation for State aid, granted under aid schemes or in individual cases, until such aid has been notified to and formally approved by the Commission.

By way of derogation from the preceding paragraphs, Articles 51 and 52 of Regulation (EC) No 1257/1999 shall apply in the context of rural development cofinanced by the EAGGF.

Article 5

The date from which expenditure shall be eligible is 3 November 1999. The closing date for the eligibility of expenditure shall be 31 December 2008. This date is extended to 30 April 2009 for expenditure incurred by bodies granting assistance under Article 9(l) of Regulation (EC) No 1260/1999.

Article 6

This Decision is addressed to the United Kingdom.

Done at Brussels, 8 August 2000.

For the Commission
Pedro SOLBES MIRA
Member of the Commission

⁽³⁾ OJ L 142, 14.5.1998, p. 1.

COMMISSION DECISION

of 15 December 2000

approving the single programming document for Community structural assistance in the Västra Region, which covers certain parts of Örebro, Värmland and Västra Götaland Counties, under Objective 2 in Sweden

*(notified under document number C(2000) 3494)***(Only the Swedish text is authentic)**

(2002/697/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 15(5) thereof,

After consultation of the Committee on the Development and Conversion of Regions and the Committee pursuant to Article 147 of the Treaty,

Whereas:

- (1) Article 13 et seq. of Title II of Regulation (EC) No 1260/1999 lay down the procedure for preparing and implementing single programming documents.
- (2) The measures provided for in this Decision are in accordance with Article 15(1) and (2) of Regulation (EC) No 1260/1999 which provides that, after consultation with the partners referred to in Article 8 of the Regulation, the Member State may submit to the Commission a development plan which is treated as a draft single programming document, and which contains the information referred to in Article 16 of the Regulation.
- (3) Under Article 15(5) of Regulation (EC) No 1260/1999, the Commission, on the basis of the regional development plan submitted by the Member State and within the partnership established in accordance with Article 8 of the Regulation, is to take a decision on the single programming document, in agreement with the Member State concerned and in accordance with the procedures laid down in Articles 48 to 51.
- (4) The Swedish Government submitted to the Commission on 25 April 2000 an acceptable draft single programming document for certain parts of Örebro, Värmland and Västra Götaland Counties fulfilling the conditions for Objective 2 pursuant to Article 4(1) qualifying for transitional support under Objectives 2

and 5b pursuant to Article 6(2) of Regulation (EC) No 1260/1999. The draft contains the information listed in Article 16 of the Regulation, and in particular a description of the priorities selected and an indication of the financial contribution from the European Regional Development Fund (ERDF) and the European Social Fund (ESF).

- (5) Under Article 52(4) of Regulation (EC) No 1260/1999, as an acceptable plan was submitted between 1 January and 30 April 2000, the date from which expenditure under the plan is eligible is 1 January 2000. Under Article 30 of the Regulation, it is necessary to lay down the final date for the eligibility of expenditure.
- (6) The single programming document has been drawn up in agreement with the Member State concerned and within the partnership.
- (7) The Commission has satisfied itself that the single programming document is in accordance with the principle of additionality.
- (8) Under Article 10 of Regulation (EC) No 1260/1999, the Commission and the Member State are required to ensure, in a manner consistent with the principle of partnership, coordination between assistance from the Funds and from the European Investment Bank (EIB) and other existing financial instruments.
- (9) The financial contribution from the Community available over the entire period and its year-by-year breakdown are expressed in euro. The annual breakdown must be consistent with the relevant financial perspective. Under Article 7(7) of Regulation (EC) No 1260/1999, the Community contribution has already been indexed at a rate of 2 % per year. Under Articles 7(7) and 44(2) of the Regulation, the Community contribution may be reviewed at mid-term, and not later than 31 December 2004, to take account of the effective level of inflation and the allocation of the performance reserve.

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

- (10) Provision must be made for adapting the financial allocations of the priorities of this single programming document within certain limits to actual requirements reflected by the pattern of implementation on the ground, in agreement with the Member State concerned,

- (d) the provisions for implementing the single programming document including designation of the managing authority, a description of the arrangements for managing the single programming document and the use to be made of global grants, a description of the systems for monitoring and evaluation, including the role of the Monitoring Committee and the arrangements for the participation of the partners in that Committee;

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the Västra region, covering certain parts of Örebro, Värmland and Västra Götaland Counties fulfilling the conditions for Objective 2 and qualifying for transitional support under Objectives 2 and 5b in Sweden, for the period 1 January 2000 to 31 December 2006 is hereby approved.

Article 2

1. In accordance with Article 19 of Regulation (EC) No 1260/1999, the single programming document includes the following elements:

- (a) the strategy and priorities for the joint action of the Community Structural Funds and the Member State, their specific quantified targets, the *ex ante* evaluation of the expected impact, including on the environmental situation, and the consistency of the priorities with the economic, social and regional policies and the employment strategy of Sweden.

The priorities are as follows:

1. Development of industry and business climate
2. Knowledge and skills
3. Technical assistance;

- (b) a summary description of the measures planned to implement the priorities, including the information needed to check compliance with the State aid rules under Article 87 of the Treaty;

- (c) the indicative financing plan specifying, for each priority and each year the financial allocation envisaged for the contribution from each Fund and indicating separately the funding planned for the regions receiving transitional support in respect of Objectives 2 and 5b and the total amounts of eligible public or equivalent expenditure and estimated private funding in the Member State. The total contribution from the funds planned for each year for the single programming document is consistent with the relevant financial perspective;

- (e) *ex ante* verification and information on the transparency of financial flows;

- (f) information on the resources required for preparing, monitoring and evaluating the single programming document.

2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 272 476 471 for the whole period and the financial contribution from the Structural Funds at EUR 124 500 000.

The resulting requirement for national resources of EUR 147 976 471 from the public sector and EUR 158 263 969 from the private sector can be partly met by Community loans from the EIB and other lending instruments.

Article 3

1. The total assistance from the Structural Funds granted under the single programming document amounts to EUR 124 500 000.

The procedure for granting the financial assistance, including the financial contribution from the funds for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

2. The indicative initial estimated breakdown of the total Community assistance available between the Structural Funds is as follows:

ERDE	EUR 114 966 321,
ESF	EUR 9 533 679.

3. During implementation of the financing plan, the total cost or Community financing of a given priority can be adjusted in agreement with the Member State by up to 25 % of the total Community contribution to the single programming document throughout the programme period or by up to EUR 30 000 000, whichever is the greater, without altering the total Community contribution referred to in paragraph 1.

Article 4

This Decision is without prejudice to the Commission's position on aid schemes falling within Article 87(1) of the Treaty that are included in this assistance and which have not yet been approved by the Commission. Submission of the application for assistance, the programming complement or a request for payment by the Member State does not replace the notification required by Article 88(3) of the Treaty.

Community financing of State aid falling within Article 87(1) of the Treaty, granted under aid schemes or in individual cases, requires prior approval by the Commission under Article 88 of the Treaty, except where the aid falls within the *de minimis* rule or is exempted under an exemption regulation adopted by the Commission under Council Regulation (EC) No 994/98 of 7 May 1998 on the application of Articles 87 and 88 of the Treaty establishing the European Community to certain categories of horizontal State aid ⁽²⁾. In the absence of such exemption or approval, aid is illegal and subject to the consequences set out in the procedural regulation for State aid, and its part-financing would be treated as an irregularity within the meaning of Article 38(5) of Regulation (EC) No 1260/1999.

Consequently, the Commission will not accept requests for interim and final payments under Article 32 of the Regulation

for measures being part-financed with new or altered aid, as defined in the procedural regulation for State aid, granted under aid schemes or in individual cases, until such aid has been notified to and formally approved by the Commission.

Article 5

The date from which expenditure shall be eligible is 1 January 2000. The closing date for the eligibility of expenditure shall be 31 December 2008. This date is extended to 30 April 2009 for expenditure incurred by bodies granting assistance under Article 9(l) of Regulation (EC) No 1260/1999.

Article 6

This Decision is addressed to the Kingdom of Sweden.

Done at Brussels, 15 December 2000.

For the Commission

Michel BARNIER

Member of the Commission

⁽²⁾ OJ L 142, 14.5.1998, p. 1.

COMMISSION DECISION

of 15 December 2000

approving the single programming document for Community structural assistance in the Norra Region, which covers certain parts of Västmanland, Dalarna and Gävleborg Counties, under Objective 2 in Sweden

*(notified under document number C(2000) 3495)***(Only the Swedish text is authentic)**

(2002/698/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 15(5) thereof,

After consultation of the Committee on the Development and Conversion of Regions and the Committee pursuant to Article 147 of the Treaty,

Whereas:

- (1) Article 13 et seq. of Title II of Regulation (EC) No 1260/1999 lay down the procedure for preparing and implementing single programming documents.
- (2) The measures provided for in this Decision are in accordance with Article 15(1) and (2) of Regulation (EC) No 1260/1999 which provides that, after consultation with the partners referred to in Article 8 of the Regulation, the Member State may submit to the Commission a development plan which is treated as a draft single programming document, and which contains the information referred to in Article 16 of the Regulation.
- (3) Under Article 15(5) of Regulation (EC) No 1260/1999, the Commission, on the basis of the regional development plan submitted by the Member State and within the partnership established in accordance with Article 8 of the Regulation, is to take a decision on the single programming document, in agreement with the Member State concerned and in accordance with the procedures laid down in Articles 48 to 51.
- (4) The Swedish Government submitted to the Commission on 25 April 2000 an acceptable draft single programming document for the Norra Region, covering certain parts of Västmanland, Dalarna and Gävleborg Counties, fulfilling the conditions for Objective 2 pursuant to Article 4(1) of Regulation (EC) No

1260/1999. The draft contains the information listed in Article 16 of the Regulation, and in particular a description of the priorities selected and an indication of the financial contribution from the European Regional Development Fund (ERDF) and the European Social Fund (ESF).

- (5) Under Article 52(4) of Regulation (EC) No 1260/1999, as an acceptable plan was submitted between 1 January and 30 April 2000, the date from which expenditure under the plan is eligible is 1 January 2000. Under Article 30 of the Regulation, it is necessary to lay down the final date for the eligibility of expenditure.
- (6) The single programming document has been drawn up in agreement with the Member State concerned and within the partnership.
- (7) The Commission has satisfied itself that the single programming document is in accordance with the principle of additionality.
- (8) Under Article 10 of Regulation (EC) No 1260/1999, the Commission and the Member State are required to ensure, in a manner consistent with the principle of partnership, coordination between assistance from the Funds and from the European Investment Bank (EIB) and other existing financial instruments.
- (9) The financial contribution from the Community available over the entire period and its year-by-year breakdown are expressed in euro. The annual breakdown must be consistent with the relevant financial perspective. Under Article 7(7) of Regulation (EC) No 1260/1999, the Community contribution has already been indexed at a rate of 2 % per year. Under Articles 7(7) and 44(2) of the Regulation, the Community contribution may be reviewed at mid-term, and not later than 31 December 2004, to take account of the effective level of inflation and the allocation of the performance reserve.

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

(10) Provision must be made for adapting the financial allocations of the priorities of this single programming document within certain limits to actual requirements reflected by the pattern of implementation on the ground, in agreement with the Member State concerned,

(d) the provisions for implementing the single programming document including designation of the managing authority, a description of the arrangements for managing the single programming document and the use to be made of global grants, a description of the systems for monitoring and evaluation, including the role of the Monitoring Committee and the arrangements for the participation of the partners in that Committee;

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the Norra Region, covering certain parts of Västmanland, Dalarna and Gävleborg Counties, under Objective 2 in Sweden for the period 1 January 2000 to 31 December 2006 is hereby approved.

Article 2

1. In accordance with Article 19 of Regulation (EC) No 1260/1999, the single programming document includes the following elements:

(a) the strategy and priorities for the joint action of the Community Structural Funds and the Member State, their specific quantified targets, the *ex ante* evaluation of the expected impact, including on the environmental situation, and the consistency of the priorities with the economic, social and regional policies and the employment strategy of Sweden.

The priorities are as follows:

1. Business development
2. Knowledge-driven development
3. Technical assistance;

(b) a summary description of the measures planned to implement the priorities, including the information needed to check compliance with the State aid rules under Article 87 of the Treaty;

(c) the indicative financing plan specifying for each priority and each year the financial allocation envisaged for the contribution from each fund and the total amounts of eligible public or equivalent expenditure and estimated private funding in the Member State. The total contribution from the funds planned for each year for the single programming document is consistent with the relevant financial perspective;

(e) *ex ante* verification and information on the transparency of financial flows;

(f) information on the resources required for preparing, monitoring and evaluating the single programming document.

2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 456 670 708 for the whole period and the financial contribution from the Structural Funds at EUR 185 000 000.

The resulting requirement for national resources of EUR 271 670 708 from the public sector and EUR 172 235 292 from the private sector can be partly met by Community loans from the EIB and other lending instruments.

Article 3

1. The total assistance from the Structural Funds granted under the single programming document amounts to EUR 185 000 000. The procedure for granting the financial assistance, including the financial contribution from the Funds for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

2. The indicative initial estimated breakdown of the total Community assistance available between the Structural Funds is as follows:

ERDF	EUR 162 121 601,
ESF	EUR 22 878 399.

3. During implementation of the financing plan, the total cost or Community financing of a given priority can be adjusted in agreement with the Member State by up to 25 % of the total Community contribution to the single programming document throughout the programme period or by up to EUR 30 000 000, whichever is the greater, without altering the total Community contribution referred to in paragraph 1.

Article 4

This Decision is without prejudice to the Commission's position on aid schemes falling within Article 87(1) of the Treaty that are included in this assistance and which have not yet been approved by the Commission. Submission of the application for assistance, the programming complement or a request for payment by the Member State does not replace the notification required by Article 88(3) of the Treaty.

Community financing of State aid falling within Article 87(1) of the Treaty, granted under aid schemes or in individual cases, requires prior approval by the Commission under Article 88 of the Treaty, except where the aid falls within the *de minimis* rule or is exempted under an exemption regulation adopted by the Commission under Council Regulation (EC) No 994/98 of 7 May 1998 on the application of Articles 87 and 88 of the Treaty establishing the European Community to certain categories of horizontal State aid ⁽²⁾ In the absence of such exemption or approval, aid is illegal and subject to the consequences set out in the procedural regulation for state aid, and its part-financing would be treated as an irregularity within the meaning of Article 38(5) of Regulation (EC) No 1260/1999.

Consequently, the Commission will not accept requests for interim and final payments under Article 32 of the Regulation

for measures being part-financed with new or altered aid, as defined in the procedural regulation for State aid, granted under aid schemes or in individual cases, until such aid has been notified to and formally approved by the Commission.

Article 5

The date from which expenditure shall be eligible is 1 January 2000. The closing date for the eligibility of expenditure shall be 31 December 2008. This date is extended to 30 April 2009 for expenditure incurred by bodies granting assistance under Article 9(l) of Regulation (EC) No 1260/1999.

Article 6

This Decision is addressed to the Kingdom of Sweden.

Done at Brussels, 15 December 2000.

For the Commission

Michel BARNIER

Member of the Commission

⁽²⁾ OJ L 142, 14.5.1998, p. 1.

COMMISSION DECISION

of 20 December 2000

approving the single programming document for Community structural assistance in the Södra region, which covers the southern part of Östergötland County, the eastern part of Jönköping County, the northern part of Kalmar County and Öland municipalities in the same county, the eastern part of Kronoberg County and the majority of Blekinge County under Objective 2 in Sweden

*(notified under document number C(2000) 3523)***(Only the Swedish text is authentic)**

(2002/699/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 15(5) thereof,

After consultation of the Committee on the Development and Conversion of Regions and the Committee pursuant to Article 147 of the Treaty,

Whereas:

(1) Article 13 et seq. of Title II of Regulation (EC) No 1260/1999 lay down the procedure for preparing and implementing single programming documents.

(2) The measures provided for in this Decision are in accordance with Article 15(1) and (2) of Regulation (EC) No 1260/1999 which provides that, after consultation with the partners referred to in Article 8 of the Regulation, the Member State may submit to the Commission a development plan which is treated as a draft single programming document, and which contains the information referred to in Article 16 of the Regulation.

(3) Under Article 15(5) of Regulation (EC) No 1260/1999, the Commission, on the basis of the regional development plan submitted by the Member State and within the partnership established in accordance with Article 8 of the Regulation, is to take a decision on the single programming document, in agreement with the Member State concerned and in accordance with the procedures laid down in Articles 48 to 51.

(4) The Swedish Government submitted to the Commission on 25 April 2000 an acceptable draft single programming document for the Södra region fulfilling

the conditions for Objective 2 pursuant to Article 4(1) qualifying for transitional support under Objectives 2 and 5(b) pursuant to Article 6(2) of Regulation (EC) No 1260/1999. The draft contains the information listed in Article 16 of the Regulation, and in particular a description of the priorities selected and an indication of the financial contribution from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) proposed for implementing the plan.

(5) The date of submission of the draft which was considered acceptable by the Commission constitutes the date from which expenditure under the plan is eligible. Under Article 52(4) of Regulation (EC) No 1260/1999, as an acceptable plan was submitted between 1 January and 30 April 2000, the date from which expenditure under the plan is eligible is 1 January 2000. Under Article 30 of the Regulation, it is necessary to lay down the final date for the eligibility of expenditure.

(6) The single programming document has been drawn up in agreement with the Member State concerned and within the partnership.

(7) The Commission has satisfied itself that the single programming document is in accordance with the principle of additionality.

(8) Under Article 10 of Regulation (EC) No 1260/1999, the Commission and the Member State are required to ensure, in a manner consistent with the principle of partnership, coordination between assistance from the Funds and from the European Investment Bank (EIB) and other existing financial instruments.

(9) The financial contribution from the Community available over the entire period and its year-by-year breakdown are expressed in euro. The annual breakdown must be consistent with the relevant

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

financial perspective. Under Article 7(7) of Regulation (EC) No 1260/1999, the Community contribution has already been indexed at a rate of 2 % per year. Under Articles 7(7) and 44(2) of the Regulation, the Community contribution may be reviewed at mid-term, and not later than 31 December 2004, to take account of the effective level of inflation and the allocation of the performance reserve.

- (10) Provision must be made for adapting the financial allocations of the priorities of this single programming document within certain limits to actual requirements reflected by the pattern of implementation on the ground, in agreement with the Member State concerned,

(b) a summary description of the measures planned to implement the priorities, including the information needed to check compliance with the State aid rules under Article 87 of the Treaty;

(c) the indicative financing plan specifying for each priority and each year the financial allocation envisaged for the contribution from each fund and indicating separately the funding planned for the regions receiving transitional support in respect of Objectives 2 and 5(b) and the total amounts of eligible public or equivalent expenditure and estimated private funding in the Member State.

The total contribution from the funds planned for each year for the single programming document is consistent with the relevant financial perspective;

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the Södra region, covering the southern part of Östergötland County, the eastern part of Jönköping County, the northern part of Kalmar County and Öland municipalities in the same county, the eastern part of Kronoberg County and the majority of Blekinge County under Objective 2 in Sweden, for the period 1 January 2000 to 31 December 2006 is hereby approved

Article 2

1. In accordance with Article 19 of Regulation (EC) No 1260/1999, the single programming document includes the following elements:

- (a) the strategy and priorities for the joint action of the Community Structural Funds and the Member State, their specific quantified targets, the *ex ante* evaluation of the expected impact, including on the environmental situation, and the consistency of the priorities with the economic, social and regional policies and the employment strategy of Sweden.

(d) the provisions for implementing the single programming document including designation of the managing authority, a description of the arrangements for managing the single programming document and the use to be made of global grants, a description of the systems for monitoring and evaluation, including the role of the Monitoring Committee and the arrangements for the participation of the partners in that Committee;

(e) *ex ante* verification and information on the transparency of financial flows;

(f) information on the resources required for preparing, monitoring and evaluating the single programming document.

2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 207 297 500 for the whole period and the financial contribution from the Structural Funds at EUR 83 500 000.

The resulting requirement for national resources of EUR 123 797 500 from the public sector and EUR 112 910 443 from the private sector can be partly met by Community loans from the EIB and other lending instruments.

Article 3

The priorities are as follows:

1. Attractive living environment and development of the economic sector.
2. Development of human resources
3. Technical assistance;

1. The total assistance from the Structural Funds granted under the single programming document amounts to EUR 83 500 000.

The procedure for granting the financial assistance, including the financial contribution from the Funds for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

2. The indicative initial estimated breakdown of the total Community assistance available between the Structural Funds is as follows:

ERDF	EUR 70 900 021,
ESF	EUR 12 599 979.

3. During implementation of the financing plan, the total cost or Community financing of a given priority can be adjusted in agreement with the Member State by up to 25 % of the total Community contribution to the single programming document throughout the programme period or by up to EUR 30 000 000, whichever is the greater, without altering the total Community contribution referred to in paragraph 1.

Article 4

This Decision is without prejudice to the Commission's position on aid schemes falling within Article 87(1) of the Treaty that are included in this assistance and which have not yet been approved by the Commission. Submission of the application for assistance, the programming complement or a request for payment by the Member State does not replace the notification required by Article 88(3) of the Treaty.

Community financing of State aid falling within Article 87(1) of the Treaty, granted under aid schemes or in individual cases, requires prior approval by the Commission under Article 88 of the Treaty, except where the aid falls within the *de minimis* rule or is exempted under an exemption regulation adopted by the Commission under Council Regulation (EC) No 994/98 of 7 May 1998 on the application of Articles 87 and 88 of the Treaty establishing the European Community to certain categories of horizontal State aid ⁽²⁾. In the absence of such

exemption or approval, aid is illegal and subject to the consequences set out in the procedural regulation for State aid, and its part-financing would be treated as an irregularity within the meaning of Article 38(5) of Regulation (EC) No 1260/1999.

Consequently, the Commission will not accept requests for interim and final payments under Article 32 of the Regulation for measures being part-financed with new or altered aid, as defined in the procedural regulation for State aid, granted under aid schemes or in individual cases, until such aid has been notified to and formally approved by the Commission.

Article 5

The date from which expenditure shall be eligible is 1 January 2000. The closing date for the eligibility of expenditure shall be 31 December 2008. This date is extended to 30 April 2009 for expenditure incurred by bodies granting assistance under Article 9(l) of Regulation (EC) No 1260/1999.

Article 6

This Decision is addressed to the Kingdom of Sweden.

Done at Brussels, 20 December 2000.

For the Commission

Michel BARNIER

Member of the Commission

⁽²⁾ OJ L 142, 14.5.1998, p. 1.

COMMISSION DECISION

of 20 December 2000

approving the single programming document for Community structural assistance in the Öarna (Islands) region, which covers Gotland and all inhabited islands without a permanent connection with the mainland along the western and eastern coast of Sweden (excluding the Norrland coast) and the islands in lakes Vänern, Vättern, Hjälmaren and Mälaren under Objective 2 in Sweden

*(notified under document number C(2000) 3524)***(Only the Swedish text is authentic)**

(2002/700/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 15(5) thereof,

After consultation of the Committee on the Development and Conversion of Regions and the Committee pursuant to Article 147 of the Treaty,

Whereas:

(1) Article 13 et seq. of Title II of Regulation (EC) No 1260/1999 lay down the procedure for preparing and implementing single programming documents.

(2) The measures provided for in this Decision are in accordance with Article 15(1) and (2) of Regulation (EC) No 1260/1999 which provides that, after consultation with the partners referred to in Article 8 of the Regulation, the Member State may submit to the Commission a development plan which is treated as a draft single programming document, and which contains the information referred to in Article 16 of the Regulation.

(3) Under Article 15(5) of Regulation (EC) No 1260/1999, the Commission, on the basis of the regional development plan submitted by the Member State and within the partnership established in accordance with Article 8 of the Regulation, is to take a decision on the single programming document, in agreement with the Member State concerned and in accordance with the procedures laid down in Articles 48 to 51.

(4) The Swedish Government submitted to the Commission on 25 April 2000 an acceptable draft single

programming document for the region fulfilling the conditions for Objective 2 pursuant to Article 4(1) of Regulation (EC) No 1260/1999. The draft contains the information listed in Article 16 of the Regulation, and in particular a description of the priorities selected and an indication of the financial contribution from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) proposed for implementing the plan.

(5) The date of submission of the draft which was considered acceptable by the Commission constitutes the date from which expenditure under the plan is eligible. Under Article 52(4) of Regulation (EC) No 1260/1999, as an acceptable plan was submitted between 1 January and 30 April 2000, the date from which expenditure under the plan is eligible is 1 January 2000. Under Article 30 of the Regulation, it is necessary to lay down the final date for the eligibility of expenditure.

(6) The single programming document has been drawn up in agreement with the Member State concerned and within the partnership.

(7) The Commission has satisfied itself that the single programming document is in accordance with the principle of additionality.

(8) Under Article 10 of Regulation (EC) No 1260/1999, the Commission and the Member State are required to ensure, in a manner consistent with the principle of partnership, coordination between assistance from the Funds and from the European Investment Bank (EIB) and other existing financial instruments.

(9) The financial contribution from the Community available over the entire period and its year-by-year breakdown are expressed in euro. The annual breakdown must be consistent with the relevant financial perspective. Under Article 7(7) of Regulation (EC) No 1260/1999, the Community contribution has

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

already been indexed at a rate of 2 % per year. Under Articles 7(7) and 44(2) of the Regulation, the Community contribution may be reviewed at mid-term, and not later than 31 December 2004, to take account of the effective level of inflation and the allocation of the performance reserve.

- (10) Provision must be made for adapting the financial allocations of the priorities of this single programming document within certain limits to actual requirements reflected by the pattern of implementation on the ground, in agreement with the Member State concerned,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the Öarna (Islands) region, which covers Gotland and all inhabited islands without a permanent connection with the mainland along the western and eastern coast of Sweden (excluding the Norrland coast) and the islands in lakes Vänern, Vättern, Hjälmaren and Mälaren under Objective 2 in Sweden, for the period 1 January 2000 to 31 December 2006 is hereby approved.

Article 2

1. In accordance with Article 19 of Regulation (EC) No 1260/1999, the single programming document includes the following elements:

- (a) the strategy and priorities for the joint action of the Community Structural Funds and the Member State; their specific quantified targets; the *ex ante* evaluation of the expected impact, including on the environmental situation, and the consistency of the priorities with the economic, social and regional policies and the employment strategy of Sweden.

The priorities are as follows:

1. Living environment
2. Development of human resources
3. Economy and infrastructure
4. Technical assistance;

- (b) a summary description of the measures planned to implement the priorities, including the information needed to check compliance with the State aid rules under Article 87 of the Treaty;

- (c) the indicative financing plan specifying for each priority and each year the financial allocation envisaged for the contribution from each fund and the total amounts of eligible public or equivalent expenditure and estimated private funding in the Member State.

The total contribution from the funds planned for each year for the single programming document is consistent with the relevant financial perspective;

- (d) the provisions for implementing the single programming document including designation of the managing authority, a description of the arrangements for managing the single programming document and the use to be made of global grants, a description of the systems for monitoring and evaluation, including the role of the Monitoring Committee and the arrangements for the participation of the partners in that Committee;

- (e) *ex ante* verification and information on the transparency of financial flows;

- (f) information on the resources required for preparing, monitoring and evaluating the single programming document.

2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 75 728 571 for the whole period and the financial contribution from the Structural Funds at EUR 30 000 000.

The resulting requirement for national resources of EUR 45 728 571 from the public sector and EUR 25 361 592 from the private sector can be partly met by Community loans from the EIB and other lending instruments.

Article 3

1. The total assistance from the Structural Funds granted under the single programming document amounts to EUR 30 000 000.

The procedure for granting the financial assistance, including the financial contribution from the funds for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

2. The indicative initial estimated breakdown of the total Community assistance available between the Structural Funds is as follows:

ERDF	EUR 25 312 500,
ESF	EUR 4 687 500.

3. During implementation of the financing plan, the total cost or Community financing of a given priority can be adjusted in agreement with the Member State by up to 25 % of the total Community contribution to the single programming document throughout the programme period or by up to EUR 30 000 000, whichever is the greater, without altering the total Community contribution referred to in paragraph 1.

Article 4

This Decision is without prejudice to the Commission's position on aid schemes falling within Article 87(1) of the Treaty that are included in this assistance and which have not yet been approved by the Commission. Submission of the application for assistance, the programming complement or a request for payment by the Member State does not replace the notification required by Article 88(3) of the Treaty.

Community financing of State aid falling within Article 87(1) of the Treaty, granted under aid schemes or in individual cases, requires prior approval by the Commission under Article 88 of the Treaty, except where the aid falls within the *de minimis* rule or is exempted under an exemption regulation adopted by the Commission under Council Regulation (EC) No 994/98 of 7 May 1998 on the application of Articles 92 and 93 of the Treaty establishing the European Community to certain categories of horizontal State aid ⁽²⁾. In the absence of such exemption or approval, aid is illegal and subject to the consequences set out in the procedural regulation for State aid, and its part-financing would be treated as an irregularity within the meaning of Article 38(5) of Regulation (EC) No 1260/1999.

Consequently, the Commission will not accept requests for interim and final payments under Article 32 of the Regulation for measures being part-financed with new or altered aid, as defined in the procedural regulation for State aid, granted under aid schemes or in individual cases, until such aid has been notified to and formally approved by the Commission.

Article 5

The date from which expenditure shall be eligible is 1 January 2000. The closing date for the eligibility of expenditure shall be 31 December 2008. This date is extended to 30 April 2009 for expenditure incurred by bodies granting assistance under Article 9(l) of Regulation (EC) No 1260/1999.

Article 6

This Decision is addressed to the Kingdom of Sweden.

Done at Brussels, 20 December 2000.

For the Commission

Michel BARNIER

Member of the Commission

⁽²⁾ OJ L 142, 14.5.1998, p. 1.

COMMISSION DECISION**of 20 December 2000****approving the single programming document for Community structural assistance in certain areas of the region of Åland under Objective 2 in Finland***(notified under document number C(2000) 3525)***(Only the Finnish and Swedish texts are authentic)**

(2002/701/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 15(5) thereof,

After consultation of the Committee on the Development and Conversion of Regions,

Whereas:

- (1) Article 13 et seq. of Title II of Regulation (EC) No 1260/1999 lay down the procedure for preparing and implementing single programming documents.
- (2) The measures provided for in this Decision are in accordance with Article 15(1) and (2) of Regulation (EC) No 1260/1999 which provides that, after consultation with the partners referred to in Article 8 of the Regulation, the Member State may submit to the Commission a development plan which is treated as a draft single programming document, and which contains the information referred to in Article 16 of the Regulation.
- (3) Under Article 15(5) of Regulation (EC) No 1260/1999, the Commission, on the basis of the regional development plan submitted by the Member State and within the partnership established in accordance with Article 8 of the Regulation, is to take a decision on the single programming document, in agreement with the Member State concerned and in accordance with the procedures laid down in Articles 48 to 51.
- (4) The Finnish Government submitted to the Commission on 24 February 2000 an acceptable draft single programming document for the region fulfilling the conditions for Objective 2 pursuant to Article 4(1) of Regulation (EC) No 1260/1999. The draft contains the information listed in Article 16 of the Regulation, and

in particular a description of the priorities selected and an indication of the financial contribution from the European Regional Development Fund (ERDF) and the other financial instruments proposed for implementing the plan.

- (5) The date of submission of the draft which was considered acceptable by the Commission constitutes the date from which expenditure under the plan is eligible. Under Article 52(4) of Regulation (EC) No 1260/1999, as an acceptable plan was submitted between 1 January and 30 April 2000, the date from which expenditure under the plan is eligible is 1 January 2000. Under Article 30 of the Regulation, it is necessary to lay down the final date for the eligibility of expenditure.
- (6) The single programming document has been drawn up in agreement with the Member State concerned and within the partnership.
- (7) The Commission has satisfied itself that the single programming document is in accordance with the principle of additionality.
- (8) Under Article 10 of Regulation (EC) No 1260/1999, the Commission and the Member State are required to ensure, in a manner consistent with the principle of partnership, coordination between assistance from the Funds and from the EIB and other existing Financial Instruments.
- (9) The financial contribution from the Community available over the entire period and its year-by-year breakdown are expressed in euro. The annual breakdown must be consistent with the relevant financial perspective. Under Article 7(7) of Regulation (EC) No 1260/1999, the Community contribution has already been indexed at a rate of 2 % per year. Under Articles 7(7) and 44(2) of the Regulation, the Community contribution may be reviewed at mid-term, and not later than 31 December 2004, to take account of the effective level of inflation and the allocation of the performance reserve.

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

- (10) Provision must be made for adapting the financial allocations of the priorities of this single programming document within certain limits to actual requirements reflected by the pattern of implementation on the ground, in agreement with the Member State concerned,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in certain areas of the region of Åland under Objective 2 in Finland for the period 1 January 2000 to 31 December 2006 is hereby approved.

Article 2

1. In accordance with Article 19 of Regulation (EC) No 1260/1999, the single programming document includes the following elements:

- (a) the strategy and priorities for the joint action of the Community Structural Funds and the Member State; their specific quantified targets; the *ex ante* evaluation of the expected impact, including on the environmental situation, and the consistency of the priorities with the economic, social and regional policies and the employment strategy of Finland.

The priorities are as follows:

- (1) economic development and the environment;
- (2) technical assistance;
- (b) a summary description of the measures planned to implement the priorities, including the information needed to check compliance with the State aid rules under Article 87 of the Treaty;
- (c) the indicative financing plan specifying for each priority and each year the financial allocation envisaged for the contribution from each Fund, the EIB and the other Financial Instruments and indicating separately the funding planned for the regions receiving transitional support in respect of Objectives 2 and 5b and the total amounts of eligible public or equivalent expenditure and estimated private funding in the Member State. The total contribution from the Funds planned for each year for the single programming document is consistent with the relevant financial perspective;

- (d) the provisions for implementing the single programming document including designation of the managing authority, a description of the arrangements for managing the single programming document and the use to be made of global grants, a description of the systems for monitoring and evaluation, including the role of the Monitoring Committee and the arrangements for the participation of the partners, including partners representing the interests of equality between men and women, and the environment in that Committee;

- (e) the *ex ante* verification of compliance with additionality and information on the transparency of financial flows;

- (f) information on the resources required for preparing, monitoring and evaluating the single programming document.

2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 11 360 000 for the whole period and the financial contribution from the Structural Funds at EUR 4 560 000.

The resulting requirement for national resources of EUR 6 800 000 from the public sector and EUR 10 960 000 from the private sector can be partly met by Community loans from the EIB and other lending instruments.

Article 3

1. The total assistance from the Structural Funds granted under the single programming document amounts to EUR 4 560 000.

The procedure for granting the financial assistance, including the financial contribution from the Funds for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

2. The indicative initial estimated breakdown of the total Community assistance available between the Structural Funds is as follows:

ERDF	EUR 4 560 000.
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3. During implementation of the financing plan, the total cost or Community financing of a given priority can be adjusted in agreement with the Member State by up to 25 % of the total Community contribution to the single programming document throughout the programme period or by up to EUR 30 000 000, whichever is the greater, without altering the total Community contribution referred to in paragraph 1.

Article 4

This Decision is without prejudice to the Commission's position on aid schemes falling within Article 87(1) of the Treaty that are included in this assistance and which have not yet been approved by the Commission. Submission of the application for assistance, the programming complement or a request for payment by the Member State does not replace the notification required by Article 88(3) of the Treaty.

Community financing of State aid falling within Article 87(1) of the Treaty, granted under aid schemes or in individual cases, requires prior approval by the Commission under Article 88 of the Treaty, except where the aid falls within the *de minimis* rule or is exempted under an exemption regulation adopted by the Commission under Council Regulation (EC) No 994/98 of 7 May 1998 on the application of Articles 92 and 93 [now Articles 87 and 88] of the Treaty establishing the European Community to certain categories of horizontal State aid ⁽²⁾. In the absence of such exemption or approval, aid is illegal and subject to the consequences set out in the procedural regulation for State aid, and its part-financing would be treated as an irregularity within the meaning of Article 38(5) of Regulation (EC) No 1260/1999. Consequently, the Commission will not accept requests for interim and final payments under Article 32 of the Regulation for measures being part-financed with new or altered aid, as defined in the

procedural regulation for State aid, granted under aid schemes or in individual cases, until such aid has been notified to and formally approved by the Commission.

Article 5

The date from which expenditure shall be eligible is 1 January 2000. The closing date for the eligibility of expenditure shall be 31 December 2008. This date is extended to 30 April 2009 for expenditure incurred by bodies granting assistance under Article 9(l) of Regulation (EC) No 1260/1999.

Article 6

This Decision is addressed to the Republic of Finland.

Done at Brussels, 20 December 2000.

For the Commission

Michel BARNIER

Member of the Commission

⁽²⁾ OJ L 142, 14.5.1998, p. 1.

COMMISSION DECISION

of 16 March 2001

approving the single programming document for Community structural assistance under Objective 2 for the East Midlands region in the United Kingdom

*(notified under document number C2001) 279)***(Only the English text is authentic)**

(2002/702/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 15(5) thereof,

After consultation of the Committee on the Development and Conversion of Regions and the Committee pursuant to Article 147 of the Treaty,

Whereas:

(1) Article 13 et seq. of Title II of Regulation (EC) No 1260/1999 lay down the procedure for preparing and implementing single programming documents.

(2) Article 15(1) and (2) of Regulation (EC) No 1260/1999 provides that, after consultation with the partners referred to in Article 8 of the Regulation, the Member State may submit to the Commission a development plan which is treated as a draft single programming document, and which contains the information referred to in Article 16 of the Regulation.

(3) Under Article 15(5) of Regulation (EC) No 1260/1999, on the basis of the regional development plan submitted by the Member State and within the partnership established in accordance with Article 8 of the Regulation, the Commission shall take a decision on the single programming document, in agreement with the Member State concerned and in accordance with the procedures laid down in Articles 48 to 51.

(4) The United Kingdom Government submitted to the Commission on 14 April 2000 an acceptable draft single programming document for the East Midlands

region fulfilling the conditions for Objective 2 pursuant to Article 4(1) and qualifying for transitional support under pursuant to Article 6(2) of Regulation (EC) No 1260/1999. The draft contains the information listed in Article 16 of the Regulation, and in particular a description of the priorities selected and an indication of the financial contribution from the European Regional Development Fund (ERDF), the European Social Fund (ESF), the European Investment Bank (EIB) and the other financial instruments proposed for implementing the plan.

(5) Under Article 52(4) of Regulation (EC) No 1260/1999, as an acceptable plan was submitted between 1 January and 30 April 2000, the date from which expenditure under the plan is eligible shall be 1 January 2000. Under Article 30 of the Regulation, it is necessary to lay down the final date for the eligibility of expenditure.

(6) The single programming document has been drawn up in agreement with the Member State concerned and within the partnership.

(7) The Commission has satisfied itself that the single programming document is in accordance with the principle of additionality.

(8) Under Article 10 of Regulation (EC) No 1260/1999, the Commission and the Member State are required to ensure, in a manner consistent with the principle of partnership, coordination between assistance from the Funds and from the EIB and other existing financial instruments.

(9) The EIB has been involved in drawing up the single programming document in accordance with the provisions of Article 15(5) of Regulation (EC) No 1260/1999 and has declared itself prepared to contribute to its implementation in conformity with its statutory provisions.

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

- (10) The financial contribution from the Community available over the entire period and its year-by-year breakdown are expressed in euro. The annual breakdown must be consistent with the relevant financial perspective. Under Article 7(7) of Regulation (EC) No 1260/1999, the Community contribution has already been indexed at a rate of 2 % per year. Under Article 7(7) and Article 44(2) of the Regulation, the Community contribution may be reviewed at mid-term, and not later than 31 March 2004, to take account of the effective level of inflation and the allocation of the performance reserve.
- (11) Provision must be made for adapting the financial allocations of the priorities of this single programming document within certain limits to actual requirements reflected by the pattern of implementation on the ground, in agreement with the Member State concerned,
- (c) the indicative financing plan specifying for each priority and each year the financial allocation envisaged for the contribution from the ERDF, the ESF, the EIB and the other financial instruments and indicating separately the funding planned for the regions receiving transitional support and the total amounts of eligible public or equivalent expenditure and estimated private funding in the Member State. The total contribution from the ERDF and ESF planned for each year for the single programming document is consistent with the relevant financial perspectives:
- (d) the provisions for implementing the single programming document including designation of the managing authority, a description of the arrangements for managing the single programming document and the use to be made of global grants, a description of the systems for monitoring and evaluation, including the role of the Monitoring Committee and the arrangements for the participation of the partners in that Committee,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance under Objective 2 in the East Midlands region of the United Kingdom for the period 1 January 2000 to 31 December 2005 for transitional areas and 1 January 2000 to 31 December 2006 for full eligible areas is hereby approved.

Article 2

1. In accordance with Article 19 of Regulation (EC) No 1260/1999, the single programming document includes the following elements:

- (a) the strategy and priorities for the joint action of the Community Structural Funds and the Member State; their specific quantified targets; the *ex ante* evaluation of the expected impact, including on the environmental situation, and the consistency of the priorities with the economic, social and regional policies and the employment strategy of United Kingdom.

The priorities are as follows:

- enterprise and innovation,
- strategic development opportunities,
- sustainable communities,
- technical assistance;

- (b) a summary description of the measures planned to implement the priorities, including the information needed to check compliance with the State aid rules under Article 87 of the Treaty,

- (e) the *ex ante* verification of compliance with additionality and information on the transparency of financial flows;

- (f) information on the resources required for preparing, monitoring and evaluating the assistance.

2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 996 453 000 for the whole period and the financial contribution from the Structural Funds at EUR 376 530 000.

The resulting requirement for national resources of EUR 499 700 000 from the public sector and EUR 120 223 000 from the private sector can be partly met by Community loans from the EIB and other lending instruments.

Article 3

1. The total assistance from the Structural Funds granted under the single programming document amounts to EUR 376 530 000. The procedure for granting the financial assistance, including the financial contribution from the Funds for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

2. The indicative initial estimated breakdown of the total Community assistance available between the Structural Funds is as follows:

ERDF	EUR 343 017 000,
ESF	EUR 33 513 000.

3. During implementation of the financing plan, the total cost or Community financing of a given priority can be adjusted in agreement with the Member State by up to 25 % of the total Community contribution to the single programming document throughout the programme period or by up to EUR 30 million, whichever is the greater, without altering the total Community contribution referred to in paragraph 1.

Article 4

This Decision is without prejudice to the Commission's position on aid schemes falling within Article 87(1) of the Treaty that are included in this assistance and which have not yet been approved by the Commission. Submission of the application for assistance, the programming complement or a request for payment by the Member State does not replace the notification required by Article 88(3) of the Treaty.

Community financing of State aid falling within Article 87(1) of the Treaty, granted under aid schemes or in individual cases, requires prior approval by the Commission under Article 88 of the Treaty, except where the aid falls within the *de minimis* rule or is exempted under an exemption regulation adopted by the Commission under Council Regulation (EC) No 994/98 of 7 May 1998 ⁽²⁾ on the application of Articles 87 and 88 to certain categories of horizontal aid. In the absence of such exemption or approval, aid is illegal and subject to the consequences set out in the procedural regulation for State aid, and its co-financing would be treated as an irregularity within the meaning of Articles 38 and 39 of Regulation (EC) No 1260/1999.

Consequently, the Commission will not accept requests for interim and final payments under Article 32 of the Regulation for measures being co-financed with new or altered aid, as defined in the procedural regulation for State aid, granted under aid schemes or in individual cases, until such aid has been notified to and formally approved by the Commission.

Article 5

The date from which expenditure shall be eligible is 1 January 2000. The closing date for the eligibility of expenditure shall be 31 December 2007 for transitional areas and 31 December 2008 for fully eligible areas. This date is extended to 30 April 2009 for expenditure incurred by bodies granting assistance under Article 9(l) of Regulation (EC) No 1260/1999.

Article 6

This Decision is addressed to the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 16 March 2001.

For the Commission

Michel BARNIER

Member of the Commission

⁽²⁾ OJ L 142, 14.5.1998, p. 1.

COMMISSION DECISION

of 21 March 2001

**approving the single programming document for Community structural assistance under
Objective 2 for the South of Scotland region in the United Kingdom***(notified under document number C(2001) 562)***(Only the English text is authentic)**

(2002/703/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 15(5) thereof,

After consultation of the Committee on the Development and Conversion of Regions,

Whereas:

(1) Article 13 et seq. of Title II of Regulation (EC) No 1260/1999 lay down the procedure for preparing and implementing single programming documents.

(2) Article 15(1) and (2) of Regulation (EC) No 1260/1999 provides that, after consultation with the partners referred to in Article 8 of the Regulation, the Member State may submit to the Commission a development plan which is treated as a draft single programming document, and which contains the information referred to in Article 16 of the Regulation.

(3) Under Article 15(5) of Regulation (EC) No 1260/1999, on the basis of the regional development plan submitted by the Member State and within the partnership established in accordance with Article 8 of the Regulation, the Commission shall take a decision on the single programming document, in agreement with the Member State concerned and in accordance with the procedures laid down in Articles 48 to 51.

(4) The United Kingdom Government submitted to the Commission on 28 April 2000 an acceptable draft single programming document for the South of Scotland region fulfilling the conditions for Objective 2 pursuant to Article 4(1) and qualifying for transitional

support under Objectives 2 and 5(b) pursuant to Article 6(2) of Regulation (EC) No 1260/1999. The draft contains the information listed in Article 16 of the Regulation, and in particular a description of the priorities selected and an indication of the financial contribution from the European Regional Development Fund (ERDF), the European Investment Bank (EIB) and the other financial instruments proposed for implementing the plan.

(5) Under Article 52(4) of Regulation (EC) No 1260/1999, as an acceptable plan was submitted between 1 January and 30 April 2000, the date from which expenditure under the plan is eligible shall be 1 January 2000. Under Article 30 of the Regulation, it is necessary to lay down the final date for the eligibility of expenditure.

(6) The single programming document has been drawn up in agreement with the Member State concerned and within the partnership.

(7) The Commission has satisfied itself that the single programming document is in accordance with the principle of additionality.

(8) Under Article 10 of Regulation (EC) No 1260/1999, the Commission and the Member State are required to ensure, in a manner consistent with the principle of partnership, coordination between assistance from the Funds and from the EIB and other existing financial instruments.

(9) The EIB has been involved in drawing up the single programming document in accordance with the provisions of Article 15(5) of Regulation (EC) No 1260/1999 and has declared itself prepared to contribute to its implementation in conformity with its statutory provisions.

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

- (10) The financial contribution from the Community available over the entire period and its year-by-year breakdown are expressed in euro. The annual breakdown must be consistent with the relevant financial perspective. Under Article 7(7) of Regulation (EC) No 1260/1999, the Community contribution has already been indexed at a rate of 2 % per year. Under Article 7(7) and Article 44(2) of the Regulation, the Community contribution may be reviewed at mid-term, and not later than 31 March 2004, to take account of the effective level of inflation and the allocation of the performance reserve.
- (11) Provision must be made for adapting the financial allocations of the priorities of this single programming document within certain limits to actual requirements reflected by the pattern of implementation on the ground, in agreement with the Member State concerned,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance under Objective 2 and for transitional support under Objective 5b in the South of Scotland region of the United Kingdom for the period 1 January 2000 to 31 December 2006 is hereby approved.

Article 2

1. In accordance with Article 19 of Regulation (EC) No 1260/1999, the single programming document includes the following elements:

- (a) the strategy and priorities for the joint action of the Community Structural Funds and the Member State; their specific quantified targets; the *ex ante* evaluation of the expected impact, including on the environmental situation, and the consistency of the priorities with the economic, social and regional policies and the employment strategy of the United Kingdom.

The priorities are as follows:

- competitive enterprises,
- competitive locations,
- people and communities,
- technical assistance;

- (b) a summary description of the measures planned to implement the priorities, including the information needed to check compliance with the State aid rules under Article 87 of the Treaty;
- (c) the indicative financing plan specifying for each priority and each year the financial allocation envisaged for the contribution from the ERDF, the EIB and the other financial instruments and indicating separately the funding planned for the regions receiving transitional support in respect of Objective 5(b) and the total amounts of eligible public or equivalent expenditure and estimated private funding in the Member State. The total contribution from the ERDF planned for each year for the single programming document is consistent with the relevant financial perspectives;
- (d) the provisions for implementing the single programming document including designation of the managing authority, a description of the arrangements for managing the single programming document and the use to be made of global grants, a description of the systems for monitoring and evaluation, including the role of the Monitoring Committee and the arrangements for the participation of the partners in that Committee;
- (e) the *ex ante* verification of compliance with additionality and information on the transparency of financial flows,
- (f) information on the resources required for preparing, monitoring and evaluating the assistance.

2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 172 860 million for the whole period and the financial contribution from the Structural Funds at EUR 73 130 million.

The resulting requirement for national resources of EUR 78 587 million from the public sector and EUR 21 143 million from the private sector can be partly met by Community loans from the EIB and other lending instruments.

Article 3

1. The total assistance from the Structural Funds granted under the single programming document amounts to EUR 73 130 million. The procedure for granting the financial assistance, including the financial contribution from the Funds for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

2. The indicative initial estimated breakdown of the total Community assistance available between the Structural Funds is as follows:

ERDF 73 130 million.

3. During implementation of the financing plan, the total cost or Community financing of a given priority can be adjusted in agreement with the Member State by up to 25 % of the total Community contribution to the single programming document throughout the programme period or by up to EUR 30 million, whichever is the greater, without altering the total Community contribution referred to in paragraph 1.

Article 4

This Decision is without prejudice to the Commission's position on aid schemes falling within Article 87(1) of the Treaty that are included in this assistance and which have not yet been approved by the Commission. Submission of the application for assistance, the programming complement or a request for payment by the Member State does not replace the notification required by Article 88(3) of the Treaty.

Community financing of State aid falling within Article 87(1) of the Treaty, granted under aid schemes or in individual cases, requires prior approval by the Commission under Article 88 of the Treaty, except where the aid falls within the *de minimis* rule or is exempted under an exemption regulation adopted by the Commission under Council Regulation (EC) No 994/98 of 7 May 1998 on the application of Articles 87 and 88 to certain categories of horizontal aid ⁽²⁾. In the absence of such exemption or approval, aid is illegal and subject to the consequences set out in the procedural regulation for State aid,

and its co-financing would be treated as an irregularity within the meaning of Articles 38 and 39 of Regulation (EC) No 1260/1999.

Consequently, the Commission will not accept requests for interim and final payments under Article 32 of Regulation (EC) No 1260/1999 for measures being co-financed with new or altered aid, as defined in the procedural regulation for State aid, granted under aid schemes or in individual cases, until such aid has been notified to and formally approved by the Commission.

Article 5

The date from which expenditure shall be eligible is 1 January 2000. The closing date for the eligibility of expenditure shall be 31 December 2008. This date is extended to 30 April 2009 for expenditure incurred by bodies granting assistance under Article 9(l) of Regulation (EC) No 1260/1999.

Article 6

This Decision is addressed to the United Kingdom, of Great Britain and Northern Ireland.

Done at Brussels, 21 March 2001.

For the Commission

Michel BARNIER

Member of the Commission

⁽²⁾ OJ L 142, 14.5.1998, p. 1.

COMMISSION DECISION

of 22 March 2001

**approving the single programming document for Community structural assistance under
Objective 2 for the East of Scotland region in the United Kingdom**

*(notified under document number C(2001) 278)***(Only the English text is authentic)**

(2002/704/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 15(5) thereof,

After consultation of the Committee on the Development and Conversion of Regions,

Whereas:

- region fulfilling the conditions for Objective 2 pursuant to Article 4(1) and qualifying for transitional support under Objectives 2 and 5b pursuant to Article 6(2) of Regulation (EC) No 1260/1999. The draft contains the information listed in Article 16 of the Regulation, and in particular a description of the priorities selected and an indication of the financial contribution from the European Regional Development Fund (ERDF), the European Investment Bank (EIB) and the other financial instruments proposed for implementing the plan.
- (5) Under Article 52(4) of Regulation (EC) No 1260/1999, as an acceptable plan was submitted between 1 January and 30 April 2000, the date from which expenditure under the plan is eligible shall be 1 January 2000. Under Article 30 of the Regulation, it is necessary to lay down the final date for the eligibility of expenditure.
- (1) Article 13 et seq. of Title II of Regulation (EC) No 1260/1999 lay down the procedure for preparing and implementing single programming documents.
- (2) Article 15(1) and (2) of Regulation (EC) No 1260/1999 provides that, after consultation with the partners referred to in Article 8 of the Regulation, the Member State may submit to the Commission a development plan which is treated as a draft single programming document, and which contains the information referred to in Article 16 of the Regulation.
- (3) Under Article 15(5) of Regulation (EC) No 1260/1999, on the basis of the regional development plan submitted by the Member State and within the partnership established in accordance with Article 8 of the Regulation, the Commission shall take a decision on the single programming document, in agreement with the Member State concerned and in accordance with the procedures laid down in Articles 48 to 51.
- (4) The United Kingdom Government submitted to the Commission on 28 April 2000 an acceptable draft single programming document for the East of Scotland
- (6) The single programming document has been drawn up in agreement with the Member State concerned and within the partnership.
- (7) The Commission has satisfied itself that the single programming document is in accordance with the principle of additionality.
- (8) Under Article 10 of Regulation (EC) No 1260/1999, the Commission and the Member State are required to ensure, in a manner consistent with the principle of partnership, coordination between assistance from the Funds and from the EIB and other existing financial instruments.
- (9) The EIB has been involved in drawing up the single programming document in accordance with the provisions of Article 15(5) of Regulation (EC) No 1260/1999 and has declared itself prepared to contribute to its implementation in conformity with its statutory provisions.

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

- (10) The financial contribution from the Community available over the entire period and its year-by-year breakdown are expressed in euro. The annual breakdown must be consistent with the relevant financial perspective. Under Article 7(7) of Regulation (EC) No 1260/1999, the Community contribution has already been indexed at a rate of 2 % per year. Under Article 7(7) and Article 44(2) of the Regulation, the Community contribution may be reviewed at mid-term, and not later than 31 March 2004, to take account of the effective level of inflation and the allocation of the performance reserve.
- (11) Provision must be made for adapting the financial allocations of the priorities of this single programming document within certain limits to actual requirements reflected by the pattern of implementation on the ground, in agreement with the Member State concerned,
- (c) the indicative financing plan specifying for each priority and each year the financial allocation envisaged for the contribution from the ERDF, the EIB and the other financial instruments and indicating separately the funding planned for the regions receiving transitional support and the total amounts of eligible public or equivalent expenditure and estimated private funding in the Member State. The total contribution from the ERDF planned for each year for the single programming document is consistent with the relevant financial perspectives;
- (d) the provisions for implementing the single programming document including designation of the managing authority, a description of the arrangements for managing the single programming document and the use to be made of global grants, a description of the systems for monitoring and evaluation, including the role of the Monitoring Committee and the arrangements for the participation of the partners in that Committee;

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance under Objective 2 in the East of Scotland region of the United Kingdom for the period 1 January 2000 to 31 December 2005 for transitional areas and from 1 January 2000 to 31 December 2006 for fully eligible areas is hereby approved.

Article 2

1. In accordance with Article 19 of Regulation (EC) No 1260/1999, the single programming document includes the following elements:

- (a) the strategy and priorities for the joint action of the Community Structural Funds and the Member State; their specific quantified targets; the *ex ante* evaluation of the expected impact, including on the environmental situation, and the consistency of the priorities with the economic, social and regional policies and the employment strategy of the United Kingdom.

The priorities are as follows:

- strategic economic development,
- strategic locations and sectors,
- community economic development,
- technical assistance;

- (b) a summary description of the measures planned to implement the priorities, including the information needed to check compliance with the State aid rules under Article 87 of the Treaty;

- (e) the *ex ante* verification of compliance with additionality and information on the transparency of financial flows;
- (f) information on the resources required for preparing, monitoring and evaluating the assistance.

2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 650 413 million for the whole period and the financial contribution from the Structural Funds at EUR 250 540 million.

The resulting requirement for national resources of EUR 328 763 million from the public sector and EUR 71 110 million from the private sector can be partly met by Community loans from the EIB and other lending instruments.

Article 3

1. The total assistance from the Structural Funds granted under the single programming document amounts to EUR 250 540 million. The procedure for granting the financial assistance, including the financial contribution from the Funds for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

2. The indicative initial estimated breakdown of the total Community assistance available between the Structural Funds is as follows:

ERDF

EUR 250 540 million.

3. During implementation of the financing plan, the total cost or Community financing of a given priority can be adjusted in agreement with the Member State by up to 25 % of the total Community contribution to the single programming document throughout the programme period or by up to EUR 30 million, whichever is the greater, without altering the total Community contribution referred to in paragraph 1.

Article 4

This Decision is without prejudice to the Commission's position on aid schemes falling within Article 87(1) of the Treaty that are included in this assistance and which have not yet been approved by the commission. Submission of the application for assistance, the programming complement or a request for payment by the Member State does not replace the notification required by Article 88(3) of the Treaty.

Community financing of State aid falling within Article 87(1) of the Treaty, granted under aid schemes or in individual cases, requires prior approval by the Commission under Article 88 of the Treaty, except where the aid falls within the *de minimis* rule or is exempted under an exemption regulation adopted by the Commission under Council Regulation (EC) No 994/98 of 7 May 1998 on the application of Articles 87 and 88 to certain categories of horizontal aid ⁽²⁾. In the absence of such exemption or approval, aid is illegal and subject to the consequences set out in the procedural regulation for State aid, and its co-financing would be treated as an irregularity within the meaning of Articles 38 and 39 of Regulation (EC) No 1260/1999.

Consequently, the Commission will not accept requests for interim and final payments under Article 32 of Regulation (EC) No 1260/1999 for measures being co-financed with new or altered aid, as defined in the procedural regulation for State aid, granted under aid schemes or in individual cases, until such aid has been notified to and formally approved by the Commission.

Article 5

The date from which expenditure shall be eligible is 1 January 2000. The closing date for the eligibility of expenditure in transitional areas shall be 31 December 2007 and in fully eligible areas 31 December 2008. This date is extended to 30 April 2009 for expenditure incurred by bodies granting assistance under Article 9(l) of Regulation (EC) No 1260/1999.

Article 6

This Decision is addressed to the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 22 March 2001.

For the Commission

Michel BARNIER

Member of the Commission

⁽²⁾ OJ L 142, 14.5.1998, p. 1.

COMMISSION DECISION**of 22 March 2001****approving the single programming document for Community structural assistance under Objective 2 in Gibraltar in the United Kingdom***(notified under document number C(2001) 558)***(Only the English text is authentic)***(2002/705/EC)*

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 15(5) thereof,

After consultation of the Committee on the Development and Conversion of Regions,

Whereas:

- (1) Article 13 et seq. of Title II of Regulation (EC) No 1260/1999 lay down the procedure for preparing and implementing single programming documents.
- (2) Article 15(1) and (2) of Regulation (EC) No 1260/1999 provides that, after consultation with the partners referred to in Article 8 of the Regulation, the Member State may submit to the Commission a development plan which is treated as a draft single programming document, and which contains the information referred to in Article 16 of the Regulation.
- (3) Under Article 15(5) of Regulation (EC) No 1260/1999, on the basis of the regional development plan submitted by the Member State and within the partnership established in accordance with Article 8 of the Regulation, the Commission shall take a decision on the single programming document, in agreement with the Member State concerned and in accordance with the procedures laid down in Articles 48 to 51.
- (4) The United Kingdom Government submitted to the Commission on 25 April 2000 acceptable draft single programming document for Gibraltar fulfilling the conditions for Objective 2 pursuant to Article 4(1) of Regulation (EC) No 1260/1999. The draft contains the information listed in Article 16 of the Regulation, and in particular a description of the priorities selected and an indication of the financial contribution from the European Regional Development Fund (ERDF), the European Investment Bank (EIB) and the other financial instruments proposed for implementing the plan.
- (5) Under Article 52(4) of Regulation (EC) No 1260/1999, as an acceptable plan was submitted between 1 January and 30 April 2000, the date from which expenditure under the plan is eligible shall be 1 January 2000. Under Article 30 of the Regulation, it is necessary to lay down the final date for the eligibility of expenditure.
- (6) The single programming document has been drawn up in agreement with the Member State concerned and within the partnership.
- (7) The Commission has satisfied itself that the single programming document is in accordance with the principle of additionality.
- (8) Under Article 10 of Regulation (EC) No 1260/1999, the Commission and the Member State are required to ensure, in a manner consistent with the principle of partnership, coordination between assistance from the Funds and from the EIB and other existing financial instruments.
- (9) The EIB has been involved in drawing up the single programming document in accordance with the provisions of Article 15(5) of Regulation (EC) No 1260/1999 and has declared itself prepared to contribute to its implementation in conformity with its statutory provisions.
- (10) The financial contribution from the Community available over the entire period and its year-by-year breakdown are expressed in euro. The annual breakdown must be consistent with the relevant financial perspective. Under Article 7(7) of Regulation (EC) No 1260/1999, the Community contribution has already been indexed at a rate of 2 % per year. Under Article 7(7) and Article 44(2) of the Regulation, the Community contribution may be reviewed at mid-term, and not later than 31 March 2004, to take account of the effective level of inflation and the allocation of the performance reserve.

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

(11) Provision must be made for adapting the financial allocations of the priorities of this single programming document within certain limits to actual requirements reflected by the pattern of implementation on the ground, in agreement with the Member State concerned,

(d) the provisions for implementing the single programming document including designation of the managing authority, a description of the arrangements for managing the single programming document and the use to be made of global grants, a description of the systems for monitoring and evaluation, including the role of the Monitoring Committee and the arrangements for the participation of the partners in that Committee,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance under Objective 2 in Gibraltar in the United Kingdom for the period 1 January 2000 to 31 December 2006 is hereby approved.

Article 2

1. In accordance with Article 19 of Regulation (EC) No 1260/1999, the single programming document includes the following elements:

(a) the strategy and priorities for the joint action of the Community Structural Funds and the Member State; their specific quantified targets; the *ex ante* evaluation of the expected impact, including on the environmental situation, and the consistency of the priorities with the economic, social and regional policies and the employment strategy of the United Kingdom.

The priorities are as follows:

- tourism, heritage and urban regeneration,
- SMEs and e-commerce,
- transport (port infrastructure),
- environment;

(b) a summary description of the measures planned to implement the priorities, including the information needed to check compliance with the state aid rules under Article 87 of the Treaty;

(c) the indicative financing plan specifying for each priority and each year the financial allocation envisaged for the contribution from the ERDF, the EIB and the other financial instruments and the total amounts of eligible public or equivalent expenditure and estimated private funding in the Member State. The total contribution from the Fund planned for each year for the single programming document is consistent with the relevant financial perspectives;

(e) the *ex ante* verification of compliance with additionality and information on the transparency of financial flows;

(f) information on the resources required for preparing, monitoring and evaluating the assistance.

2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 19 515 000 for the whole period and the financial contribution from ERDF at EUR 8 380 000.

The resulting requirement for national resources of EUR 10 235 000 from the public sector and EUR 900 000 from the private sector can be partly met by Community loans from the EIB and other lending instruments.

Article 3

1. The total assistance from the Structural Funds granted under the single programming document amounts to EUR 8 380 000. The procedure for granting the financial assistance, including the financial contribution from the Funds for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

2. The indicative initial estimated breakdown of the total Community assistance available between the Structural Funds is as follows:

ERDF	EUR 8 380 000.
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3. During implementation of the financing plan, the total cost or Community financing of a given priority can be adjusted in agreement with the Member State by up to 25 % of the total Community contribution to the single programming document throughout the programme period.

Article 4

This Decision is without prejudice to the Commission's position on aid schemes falling within Article 87(1) of the Treaty that are included in this assistance and which have not yet been approved by the Commission. Submission of the application for assistance, the Programming Complement or a request for payment by the Member State does not replace the notification required by Article 88(3) of the Treaty.

Community financing of State aid falling within Article 87(1) of the Treaty, granted under aid schemes or in individual cases, requires prior approval by the Commission under Article 88 of the Treaty, except where the aid falls within the *de minimis* rule or is exempted under an exemption regulation adopted by the Commission under Council Regulation (EC) No 994/98 of 7 May 1998 on the application of Articles 87 and 88 to certain categories of horizontal aid ⁽²⁾. In the absence of such exemption or approval, aid is illegal and subject to the consequences set out in the procedural regulation for State aid, and its cofinancing would be treated as an irregularity within the meaning of Articles 38 and 39 of Regulation (EC) No 1260/1999.

Consequently, the Commission will not accept requests for interim and final payments under Article 32 of the Regulation for measures being cofinanced with new or altered aid, as

defined in the procedural regulation for State aid, granted under aid schemes or in individual cases, until such aid has been notified to and formally approved by the Commission.

Article 5

The date from which expenditure shall be eligible is 1 January 2000. The closing date for the eligibility of expenditure shall be 31 December 2008. This date is extended to 30 April 2009 for expenditure incurred by bodies granting assistance under Article 9(l) of Regulation (EC) No 1260/1999.

Article 6

This Decision is addressed to the United Kingdom of Great Britain Northern Ireland.

Done at Brussels, 22 March 2001.

For the Commission

Michel BARNIER

Member of the Commission

⁽²⁾ OJ L 142, 14.5.1998, p. 1.

COMMISSION DECISION

of 22 March 2001

approving the single programming document for Community structural assistance under Objective 2 for the West Midlands region in the United Kingdom

(notified under document number C(2001) 564)

(Only the English text is authentic)

(2002/706/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 15(5) thereof,

After consultation of the Committee on the Development and Conversion of Regions, the Committee pursuant to Article 147 of the Treaty,

Whereas:

(1) Article 13 et seq. of Title II of Regulation (EC) No 1260/1999 lay down the procedure for preparing and implementing single programming documents.

(2) Article 15(1) and (2) of Regulation (EC) No 1260/1999 provides that, after consultation with the partners referred to in Article 8 of the Regulation, the Member State may submit to the Commission a development plan which is treated as a draft single programming document, and which contains the information referred to in Article 16 of the Regulation.

(3) Under Article 15(5) of Regulation (EC) No 1260/1999, on the basis of the regional development plan submitted by the Member State and within the partnership established in accordance with Article 8 of the Regulation, the Commission shall take a decision on the single programming document, in agreement with the Member State concerned and in accordance with the procedures laid down in Articles 48 to 51.

(4) The United Kingdom Government submitted to the Commission on 14 April 2000 an acceptable draft single programming document for the West Midlands region fulfilling the conditions for Objective 2 pursuant to Article 4(1) and qualifying for transitional support pursuant to Article 6(2) of Regulation (EC) No 1260/1999. The draft contains the information listed in Article 16 of the Regulation, and in particular a

description of the priorities selected and an indication of the financial contribution from the European Regional Development Fund (ERDF), the European Social Fund (ESF), the European Investment Bank (EIB) and the other financial instruments proposed for implementing the plan.

(5) Under Article 52(4) of Regulation (EC) No 1260/1999, as an acceptable plan was submitted between 1 January and 30 April 2000, the date from which expenditure under the plan is eligible shall be 1 January 2000. Under Article 30 of the Regulation, it is necessary to lay down the final date for the eligibility of expenditure.

(6) The single programming document has been drawn up in agreement with the Member State concerned and within the partnership.

(7) The Commission has satisfied itself that the single programming document is in accordance with the principle of additionality.

(8) Under Article 10 of Regulation (EC) No 1260/1999, the Commission and the Member State are required to ensure, in a manner consistent with the principle of partnership, coordination between assistance from the Funds and from the EIB and other existing financial instruments.

(9) The EIB has been involved in drawing up the single programming document in accordance with the provisions of Article 15(5) of Regulation (EC) No 1260/1999 and has declared itself prepared to contribute to its implementation in conformity with its statutory provisions.

(10) The financial contribution from the Community available over the entire period and its year-by-year breakdown are expressed in euro. The annual breakdown must be consistent with the relevant financial perspective. Under Article 7(7) of Regulation (EC) No 1260/1999, the Community contribution has

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

already been indexed at a rate of 2 % per year. Under Article 7(7) and Article 44(2) of the Regulation, the Community contribution may be reviewed at mid-term, and not later than 31 March 2004, to take account of the effective level of inflation and the allocation of the performance reserve.

- (11) Provision must be made for adapting the financial allocations of the priorities of this single programming document within certain limits to actual requirements reflected by the pattern of implementation on the ground, in agreement with the Member State concerned,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance under Objective 2 in the West Midlands region of the United Kingdom for the period 1 January 2000 to 31 December 2005 for transitional areas and 1 January 2000 to 31 December 2006 for fully eligible areas is hereby approved.

Article 2

1. In accordance with Article 19 of Regulation (EC) No 1260/1999, the single programming document includes the following elements:

- (a) the strategy and priorities for the joint action of the Community Structural Funds and the Member State; their specific quantified targets; the *ex ante* evaluation of the expected impact, including on the environmental situation, and the consistency of the priorities with the economic, social and regional policies and the employment strategy of United Kingdom.

The priorities are as follows:

- developing a diverse and dynamic business base,
- creating the conditions for employment growth,
- regenerating communities,
- technical assistance;

- (b) a summary description of the measures planned to implement the priorities, including the information needed to check compliance with the state aid rules under Article 87 of the Treaty;

- (c) the indicative financing plan specifying for each priority and each year the financial allocation envisaged for the contribution from the ERDF, the ESF, the EIB and the other financial instruments and indicating separately the funding planned for the regions receiving transitional support in respect of Objective 5(b) and the total amounts of eligible public or equivalent expenditure and estimated private funding in the Member State. The total contribution from the ERDF and ESF planned for each year for the single programming document is consistent with the relevant financial perspectives;

- (d) the provisions for implementing the single programming document including designation of the managing authority, a description of the arrangements for managing the single programming document and the use to be made of global grants, a description of the systems for monitoring and evaluation, including the role of the Monitoring Committee and the arrangements for the participation of the partners in that Committee;

- (e) the *ex ante* verification of compliance with additionality and information on the transparency of financial flows;

- (f) information on the resources required for preparing, monitoring and evaluating the assistance.

2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 2 324,780 million or the whole period and the financial contribution from the Structural Funds at EUR 854,210 million.

The resulting requirement for national resources of EUR 1 023,130 million from the public sector and EUR 447,440 million from the private sector can be partly met by Community loans from the EIB and other lending instruments.

Article 3

1. The total assistance from the Structural Funds granted under the single programming document amounts to EUR 854,210 million. The procedure for granting the financial assistance, including the financial contribution from the Funds for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

2. The indicative initial estimated breakdown of the total Community assistance available between the Structural Funds is as follows:

ERDF	EUR 709,812 million,
ESF	EUR 144,398 million.

3. During implementation of the financing plan, the total cost or Community financing of a given priority can be adjusted in agreement with the Member State by up to 25 % of the total Community contribution to the single programming document throughout the programme period or by up to 30 million, whichever is the greater, without altering the total Community contribution referred to in paragraph 1.

Article 4

This Decision is without prejudice to the Commission's position on aid schemes falling within Article 87(1) of the Treaty that are included in this assistance and which have not yet been approved by the Commission. Submission of the application for assistance, the programming complement or a request for payment by the Member State does not replace the notification required by Article 88(3) of the Treaty.

Community financing of State aid falling within Article 87(1) of the Treaty, granted under aid schemes or in individual cases, requires prior approval by the Commission under Article 88 of the Treaty, except where the aid falls within the *de minimis* rule or is exempted under an exemption regulation adopted by the Commission under Council Regulation (EC) No 994/98 of 7 May 1998 on the application of Articles 87 and 88 to certain categories of horizontal aid ⁽²⁾. In the absence of such exemption or approval, aid is illegal and subject to the consequences set out in the procedural regulation for State aid, and its co-financing would be treated as an irregularity within the meaning of Articles 38 and 39 of Regulation (EC) No 1260/1999.

Consequently, the Commission will not accept requests for interim and final payments under Article 32 of the Regulation for measures being co-financed with new or altered aid, as defined in the procedural regulation for State aid, granted under aid schemes or in individual cases, until such aid has been notified to and formally approved by the Commission.

Article 5

The date from which expenditure shall be eligible is 1 January 2000. The closing date for the eligibility of expenditure shall be 31 December 2007 for transitional areas and 31 December 2008 for fully eligible areas. This date is extended to 30 April 2008 for expenditure incurred by bodies granting assistance under Article 9(1) of Regulation (EC) No 1260/1999 in transitional areas and to 30 April 2009 for such bodies in fully eligible areas.

Article 6

This Decision is addressed to the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 22 March 2001.

For the Commission

Michel BARNIER

Member of the Commission

⁽²⁾ OJ L 142, 14.5.1998, p. 1.

COMMISSION DECISION

of 22 March 2001

**approving the single programming document for Community structural assistance under
Objective 2 for the North East of England region in the United Kingdom**

*(notified under document number C(2001) 565)***(Only the English text is authentic)**

(2002/707/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 15(5) thereof,

After consultation of the Committee on the Development and Conversion of Regions, the Committee pursuant to Article 147 of the Treaty,

Whereas:

- (1) Article 13 et seq. of Title II of Regulation (EC) No 1260/1999 lay down the procedure for preparing and implementing single programming documents.
- (2) Article 15(1) and (2) of Regulation (EC) No 1260/1999 provides that, after consultation with the partners referred to in Article 8 of the Regulation, the Member State may submit to the Commission a development plan which is treated as a draft single programming document, and which contains the information referred to in Article 16 of the Regulation.
- (3) Under Article 15(5) of Regulation (EC) No 1260/1999, on the basis of the regional development plan submitted by the Member State and within the partnership established in accordance with Article 8 of the Regulation, the Commission shall take a decision on the single programming document, in agreement with the Member State concerned and in accordance with the procedures laid down in Articles 48 to 51.
- (4) The United Kingdom Government submitted to the Commission on 14 April 2000 an acceptable draft single programming document for the North East of

England region fulfilling the conditions for Objective 2 pursuant to Article 4(1) and qualifying for transitional support pursuant to Article 6(2) of Regulation (EC) No 1260/1999. The draft contains the information listed in Article 16 of the Regulation, and in particular a description of the priorities selected and an indication of the financial contribution from the European Regional Development Fund (ERDF), the European Social Fund (ESF), the European Investment Bank (EIB) and the other financial instruments proposed for implementing the plan.

- (5) Under Article 52(4) of Regulation (EC) No 1260/1999, as an acceptable plan was submitted between 1 January and 30 April 2000, the date from which expenditure under the plan is eligible shall be 1 January 2000. Under Article 30 of the Regulation, it is necessary to lay down the final date for the eligibility of expenditure.
- (6) The single programming document has been drawn up in agreement with the Member State concerned and within the partnership.
- (7) The Commission has satisfied itself that the single programming document is in accordance with the principle of additionality.
- (8) Under Article 10 of Regulation (EC) No 1260/1999, the Commission and the Member State are required to ensure, in a manner consistent with the principle of partnership, coordination between assistance from the Funds and from the EIB and other existing financial instruments.
- (9) The EIB has been involved in drawing up the single programming document in accordance with the provisions of Article 15(5) of Regulation (EC) No 1260/1999 and has declared itself prepared to contribute to its implementation in conformity with its statutory provisions.

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

- (10) The financial contribution from the Community available over the entire period and its year-by-year breakdown are expressed in euro. The annual breakdown must be consistent with the relevant financial perspective. Under Article 7(7) of Regulation (EC) No 1260/1999, the Community contribution has already been indexed at a rate of 2 % per year. Under Article 7(7) and Article 44(2) of the Regulation, the Community contribution may be reviewed at mid-term, and not later than 31 March 2004, to take account of the effective level of inflation and the allocation of the performance reserve.
- (11) Provision must be made for adapting the financial allocations of the priorities of this single programming document within certain limits to actual requirements reflected by the pattern of implementation on the ground, in agreement with the Member State concerned,

- (b) a summary description of the measures planned to implement the priorities, including the information needed to check compliance with the state aid rules under Article 87 of the Treaty,
- (c) the indicative financing plan specifying for each priority and each year the financial allocation envisaged for the contribution from the ERDF, the ESF, the EIB and the other financial instruments and indicating separately the funding planned for the regions receiving transitional support in respect of Objective 5b and the total amounts of eligible public or equivalent expenditure and estimated private funding in the Member State. The total contribution from the ERDF and ESF planned for each year for the single programming document is consistent with the relevant financial perspectives,
- (d) the provisions for implementing the single programming document including designation of the managing authority, a description of the arrangements for managing the single programming document and the use to be made of global grants, a description of the systems for monitoring and evaluation, including the role of the Monitoring Committee and the arrangements for the participation of the partners in that Committee;
- (e) the *ex ante* verification of compliance with additionality and information on the transparency of financial flows;
- (f) information on the resources required for preparing, monitoring and evaluating the assistance.

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance under Objective 2 in the North East of England region of the United Kingdom for the period 1 January 2000 to 31 December 2005 for transitional areas and 1 January 2000 to 31 December 2006 for fully eligible areas is hereby approved.

Article 2

1. In accordance with Article 19 of Regulation (EC) No 1260/1999, the single programming document includes the following elements:

- (a) the strategy and priorities for the joint action of the Community Structural Funds and the Member State; their specific quantified targets; the *ex ante* evaluation of the expected impact, including on the environmental situation, and the consistency of the priorities with the economic, social and regional policies and the employment strategy of United Kingdom.

2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 1 893 092 000 for the whole period and the financial contribution from the Structural Funds at EUR 717 000 000.

The resulting requirement for national resources of EUR 877 458 000 from the public sector and EUR 298 634 000 from the private sector can be partly met by Community loans from the EIB and other lending instruments.

The priorities are as follows:

- establishing an entrepreneurial culture,
- SME growth and competitiveness,
- strategic employment opportunities,
- target communities,
- technical assistance;

Article 3

1. The total assistance from the Structural Funds granted under the single programming document amounts to EUR 717 000 000. The procedure for granting the financial assistance, including the financial contribution from the Funds for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

2. The indicative initial estimated breakdown of the total Community assistance available between the Structural Funds is as follows:

ERDF	EUR 581 330 000,
ESF	EUR 135 670 000.

3. During implementation of the financing plan, the total cost or Community financing of a given priority can be adjusted in agreement with the Member State by up to 25 % of the total Community contribution to the single programming document throughout the programme period or by up to EUR 30 million, whichever is the greater, without altering the total Community contribution referred to in paragraph 1.

Article 4

This Decision is without prejudice to the Commission's position on aid schemes falling within Article 87(1) of the Treaty that are included in this assistance and which have not yet been approved by the Commission. Submission of the application for assistance, the programming complement or a request for payment by the Member State does not replace the notification required by Article 88(3) of the Treaty.

Community financing of State aid falling within Article 87(1) of the Treaty, granted under aid schemes or in individual cases, requires prior approval by the Commission under Article 88 of the Treaty, except where the aid falls within the *de minimis* rule or is exempted under an exemption regulation adopted by the Commission under Council Regulation (EC) No 994/98 of 7 May 1998 on the application of Articles 87 and 88 to certain categories of horizontal aid ⁽²⁾. In the absence of such exemption or approval, aid is illegal and subject to the consequences set out in the procedural regulation for State aid,

and its co-financing would be treated as an irregularity within the meaning of Articles 38 and 39 of Regulation (EC) No 1260/1999.

Consequently, the Commission will not accept requests for interim and final payments under Article 32 of the Regulation for measures being co-financed with new or altered aid, as defined in the procedural regulation for State aid, granted under aid schemes or in individual cases, until such aid has been notified to and formally approved by the Commission.

Article 5

The date from which expenditure shall be eligible is 1 January 2000. The closing date for the eligibility of expenditure shall be 31 December 2007 for transitional areas and 31 December 2008 for fully eligible areas. This date is extended to 30 April 2008 for expenditure incurred by bodies granting assistance under Article 9(1) of Regulation (EC) No 1260/1999 in transitional areas and to 30 April 2009 for such bodies in fully eligible areas.

Article 6

This Decision is addressed to the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 22 March 2001.

For the Commission

Michel BARNIER

Member of the Commission

⁽²⁾ OJ L 142, 14.5.1998, p. 1.

COMMISSION DECISION

of 22 March 2001

approving the single programming document for Community structural assistance under Objective 2 for the South West of England region in the United Kingdom

(notified under document number C(2001) 641)

(Only the English text is authentic)

(2002/708/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 15(5) thereof,

After consultation of the Committee on the Development and Conversion of Regions and the Committee pursuant to Article 147 of the Treaty,

Whereas:

(1) Article 13 et seq. of Title II of Regulation (EC) No 1260/1999 lay down the procedure for preparing and implementing single programming documents.

(2) Article 15(1) and (2) of Regulation (EC) No 1260/1999 provides that, after consultation with the partners referred to in Article 8 of the Regulation, the Member State may submit to the Commission a development plan which is treated as a draft single programming document, and which contains the information referred to in Article 16 of the Regulation.

(3) Under Article 15(5) of Regulation (EC) No 1260/1999, on the basis of the regional development plan submitted by the Member State and within the partnership established in accordance with Article 8 of the Regulation, the Commission shall take a decision on the single programming document, in agreement with the Member State concerned and in accordance with the procedures laid down in Articles 48 to 51.

(4) The United Kingdom Government submitted to the Commission on 14 April 2000 an acceptable draft

single programming document for the South West of England region fulfilling the conditions for Objective 2 pursuant to Article 4(1) and qualifying for transitional support pursuant to Article 6(2) of Regulation (EC) No 1260/1999. The draft contains the information listed in Article 16 of the Regulation, and in particular a description of the priorities selected and an indication of the financial contribution from the European Regional Development Fund (ERDF), the European Social Fund (ESF), the European Investment Bank (EIB) and the other financial instruments proposed for implementing the plan.

(5) Under Article 52(4) of Regulation (EC) No 1260/1999, as an acceptable plan was submitted between 1 January and 30 April 2000, the date from which expenditure under the plan is eligible shall be 1 January 2000. Under Article 30 of the Regulation, it is necessary to lay down the final date for the eligibility of expenditure.

(6) The single programming document has been drawn up in agreement with the Member State concerned and within the partnership.

(7) The Commission has satisfied itself that the single programming document is in accordance with the principle of additionality.

(8) Under Article 10 of Regulation (EC) No 1260/1999, the Commission and the Member State are required to ensure, in a manner consistent with the principle of partnership, coordination between assistance from the Funds and from the EIB and other existing financial instruments.

(9) The EIB has been involved in drawing up the single programming document in accordance with the provisions of Article 15(5) of Regulation (EC) No 1260/1999 and has declared itself prepared to contribute to its implementation in conformity with its statutory provisions.

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

- (10) The financial contribution from the Community available over the entire period and its year-by-year breakdown are expressed in euro. The annual breakdown must be consistent with the relevant financial perspective. Under Article 7(7) of Regulation (EC) No 1260/1999, the Community contribution has already been indexed at a rate of 2 % per year. Under Article 7(7) and Article 44(2) of the Regulation, the Community contribution may be reviewed at mid-term, and not later than 31 March 2004, to take account of the effective level of inflation and the allocation of the performance reserve.
- (11) Provision must be made for adapting the financial allocations of the priorities of this single programming document within certain limits to actual requirements reflected by the pattern of implementation on the ground, in agreement with the Member State concerned,
- (b) a summary description of the measures planned to implement the priorities, including the information needed to check compliance with the State aid rules under Article 87 of the Treaty;
- (c) the indicative financing plan specifying for each priority and each year the financial allocation envisaged for the contribution from the ERDF, the ESF, the EIB and the other financial instruments and indicating separately the funding planned for the regions receiving transitional support and the total amounts of eligible public or equivalent expenditure and estimated private funding in the Member State. The total contribution from the ERDF and ESF planned for each year for the single programming document is consistent with the relevant financial perspectives;
- (d) the provisions for implementing the single programming document including designation of the managing authority, a description of the arrangements for managing the single programming document and the use to be made of global grants, a description of the systems for monitoring and evaluation, including the role of the Monitoring Committee and the arrangements for the participation of the partners in that Committee;
- (e) the *ex ante* verification of compliance with additionality and information on the transparency of financial flows;
- (f) information on the resources required for preparing, monitoring and evaluating the assistance.

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance under Objective 2 in the South West of England region of the United Kingdom for the period 1 January 2000 to 31 December 2005 for transitional areas and 1 January 2000 to 31 December 2006 for fully eligible areas is hereby approved.

Article 2

1. In accordance with Article 19 of Regulation (EC) No 1260/1999, the single programming document includes the following elements:

- (a) the strategy and priorities for the joint action of the Community Structural Funds and the Member State; their specific quantified targets; the *ex ante* evaluation of the expected impact, including on the environmental situation, and the consistency of the priorities with the economic, social and regional policies and the employment strategy of the United Kingdom.

The priorities are as follows:

- neighbourhood renewal,
- SME development, technology and innovation,
- a better future for traditional economies,
- technical assistance;

2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 445 320 000 for the whole period and the financial contribution from the Structural Funds at EUR 189 720 000.

The resulting requirement for national resources of EUR 211 600 000 from the public sector and EUR 44 000 000 from the private sector can be partly met by Community loans from the EIB and other lending instruments.

Article 3

1. The total assistance from the Structural Funds granted under the single programming document amounts to EUR 189 720 000. The procedure for granting the financial assistance, including the financial contribution from the Funds for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

2. The indicative initial estimated breakdown of the total Community assistance available between the Structural Funds is as follows:

ERDF	EUR 154 710 000,
ESF	EUR 35 010 000.

3. During implementation of the financing plan, the total cost or Community financing of a given priority can be adjusted in agreement with the Member State by up to 25 % of the total Community contribution to the single programming document throughout the programme period or by up to EUR 30 million, whichever is the greater, without altering the total Community contribution referred to in paragraph 1.

Article 4

This Decision is without prejudice to the Commission's position on aid schemes falling within Article 87(1) of the Treaty that are included in this assistance and which have not yet been approved by the Commission. Submission of the application for assistance, the programming complement or a request for payment by the Member State does not replace the notification required by Article 88(3) of the Treaty.

Community financing of State aid falling within Article 87(1) of the Treaty, granted under aid schemes or in individual cases, requires prior approval by the Commission under Article 88 of the Treaty, except where the aid falls within the *de minimis* rule or is exempted under an exemption regulation adopted by the Commission under Council Regulation (EC) No 994/98 of 7 May 1998 on the application of Articles 87 and 88 to certain categories of horizontal aid ⁽²⁾. In the absence of such exemption or approval, aid is illegal and subject to the consequences set out in the procedural regulation for State aid,

and its co-financing would be treated as an irregularity within the meaning of Articles 38 and 39 of Regulation (EC) No 1260/1999.

Consequently, the Commission will not accept requests for interim and final payments under Article 32 of Regulation (EC) No 1260/1999 for measures being co-financed with new or altered aid, as defined in the procedural regulation for State aid, granted under aid schemes or in individual cases, until such aid has been notified to and formally approved by the Commission.

Article 5

The date from which expenditure shall be eligible is 1 January 2000. The closing date for the eligibility of expenditure shall be 31 December 2007 for transitional areas and 31 December 2008 for fully eligible areas. This date is extended to 30 April 2008 for expenditure incurred by bodies granting assistance under Article 9(l) of Regulation (EC) No 1260/1999 in transitional areas and to 30 April 2009 for such bodies in fully eligible areas.

Article 6

This Decision is addressed to the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 22 March 2001.

For the Commission

Michel BARNIER

Member of the Commission

⁽²⁾ OJ L 142, 14.5.1998, p. 1.

COMMISSION DECISION

of 22 March 2001

approving the single programming document for Community structural assistance under Objective 2 for the South East England region in the United Kingdom*(notified under document number C(2001) 643)***(Only the English text is authentic)**

(2002/709/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 15(5) thereof,

After consultation of the Committee on the Development and Conversion of Regions,

Whereas:

(1) Article 13 et seq. of Title II of Regulation (EC) No 1260/1999 lay down the procedure for preparing and implementing single programming documents.

(2) Article 15(1) and (2) of Regulation (EC) No 1260/1999 provides that, after consultation with the partners referred to in Article 8 of the Regulation, the Member State may submit to the Commission a development plan which is treated as a draft single programming document, and which contains the information referred to in Article 16 of the Regulation.

(3) Under Article 15(5) of Regulation (EC) No 1260/1999, on the basis of the regional development plan submitted by the Member State and within the partnership established in accordance with Article 8 of the Regulation, the Commission shall take a decision on the single programming document, in agreement with the Member State concerned and in accordance with the procedures laid down in Articles 48 to 51.

(4) The United Kingdom Government submitted to the Commission on 14 April 2000 an acceptable draft single programming document for the South East

England region fulfilling the conditions for Objective 2 pursuant to Article 4(1) and qualifying for transitional support pursuant to Article 6(2) of Regulation (EC) No 1260/1999. The draft contains the information listed in Article 16 of the Regulation, and in particular a description of the priorities selected and an indication of the financial contribution from the European Regional Development Fund (ERDF), the European Investment Bank (EIB) and the other financial instruments proposed for implementing the plan.

(5) Under Article 52(4) of Regulation (EC) No 1260/1999, as an acceptable plan was submitted between 1 January and 30 April 2000, the date from which expenditure under the plan is eligible shall be 1 January 2000. Under Article 30 of the Regulation, it is necessary to lay down the final date for the eligibility of expenditure.

(6) The single programming document has been drawn up in agreement with the Member State concerned and within the partnership.

(7) The Commission has satisfied itself that the single programming document is in accordance with the principle of additionality.

(8) Under Article 10 of Regulation (EC) No 1260/1999, the Commission and the Member State are required to ensure, in a manner consistent with the principle of partnership, coordination between assistance from the Funds and from the EIB and other existing financial instruments.

(9) The EIB has been involved in drawing up the single programming document in accordance with the provisions of Article 15(5) of Regulation (EC) No 1260/1999 and has declared itself prepared to contribute to its implementation in conformity with its statutory provisions.

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

- (10) The financial contribution from the Community available over the entire period and its year-by-year breakdown are expressed in euro. The annual breakdown must be consistent with the relevant financial perspective. Under Article 7(7) of Regulation (EC) No 1260/1999, the Community contribution has already been indexed at a rate of 2 % per year. Under Article 7(7) and Article 44(2) of the Regulation, the Community contribution may be reviewed at mid-term, and not later than 31 March 2004, to take account of the effective level of inflation and the allocation of the performance reserve.
- (11) Provision must be made for adapting the financial allocations of the priorities of this single programming document within certain limits to actual requirements reflected by the pattern of implementation on the ground, in agreement with the Member State concerned,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance under Objective 2 in the South East England region of the United Kingdom for the period 1 January 2000 to 31 December 2005 for transitional areas and from 1 January 2000 to 31 December 2006 for fully eligible areas is hereby approved.

Article 2

1. In accordance with Article 19 of Regulation (EC) No 1260/1999, the single programming document includes the following elements:

- (a) the strategy and priorities for the joint action of the Community Structural Funds and the Member State; their specific quantified targets; the *ex ante* evaluation of the expected impact, including on the environmental situation, and the consistency of the priorities with the economic, social and regional policies and the employment strategy of the United Kingdom.

The priorities are as follows:

- business development and innovation,
- spatial development,
- heritage, culture and the environment,
- community economic development,
- technical assistance;

- (b) a summary description of the measures planned to implement the priorities, including the information needed to check compliance with the State aid rules under Article 87 of the Treaty;
- (c) the indicative financing plan specifying for each priority and each year the financial allocation envisaged for the contribution from the ERDF, the EIB and the other financial instruments and indicating separately the funding planned for the regions receiving transitional support and the total amounts of eligible public or equivalent expenditure and estimated private funding in the Member State. The total contribution from the ERDF planned for each year for the single programming document is consistent with the relevant financial perspectives;
- (d) the provisions for implementing the single programming document including designation of the managing authority, a description of the arrangements for managing the single programming document and the use to be made of global grants, a description of the systems for monitoring and evaluation, including the role of the Monitoring Committee and the arrangements for the participation of the partners in that Committee;
- (e) the *ex ante* verification of compliance with additionality and information on the transparency of financial flows;
- (f) information on the resources required for preparing, monitoring and evaluating the assistance.

2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 100 046 million for the whole period and the financial contribution from the Structural Funds at EUR 35 700 million.

The resulting requirement for national resources of EUR 46 436 million from the public sector and EUR 17 910 million from the private sector can be partly met by Community loans from the EIB and other lending instruments.

Article 3

1. The total assistance from the Structural Funds granted under the single programming document amounts to EUR 35 700 million. The procedure for granting the financial assistance, including the financial contribution from the Funds for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

2. The indicative initial estimated breakdown of the total Community assistance available between the Structural Funds is as follows:

ERDF

EUR 35 700 million.

3. During implementation of the financing plan, the total cost or Community financing of a given priority can be adjusted in agreement with the Member State by up to 25 % of the total Community contribution to the single programming document throughout the programme period or by up to EUR 30 million, whichever is the greater, without altering the total Community contribution referred to in paragraph 1.

Article 4

This Decision is without prejudice to the Commission's position on aid schemes falling within Article 87(1) of the Treaty that are included in this assistance and which have not yet been approved by the Commission. Submission of the application for assistance, the programming complement or a request for payment by the Member State does not replace the notification required by Article 88(3) of the Treaty.

Community financing of State aid falling within Article 87(1) of the Treaty, granted under aid schemes or in individual cases, requires prior approval by the Commission under Article 88 of the Treaty, except where the aid falls within the *de minimis* rule or is exempted under an exemption regulation adopted by the Commission under Council Regulation (EC) No 994/98 of 7 May 1998 on the application of Articles 87 and 88 to certain categories of horizontal aid ⁽²⁾. In the absence of such exemption or approval, aid is illegal and subject to the consequences set out in the procedural regulation for State aid, and its co-financing would be treated as an irregularity within the meaning of Articles 38 and 39 of Regulation (EC) No 1260/1999.

Consequently, the Commission will not accept requests for interim and final payments under Article 32 of Regulation (EC) No 1260/1999 for measures being co-financed with new or altered aid, as defined in the procedural regulation for State aid, granted under aid schemes or in individual cases, until such aid has been notified to and formally approved by the Commission.

Article 5

The date from which expenditure shall be eligible is 1 January 2000. The closing date for the eligibility of expenditure in transitional areas shall be 31 December 2007 and in fully eligible areas 31 December 2008. This date is extended to 30 April 2009 for expenditure incurred by bodies granting assistance under Article 9(l) of Regulation (EC) No 1260/1999.

Article 6

This Decision is addressed to the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 22 March 2001.

For the Commission

Michel BARNIER

Member of the Commission

⁽²⁾ OJ L 142, 14.5.1998, p. 1.

COMMISSION DECISION**of 22 March 2001****approving the single programming document for Community structural assistance under Objective 2 for London in the United Kingdom***(notified under document number C(2001) 654)***(Only the English text is authentic)**

(2002/710/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 15(5) thereof,

After consultation of the Committee on the Development and Conversion of Regions and the Committee pursuant to Article 147 of the Treaty,

Whereas:

(1) Article 13 et seq. of Title II of Regulation (EC) No 1260/1999 lay down the procedure for preparing and implementing single programming documents.

(2) Article 15(1) and (2) of Regulation (EC) No 1260/1999 provides that, after consultation with the partners referred to in Article 8 of the Regulation, the Member State may submit to the Commission a development plan which is treated as a draft single programming document, and which contains the information referred to in Article 16 of the Regulation.

(3) Under Article 15(5) of Regulation (EC) No 1260/1999, on the basis of the regional development plan submitted by the Member State and within the partnership established in accordance with Article 8 of the Regulation, the Commission shall take a decision on the single programming document, in agreement with the Member State concerned and in accordance with the procedures laid down in Articles 48 to 51.

(4) The United Kingdom Government submitted to the Commission on 14 April 2000 an acceptable draft single programming document for London fulfilling the

conditions for Objective 2 pursuant to Article 4(1) and qualifying for transitional support pursuant to Article 6(2) of Regulation (EC) No 1260/1999. The draft contains the information listed in Article 16 of the Regulation, and in particular a description of the priorities selected and an indication of the financial contribution from the European Regional Development Fund (ERDF), the European Social Fund (ESF), the European Investment Bank (EIB) and the other financial instruments proposed for implementing the plan.

(5) Under Article 52(4) of Regulation (EC) No 1260/1999, as an acceptable plan was submitted between 1 January and 30 April 2000, the date from which expenditure under the plan is eligible shall be 1 January 2000. Under Article 30 of the Regulation, it is necessary to lay down the final date for the eligibility of expenditure.

(6) The single programming document has been drawn up in agreement with the Member State concerned and within the partnership.

(7) The Commission has satisfied itself that the single programming document is in accordance with the principle of additionality.

(8) Under Article 10 of Regulation (EC) No 1260/1999, the Commission and the Member State are required to ensure, in a manner consistent with the principle of partnership, coordination between assistance from the Funds and from the EIB and other existing financial instruments.

(9) The EIB has been involved in drawing up the single programming document in accordance with the provisions of Article 15(5) of Regulation (EC) No 1260/1999 and has declared itself prepared to contribute to its implementation in conformity with its statutory provisions.

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

- (10) The financial contribution from the Community available over the entire period and its year-by-year breakdown are expressed in euro. The annual breakdown must be consistent with the relevant financial perspective. Under Article 7(7) of Regulation (EC) No 1260/1999, the Community contribution has already been indexed at a rate of 2 % per year. Under Article 7(7) and Article 44(2) of the Regulation, the Community contribution may be reviewed at mid-term, and not later than 31 March 2004, to take account of the effective level of inflation and the allocation of the performance reserve.
- (11) Provision must be made for adapting the financial allocations of the priorities of this single programming document within certain limits to actual requirements reflected by the pattern of implementation on the ground, in agreement with the Member State concerned,
- (c) the indicative financing plan specifying for each priority and each year the financial allocation envisaged for the contribution from the ERDF, the ESF and the other financial instruments and indicating separately the funding planned for the regions receiving transitional support and the total amounts of eligible public or equivalent expenditure and estimated private funding in the Member State. The total contribution from the ERDF planned for each year for the single programming document is consistent with the relevant financial perspectives;
- (d) the provisions for implementing the single programming document including designation of the managing authority, a description of the arrangements for managing the single programming document and the use to be made of global grants, a description of the systems for monitoring and evaluation, including the role of the Monitoring Committee and the arrangements for the participation of the partners in that Committee;

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance under Objective 2 for the London region of the United Kingdom for the period 1 January 2000 to 31 December 2005 for transitional areas and 1 January 2000 to 31 December 2006 for fully eligible areas is hereby approved.

Article 2

1. In accordance with Article 19 of Regulation (EC) No 1260/1999, the single programming document includes the following elements:

- (a) the strategy and priorities for the joint action of the Community Structural Funds and the Member State; their specific quantified targets; the *ex ante* evaluation of the expected impact, including on the environmental situation, and the consistency of the priorities with the economic, social and regional policies and the employment strategy of the United Kingdom.

The priorities are as follows:

- community economic development,
- business development and competitiveness,
- infrastructure, premises and environment,
- technical assistance;

- (b) a summary description of the measures planned to implement the priorities, including the information needed to check compliance with the State aid rules under Article 87 of the Treaty;

- (e) the *ex ante* verification of compliance with additionality and information on the transparency of financial flows;
- (f) information on the resources required for preparing, monitoring and evaluating the assistance.

2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 663 961 000 for the whole period and the financial contribution from the Structural Funds at EUR 259 890 000.

The resulting requirement for national resources of EUR 285 928 000 from the public sector and EUR 118 143 000 from the private sector can be partly met by Community loans from the EIB and other lending instruments.

Article 3

1. The total assistance from the Structural Funds granted under the single programming document amounts to EUR 259 890 000. The procedure for granting the financial assistance, including the financial contribution from the Funds for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

2. The indicative initial estimated breakdown of the total Community assistance available between the Structural Funds is as follows:

ERDF	EUR 228 547 000,
ESF	EUR 31 343 000.

3. During implementation of the financing plan, the total cost or Community financing of a given priority can be adjusted in agreement with the Member State by up to 25 % of the total Community contribution to the single programming document throughout the programme period or by up to EUR 30 million, whichever is the greater, without altering the total Community contribution referred to in paragraph 1.

Article 4

This Decision is without prejudice to the Commission's position on aid schemes falling within Article 87(1) of the Treaty that are included in this assistance and which have not yet been approved by the Commission. Submission of the application for assistance, the programming complement or a request for payment by the Member State does not replace the notification required by Article 88(3) of the Treaty.

Community financing of State aid falling within Article 87(1) of the Treaty, granted under aid schemes or in individual cases, requires prior approval by the Commission under Article 88 of the Treaty, except where the aid falls within the *de minimis* rule or is exempted under an exemption regulation adopted by the Commission under Council Regulation (EC) No 994/98 of 7 May 1998 on the application of Articles 87 and 88 to certain categories of horizontal aid ⁽²⁾. In the absence of such exemption or approval, aid is illegal and subject to the consequences set out in the procedural regulation for State aid, and its co-financing would be treated as an irregularity within the meaning of Articles 38 and 39 of Regulation (EC) No 1260/1999.

Consequently, the Commission will not accept requests for interim and final payments under Article 32 of Regulation (EC) No 1260/1999 for measures being co-financed with new or altered aid, as defined in the procedural regulation for State aid, granted under aid schemes or in individual cases, until such aid has been notified to and formally approved by the Commission.

Article 5

The date from which expenditure shall be eligible is 1 January 2000. The closing date for the eligibility of expenditure shall be 31 December 2007 for transitional areas and 31 December 2008 for fully eligible areas. This date is extended to 30 April 2008 for expenditure incurred by bodies granting assistance under Article 9(1) of Regulation (EC) No 1260/1999 in transitional areas and to 30 April 2009 for such bodies in fully eligible areas.

Article 6

This Decision is addressed to the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 22 March 2001.

For the Commission

Michel BARNIER

Member of the Commission

⁽²⁾ OJ L 142, 14.5.1998, p. 1.

COMMISSION DECISION

of 23 March 2001

approving the single programming document for Community structural assistance under Objective 2 in urban areas in the Netherlands*(notified under document number C(2001) 650)***(Only the Dutch text is authentic)**

(2002/711/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 15(5) thereof,

After consulting the Committee on the Development and Conversion of Regions,

Whereas:

- (1) Article 13 et seq. of Title II of Regulation (EC) No 1260/1999 lay down the procedure for preparing and implementing single programming documents.
- (2) Article 15(1) and (2) of Regulation (EC) No 1260/1999 provides that, after consultation with the partners referred to in Article 8 of the Regulation, the Member State may submit to the Commission a development plan which is treated as a draft single programming document, and which contains the information referred to in Article 16 of the Regulation.
- (3) Under Article 15(5) of Regulation (EC) No 1260/1999, on the basis of the regional development plan submitted by the Member State and within the partnership established in accordance with Article 8 of that Regulation, the Commission is to take a decision on the single programming document, in agreement with the Member State concerned and in accordance with the procedures laid down in Articles 48 to 51.
- (4) The Dutch Government submitted to the Commission on 19 April 2000 an acceptable draft single programming document for the regions fulfilling the conditions for Objective 2 pursuant to Article 4(1) of Regulation (EC) No 1260/1999. The draft contains the

information listed in Article 16 of the Regulation, and in particular a description of the priorities selected and an indication of the financial contribution from the European Regional Development Fund (ERDF).

- (5) The date of submission of the draft which was considered acceptable by the Commission constitutes the date from which expenditure under the plan is eligible. Under Article 52(4) of Regulation (EC) No 1260/1999, as an acceptable plan was submitted between 1 January and 30 April 2000, the date from which expenditure under the plan is eligible shall be 1 January 2000. Under Article 30 of the Regulation, it is necessary to lay down the final date for the eligibility of expenditure.

- (6) The single programming document has been drawn up in agreement with the Member State concerned and within the partnership.

- (7) The Commission has satisfied itself that the single programming document is in accordance with the principle of additionality.

- (8) Under Article 10 of Regulation (EC) No 1260/1999, the Commission and the Member State are required to ensure, in a manner consistent with the principle of partnership, coordination between assistance from the Funds and from the EIB and other existing Financial Instruments.

- (9) The financial contribution from the Community available over the entire period and its year-by-year breakdown are expressed in euro. The annual breakdown should be consistent with the relevant financial perspective. Under Article 7(7) of Regulation (EC) No 1260/1999, the Community contribution has already been indexed at a rate of 2 % per year. Under Article 7(7) and Article 44(2) of the Regulation, the Community contribution may be reviewed at mid-term, and not later than 31 March 2004, to take account of the effective level of inflation and the allocation of the performance reserve.

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

- (10) Provision should be made for adapting the financial allocations of the priorities of this single programming document within certain limits to actual requirements reflected by the pattern of implementation on the ground, in agreement with the Member State concerned,

- (d) the provisions for implementing the single programming document, including designation of the managing authority, a description of the arrangements for managing the single programming document and the use to be made of global grants, a description of the systems for monitoring and evaluation, including the role of the Monitoring Committee and the arrangements for the participation of the partners in that Committee;

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in urban areas in the Netherlands under Objective 2 for the period 1 January 2000 to 31 December 2006 is hereby approved.

Article 2

1. In accordance with Article 19 of Regulation (EC) No 1260/1999, the single programming document includes the following elements:

- (a) the strategy and priorities for the joint action of the Structural Funds and the Member State; their specific quantified targets; the *ex ante* evaluation of the expected impact, including on the environmental situation, and the consistency of the priorities with the economic, social and regional policies and the employment strategy of the Netherlands.

The priorities are as follows:

1. improving the urban economic environment;
2. stimulating economic activity;
3. reinforcing socioeconomic potential;
4. technical assistance;

- (b) a summary description of the measures planned to implement the priorities, including the information needed to check compliance with the state aid rules under Article 87 of the Treaty;

- (c) the indicative financing plan specifying for each priority and each year the financial allocation envisaged for the contribution from each Fund and the total amounts of eligible public or equivalent expenditure and estimated private funding in the Member State. The total contribution from the Funds planned for each year for the single programming document is consistent with the relevant financial perspective;

- (e) the *ex ante* verification and information on the transparency of financial flows;

- (f) information on the resources required for preparing, monitoring and evaluating the assistance.

2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 587 956 395 for the whole period and the financial contribution from the Structural Funds at EUR 199 670 000.

The resulting requirement for national resources of EUR 347 582 831 from the public sector and EUR 40 703 564 from the private sector can be partly met by Community loans from the EIB and other lending instruments.

Article 3

1. The total assistance from the Structural Funds granted under the single programming document amounts to EUR 199 670 000.

The procedure for granting the financial assistance, including the financial contribution from the Funds for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

2. All Community assistance available — EUR 199 670 000 — will be provided by the ERDF.

3. During implementation of the financing plan, the total cost or Community financing of a given priority may be adjusted in agreement with the Member State by up to 25 % of the total Community contribution to the single programming document throughout the programme period, or by a larger percentage, provided that the total amount does not exceed EUR 30 million, without altering the total Community contribution referred to in paragraph 1.

Article 4

This Decision is without prejudice to the Commission's position on aid schemes falling within Article 87(1) of the Treaty that are included in this assistance and which it has not yet approved. Submission of the application for assistance, the programme complement or a request for payment by the Member State does not replace the notification required by Article 88(3) of the Treaty.

Community financing of State aid falling within Article 87(1) of the Treaty, granted under aid schemes or in individual cases, requires prior approval by the Commission under Article 88 of the Treaty, except where the aid falls under the *de minimis* rule or is exempted under an exemption regulation adopted by the Commission under Council Regulation (EC) No 994/98 of 7 May 1998 on the application of Articles 92 and 93 [now Articles 87 and 88] of the Treaty establishing the European Community to certain categories of horizontal State aid ⁽²⁾. In the absence of such exemption or approval, aid is illegal and subject to the consequences set out in the procedural regulation for State aid, and its part-financing would be treated as an irregularity within the meaning of Articles 38(5) of Regulation (EC) No 1260/1999.

Consequently, the Commission will not accept requests for interim and final payments under Article 32 of the Regulation for measures being part-financed with new or altered aid, as

defined in the procedural regulation for State aid, granted under aid schemes or in individual cases, until such aid has been notified to and formally approved by the Commission.

Article 5

The date from which expenditure shall be eligible is 1 January 2000. The closing date for the eligibility of expenditure shall be 31 December 2008. This date is extended to 30 April 2009 for expenditure incurred by bodies granting assistance under Article 9(l) of Regulation (EC) No 1260/1999.

Article 6

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 23 March 2001.

For the Commission

Michel BARNIER

Member of the Commission

⁽²⁾ OJ L 142, 14.5.1998, p. 1.

COMMISSION DECISION

of 26 March 2001

**approving the single programming document for Community structural assistance under
Objective 2 for the Western Scotland region in the United Kingdom***(notified under document number C(2001) 642)***(Only the English text is authentic)**

(2002/712/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 15(5) thereof,

After consultation of the Committee on the Development and Conversion of Regions and the Committee pursuant to Article 147 of the Treaty,

Whereas:

(1) Article 13 et seq. of Title II of Regulation (EC) No 1260/1999 lay down the procedure for preparing and implementing single programming documents.

(2) Article 15(1) and (2) of Regulation (EC) No 1260/1999 provides that, after consultation with the partners referred to in Article 8 of the Regulation, the Member State may submit to the Commission a development plan which is treated as a draft single programming document, and which contains the information referred to in Article 16 of the Regulation.

(3) Under Article 15(5) of Regulation (EC) No 1260/1999, on the basis of the regional development plan submitted by the Member State and within the partnership established in accordance with Article 8 of the Regulation, the Commission shall take a decision on the single programming document, in agreement with the Member State concerned and in accordance with the procedures laid down in Articles 48 to 51.

(4) The United Kingdom Government submitted to the Commission on 28 April 2000 an acceptable draft single programming document for the Western Scotland region fulfilling the conditions for Objective 2 pursuant to Article 4(1) and qualifying for transitional support pursuant to Article 6(2) of Regulation (EC) No

1260/1999. The draft contains the information listed in Article 16 of the Regulation, and in particular a description of the priorities selected and an indication of the financial contribution from the European Regional Development Fund (ERDF), the European Social Fund (ESF), the European Investment Bank (EIB) and the other financial instruments proposed for implementing the plan.

(5) Under Article 52(4) of Regulation (EC) No 1260/1999, as an acceptable plan was submitted between 1 January and 30 April 2000, the date from which expenditure under the plan is eligible shall be 1 January 2000. Under Article 30 of the Regulation, it is necessary to lay down the final date for the eligibility of expenditure.

(6) The single programming document has been drawn up in agreement with the Member State concerned and within the partnership.

(7) The Commission has satisfied itself that the single programming document is in accordance with the principle of additionality.

(8) Under Article 10 of Regulation (EC) No 1260/1999, the Commission and the Member State are required to ensure, in a manner consistent with the principle of partnership, coordination between assistance from the Funds and from the EIB and other existing financial instruments.

(9) The EIB has been involved in drawing up the single programming document in accordance with the provisions of Article 15(5) of Regulation (EC) No 1260/1999 and has declared itself prepared to contribute to its implementation in conformity with its statutory provisions.

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

- (10) The financial contribution from the Community available over the entire period and its year-by-year breakdown are expressed in euro. The annual breakdown must be consistent with the relevant financial perspective. Under Article 7(7) of Regulation (EC) No 1260/1999, the Community contribution has already been indexed at a rate of 2 % per year. Under Article 7(7) and Article 44(2) of the Regulation, the Community contribution may be reviewed at mid-term, and not later than 31 March 2004, to take account of the effective level of inflation and the allocation of the performance reserve.
- (11) Provision must be made for adapting the financial allocations of the priorities of this single programming document within certain limits to actual requirements reflected by the pattern of implementation on the ground, in agreement with the Member State concerned,
- (b) a summary description of the measures planned to implement the priorities, including the information needed to check compliance with the State aid rules under Article 87 of the Treaty;
- (c) the indicative financing plan specifying for each priority and each year the financial allocation envisaged for the contribution from the ERDF, the ESF, the EIB and the other financial instruments and indicating separately the funding planned for the regions receiving transitional support and the total amounts of eligible public or equivalent expenditure and estimated private funding in the Member State. The total contribution from the ERDF and ESF planned for each year for the single programming document is consistent with the relevant financial perspectives,
- (d) the provisions for implementing the single programming document including designation of the managing authority, a description of the arrangements for managing the single programming document and the use to be made of global grants, a description of the systems for monitoring and evaluation, including the role of the Monitoring Committee and the arrangements for the participation of the partners in that Committee;
- (e) the *ex ante* verification of compliance with additionality and information on the transparency of financial flows;
- (f) information on the resources required for preparing, monitoring and evaluating the assistance.

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance under Objective 2 in the Western Scotland region of the United Kingdom for the period 1 January 2000 to 31 December 2005 for transitional areas and 1 January 2000 to 31 December 2006 for fully eligible areas is hereby approved.

Article 2

1. In accordance with Article 19 of Regulation (EC) No 1260/1999, the single programming document includes the following elements:

- (a) the strategy and priorities for the joint action of the Community Structural Funds and the Member State; their specific quantified targets; the *ex ante* evaluation of the expected impact, including on the environmental situation, and the consistency of the priorities with the economic, social and regional policies and the employment strategy of the United Kingdom.

The priorities are as follows:

- developing the competitiveness and innovative capacity of the region's SMEs,
- developing the region as a competitive location,
- increasing the economic and social cohesion of the region,
- technical assistance;

2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 1 423 762 million for the whole period and the financial contribution from the Structural Funds at EUR 483 290 million.

The resulting requirement for national resources of EUR 778 278 million from the public sector and EUR 162 194 million from the private sector can be partly met by Community loans from the European Investment Bank and other lending instruments.

Article 3

1. The total assistance from the Structural Funds granted under the single programming document amounts to EUR 483 290 million. The procedure for granting the financial assistance, including the financial contribution from the Funds for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

2. The indicative initial estimated breakdown of the total Community assistance available between the Structural Funds is as follows:

ERDF	EUR 419 206 million,
ESF	EUR 64 084 million.

3. During implementation of the financing plan, the total cost or Community financing of a given priority can be adjusted in agreement with the Member State by up to 25% of the total Community contribution to the single programming document throughout the programme period or by up to EUR 30 million, whichever is the greater, without altering the total Community contribution referred to in paragraph 1.

Article 4

This Decision is without prejudice to the Commission's position on aid schemes falling within Article 87(1) of the Treaty that are included in this assistance and which have not yet been approved by the Commission. Submission of the application for assistance, the programming complement or a request for payment by the Member State does not replace the notification required by Article 88(3) of the Treaty.

Community financing of State aid falling within Article 87(1) of the Treaty, granted under aid schemes or in individual cases, requires prior approval by the Commission under Article 88 of the Treaty, except where the aid falls within the *de minimis* rule or is exempted under an exemption regulation adopted by the Commission under Council Regulation (EC) No 994/98 of 7 May 1998 on the application of Articles 87 and 88 to certain categories of horizontal aid ⁽²⁾. In the absence of such exemption or approval, aid is illegal and subject to the consequences set out in the procedural regulation for State aid, and its co-financing would be treated as an irregularity within the meaning of Articles 38 and 39 of Regulation (EC) No 1260/1999.

Consequently, the Commission will not accept requests for interim and final payments under Article 32 of Regulation (EC) No 1260/1999 for measures being co-financed with new or altered aid, as defined in the procedural regulation for State aid, granted under aid schemes or in individual cases, until such aid has been notified to and formally approved by the Commission.

Article 5

The date from which expenditure shall be eligible is 1 January 2000. The closing date for the eligibility of expenditure shall be 31 December 2007 for transitional areas and 31 December 2008 for fully eligible areas. This date is extended to 30 April 2009 for expenditure incurred by bodies granting assistance under Article 9(l) of Regulation (EC) No 1260/1999.

Article 6

This Decision is addressed to the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 26 March 2001.

For the Commission

Michel BARNIER

Member of the Commission

⁽²⁾ OJ L 142, 14.5.1998, p. 1.

COMMISSION DECISION

of 26 March 2001

approving the single programming document for Community structural assistance under Objective 2 for the East Wales region in the United Kingdom*(notified under document number C(2001) 657)***(Only the English text is authentic)**

(2002/713/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Bank (EIB) and the other financial instruments proposed for implementing the plan.

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 15(5) thereof,

Whereas:

- (1) Article 13 et seq. of Title II of Regulation (EC) No 1260/1999 lay down the procedure for preparing and implementing single programming documents.
- (2) Article 15(1) and (2) of Regulation (EC) No 1260/1999 provides that, after consultation with the partners referred to in Article 8 of the Regulation, the Member State may submit to the Commission a development plan which is treated as a draft single programming document, and which contains the information referred to in Article 16 of the Regulation.
- (3) Under Article 15(5) of Regulation (EC) No 1260/1999, on the basis of the regional development plan submitted by the Member State and within the partnership established in accordance with Article 8 of the Regulation, the Commission shall take a decision on the single programming document, in agreement with the Member State concerned and in accordance with the procedures laid down in Articles 48 to 51.
- (4) The United Kingdom Government submitted to the Commission on 26 May 2000 an acceptable draft single programming document for the East Wales region fulfilling the conditions for Objective 2 pursuant to Article 4(1) and qualifying for transitional support pursuant to Article 6(2) of Regulation (EC) No 1260/1999. The draft contains the information listed in Article 16 of the Regulation, and in particular a description of the priorities selected and an indication of the financial contribution from the European Regional Development Fund (ERDF), the European Investment

- (5) The date of submission of the draft which was considered acceptable by the Commission constitutes the date from which expenditure under the plan is eligible. Under Article 30 of the Regulation, it is necessary to lay down the final date for the eligibility of expenditure.
- (6) The single programming document has been drawn up in agreement with the Member State concerned and within the partnership.
- (7) The Commission has satisfied itself that the single programming document is in accordance with the principle of additionality.
- (8) Under Article 10 of Regulation (EC) No 1260/1999, the Commission and the Member State are required to ensure, in a manner consistent with the principle of partnership, coordination between assistance from the Funds and from the EIB and other existing financial instruments.
- (9) The EIB has been involved in drawing up the single programming document in accordance with the provisions of Article 15(5) of Regulation (EC) No 1260/1999 and has declared itself prepared to contribute to its implementation in conformity with its statutory provisions.
- (10) The financial contribution from the Community available over the entire period and its year-by-year breakdown are expressed in euro. The annual breakdown must be consistent with the relevant financial perspective. Under Article 7(7) of Regulation (EC) No 1260/1999, the Community contribution has already been indexed at a rate of 2 % per year. Under Article 7(7) and Article 44(2) of the Regulation, the Community contribution may be reviewed at mid-term, and not later than 31 March 2004, to take account of the effective level of inflation and the allocation of the performance reserve.

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

(11) Provision must be made for adapting the financial allocations of the priorities of this single programming document within certain limits to actual requirements reflected by the pattern of implementation on the ground, in agreement with the Member State concerned,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance under Objective 2 in the East Wales region of the United Kingdom for the period 1 January 2000 to 31 December 2005 for transitional areas and 1 January 2000 to 31 December 2006 for fully eligible areas is hereby approved.

Article 2

1. In accordance with Article 19 of Regulation (EC) No 1260/1999, the single programming document includes the following elements:

(a) the strategy and priorities for the joint action of the Community Structural Funds and the Member State; their specific quantified targets; the *ex ante* evaluation of the expected impact, including on the environmental situation, and the consistency of the priorities with the economic, social and regional policies and the employment strategy of the United Kingdom.

The priorities are as follows:

- developing sustainable and competitive SMEs,
- sustainable rural development,
- urban community regeneration,
- technical assistance;

(b) a summary description of the measures planned to implement the priorities, including the information needed to check compliance with the State aid rules under Article 87 of the Treaty;

(c) the indicative financing plan specifying for each priority and each year the financial allocation envisaged for the contribution from the ERDF, the EIB and the other financial instruments and indicating separately the funding planned for the regions receiving transitional support and the total amounts of eligible public or equivalent expenditure and estimated private funding in the Member State. The total contribution from the ERDF planned for each year for the single programming document is consistent with the relevant financial perspectives;

(d) the provisions for implementing the single programming document including designation of the managing authority, a description of the arrangements for managing the single programming document and the use to be made of global grants, a description of the systems for monitoring and evaluation, including the role of the Monitoring Committee and the arrangements for the participation of the partners in that Committee;

(e) the *ex ante* verification of compliance with additionality and information on the transparency of financial flows;

(f) information on the resources required for preparing, monitoring and evaluating the assistance.

2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 303 264 000 for the whole period and the financial contribution from the Structural Funds at EUR 121 120 000.

The resulting requirement for national resources of EUR 133 230 000 from the public sector and EUR 48 914 000 from the private sector can be partly met by Community loans from the EIB and other lending instruments.

Article 3

1. The total assistance from the European Regional Development Fund granted under the single programming document amounts to EUR 121 120 000. The procedure for granting the financial assistance, including the financial contribution from the Fund for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

2. During implementation of the financing plan, the total cost or Community financing of a given priority can be adjusted in agreement with the Member State by up to 25 % of the total Community contribution to the single programming document throughout the programme period or by up to EUR 30 million, whichever is the greater, without altering the total Community contribution referred to in paragraph 1.

Article 4

This Decision is without prejudice to the Commission's position on aid schemes falling within Article 87(1) of the Treaty that are included in this assistance and which have not yet been approved by the Commission. Submission of the application for assistance, the programming complement or a request for payment by the Member State does not replace the notification required by Article 88(3) of the Treaty.

Community financing of State aid falling within Article 87(1) of the Treaty, granted under aid schemes or in individual cases, requires prior approval by the Commission under Article 88 of the Treaty, except where the aid falls within the *de minimis* rule or is exempted under an exemption regulation adopted by the Commission under Council Regulation (EC) No 994/98 of 7 May 1998 on the application of Articles 87 and 88 to certain categories of horizontal aid ⁽²⁾. In the absence of such exemption or approval, aid is illegal and subject to the consequences set out in the procedural regulation for State aid, and its co-financing would be treated as an irregularity within the meaning of Articles 38 and 39 of Regulation (EC) No 1260/1999.

Consequently, the Commission will not accept requests for interim and final payments under Article 32 of Regulation (EC) No 1260/1999 for measures being co-financed with new or altered aid, as defined in the procedural regulation for State aid, granted under aid schemes or in individual cases, until such aid has been notified to and formally approved by the Commission.

Article 5

The date from which expenditure shall be eligible is 26 May 2000. The closing date for the eligibility of expenditure shall be 31 December 2007 for transitional areas and 31 December 2008 for fully eligible areas. This date is extended to 30 April 2008 for expenditure incurred by bodies granting assistance under Article 9(l) of Regulation (EC) No 1260/1999 in transitional areas and to 30 April 2009 for such bodies in fully eligible areas.

Article 6

This Decision is addressed to the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 26 March 2001.

For the Commission

Michel BARNIER

Member of the Commission

⁽²⁾ OJ L 142, 14.5.1998, p. 1.

COMMISSION DECISION

of 26 March 2001

approving the single programming document for Community structural assistance under Objective 2 for the East of England region in the United Kingdom*(notified under document number C(2001) 658)***(Only the English text is authentic)**

(2002/714/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 15(5) thereof,

After consultation of the Committee on the Development and Conversion of Regions and the Committee pursuant to Article 147 of the Treaty,

Whereas:

(1) Article 13 et seq. of Title II of Regulation (EC) No 1260/1999 lay down the procedure for preparing and implementing single programming documents.

(2) Article 15(1) and (2) of Regulation (EC) No 1260/1999 provides that, after consultation with the partners referred to in Article 8 of the Regulation, the Member State may submit to the Commission a development plan which is treated as a draft single programming document, and which contains the information referred to in Article 16 of the Regulation.

(3) Under Article 15(5) of Regulation (EC) No 1260/1999, on the basis of the regional development plan submitted by the Member State and within the partnership established in accordance with Article 8 of the Regulation, the Commission shall take a decision on the single programming document, in agreement with the Member State concerned and in accordance with the procedures laid down in Articles 48 to 51.

(4) The United Kingdom Government submitted to the Commission on 14 April 2000 an acceptable draft single programming document for the East of England region fulfilling the conditions for Objective 2 pursuant to Article 4(1) and qualifying for transitional support

under Objectives 2 and 5b pursuant to Article 6(2) of Regulation (EC) No 1260/1999. The draft contains the information listed in Article 16 of the Regulation, and in particular a description of the priorities selected and an indication of the financial contribution from the European Regional Development Fund (ERDF), the European Social Fund (ESF), the European Investment Bank (EIB) and the other financial instruments proposed for implementing the plan.

(5) Under Article 52(4) of Regulation (EC) No 1260/1999, as an acceptable plan was submitted between 1 January and 30 April 2000, the date from which expenditure under the plan is eligible shall be 1 January 2000. Under Article 30 of the Regulation, it is necessary to lay down the final date for the eligibility of expenditure.

(6) The single programming document has been drawn up in agreement with the Member State concerned and within the partnership.

(7) The Commission has satisfied itself that the single programming document is in accordance with the principle of additionality.

(8) Under Article 10 of Regulation (EC) No 1260/1999, the Commission and the Member State are required to ensure, in a manner consistent with the principle of partnership, coordination between assistance from the Funds and from the EIB and other existing financial instruments.

(9) The EIB has been involved in drawing up the single programming document in accordance with the provisions of Article 15(5) of Regulation (EC) No 1260/1999 and has declared itself prepared to contribute to its implementation in conformity with its statutory provisions.

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

- (10) The financial contribution from the Community available over the entire period and its year-by-year breakdown are expressed in euro. The annual breakdown must be consistent with the relevant financial perspective. Under Article 7(7) of Regulation (EC) No 1260/1999, the Community contribution has already been indexed at a rate of 2 % per year. Under Article 7(7) and Article 44(2) of the Regulation, the Community contribution may be reviewed at mid-term, and not later than 31 March 2004, to take account of the effective level of inflation and the allocation of the performance reserve.
- (11) Provision must be made for adapting the financial allocations of the priorities of this single programming document within certain limits to actual requirements reflected by the pattern of implementation on the ground, in agreement with the Member State concerned,
- (b) a summary description of the measures planned to implement the priorities, including the information needed to check compliance with the State aid rules under Article 87 of the Treaty;
- (c) the indicative financing plan specifying for each priority and each year the financial allocation envisaged for the contribution from the ERDF, the ESF, the EIB and the other financial instruments and indicating separately the funding planned for the regions receiving transitional support in respect of Objective 5(b) and the total amounts of eligible public or equivalent expenditure and estimated private funding in the Member State. The total contribution from the ERDF and ESF planned for each year for the single programming document is consistent with the relevant financial perspectives;
- (d) the provisions for implementing the single programming document including designation of the managing authority, a description of the arrangements for managing the single programming document and the use to be made of global grants, a description of the systems for monitoring and evaluation, including the role of the Monitoring Committee and the arrangements for the participation of the partners in that Committee;
- (e) the *ex ante* verification of compliance with additionality and information on the transparency of financial flows;
- (f) information on the resources required for preparing, monitoring and evaluating the assistance.

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance under Objective 2 and for transitional support under Objective 5b in the East of England region of the United Kingdom for the period 1 January 2000 to 31 December 2006 is hereby approved.

Article 2

1. In accordance with Article 19 of Regulation (EC) No 1260/1999, the single programming document includes the following elements:

- (a) the strategy and priorities for the joint action of the Community Structural Funds and the Member State; their specific quantified targets; the *ex ante* evaluation of the expected impact, including on the environmental situation, and the consistency of the priorities with the economic, social and regional policies and the employment strategy of United Kingdom.

The priorities are as follows:

- support for SME creation, growth and development,
- key locations, sectors and clusters,
- community economic regeneration,
- technical assistance;

2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 423 450 000 for the whole period and the financial contribution from the Structural Funds at EUR 156 320 000.

The resulting requirement for national resources of EUR 222 237 000 from the public sector and EUR 44 893 from the private sector can be partly met by Community loans from the EIB and other lending instruments.

Article 3

1. The total assistance from the Structural Funds granted under the single programming document amounts to EUR 156 320 000. The procedure for granting the financial assistance, including the financial contribution from the Funds for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

2. The indicative initial estimated breakdown of the total Community assistance available between the Structural Funds is as follows:

ERDF	EUR 142 466 000,
ESF	EUR 13 854 000.

3. During implementation of the financing plan, the total cost or Community financing of a given priority can be adjusted in agreement with the Member State by up to 25 % of the total Community contribution to the single programming document throughout the programme period or by up to EUR 30 million, whichever is the greater, without altering the total Community contribution referred to in paragraph 1.

Article 4

This Decision is without prejudice to the Commission's position on aid schemes falling within Article 87(1) of the Treaty that are included in this assistance and which have not yet been approved by the Commission. Submission of the application for assistance, the programming complement or a request for payment by the Member State does not replace the notification required by Article 88(3) of the Treaty.

Community financing of State aid falling within Article 87(1) of the Treaty, granted under aid schemes or in individual cases, requires prior approval by the Commission under Article 88 of the Treaty, except where the aid falls within the *de minimis* rule or is exempted under an exemption regulation adopted by the Commission under Council Regulation (EC) No 994/98 of 7 May 1998 on the application of Articles 87 and 88 to certain categories of horizontal aid ⁽²⁾. In the absence of such exemption or approval, aid is illegal and subject to the consequences set out in the procedural regulation for State aid, and its co-financing would be treated as an irregularity within

the meaning of Articles 38 and 39 of Regulation (EC) No 1260/1999.

Consequently, the Commission will not accept requests for interim and final payments under Article 32 of Regulation (EC) No 1260/1999 for measures being co-financed with new or altered aid, as defined in the procedural regulation for State aid, granted under aid schemes or in individual cases, until such aid has been notified to and formally approved by the Commission.

Article 5

The date from which expenditure shall be eligible is 1 January 2000. The closing date for the eligibility of expenditure shall be 31 December 2008. This date is extended to 30 April 2009 for expenditure incurred by bodies granting assistance under Article 9(l) of Regulation (EC) No 1260/1999.

Article 6

This Decision is addressed to the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 26 March 2001.

For the Commission

Michel BARNIER

Member of the Commission

⁽²⁾ OJ L 142, 14.5.1998, p. 1.

COMMISSION DECISION

of 26 March 2001

approving the single programming document for Community structural assistance under Objective 2 in the region of North West England in the United Kingdom*(notified under document number C(2001) 659)***(Only the English text is authentic)**

(2002/715/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 15(5) thereof,

After consultation of the Committee on the Development and Conversion of Regions,

Whereas:

(1) Article 13 et seq. of Title II of Regulation (EC) No 1260/1999 lay down the procedure for preparing and implementing single programming documents.

(2) Article 15(1) and (2) of Regulation (EC) No 1260/1999 provides that, after consultation with the partners referred to in Article 8 of the Regulation, the Member State may submit to the Commission a development plan which is treated as a draft single programming document, and which contains the information referred to in Article 16 of the Regulation

(3) Under Article 15(5) of Regulation (EC) No 1260/1999, on the basis of the regional development plan submitted by the Member State and within the partnership established in accordance with Article 8 of the Regulation, the Commission shall take a decision on the single programming document, in agreement with the Member State concerned and in accordance with the procedures laid down in Articles 48 to 51.

(4) The United Kingdom Government submitted to the Commission on 14 April 2000 an acceptable draft single programming document for the North West England region fulfilling the conditions for Objective 2 pursuant to Article 4(1) and qualifying for transitional support pursuant to Article 6(2) of Regulation (EC) No 1260/1999. The draft contains the information listed in Article 16 of the Regulation, and in particular a

description of the priorities selected and an indication of the financial contribution from the European Regional Development Fund (ERDF), the European Investment Bank (EIB) and the other financial instruments proposed for implementing the plan.

(5) Under Article 52(4) of Regulation (EC) No 1260/1999, as an acceptable plan was submitted between 1 January and 30 April 2000, the date from which expenditure under the plan is eligible shall be 1 January 2000. Under Article 30 of the Regulation, it is necessary to lay down the final date for the eligibility of expenditure.

(6) The single programming document has been drawn up in agreement with the Member State concerned and within the partnership.

(7) The Commission has satisfied itself that the single programming document is in accordance with the principle of additionality.

(8) Under Article 10 of Regulation (EC) No 1260/1999, the Commission and the Member State are required to ensure, in a manner consistent with the principle of partnership, coordination between assistance from the Funds and from the EIB and other existing financial instruments.

(9) The EIB has been involved in drawing up the single programming document in accordance with the provisions of Article 15(5) of Regulation (EC) No 1260/1999 and has declared itself prepared to contribute to its implementation in conformity with its statutory provisions.

(10) The financial contribution from the Community available over the entire period and its year-by-year breakdown are expressed in euro. The annual breakdown must be consistent with the relevant financial perspective. Under Article 7(7) of Regulation (EC) No 1260/1999, the Community contribution has already been indexed at a rate of 2 % per year. Under Article 7(7) and Article 44(2) of the Regulation, the Community contribution may be reviewed at mid-term, and not later than 31 March 2004, to take account of the effective level of inflation and the allocation of the performance reserve.

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

(11) Provision must be made for adapting the financial allocations of the priorities of this single programming document within certain limits to actual requirements reflected by the pattern of implementation on the ground, in agreement with the Member State concerned.

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance under Objective 2 in the North West England region of the United Kingdom for the period 1 January 2000 to 31 December 2005 for transitional areas and 1 January 2000 to 31 December 2006 for fully eligible areas is hereby approved.

Article 2

1. In accordance with Article 19 of Regulation (EC) No 1260/1999, the single programming document includes the following elements:

(a) the strategy and priorities for the joint action of the Community Structural Funds and the Member State; their specific quantified targets; the *ex ante* evaluation of the expected impact, including on the environmental situation, and the consistency of the priorities with the economic, social and regional policies and the employment strategy of United Kingdom.

The priorities are as follows:

- business and ideas,
- people and communities,
- strategic regional investment,
- technical assistance.

(b) a summary description of the measures planned to implement the priorities, including the information needed to check compliance with the State aid rules under Article 87 of the Treaty;

(c) the indicative financing plan specifying for each priority and each year the financial allocation envisaged for the contribution from the ERDF, the EIB and the other financial instruments and indicating separately the funding planned for the regions receiving transitional support and the total amounts of eligible public or equivalent expenditure and estimated private funding in the Member State. The total contribution from the ERDF planned for each year for the single programming document is consistent with the relevant financial perspectives;

(d) the provisions for implementing the single programming document including designation of the managing authority, a description of the arrangements for managing the single programming document and the use to be made of global grants, a description of the systems for monitoring and evaluation, including the role of the Monitoring Committee and the arrangements for the participation of the partners in that Committee,

(e) the *ex ante* verification of compliance with additionality and information on the transparency of financial flows,

(f) information on the resources required for preparing, monitoring and evaluating the assistance.

2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 1 907 605 000 for the whole period and the financial contribution from the Structural Funds at EUR 808 330 000.

The resulting requirement for national resources of EUR 899 551 000 from the public sector and EUR 199 724 000 from the private sector can be partly met by Community loans from the EIB and other lending instruments.

Article 3

1. The total assistance from the ERDF granted under the single programming document amounts to EUR 808 330 000. The procedure for granting the financial assistance, including the financial contribution from the Fund for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

2. During implementation of the financing plan, the total cost or Community financing of a given priority can be adjusted in agreement with the Member State by up to 25 % of the total Community contribution to the single programming document throughout the programme period or by up to EUR 30 million, whichever is the greater, without altering the total Community contribution referred to in paragraph 1.

Article 4

This Decision is without prejudice to the Commission's position on aid schemes falling within Article 87(1) of the Treaty that are included in this assistance and which have not yet been approved by the Commission. Submission of the application for assistance, the Programming Complement or a request for payment by the Member State does not replace the notification required by Article 88(3) of the Treaty.

Community financing of State aid falling within Article 87(1) of the Treaty, granted under aid schemes or in individual cases, requires prior approval by the Commission under Article 88 of the Treaty, except where the aid falls within the *de minimis* rule or is exempted under an exemption regulation adopted by the Commission under Council Regulation (EC) No 994/98 of 7 May 1998 on the application of Articles 87 and 88 to certain categories of horizontal aid ⁽²⁾. In the absence of such exemption or approval, aid is illegal and subject to the consequences set out in the procedural regulation for State aid, and its co-financing would be treated as an irregularity within the meaning of Articles 38 and 39 of Regulation (EC) No 1260/1999.

Consequently, the Commission will not accept requests for interim and final payments under Article 32 of the Regulation for measures being co-financed with new or altered aid, as defined in the procedural regulation for State aid, granted under aid schemes or in individual cases, until such aid has been notified to and formally approved by the Commission.

Article 5

The date from which expenditure shall be eligible is 1 January 2000. The closing date for the eligibility of expenditure shall be 31 December 2007 for transitional areas and 31 December 2008 for fully eligible areas. This date is extended to 30 April 2008 for expenditure incurred by bodies granting assistance under Article 9(l) of Regulation (EC) No 1260/1999 in transitional areas and to 30 April 2009 for such bodies in fully eligible areas.

Article 6

This Decision is addressed to the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 26 March 2001.

For the Commission

Michel BARNIER

Member of the Commission

⁽²⁾ OJ L 142, 14.5.1998, p. 1.

COMMISSION DECISION**of 28 March 2001****approving the single programming document for Community structural assistance under Objective 2 for the Yorkshire and the Humber region in the United Kingdom***(notified under document number C(2001) 796)***(Only the English text is authentic)**

(2002/716/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 15(5) thereof,

After consultation of the Committee on the Development and Conversion of Regions and the Committee pursuant to Article 147 of the Treaty,

Whereas:

(1) Article 13 et seq. of Title II of Regulation (EC) No 1260/1999 lay down the procedure for preparing and implementing single programming documents.

(2) Article 15(1) and (2) of Regulation (EC) No 1260/1999 provides that, after consultation with the partners referred to in Article 8 of the Regulation, the Member State may submit to the Commission a development plan which is treated as a draft single programming document, and which contains the information referred to in Article 16 of the Regulation.

(3) Under Article 15(5) of Regulation (EC) No 1260/1999, on the basis of the regional development plan submitted by the Member State and within the partnership established in accordance with Article 8 of the Regulation, the Commission shall take a decision on the single programming document, in agreement with the Member State concerned and in accordance with the procedures laid down in Articles 48 to 51.

(4) The United Kingdom Government submitted to the Commission on 14 April 2000 an acceptable draft single programming document for the Yorkshire and

the Humber region fulfilling the conditions for Objective 2 pursuant to Article 4(1) and qualifying for transitional support under pursuant to Article 6(2) of Regulation (EC) No 1260/1999. The draft contains the information listed in Article 16 of the Regulation, and in particular a description of the priorities selected and an indication of the financial contribution from the European Regional Development Fund (ERDF), the European Social Fund (ESF), the European Investment Bank (EIB) and the other financial instruments proposed for implementing the plan.

(5) Under Article 52(4) of Regulation (EC) No 1260/1999, as an acceptable plan was submitted between 1 January and 30 April 2000, the date from which expenditure under the plan is eligible shall be 1 January 2000. Under Article 30 of the Regulation, it is necessary to lay down the final date for the eligibility of expenditure.

(6) The single programming document has been drawn up in agreement with the Member State concerned and within the partnership.

(7) The Commission has satisfied itself that the single programming document is in accordance with the principle of additionality.

(8) Under Article 10 of Regulation (EC) No 1260/1999, the Commission and the Member State are required to ensure, in a manner consistent with the principle of partnership, coordination between assistance from the Funds and from the EIB and other existing financial instruments.

(9) The EIB has been involved in drawing up the single programming document in accordance with the provisions of Article 15(5) of Regulation (EC) No 1260/1999 and has declared itself prepared to contribute to its implementation in conformity with its statutory provisions.

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

- (10) The financial contribution from the Community available over the entire period and its year-by-year breakdown are expressed in Euro. The annual breakdown must be consistent with the relevant financial perspective. Under Article 7(7) of Regulation (EC) No 1260/1999, the Community contribution has already been indexed at a rate of 2 % per year. Under Article 7(7) and Article 44(2) of the Regulation, the Community contribution may be reviewed at mid-term, and not later than 31 March 2004, to take account of the effective level of inflation and the allocation of the performance reserve.
- (11) Provision must be made for adapting the financial allocations of the priorities of this single programming document within certain limits to actual requirements reflected by the pattern of implementation on the ground, in agreement with the Member State concerned.
- capturing the economic benefits of diversity,
 - an Objective 2 investment partnership,
 - technical assistance;
- (b) a summary description of the measures planned to implement the priorities, including the information needed to check compliance with the state aid rules under Article 87 of the Treaty;
- (c) the indicative financing plan specifying for each priority and each year the financial allocation envisaged for the contribution from the ERDF, the ESF, the EIB and the other financial instruments and indicating separately the funding planned for the regions receiving transitional support and the total amounts of eligible public or equivalent expenditure and estimated private funding in the Member State. The total contribution from the ERDF and ESF planned for each year for the single programming document is consistent with the relevant financial perspectives;
- (d) the provisions for implementing the single programming document including designation of the managing authority, a description of the arrangements for managing the single programming document and the use to be made of global grants, a description of the systems for monitoring and evaluation, including the role of the Monitoring Committee and the arrangements for the participation of the partners in that Committee;
- (e) the *ex ante* verification of compliance with additionality and information on the transparency of financial flows;
- (f) information on the resources required for preparing, monitoring and evaluating the assistance.

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance under Objective 2 in the Yorkshire and the Humber region of the United Kingdom for the period 1 January 2000 to 31 December 2005 for transitional areas and 1 January 2000 to 31 December 2006 for fully eligible areas is hereby approved.

Article 2

1. In accordance with Article 19 of Regulation (EC) No 1260/1999, the single programming document includes the following elements:

- (a) the strategy and priorities for the joint action of the Community Structural Funds and the Member State; their specific quantified targets; the *ex ante* evaluation of the expected impact, including on the environmental situation, and the consistency of the priorities with the economic, social and regional policies and the employment strategy of United Kingdom.

The priorities are as follows:

- a new entrepreneurship agenda,
- bringing down barriers to competitiveness,
- supporting community-led economic and social renewal,

Article 3

1. The total assistance from the Structural Funds granted under the single programming document amounts to EUR 517 840 000. The procedure for granting the financial assistance, including the financial contribution from the Funds for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 1 420 321 000 for the whole period and the financial contribution from the Structural Funds at EUR 517 840 000.

The resulting requirement for national resources of EUR 592 391 000 from the public sector and EUR 310 090 000 from the private sector can be partly met by Community loans from the EIB and other lending instruments.

2. The indicative initial estimated breakdown of the total Community assistance available between the Structural Funds is as follows:

ERDF	EUR 448 360 000,
ESF	EUR 69 480 000.

3. During implementation of the financing plan, the total cost or Community financing of a given priority can be adjusted in agreement with the Member State by up to 25 % of the total Community contribution to the single programming document throughout the programme period or by up to EUR 30 million, whichever is the greater, without altering the total Community contribution referred to in paragraph 1.

Article 4

This Decision is without prejudice to the Commission's position on aid schemes falling within Article 87(1) of the Treaty that are included in this assistance and which have not yet been approved by the Commission. Submission of the application for assistance, the programming complement or a request for payment by the Member State does not replace the notification required by Article 88(3) of the Treaty.

Community financing of State aid falling within Article 87(1) of the Treaty, granted under aid schemes or in individual cases, requires prior approval by the Commission under Article 88 of the Treaty, except where the aid falls within the *de minimis* rule or is exempted under an exemption regulation adopted by the Commission under Council Regulation (EC) No 994/98 of 7 May 1998 ⁽²⁾ on the application of Articles 87 and 88 to certain categories of horizontal aid. In the absence of such exemption or approval, aid is illegal and subject to the consequences set out in the procedural regulation for State aid,

and its co-financing would be treated as an irregularity within the meaning of Articles 38 and 39 of Regulation (EC) No 1260/1999.

Consequently, the Commission will not accept requests for interim and final payments under Article 32 of the Regulation for measures being co-financed with new or altered aid, as defined in the procedural regulation for State aid, granted under aid schemes or in individual cases, until such aid has been notified to and formally approved by the Commission.

Article 5

The date from which expenditure shall be eligible is 1 January 2000. The closing date for the eligibility of expenditure shall be 31 December 2007 for transitional areas and 31 December 2008 for fully eligible areas. This date is extended to 30 April 2008 for expenditure incurred by bodies granting assistance under Article 9(l) of Regulation (EC) No 1260/1999 in transitional areas and to 30 April 2009 for such bodies in fully eligible areas.

Article 6

This Decision is addressed to the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 28 March 2001.

For the Commission

Michel BARNIER

Member of the Commission

⁽²⁾ OJ L 142, 14.5.1998, p. 1.

COMMISSION DECISION

of 4 May 2001

amending Decision C(2000) 950 of 7 April 2000 approving the single programming document for Community structural assistance in the Objective 1 region of Burgenland in Austria

(notified under document number C(2001) 802)

(Only the German text is authentic)

(2002/717/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 34(3) thereof,

Whereas:

- (1) By Decision C(2000) 950 of 7 April 2000, the Commission approved the single programming document for Community structural assistance in the Objective 1 region of Burgenland in Austria.
- (2) Under Article 34(3) of Regulation (EC) No 1260/1999, any amendments to the elements contained in the decision on the contribution of the Funds are to be decided by the Commission in agreement with the Member State concerned.
- (3) Under Article 35(3) of Regulation (EC) No 1260/1999, the Monitoring Committee is to consider and approve any proposal to amend the contents of the Commission decision on the contribution of the Funds.
- (4) In two written procedures of 9 June and 2 August 2000, the Monitoring Committee for Community structural assistance in the Objective 1 region of Burgenland in Austria amended the financing plan and certain parts of the text. On 27 September 2000, those amendments were notified to the Commission,

1. in the last paragraph of Article 4, 'ERDF' shall be replaced by 'EAGGF';

2. in the Annex, the financing plan shall be replaced by the financing plan in Annex 1 hereto.

3. in Chapter 3.6 — priority 5: 'human resources' of the Annex (p. 132 of the single programming document), the breakdown of ESF finance among final beneficiaries shall be replaced by:

'Endbegünstigter AMS	58,63 %
Endbegünstigter Land	35,04 %
Endbegünstigter BSB	6,33 %

4. in the Annex, the list of State aid instruments (pp. 169 to 174 of the single programming document) shall be replaced by the list of State aid instruments in Annex 2 hereto.

Article 2

This Decision is addressed to the Republic of Austria.

HAS ADOPTED THIS DECISION:

Done at Brussels, 4 May 2001.

Article 1

Commission Decision C(2000) 950 is hereby amended as follows:

For the Commission

Michel BARNIER

Member of the Commission

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

COMMISSION DECISION

of 19 July 2001

approving the single programming document for Community structural assistance under Objective 2 in the North region in the Netherlands*(notified under document number C(2001) 1402)***(Only the Dutch text is authentic)**

(2002/718/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 15(5) thereof,

After consulting the Committee on the Development and Conversion of Regions,

Whereas:

(1) Article 13 et seq. of Title II of Regulation (EC) No 1260/1999 lay down the procedure for preparing and implementing single programming documents.

(2) Article 15(1) and (2) of Regulation (EC) No 1260/1999 provides that, after consultation with the partners referred to in Article 8 of the Regulation, the Member State may submit to the Commission a development plan which is treated as a draft single programming document, and which contains the information referred to in Article 16 of the Regulation.

(3) Under Article 15(5) of Regulation (EC) No 1260/1999, on the basis of the regional development plan submitted by the Member State and within the partnership established in accordance with Article 8 of that Regulation, the Commission is to take a decision on the single programming document, in agreement with the Member State concerned and in accordance with the procedures laid down in Articles 48 to 51.

(4) The Dutch Government submitted to the Commission on 28 April 2000 an acceptable draft single programming document for the regions fulfilling the conditions for Objective 2 pursuant to Article 4(1) of Regulation (EC) No 1260/1999 and those qualifying for transitional support under Objectives 2 and 5b pursuant to Article 6(2) of Regulation (EC) No 1260/1999. The

draft contains the information listed in Article 16 of the Regulation, and in particular a description of the priorities selected and an indication of the financial contribution from the European Regional Development Fund (ERDF) for implementing the plan.

(5) The date of submission of the draft which was considered acceptable by the Commission constitutes the date from which expenditure under the plan is eligible. Under Article 52(4) of Regulation (EC) No 1260/1999, as an acceptable plan was submitted between 1 January and 30 April 2000, the date from which expenditure under the plan is eligible shall be 1 January 2000. Under Article 30 of the Regulation, it is necessary to lay down the final date for the eligibility of expenditure.

(6) The single programming document has been drawn up in agreement with the Member State concerned and within the partnership.

(7) The Commission has satisfied itself that the single programming document is in accordance with the principle of additionality.

(8) Under Article 10 of Regulation (EC) No 1260/1999, the Commission and the Member State are required to ensure, in a manner consistent with the principle of partnership, coordination between assistance from the Funds and from the EIB and other existing financial instruments.

(9) The financial contribution from the Community available over the entire period and its year-by-year breakdown are expressed in euro. The annual breakdown should be consistent with the relevant financial perspective. Under Article 7(7) of Regulation (EC) No 1260/1999, the Community contribution has already been indexed at a rate of 2 % per year. Under Article 7(7) and Article 44(2) of the Regulation, the Community contribution may be reviewed at mid-term, and not later than 31 March 2004, to take account of the effective level of inflation and the allocation of the performance reserve.

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

- (10) Provision should be made for adapting the financial allocations of the priorities of this single programming document within certain limits to actual requirements reflected by the pattern of implementation on the ground, in agreement with the Member State concerned,

- (d) the provisions for implementing the single programming document including designation of the managing authority, a description of the arrangements for managing the single programming document and the use to be made of global grants, a description of the systems for monitoring and evaluation, including the role of the Monitoring Committee and the arrangements for the participation of the partners in that Committee;

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the North region eligible under Objective 2 and those qualifying for transitional support under Objectives 2 and 5b for the period 1 January 2000 to 31 December 2006 is hereby approved.

Article 2

1. In accordance with Article 19 of Regulation (EC) No 1260/1999, the single programming document includes the following elements:

- (a) the strategy and priorities for the joint action of the Structural Funds and the Member State; their specific quantified targets; the *ex ante* evaluation of the expected impact, including on the environmental situation, and the consistency of the priorities with the economic, social and regional policies and the employment strategy of the Netherlands.

The priorities are as follows:

- (1) strengthening the market sector,
 - (2) developing town centres,
 - (3) improving the way the labour market operates,
 - (4) technical assistance;
- (b) a summary description of the measures planned to implement the priorities, including the information needed to check compliance with the State aid rules under Article 87 of the Treaty;
- (c) the indicative financing plan specifying for each priority and each year the financial allocation envisaged for the contribution from each Fund, the EIB and the other Financial Instruments, including, for information, the total amount from the EAGGF Guarantee Section and indicating separately the funding planned for the regions receiving transitional support in respect of Objectives 2 and 5b and the total amounts of eligible public or equivalent expenditure and estimated private funding in the Member State. The total contribution from the Funds planned for each year for the single programming document is consistent with the relevant financial perspective;

- (e) the *ex ante* verification and information on the transparency of financial flows;

- (f) information on the resources required for preparing, monitoring and evaluating the assistance.

2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 1 237 450 000 for the whole period and the financial contribution from the Structural Funds at EUR 341 900 000.

The resulting requirement for national resources of EUR 532 210 000 from the public sector and EUR 363 340 000 from the private sector can be partly met by Community loans from the EIB and other lending instruments.

Article 3

1. The total assistance from the Structural Funds granted under the single programming document amounts to EUR 341 900 000.

The procedure for granting the financial assistance, including the financial contribution from the Funds for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

2. All Community assistance available — EUR 341 900 000 — will be provided by the ERDF.

3. During implementation of the financing plan, the total cost or Community financing of a given priority may be adjusted in agreement with the Member State by up to 25 % of the total Community contribution to the single programming document throughout the programme period, or a larger percentage, provided that the total amount does exceed EUR 30 million, without altering the total Community contribution referred to in paragraph 1.

Article 4

This Decision is without prejudice to the Commission's position on aid schemes falling within Article 87(1) of the Treaty that are included in this assistance and which it has not yet approved. Submission of the application for assistance, the programme complement or a request for payment by the Member State does not replace the notification required by Article 88(3) of the Treaty.

Community financing of State aid falling within Article 87(1) of the Treaty, granted under aid schemes or in individual cases, requires prior approval by the Commission under Article 88 of the Treaty, except where the aid falls under the *de minimis* rule or is exempted under an exemption regulation adopted by the Commission under Council Regulation (EC) No 994/98 of 7 May 1998 on the application of Articles 92 and 93 (now Articles 87 and 88) of the Treaty establishing the European Community to certain categories of horizontal State aid ⁽²⁾. In the absence of such exemption or approval, aid is illegal and subject to the consequences set out in the procedural regulation for State aid, and its part-financing would be treated as an irregularity within the meaning of Articles 38(5) of Regulation (EC) No 1260/1999.

Consequently, the Commission will not accept requests for interim and final payments under Article 32 of the Regulation

for measures being part-financed with new or altered aid, as defined in the procedural regulation for State aid, granted under aid schemes or in individual cases, until such aid has been notified to and formally approved by the Commission.

Article 5

The date from which expenditure shall be eligible is 1 January 2000. The closing date for the eligibility of expenditure shall be 31 December 2008. This date is extended to 30 April 2009 for expenditure incurred by bodies granting assistance under Article 9(l) of Regulation (EC) No 1260/1999.

Article 6

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 19 July 2001.

For the Commission

Michel BARNIER

Member of the Commission

⁽²⁾ OJ L 142, 14.5.1998, p. 1.

COMMISSION DECISION

of 6 August 2001

approving the single programming document for Community structural assistance under Objective 2 in the South region in the Netherlands*(notified under document number C(2001) 2055)***(Only the Dutch text is authentic)**

(2002/719/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 15(5) thereof,

After consulting the Committee on the Development and Conversion of Regions,

Whereas:

(1) Article 13 et seq. of Title II of Regulation (EC) No 1260/1999 lay down the procedure for preparing and implementing single programming documents.

(2) Article 15(1) and (2) of Regulation (EC) No 1260/1999 provides that, after consultation with the partners referred to in Article 8 of the Regulation, the Member State may submit to the Commission a development plan which is treated as a draft single programming document, and which contains the information referred to in Article 16 of the Regulation.

(3) Under Article 15(5) of Regulation (EC) No 1260/1999, on the basis of the regional development plan submitted by the Member State and within the partnership established in accordance with Article 8 of that Regulation, the Commission is to take a decision on the single programming document, in agreement with the Member State concerned and in accordance with the procedures laid down in Articles 48 to 51.

(4) The Dutch Government submitted to the Commission on 26 April 2000 an acceptable draft single programming document for the regions fulfilling the conditions for Objective 2 pursuant to Article 4(1) of Regulation (EC) No 1260/1999 and those qualifying for transitional support under Objectives 2 and 5b pursuant to Article 6(2) of Regulation (EC) No 1260/1999. The draft contains the information listed in Article 16 of the

Regulation, and in particular a description of the priorities selected and an indication of the financial contribution from the European Regional Development Fund (ERDF) for implementing the plan.

(5) The date of submission of the draft which was considered acceptable by the Commission constitutes the date from which expenditure under the plan is eligible. Under Article 52(4) of Regulation (EC) No 1260/1999, as an acceptable plan was submitted between 1 January 2000 and 30 April 2000, the date from which expenditure under the plan is eligible shall be 1 January 2000. Under Article 30 of the Regulation, it is necessary to lay down the final date for the eligibility of expenditure.

(6) The single programming document has been drawn up in agreement with the Member State concerned and within the partnership.

(7) The Commission has satisfied itself that the single programming document is in accordance with the principle of additionality.

(8) Under Article 10 of Regulation (EC) No 1260/1999, the Commission and the Member State are required to ensure, in a manner consistent with the principle of partnership, coordination between assistance from the Funds and from the EIB and other existing Financial Instruments.

(9) The financial contribution from the Community available over the entire period and its year-by-year breakdown are expressed in euro. The annual breakdown should be consistent with the relevant financial perspective. Under Article 7(7) of Regulation (EC) No 1260/1999, the Community contribution has already been indexed at a rate of 2 % per year. Under Article 7(7) and Article 44(2) of the Regulation, the Community contribution may be reviewed at mid-term, and not later than 31 March 2004, to take account of the effective level of inflation and the allocation of the performance reserve.

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

- (10) Provision should be made for adapting the financial allocations of the priorities of this single programming document within certain limits to actual requirements reflected by the pattern of implementation on the ground, in agreement with the Member State concerned,

- (d) the provisions for implementing the single programming document, including designation of the managing authority, a description of the arrangements for managing the single programming document and the use to be made of global grants, a description of the systems for monitoring and evaluation, including the role of the Monitoring Committee and the arrangements for the participation of the partners in that Committee;

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the areas of the South region in the Netherlands eligible under Objective 2 and those qualifying for transitional support under Objectives 2 and 5b for the period 1 January 2000 to 31 December 2006 is hereby approved.

Article 2

1. In accordance with Article 19 of Regulation (EC) No 1260/1999, the single programming document includes the following elements:

- (a) the strategy and priorities for the joint action of the Structural Funds and the Member State; their specific quantified targets; the *ex ante* evaluation of the expected impact, including on the environmental situation, and the consistency of the priorities with the economic, social and regional policies and the employment strategy of the Netherlands.

The priorities are as follows:

- (1) spatial development;
 - (2) stimulation of the economy;
 - (3) social cohesion;
 - (4) technical assistance;
- (b) a summary description of the measures planned to implement the priorities, including the information needed to check compliance with the State aid rules under Article 87 of the Treaty;
- (c) the indicative financing plan specifying for each priority and each year the financial allocation envisaged for the contribution from each Fund, the EIB and the other financial instruments — including, for information, the total amount from the EAGGF Guarantee Section — and indicating separately the funding planned for the regions receiving transitional support in respect of Objectives 2 and 5b and the total amounts of eligible public or equivalent expenditure and estimated private funding in the Member State. The total contribution from the Funds planned for each year for the single programming document is consistent with the relevant financial perspective;

- (e) the *ex ante* verification and information on the transparency of financial flows;

- (f) information on the resources required for preparing, monitoring and evaluating the assistance.

2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 395 891 000 for the whole period and the financial contribution from the Structural Funds at EUR 139 870 000.

The resulting requirement for national resources of EUR 185 216 000 from the public sector and EUR 70 805 000 from the private sector can be partly met by Community loans from the EIB and other lending instruments.

Article 3

1. The total assistance from the Structural Funds granted under the single programming document amounts to EUR 139 870 000.

The procedure for granting the financial assistance, including the financial contribution from the Funds for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

2. All Community assistance available — EUR 139 870 000 — will be provided by the ERDF.

3. During implementation of the financing plan, the total cost or Community financing of a given priority may be adjusted in agreement with the Member State by up to 25 % of the total Community contribution to the single programming document throughout the programme period or by a larger percentage provided that the total amount does not exceed EUR 30 million, without altering the total Community contribution referred to in paragraph 1.

Article 4

This Decision is without prejudice to the Commission's position on aid schemes falling within Article 87(1) of the Treaty that are included in this assistance and which it has not yet approved. Submission of the application for assistance, the programme complement or a request for payment by the Member State does not replace the notification required by Article 88(3) of the Treaty.

Community financing of State aid falling within Article 87(1) of the Treaty, granted under aid schemes or in individual cases, requires prior approval by the Commission under Article 88 of the Treaty, except where the aid falls under the *de minimis* rule or is exempted under an exemption regulation adopted by the Commission under Council Regulation (EC) No 994/98 of 7 May 1998 on the application of Articles 92 and 93 (now Articles 87 and 88) of the Treaty establishing the European Community to certain categories of horizontal State aid ⁽²⁾. In the absence of such exemption or approval, aid is illegal and subject to the consequences set out in the procedural regulation for State aid, and its part-financing would be treated as an irregularity within the meaning of Articles 38(5) of Regulation (EC) No 1260/1999.

Consequently, the Commission will not accept requests for interim and final payments under Article 32 of the Regulation for measures being part-financed with new or altered aid, as

defined in the procedural regulation for State aid, granted under aid schemes or in individual cases, until such aid has been notified to and formally approved by the Commission.

Article 5

The date from which expenditure shall be eligible is 1 January 2000. The closing date for the eligibility of expenditure shall be 31 December 2008. This date is extended to 30 April 2009 for expenditure incurred by bodies granting assistance under Article 9(1) of Regulation (EC) No 1260/1999.

Article 6

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 6 August 2001.

For the Commission

Frederik BOLKESTEIN

Member of the Commission

⁽²⁾ OJ L 142, 14.5.1998, p. 1.

COMMISSION DECISION**of 6 August 2001****approving the single programming document for Community structural assistance under Objective 2 in the East region in the Netherlands***(notified under document number C(2001) 2056)***(Only the Dutch text is authentic)**

(2002/720/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 15(5) thereof,

After consulting the Committee on the Development and Conversion of Regions,

Whereas:

- (1) Article 13 et seq. of Title II of Regulation (EC) No 1260/1999 lay down the procedure for preparing and implementing single programming documents.
- (2) Article 15(1) and (2) of Regulation (EC) No 1260/1999 provides that, after consultation with the partners referred to in Article 8 of the Regulation, the Member State may submit to the Commission a development plan which is treated as a draft single programming document, and which contains the information referred to in Article 16 of the Regulation.
- (3) Under Article 15(5) of Regulation (EC) No 1260/1999, on the basis of the regional development plan submitted by the Member State and within the partnership established in accordance with Article 8 of that Regulation, the Commission is to take a decision on the single programming document, in agreement with the Member State concerned and in accordance with the procedures laid down in Articles 48 to 51.
- (4) The Dutch Government submitted to the Commission on 26 April 2000 an acceptable draft single programming document for the regions fulfilling the conditions for Objective 2 pursuant to Article 4(1) of Regulation (EC) No 1260/1999 and those qualifying for transitional support under Objectives 2 and 5b pursuant to Article 6(2) of Regulation (EC) No 1260/1999. The draft contains the information listed in Article 16 of the

Regulation, and in particular a description of the priorities selected and an indication of the financial contribution from the European Regional Development Fund (ERDF) for implementing the plan.

- (5) The date of submission of the draft which was considered acceptable by the Commission constitutes the date from which expenditure under the plan is eligible. Under Article 52(4) of Regulation (EC) No 1260/1999, as an acceptable plan was submitted between 1 January 2000 and 30 April 2000, the date from which expenditure under the plan is eligible shall be 1 January 2000. Under Article 30 of the Regulation, it is necessary to lay down the final date for the eligibility of expenditure.
- (6) The single programming document has been drawn up in agreement with the Member State concerned and within the partnership.
- (7) The Commission has satisfied itself that the single programming document is in accordance with the principle of additionality.
- (8) Under Article 10 of Regulation (EC) No 1260/1999, the Commission and the Member State are required to ensure, in a manner consistent with the principle of partnership, coordination between assistance from the Funds and from the EIB and other existing financial instruments.
- (9) The financial contribution from the Community available over the entire period and its year-by-year breakdown are expressed in euro. The annual breakdown should be consistent with the relevant financial perspective. Under Article 7(7) of Regulation (EC) No 1260/1999, the Community contribution has already been indexed at a rate of 2 % per year. Under Article 7(7) and Article 44(2) of the Regulation, the Community contribution may be reviewed at mid-term, and not later than 31 March 2004, to take account of the effective level of inflation and the allocation of the performance reserve.

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

- (10) Provision should be made for adapting the financial allocations of the priorities of this single programming document within certain limits to actual requirements reflected by the pattern of implementation on the ground, in agreement with the Member State concerned,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the areas of the East region in the Netherlands eligible under Objective 2 and those qualifying for transitional support under Objectives 2 and 5b for the period 1 January 2000 to 31 December 2006 is hereby approved.

Article 2

1. In accordance with Article 19 of Regulation (EC) No 1260/1999, the single programming document includes the following elements:

- (a) the strategy and priorities for the joint action of the Structural Funds and the Member State; their specific quantified targets; the *ex ante* evaluation of the expected impact, including on the environmental situation, and the consistency of the priorities with the economic, social and regional policies and the employment strategy of the Netherlands.

The priorities are as follows:

- (1) special development;
- (2) stimulation of the economy;
- (3) social cohesion;
- (4) technical assistance;
- (b) a summary description of the measures planned to implement the priorities, including the information needed to check compliance with the state aid rules under Article 87 of the Treaty;
- (c) the indicative financing plan specifying for each priority and each year the financial allocation envisaged for the contribution from each Fund, the EIB and the other financial instruments — including, for information, the total amount from the EAGGF Guarantee Section — and indicating separately the funding planned for the regions receiving transitional support in respect of Objectives 2 and 5b and the total amounts of eligible public or equivalent expenditure and estimated private funding in the Member State. The total contribution from the Funds

planned for each year for the single programming document is consistent with the relevant financial perspective;

- (d) the provisions for implementing the single programming document, including designation of the managing authority, a description of the arrangements for managing the single programming document and the use to be made of global grants, a description of the systems for monitoring and evaluation, including the role of the Monitoring Committee and the arrangements for the participation of the partners in that Committee;
- (e) the *ex ante* verification and information on the transparency of financial flows;
- (f) information on the resources required for preparing, monitoring and evaluating the assistance.

2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 391 437 130 for the whole period and the financial contribution from the Structural Funds at EUR 141 560 000 EUR.

The resulting requirement for national resources of EUR 218 820 026 from the public sector and EUR 31 057 104 from the private sector can be partly met by Community loans from the EIB and other lending instruments.

Article 3

1. The total assistance from the Structural Funds granted under the single programming document amounts to EUR 141 560 000.

The procedure for granting the financial assistance, including the financial contribution from the Funds for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

2. All Community assistance available — EUR 141 560 000 — will be provided by the ERDF.

3. During implementation of the financing plan, the total cost or Community financing of a given priority may be adjusted in agreement with the Member State by up to 25 % of the total Community contribution to the single programming document throughout the programme period or by a larger percentage provided that the total amount does not exceed EUR 30 million, without altering the total Community contribution referred to in paragraph 1.

Article 4

This Decision is without prejudice to the Commission's position on aid schemes falling within Article 87(1) of the Treaty that are included in this assistance and which it has not yet approved. Submission of the application for assistance, the programme complement or a request for payment by the Member State does not replace the notification required by Article 88(3) of the Treaty.

Community financing of State aid falling within Article 87(1) of the Treaty, granted under aid schemes or in individual cases, requires prior approval by the Commission under Article 88 of the Treaty, except where the aid falls under the *de minimis* rule or is exempted under an exemption regulation adopted by the Commission under Council Regulation (EC) No 994/98 of 7 May 1998 on the application of Articles 92 and 93 (now Articles 87 and 88) of the Treaty establishing the European Community to certain categories of horizontal State aid ⁽²⁾. In the absence of such exemption or approval, aid is illegal and subject to the consequences set out in the procedural regulation for State aid, and its part-financing would be treated as an irregularity within the meaning of Articles 38(5) of Regulation (EC) No 1260/1999.

Consequently, the Commission will not accept requests for interim and final payments under Article 32 of the Regulation for measures being part-financed with new or altered aid, as

defined in the procedural regulation for State aid, granted under aid schemes or in individual cases, until such aid has been notified to and formally approved by the Commission.

Article 5

The date from which expenditure shall be eligible is 1 January 2000. The closing date for the eligibility of expenditure shall be 31 December 2008. This date is extended to 30 April 2009 for expenditure incurred by bodies granting assistance under Article 9(1) of Regulation (EC) No 1260/1999.

Article 6

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 6 August 2001.

For the Commission

Frederik BOLKESTEIN

Member of the Commission

⁽²⁾ OJ L 142, 14.5.1998, p. 1.

COMMISSION DECISION

of 7 September 2001

approving the single programming document for Community structural assistance under Objective 2 in the region of Liguria in Italy*(notified under document number C(2001) 2044)***(Only the Italian text is authentic)**

(2002/721/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 15(5) thereof,

After consulting the Committee on the Development and Conversion of Regions,

Whereas:

- (1) Article 13 et seq. of Title II of Regulation (EC) No 1260/1999 lay down the procedure for preparing and implementing single programming documents.
- (2) Article 15(1) and (2) of Regulation (EC) No 1260/1999 provides that, after consultation with the partners referred to in Article 8 of the Regulation, the Member State may submit to the Commission a development plan which is treated as a draft single programming document, and which contains the information referred to in Article 16 of the Regulation.
- (3) Under Article 15(5) of Regulation (EC) No 1260/1999, on the basis of the regional development plan submitted by the Member State and within the partnership established in accordance with Article 8 of that Regulation, the Commission is to take a decision on the single programming document, in agreement with the Member State concerned and in accordance with the procedures laid down in Articles 48 to 51.
- (4) The Italian Government submitted to the Commission on 27 November 2000 an acceptable draft single programming document for the region of Liguria fulfilling the conditions for Objective 2 pursuant to Article 4(1) and qualifying for transitional support under Objectives 2 and 5b pursuant to Article 6(2) of Regulation (EC) No 1260/1999. The plan includes the information listed in Article 16 of Regulation (EC) No 1260/1999, in particular a description of the priorities

selected and an indication of the financial contribution from the European Regional Development Fund (ERDF) and the other Financial Instruments proposed for implementing the plan.

- (5) The date of submission of the draft which was considered acceptable by the Commission constitutes the date from which expenditure under the plan is eligible. Under Article 30 of Regulation (EC) No 1260/1999, it is necessary to lay down the final date for the eligibility of expenditure.
- (6) The single programming document has been drawn up in agreement with the Member State concerned and within the partnership.
- (7) The Commission has satisfied itself that the single programming document is in accordance with the principle of additionality.
- (8) Under Article 10 of Regulation (EC) No 1260/1999, the Commission and the Member State are required to ensure, in a manner consistent with the principle of partnership, coordination between assistance from the Funds and from the EIB and other existing Financial Instruments.
- (9) The financial contribution from the Community available over the entire period and its year-by-year breakdown are expressed in euro. The annual breakdown should be consistent with the relevant financial perspective. Under Article 7(7) of Regulation (EC) No 1260/1999, the Community contribution has already been indexed at a rate of 2 % per year. Under Article 7(7) and Article 44(2) of the Regulation, the Community contribution may be reviewed at mid-term, and not later than 31 March 2004, to take account of the effective level of inflation and the allocation of the performance reserve.
- (10) Provision should be made for adapting the financial allocations of the priorities of this single programming document within certain limits to actual requirements reflected by the pattern of implementation on the ground, in agreement with the Member State concerned,

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the region of Liguria in Italy eligible under Objective 2 and qualifying for transitional support under Objectives 2 and 5b for the period 1 January 2000 to 31 December 2006 is hereby approved.

Article 2

1. In accordance with Article 19 of Regulation (EC) No 1260/1999, the single programming document includes the following elements:

- (a) the strategy and priorities for the joint action of the Structural Funds and the Member State; their specific quantified targets; the *ex ante* evaluation of the expected impact, including on the environmental situation, and the consistency of the priorities with the economic, social and regional policies and the employment strategy of Italy.

The priorities are as follows:

- support for and development of the productive system,
- restoration of and improvements to the environment,
- spatial development,
- technical assistance;

- (b) a summary description of the measures planned to implement the priorities, including the information needed to check compliance with the state aid rules under Article 87 of the Treaty;

- (c) the indicative financing plan specifying for each priority and each year the financial allocation envisaged for the contribution from each Fund, where relevant from the EIB, and from the other Financial Instruments, including, for information, the total amount from the EAGGF Guarantee Section and indicating separately the funding planned for the regions receiving transitional support in respect of Objectives 2 and 5(b) and the total amounts of eligible public or equivalent expenditure and estimated private funding in the Member State. The total contribution from the Funds planned for each year for the single programming document is consistent with the relevant financial perspective;

- (d) the provisions for implementing the single programming document including designation of the managing authority, a description of the arrangements for managing the single

programming document, a description of the systems for monitoring and evaluation, including the role of the Monitoring Committee and the arrangements for the participation of the partners in that Committee;

- (e) the *ex ante* verification of compliance with additionality and information on the transparency of financial flows.

2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 2 182 289 414 for the whole period and the financial contribution from the Structural Funds at EUR 193 093 058.

The resulting requirement for national resources of EUR 438 247 805 from the public sector and EUR 1 550 948 551 from the private sector can be partly met by Community loans from the EIB and other lending instruments.

Article 3

1. The total assistance from the Structural Funds granted under the single programming document amounts to EUR 193 093 058. The procedure for granting the financial assistance, including the financial contribution from the Funds for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

2. The total Community assistance available is as follows:

ERDF	EUR 193 093 058.
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3. During implementation of the financing plan, the total cost or Community financing of a given priority may be adjusted in agreement with the Member State by up to 25 % of the total Community contribution to the single programming document throughout the programme period, up to a maximum of EUR 30 million, without altering the total Community contribution referred to in paragraph 1.

Article 4

This Decision is without prejudice to the Commission's position on aid schemes falling within Article 87(1) of the Treaty that are included in this assistance and which it has not yet approved. Submission of the application for assistance, the programme complement or a request for payment by the Member State does not replace the notification required by Article 88(3) of the Treaty.

Community financing of State aid falling within Article 87(1) of the Treaty, granted under aid schemes or in individual cases, requires prior approval by the Commission under Article 88 of the Treaty, except where the aid falls under the *de minimis* rule or is exempted under an exemption regulation adopted by the Commission under Council Regulation (EC) No 994/98 on the application of Articles 92 and 93 [now Articles 87 and 88] to certain categories of horizontal State aid ⁽²⁾. In the absence of such exemption or approval, aid is illegal and subject to the consequences set out in the procedural regulation for State aid, and its part-financing would be treated as an irregularity within the meaning of Article 38(5) of Regulation (EC) No 1260/1999.

Consequently, the Commission will not accept requests for interim and final payments under Article 32 of the Regulation for measures being part-financed with new or altered aid, as defined in the procedural regulation for State aid, granted under aid schemes or in individual cases, until such aid has been notified to and formally approved by the Commission.

Article 5

The date from which expenditure shall be eligible is 27 November 2000. The closing date for the eligibility of expenditure shall be 31 December 2008. This date is extended to 30 April 2009 for expenditure incurred by bodies granting assistance under Article 9(l) of Regulation (EC) No 1260/1999. The closing date for the eligibility of expenditure in the areas receiving transitional support shall be 31 December 2007.

Article 6

This Decision is addressed to the Italian Republic.

Done at Brussels, 7 September 2001.

For the Commission

Michel BARNIER

Member of the Commission

⁽²⁾ OJ L 142, 14.5.1998, p. 1.

COMMISSION DECISION

of 12 September 2001

**approving the single programming document for Community structural assistance under
Objective 2 in the region of Abruzzi in Italy**

*(notified under document number C(2001) 2120)***(Only the Italian text is authentic)**

(2002/722/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

the financial contribution from the European Regional Development Fund (ERDF) and the other Financial Instruments.

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 15(5) thereof,

(5) The date of submission of the draft which was considered acceptable by the Commission constitutes the date from which expenditure under the plan is eligible. Under Article 30 of Regulation (EC) No 1260/1999, it is necessary to lay down the final date for the eligibility of expenditure.

After consulting the Committee on the Development and Conversion of Regions,

(6) The single programming document has been drawn up in agreement with the Member State concerned and within the partnership.

Whereas:

(1) Article 13 et seq. of Title II of Regulation (EC) No 1260/1999 lay down the procedure for preparing and implementing single programming documents.

(7) The Commission has satisfied itself that the single programming document is in accordance with the principle of additionality.

(2) Article 15(1) and (2) of Regulation (EC) No 1260/1999 provides that, after consultation with the partners referred to in Article 8 of the Regulation, the Member State may submit to the Commission a development plan which is treated as a draft single programming document, and which contains the information referred to in Article 16 of the Regulation.

(8) Under Article 10 of Regulation (EC) No 1260/1999, the Commission and the Member State are required to ensure, in a manner consistent with the principle of partnership, coordination between assistance from the Funds and from the EIB and other existing financial instruments.

(3) Under Article 15(5) of Regulation (EC) No 1260/1999, on the basis of the regional development plan submitted by the Member State and within the partnership established in accordance with Article 8 of that Regulation, the Commission is to take a decision on the single programming document, in agreement with the Member State concerned and in accordance with the procedures laid down in Articles 48 to 51.

(9) The financial contribution from the Community available over the entire period and its year-by-year breakdown are expressed in euro. The annual breakdown should be consistent with the relevant financial perspective. Under Article 7(7) of Regulation (EC) No 1260/1999, the Community contribution has already been indexed at a rate of 2 % per year. Under Article 7(7) and Article 44(2) of the Regulation, the Community contribution may be reviewed at mid-term, and not later than 31 March 2004, to take account of the effective level of inflation and the allocation of the performance reserve.

(4) The Italian Government submitted to the Commission on 3 November 2000 an acceptable draft single programming document for the region of Abruzzi fulfilling the conditions for Objective 2 pursuant to Article 4(1) of Regulation (EC) No 1260/1999. The plan includes the information listed in Article 16 of Regulation (EC) No 1260/1999, in particular a description of the priorities selected and an indication of

(10) Provision should be made for adapting the financial allocations of the priorities of this single programming document within certain limits to actual requirements reflected by the pattern of implementation on the ground, in agreement with the Member State concerned,

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the region of Abruzzi in Italy eligible under Objective 2 for the period 1 January 2000 to 31 December 2006 is hereby approved.

Article 2

1. In accordance with Article 19 of Regulation (EC) No 1260/1999, the single programming document includes the following elements:

- (a) the strategy and priorities for the joint action of the Structural Funds and the Member State; their specific quantified targets; the *ex ante* evaluation of the expected impact, including on the environmental situation, and the consistency of the priorities with the economic, social and regional policies and the employment strategy of Italy.

The priorities are as follows:

- competitiveness of the regional system,
- competitiveness and development of firms,
- protection and development of environmental and cultural resources,
- technical assistance for programme implementation; monitoring and evaluation;

- (b) a summary description of the measures planned to implement the priorities, including the information needed to check compliance with the State aid rules under Article 87 of the Treaty;

- (c) the indicative financing plan specifying for each priority and each year the financial allocation envisaged for the contribution from each Fund, where relevant from the EIB, and from the other Financial Instruments, including, for information, the total amount from the EAGGF Guarantee Section and the total amounts of eligible public or equivalent expenditure and estimated private funding in the Member State. The total contribution from the Funds planned for each year for the single programming document is consistent with the relevant financial perspective;

- (d) the provisions for implementing the single programming document including designation of the managing authority, a description of the arrangements for managing the single programming document, a description of the systems for monitoring and evaluation, including the role of the Monitoring Committee and the arrangements for the participation of the partners in that Committee;

- (e) the *ex ante* verification of compliance with additionality and information on the transparency of financial flows.

2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 764 872 137 for the whole period and the financial contribution from the Structural Funds at EUR 185 436 069.

The resulting requirement for national resources of EUR 282 869 402 from the public sector and EUR 296 566 666 from the private sector can be partly met by Community loans from the EIB and other lending instruments.

Article 3

1. The total assistance from the Structural Funds granted under the single programming document amounts to EUR 185 436 069. The procedure for granting the financial assistance, including the financial contribution from the Funds for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

2. The total Community assistance available is as follows:

ERDF	EUR 185 436 069.
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3. During implementation of the financing plan, the total cost or Community financing of a given priority may be adjusted in agreement with the Member State by up to 25 % of the total Community contribution to the single programming document throughout the programme period, up to EUR 30 million, without altering the total Community contribution referred to in paragraph 1.

Article 4

This Decision is without prejudice to the Commission's position on aid schemes falling within Article 87(1) of the Treaty that are included in this assistance and which it has not yet approved. Submission of the application for assistance, the programme complement or a request for payment by the Member State does not replace the notification required by Article 88(3) of the Treaty.

Community financing of State aid falling within Article 87(1) of the Treaty, granted under aid schemes or in individual cases, requires prior approval by the Commission under Article 88 of the Treaty, except where the aid falls under the *de minimis* rule or is exempted under an exemption regulation adopted by the Commission under Council Regulation (EC) No 994/98 on the

application of Articles 92 and 93 [now Articles 87 and 88] to certain categories of horizontal State aid ⁽²⁾. In the absence of such exemption or approval, aid is illegal and subject to the consequences set out in the procedural regulation for State aid, and its part-financing would be treated as an irregularity within the meaning of Article 38(5) of Regulation (EC) No 1260/1999.

Consequently, the Commission will not accept requests for interim and final payments under Article 32 of the Regulation for measures being part-financed with new or altered aid, as defined in the procedural regulation for State aid, granted under aid schemes or in individual cases, until such aid has been notified to and formally approved by the Commission.

Article 5

The date from which expenditure shall be eligible is 3 November 2000. The closing date for the eligibility of

expenditure shall be 31 December 2008. This date is extended to 30 April 2009 for expenditure incurred by bodies granting assistance under Article 9(l) of Regulation (EC) No 1260/1999.

Article 6

This Decision is addressed to the Italian Republic.

Done at Brussels, 12 September 2001.

For the Commission

Michel BARNIER

Member of the Commission

⁽²⁾ OJ L 142, 14.5.1998, p. 1.

COMMISSION DECISION

of 27 September 2001

approving the single programming document for Community structural assistance under Objective 2 in the region of Tuscany in Italy*(notified under document number C(2001) 2725)***(Only the Italian text is authentic)**

(2002/723/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 15(5) thereof,

After consulting the Committee on the Development and Conversion of Regions,

Whereas:

- (1) Article 13 et seq. of Title II of Regulation (EC) No 1260/1999 lay down the procedure for preparing and implementing single programming documents.
- (2) Article 15(1) and (2) of Regulation (EC) No 1260/1999 provides that, after consultation with the partners referred to in Article 8 of the Regulation, the Member State may submit to the Commission a development plan which is treated as a draft single programming document, and which contains the information referred to in Article 16 of the Regulation.
- (3) Under Article 15(5) of Regulation (EC) No 1260/1999, on the basis of the regional development plan submitted by the Member State and within the partnership established in accordance with Article 8 of that Regulation, the Commission is to take a decision on the single programming document, in agreement with the Member State concerned and in accordance with the procedures laid down in Articles 48 to 51.
- (4) The Italian Government submitted to the Commission on 2 October 2000 an acceptable draft single programming document for the region of Tuscany fulfilling the conditions for Objective 2 pursuant to Article 4(1) and qualifying for transitional support under Objectives 2 and 5b pursuant to Article 6(2) of Regulation (EC) No 1260/1999. The plan includes the information listed in Article 16 of Regulation (EC) No

1260/1999, in particular a description of the priorities selected and an indication of the financial contribution from the European Regional Development Fund (ERDF) and the other financial instruments proposed for implementing the plan.

- (5) The date of submission of the draft which was considered acceptable by the Commission constitutes the date from which expenditure under the plan is eligible. Under Article 30 of Regulation (EC) No 1260/1999, it is necessary to lay down the final date for the eligibility of expenditure.
- (6) The single programming document has been drawn up in agreement with the Member State concerned and within the partnership.
- (7) The Commission has satisfied itself that the single programming document is in accordance with the principle of additionality.
- (8) Under Article 10 of Regulation (EC) No 1260/1999, the Commission and the Member State are required to ensure, in a manner consistent with the principle of partnership, coordination between assistance from the Funds and from the EIB and other existing Financial Instruments.
- (9) The financial contribution from the Community available over the entire period and its year-by-year breakdown are expressed in euro. The annual breakdown should be consistent with the relevant financial perspective. Under Article 7(7) of Regulation (EC) No 1260/1999, the Community contribution has already been indexed at a rate of 2 % per year. Under Article 7(7) and Article 44(2) of the Regulation, the Community contribution may be reviewed at mid-term, and not later than 31 March 2004, to take account of the effective level of inflation and the allocation of the performance reserve.
- (10) Provision should be made for adapting the financial allocations of the priorities of this single programming document within certain limits to actual requirements reflected by the pattern of implementation on the ground, in agreement with the Member State concerned,

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the region of Tuscany in Italy eligible under Objective 2 and qualifying for transitional support under Objectives 2 and 5b for the period 1 January 2000 to 31 December 2006 is hereby approved.

Article 2

1. In accordance with Article 19 of Regulation (EC) No 1260/1999, the single programming document includes the following elements:

- (a) the strategy and priorities for the joint action of the Structural Funds and the Member State; their specific quantified targets; the ex-ante evaluation of the expected impact, including on the environmental situation, and the consistency of the priorities with the economic, social and regional policies and the employment strategy of Italy.

The priorities are as follows:

- development of and support for small firms,
- improvements to the area,
- the environment,
- technical assistance;

- (b) a summary description of the measures planned to implement the priorities, including the information needed to check compliance with the State aid rules under Article 87 of the Treaty;

- (c) the indicative financing plan specifying for each priority and each year the financial allocation envisaged for the contribution from each Fund, where relevant from the EIB, and from the other Financial Instruments, including, for information, the total amount from the EAGGF Guarantee Section and indicating separately the funding planned for the regions receiving transitional support in respect of Objectives 2 and 5b and the total amounts of eligible public or equivalent expenditure and estimated private funding in the Member State. The total contribution from the Funds planned for each year for the single programming document is consistent with the relevant financial perspective;

- (d) the provisions for implementing the single programming document including designation of the managing authority, a description of the arrangements for managing the single programming document, a description of the systems for

monitoring and evaluation, including the role of the Monitoring Committee and the arrangements for the participation of the partners in that Committee;

- (e) the *ex ante* verification of compliance with additionality and information on the transparency of financial flows.

2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 1 133 570 268 for the whole period and the financial contribution from the Structural Funds at EUR 322 491 827.

The resulting requirement for national resources of EUR 804 920 000 from the public sector and EUR 6 158 441 from the private sector can be partly met by Community loans from the EIB and other lending instruments.

Article 3

1. The total assistance from the Structural Funds granted under the single programming document amounts to EUR 322 491 827. The procedure for granting the financial assistance, including the financial contribution from the Funds for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

The indicative initial estimated breakdown of the total Community assistance available between the Structural Funds is as follows:

ERDF	EUR 322 491 827.
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During implementation of the financing plan, the total cost or Community financing of a given priority may be adjusted in agreement with the Member State by up to 25 % of the total Community contribution to the single programming document throughout the programme period, up to EUR 30 million, without altering the total Community contribution referred to in paragraph 1.

Article 4

This Decision is without prejudice to the Commission's position on aid schemes falling within Article 87(1) of the Treaty that are included in this assistance and which it has not yet approved. Submission of the application for assistance, the programme complement or a request for payment by the Member State does not replace the notification required by Article 88(3) of the Treaty.

Community financing of State aid falling within Article 87(1) of the Treaty, granted under aid schemes or in individual cases, requires prior approval by the Commission under Article 88 of

the Treaty, except where the aid falls under the de minimis rule or is exempted under an exemption regulation adopted by the Commission under Council Regulation (EC) No 994/98 on the application of Articles 92 and 93 (now 87 and 88) to certain categories of horizontal State aid ⁽²⁾. In the absence of such exemption or approval, aid is illegal and subject to the consequences set out in the procedural regulation for State aid, and its part-financing would be treated as an irregularity within the meaning of Article 38(5) of Regulation (EC) No 1260/1999.

Consequently, the Commission will not accept requests for interim and final payments under Article 32 of the Regulation for measures being part-financed with new or altered aid, as defined in the procedural regulation for state aid, granted under aid schemes or in individual cases, until such aid has been notified to and formally approved by the Commission.

Article 5

The date from which expenditure shall be eligible is 2 October 2000. The closing date for the eligibility of expenditure shall

be 31 December 2008. This date is extended to 30 April 2009 for expenditure incurred by bodies granting assistance under Article 9(l) of Regulation (EC) No 1260/1999. The closing date for the eligibility of expenditure in the areas receiving transitional support shall be 31 December 2007.

Article 6

This Decision is addressed to the Italian Republic.

Done at Brussels, 27 September 2001.

For the Commission

Michel BARNIER

Member of the Commission

⁽²⁾ OJ L 142, 14.5.1998, p. 1.

COMMISSION DECISION

of 16 October 2001

**approving the single programming document for Community structural assistance under
Objective 2 in the Autonomous Province of Trento in Italy***(notified under document number C(2001) 2794)***(Only the Italian text is authentic)**

(2002/724/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 15(5) thereof,

After consulting the Committee on the Development and Conversion of Regions,

Whereas:

(1) Article 13 et seq. of Title II of Regulation (EC) No 1260/1999 lay down the procedure for preparing and implementing single programming documents.

(2) Article 15(1) and (2) of Regulation (EC) No 1260/1999 provides that, after consultation with the partners referred to in Article 8 of the Regulation, the Member State may submit to the Commission a development plan which is treated as a draft single programming document, and which contains the information referred to in Article 16 of the Regulation.

(3) Under Article 15(5) of Regulation (EC) No 1260/1999, on the basis of the regional development plan submitted by the Member State and within the partnership established in accordance with Article 8 of that Regulation, the Commission is to take a decision on the single programming document, in agreement with the Member State concerned and in accordance with the procedures laid down in Articles 48 to 51.

(4) The Italian Government submitted to the Commission on 24 November 2000 an acceptable draft single programming document for the Autonomous Province of Trento fulfilling the conditions for Objective 2 pursuant to Article 4(1) and qualifying for transitional support under Objectives 2 and 5b pursuant to Article 6(2) of Regulation (EC) No 1260/1999. The plan includes the information listed in Article 16 of Regulation (EC) No 1260/1999, in particular a

description of the priorities selected and an indication of the financial contribution from the European Regional Development Fund (ERDF) and the other Financial Instruments proposed for implementing the plan.

(5) The date of submission of the draft which was considered acceptable by the Commission constitutes the date from which expenditure under the plan is eligible. Under Article 30 of Regulation (EC) No 1260/1999, it is necessary to lay down the final date for the eligibility of expenditure.

(6) The single programming document has been drawn up in agreement with the Member State concerned and within the partnership.

(7) The Commission has satisfied itself that the single programming document is in accordance with the principle of additionality.

(8) Under Article 10 of Regulation (EC) No 1260/1999, the Commission and the Member State are required to ensure, in a manner consistent with the principle of partnership, coordination between assistance from the Funds and from the EIB and other existing Financial Instruments.

(9) The financial contribution from the Community available over the entire period and its year-by-year breakdown are expressed in euro. The annual breakdown should be consistent with the relevant financial perspective. Under Article 7(7) of Regulation (EC) No 1260/1999, the Community contribution has already been indexed at a rate of 2 % per year. Under Article 7(7) and Article 44(2) of the Regulation, the Community contribution may be reviewed at mid-term, and not later than 31 March 2004, to take account of the effective level of inflation and the allocation of the performance reserve.

(10) Provision should be made for adapting the financial allocations of the priorities of this single programming document within certain limits to actual requirements reflected by the pattern of implementation on the ground, in agreement with the Member State concerned,

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the Autonomous Province of Trento in Italy eligible under Objective 2 and qualifying for transitional support under Objectives 2 and 5b for the period 1 January 2000 to 31 December 2006 is hereby approved.

Article 2

1. In accordance with Article 19 of Regulation (EC) No 1260/1999, the single programming document includes the following elements:

- (a) the strategy and priorities for the joint action of the Structural Funds and the Member State; their specific quantified targets; the *ex ante* evaluation of the expected impact, including on the environmental situation, and the consistency of the priorities with the economic, social and regional policies and the employment strategy of Italy.

The priorities are as follows:

- support for the development of local economic, social and productive systems,
- exploitation and preservation of assets and natural resources and assistance for the improvement and protection of the environment,
- technical assistance;

- (b) a summary description of the measures planned to implement the priorities, including the information needed to check compliance with the State aid rules under Article 87 of the Treaty;

- (c) the indicative financing plan specifying for each priority and each year the financial allocation envisaged for the contribution from each Fund, where relevant from the EIB, and from the other financial instruments, including, for information, the total amount from the EAGGF Guarantee Section and indicating separately the funding planned for the regions receiving transitional support in respect of Objectives 2 and 5b and the total amounts of eligible public or equivalent expenditure and estimated private funding in the Member State. The total contribution from the Funds planned for each year for the single programming document is consistent with the relevant financial perspective;

- (d) the provisions for implementing the single programming document including designation of the managing authority,

a description of the arrangements for managing the single programming document, a description of the systems for monitoring and evaluation, including the role of the Monitoring Committee and the arrangements for the participation of the partners in that Committee;

- (e) the *ex ante* verification of compliance with additionality and information on the transparency of financial flows.

2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 56 261 411 for the whole period and the financial contribution from the Structural Funds at EUR 16 878 422.

The resulting requirement for national resources of EUR 39 382 989 from the public sector can be partly met by Community loans from the EIB and other lending instruments.

Article 3

1. The total assistance from the Structural Funds granted under the single programming document amounts to EUR 16 878 422. The procedure for granting the financial assistance, including the financial contribution from the Funds for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

2. The total Community assistance available is as follows:

ERDF	EUR 16 878 422.
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3. During implementation of the financing plan, the total cost or Community financing of a given priority may be adjusted in agreement with the Member State by up to 25 % of the total Community contribution to the single programming document throughout the programme period, up to a maximum of EUR 30 million, without altering the total Community contribution referred to in paragraph 1.

Article 4

This Decision is without prejudice to the Commission's position on aid schemes falling within Article 87(1) of the Treaty that are included in this assistance and which it has not yet approved. Submission of the application for assistance, the programme complement or a request for payment by the Member State does not replace the notification required by Article 88(3) of the Treaty.

Community financing of State aid falling within Article 87(1) of the Treaty, granted under aid schemes or in individual cases, requires prior approval by the Commission under Article 88 of the Treaty, except where the aid falls under the *de minimis* rule or is exempted under an exemption regulation adopted by the Commission under Council Regulation (EC) No 994/98 on the application of Articles 92 and 93 [now Articles 87 and 88] to certain categories of horizontal State aid ⁽²⁾. In the absence of such exemption or approval, aid is illegal and subject to the consequences set out in the procedural regulation for State aid, and its part-financing would be treated as an irregularity within the meaning of Article 38(5) of Regulation (EC) No 1260/1999.

Consequently, the Commission will not accept requests for interim and final payments under Article 32 of the Regulation for measures being part-financed with new or altered aid, as defined in the procedural regulation for State aid, granted under aid schemes or in individual cases, until such aid has been notified to and formally approved by the Commission.

Article 5

The date from which expenditure shall be eligible is 24 November 2000. The closing date for the eligibility of expenditure shall be 31 December 2008. This date is extended to 30 April 2009 for expenditure incurred by bodies granting assistance under Article 9(l) of Regulation (EC) No 1260/1999. The closing date for the eligibility of expenditure in the areas receiving transitional support shall be 31 December 2007.

Article 6

This Decision is addressed to the Italian Republic.

Done at Brussels, 16 October 2001.

For the Commission

Michel BARNIER

Member of the Commission

⁽²⁾ OJ L 142, 14.5.1998, p. 1.

COMMISSION DECISION

of 23 November 2001

approving the single programming document for Community structural assistance under Objective 2 in the Autonomous Province of Bolzano in Italy

(notified under document number C(2001) 3548)

(Only the Italian text is authentic)

(2002/725/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 15(5) thereof,

After consulting the Committee on the Development and Conversion of Regions,

Whereas:

- (1) Article 13 et seq. of Title II of Regulation (EC) No 1260/1999 lay down the procedure for preparing and implementing single programming documents.
- (2) Article 15(1) and (2) of Regulation (EC) No 1260/1999 provides that, after consultation with the partners referred to in Article 8 of the Regulation, the Member State may submit to the Commission a development plan which is treated as a draft single programming document, and which contains the information referred to in Article 16 of the Regulation.
- (3) Under Article 15(5) of Regulation (EC) No 1260/1999, on the basis of the regional development plan submitted by the Member State and within the partnership established in accordance with Article 8 of that Regulation, the Commission is to take a decision on the single programming document, in agreement with the Member State concerned and in accordance with the procedures laid down in Articles 48 to 51.
- (4) The Italian Government submitted to the Commission on 27 November 2000 an acceptable draft single programming document for the Autonomous Province of Bolzano fulfilling the conditions for Objective 2 pursuant to Article 4(1) and qualifying for transitional support under Objectives 2 and 5b pursuant to Article 6(2) of Regulation (EC) No 1260/1999. The plan includes the information listed in Article 16 of Regulation (EC) No 1260/1999, in particular a

description of the priorities selected and an indication of the financial contribution from the European Regional Development Fund (ERDF) and the other Financial Instruments proposed for implementing the plan.

- (5) The date of submission of the draft which was considered acceptable by the Commission constitutes the date from which expenditure under the plan is eligible. Under Article 30 of Regulation (EC) No 1260/1999, it is necessary to lay down the final date for the eligibility of expenditure.
- (6) The single programming document has been drawn up in agreement with the Member State concerned and within the partnership.
- (7) The Commission has satisfied itself that the single programming document is in accordance with the principle of additionality.
- (8) Under Article 10 of Regulation (EC) No 1260/1999, the Commission and the Member State are required to ensure, in a manner consistent with the principle of partnership, coordination between assistance from the Funds and from the EIB and other existing Financial Instruments.
- (9) The financial contribution from the Community available over the entire period and its year-by-year breakdown are expressed in euro. The annual breakdown should be consistent with the relevant financial perspective. Under Article 7(7) of Regulation (EC) No 1260/1999, the Community contribution has already been indexed at a rate of 2 % per year. Under Article 7(7) and Article 44(2) of the Regulation, the Community contribution may be reviewed at mid-term, and not later than 31 March 2004, to take account of the effective level of inflation and the allocation of the performance reserve.
- (10) Provision should be made for adapting the financial allocations of the priorities of this single programming document within certain limits to actual requirements reflected by the pattern of implementation on the ground, in agreement with the Member State concerned,

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the Autonomous Province of Bolzano in Italy eligible under Objective 2 and qualifying for transitional support under Objectives 2 and 5b for the period 1 January 2000 to 31 December 2006 is hereby approved.

Article 2

1. In accordance with Article 19 of Regulation (EC) No 1260/1999, the single programming document includes the following elements:

- (a) the strategy and priorities for the joint action of the Structural Funds and the Member State; their specific quantified targets; the *ex ante* evaluation of the expected impact, including on the environmental situation, and the consistency of the priorities with the economic, social and regional policies and the employment strategy of Italy.

The priorities are as follows:

- exploitation of natural, environmental and historical-cultural assets for tourist and other purposes,
- sustainable development of residential areas,
- support for the development and diversification of local productive systems,
- technical assistance;

- (b) a summary description of the measures planned to implement the priorities, including the information needed to check compliance with the State aid rules under Article 87 of the Treaty;

- (c) the indicative financing plan specifying for each priority and each year the financial allocation envisaged for the contribution from each Fund, where relevant from the EIB, and from the other Financial Instruments, including, for information, the total amount from the EAGGF Guarantee Section and the total amounts of eligible public or equivalent expenditure and estimated private funding in the Member State. The total contribution from the Funds planned for each year for the single programming document is consistent with the relevant financial perspective;

- (d) the provisions for implementing the single programming document including designation of the managing authority, a description of the arrangements for managing the single programming document, a description of the systems for monitoring and evaluation, including the role of the Monitoring Committee and the arrangements for the participation of the partners in that Committee;

- (e) the *ex ante* verification of compliance with additionality and information on the transparency of financial flows.

2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 66 337 742 for the whole period and the financial contribution from the Structural Funds at EUR 32 418 871.

The resulting requirement for national resources of EUR 32 418 871 from the public sector and EUR 1 500 000 from the private sector can be partly met by Community loans from the EIB and other lending instruments.

Article 3

1. The total assistance from the Structural Funds granted under the single programming document amounts to EUR 32 418 871. The procedure for granting the financial assistance, including the financial contribution from the Funds for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

The total Community assistance available is as follows:

ERDF	EUR 32 418 871.
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2. During implementation of the financing plan, the total cost or Community financing of a given priority may be adjusted in agreement with the Member State by up to 25 % of the total Community contribution to the single programming document throughout the programme period, up to EUR 30 million, without altering the total Community contribution referred to in paragraph 1.

Article 4

This Decision is without prejudice to the Commission's position on aid schemes falling within Article 87(1) of the Treaty that are included in this assistance and which it has not yet approved. Submission of the application for assistance, the programme complement or a request for payment by the Member State does not replace the notification required by Article 88(3) of the Treaty.

Community financing of State aid falling within Article 87(1) of the Treaty, granted under aid schemes or in individual cases, requires prior approval by the Commission under Article 88 of the Treaty, except where the aid falls under the *de minimis* rule or is exempted under an exemption regulation adopted by the Commission under Council Regulation (EC) No 994/98 on the application of Articles 92 and 93 [now Articles 87 and 88] to certain categories of horizontal State aid ⁽²⁾. In the absence of such exemption or approval, aid is illegal and subject to the consequences set out in the procedural regulation for State aid, and its part-financing would be treated as an irregularity within the meaning of Article 38(5) of Regulation (EC) No 1260/1999.

Consequently, the Commission will not accept requests for interim and final payments under Article 32 of the Regulation for measures being part-financed with new or altered aid, as defined in the procedural regulation for State aid, granted under aid schemes or in individual cases, until such aid has been notified to and formally approved by the Commission.

Article 5

The date from which expenditure shall be eligible is 27 November 2000. The closing date for the eligibility of expenditure shall be 31 December 2008. This date is extended to 30 April 2009 for expenditure incurred by bodies granting assistance under Article 9(l) of Regulation (EC) No 1260/1999. The closing date for the eligibility of expenditure in the areas receiving transitional support shall be 31 December 2007.

Article 6

This Decision is addressed to the Italian Republic.

Done at Brussels, 23 November 2001.

For the Commission

Michel BARNIER

Member of the Commission

⁽²⁾ OJ L 142, 14.5.1998, p. 1.

COMMISSION DECISION**of 26 November 2001****approving the single programming document for Community structural assistance under Objective 2 in the region of Veneto in Italy***(notified under document number C(2001) 2889)***(Only the Italian text is authentic)**

(2002/726/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 15(5) thereof,

After consulting the Committee on the Development and Conversion of Regions,

Whereas:

- (1) Article 13 et seq. of Title II of Regulation (EC) No 1260/1999 lay down the procedure for preparing and implementing single programming documents.
- (2) Article 15(1) and (2) of Regulation (EC) No 1260/1999 provides that, after consultation with the partners referred to in Article 8 of the Regulation, the Member State may submit to the Commission a development plan which is treated as a draft single programming document, and which contains the information referred to in Article 16 of the Regulation.
- (3) Under Article 15(5) of Regulation (EC) No 1260/1999, on the basis of the regional development plan submitted by the Member State and within the partnership established in accordance with Article 8 of that Regulation, the Commission is to take a decision on the single programming document, in agreement with the Member State concerned and in accordance with the procedures laid down in Articles 48 to 51.
- (4) The Italian Government submitted to the Commission on 27 November 2000 an acceptable draft single programming document for the region of Veneto fulfilling the conditions for Objective 2 pursuant to Article 4(1) of Regulation (EC) No 1260/1999. The plan includes the information listed in Article 16 of Regulation (EC) No 1260/1999, in particular a description of the priorities selected and an indication of

the financial contribution from the European Regional Development Fund (ERDF) and the other financial instruments proposed for implementing the plan.

- (5) The date of submission of the draft which was considered acceptable by the Commission constitutes the date from which expenditure under the plan is eligible. Under Article 30 of Regulation (EC) No 1260/1999, it is necessary to lay down the final date for the eligibility of expenditure.
- (6) The single programming document has been drawn up in agreement with the Member State concerned and within the partnership.
- (7) The Commission has satisfied itself that the single programming document is in accordance with the principle of additionality.
- (8) Under Article 10 of Regulation (EC) No 1260/1999, the Commission and the Member State are required to ensure, in a manner consistent with the principle of partnership, coordination between assistance from the Funds and from the EIB and other existing Financial Instruments.
- (9) The financial contribution from the Community available over the entire period and its year-by-year breakdown are expressed in euro. The annual breakdown should be consistent with the relevant financial perspective. Under Article 7(7) of Regulation (EC) No 1260/1999, the Community contribution has already been indexed at a rate of 2 % per year. Under Article 7(7) and Article 44(2) of the Regulation, the Community contribution may be reviewed at mid-term, and not later than 31 March 2004, to take account of the effective level of inflation and the allocation of the performance reserve.
- (10) Provision should be made for adapting the financial allocations of the priorities of this single programming document within certain limits to actual requirements reflected by the pattern of implementation on the ground, in agreement with the Member State concerned,

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the region of Veneto in Italy eligible under Objective 2 for the period 1 January 2000 to 31 December 2006 is hereby approved.

Article 2

1. In accordance with Article 19 of Regulation (EC) No 1260/1999, the single programming document includes the following elements:

- (a) the strategy and priorities for the joint action of the Structural Funds and the Member State; their specific quantified targets; the *ex ante* evaluation of the expected impact, including on the environmental situation, and the consistency of the priorities with the economic, social and regional policies and the employment strategy of Italy.

The priorities are as follows:

- strengthening and development of firms,
- infrastructure for the competitiveness of the region's productive system,
- tourism and development of cultural and environmental resources,
- environment and spatial matters,
- technical assistance;

- (b) a summary description of the measures planned to implement the priorities, including the information needed to check compliance with the state aid rules under Article 87 of the Treaty;

- (c) the indicative financing plan specifying for each priority and each year the financial allocation envisaged for the contribution from each Fund, where relevant from the EIB, and from the other Financial Instruments, including, for information, the total amount from the EAGGF Guarantee Section and the total amounts of eligible public or equivalent expenditure and estimated private funding in the Member State. The total contribution from the Funds planned for each year for the single programming document is consistent with the relevant financial perspective;

- (d) the provisions for implementing the single programming document including designation of the managing authority, a description of the arrangements for managing the single programming document, a description of the systems for monitoring and evaluation, including the role of the Monitoring Committee and the arrangements for the participation of the partners in that Committee;

- (e) the *ex ante* verification of compliance with additionality and information on the transparency of financial flows.

2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 1 762 656 398 for the whole period and the financial contribution from the Structural Funds at EUR 286 064 748.

The resulting requirement for national resources of EUR 286 064 748 from the public sector and EUR 1 190 526 902 from the private sector can be partly met by Community loans from the EIB and other lending instruments.

Article 3

1. The total assistance from the Structural Funds granted under the single programming document amounts to EUR 286 064 748. The procedure for granting the financial assistance, including the financial contribution from the Funds for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

2. The total Community assistance available is as follows:

ERDF	EUR 286 064 748.
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3. During implementation of the financing plan, the total cost or Community financing of a given priority may be adjusted in agreement with the Member State by up to 25 % of the total Community contribution to the single programming document throughout the programme period, up to a maximum of EUR 30 million, without altering the total Community contribution referred to in paragraph 1.

Article 4

This Decision is without prejudice to the Commission's position on aid schemes falling within Article 87(1) of the Treaty that are included in this assistance and which it has not yet approved. Submission of the application for assistance, the programme complement or a request for payment by the Member State does not replace the notification required by Article 88(3) of the Treaty.

Community financing of State aid falling within Article 87(1) of the Treaty, granted under aid schemes or in individual cases, requires prior approval by the Commission under Article 88 of the Treaty, except where the aid falls under the *de minimis* rule or is exempted under an exemption regulation adopted by the Commission under Council Regulation (EC) No 994/98 on the application of Articles 92 and 93 [now Articles 87 and 88] to certain categories of horizontal State aid ⁽²⁾. In the absence of such exemption or approval, aid is illegal and subject to the consequences set out in the procedural regulation for State aid, and its part-financing would be treated as an irregularity within the meaning of Article 38(5) of Regulation (EC) No 1260/1999.

Consequently, the Commission will not accept requests for interim and final payments under Article 32 of the Regulation for measures being part-financed with new or altered aid, as defined in the procedural regulation for State aid, granted under aid schemes or in individual cases, until such aid has been notified to and formally approved by the Commission.

Article 5

The date from which expenditure shall be eligible is 27 November 2000. The closing date for the eligibility of expenditure shall be 31 December 2008. This date is extended to 30 April 2009 for expenditure incurred by bodies granting assistance under Article 9(l) of Regulation (EC) No 1260/1999. The closing date for the eligibility of expenditure in the areas receiving transitional support shall be 31 December 2007.

Article 6

This Decision is addressed to the Italian Republic.

Done at Brussels, 26 November 2001.

For the Commission

Michel BARNIER

Member of the Commission

⁽²⁾ OJ L 142, 14.5.1998, p. 1.

COMMISSION DECISION

of 26 March 2002

amending Decision C(2001) 2842 approving the single programming document for structural assistance under Objective 1 to technical assistance in France*(notified under document number C(2002) 154)***(Only the French text is authentic)**

(2002/727/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Article 2

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 34(3) thereof,

Whereas:

- (1) By Decision C(2001)2842, the Commission approved the single programming document for structural assistance under Objective 1 to technical assistance in France.
- (2) On 13 November 2001 the French authorities sent the Commission a request to allocate to Priority 3 'Promoting national and Community priorities' of the single programming document for structural assistance under Objective 1 to technical assistance in France an amount of EUR 1 650 000 remaining unallocated under Objective 1.

- (3) Decision C(2001)2842 should therefore be amended,

2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 3 632 000 for the whole period and the financial contribution from the ERDF at EUR 3 087 000.

Article 3

1. The total assistance from the Structural Funds granted under the single programming document amounts to EUR 3 087 000. The procedure for granting the financial assistance, including the financial contribution from the Funds for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

2. The financial tables annexed to Decision C(2001)2842 shall be replaced by those annexed to this Decision.

Article 4

This Decision is addressed to the French Republic.

HAS ADOPTED THIS DECISION:

Done at Brussels, 26 March 2002.

Article 1

Decision C(2001)2842 is amended as follows:

Articles 2(2) and 3(1) are replaced by:

For the Commission

Michel BARNIER

Member of the Commission

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

COMMISSION DECISION**of 26 March 2002****amending Decision C(2001)649 approving the single programming document for Community structural assistance under Objective 2 in the region of Picardy in France***(notified under document number C(2002) 272)***(Only the French text is authentic)***(2002/728/EC)*

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Community,

Article 1

Decision C(2001)649 is amended as follows:

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 34(3) thereof,

The annexed addendum shall form part of the SPD.

Article 2(2) and Article 3(1) and (2) are replaced by:

Whereas:

Article 2

(1) By Decision C(2001)649 the Commission approved the single programming document for Community structural assistance under Objective 2 in the region of Picardy in France.

The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 967 835 605 for the whole period, the financial contribution from the Structural Funds at EUR 259 622 281 and that from the EAGGF Guarantee Section at EUR 4 573 000.

(2) On 17 September 2001 the French authorities sent the Commission a request arising from the storms which had affected Picardy to allocate to that region part of the appropriations remaining available under Objective 2-France by increasing the assistance from the Structural Funds under the single programming document for Picardy.

The resulting requirement for national resources of EUR 322 237 433 from the public sector and EUR 381 402 891 from the private sector can be partly met by Community loans from the EIB and other lending instruments.

Article 3

(3) The Monitoring Committee for the single programming document examined and approved the amendments to that Document and its financing plan by written procedure. The Commission was informed of the approval of those amendments by letter dated 9 November 2001.

The total assistance from the Structural Funds granted under the single programming document amounts to EUR 259 622 281, to which the EAGGF Guarantee Section will contribute a further EUR 4 573 000.

(4) Decision C(2001)649 should therefore be amended,

The procedure for granting the financial assistance, including the financial contribution from the Funds for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

The indicative initial estimated breakdown among the Structural Funds of the total Community assistance available is as follows:

Article 4

This Decision is addressed to the French Republic.

ERDF EUR 228 223 225,

Done at Brussels, 26 March 2002.

ESF EUR 31 399 056.

For the Commission

Michel BARNIER

Member of the Commission

The financial tables annexed to Decision C(2001)649 shall be replaced by those annexed to this Decision.

COMMISSION DECISION**of 26 March 2002****amending Decision C(2001)647 approving the single programming document for Community structural assistance under Objective 2 in the region of Brittany in France***(notified under document number C(2002) 274)***(Only the French text is authentic)***(2002/729/EC)*

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Community,

Article 1

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 34(3) thereof,

Decision C(2001)647 is amended as follows:

Article 2(2) and Article 3(1) and (2) are replaced by:

Whereas:

Article 2

(1) By Decision C(2001)647 the Commission approved the single programming document for Community structural assistance under Objective 2 in the region of Brittany in France.

The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 1 400 926 184 for the whole period, the financial contribution from the Structural Funds at EUR 408 968 095 and that from the EAGGF Guarantee Section at EUR 56 707 000.

(2) On 17 September 2001 the French authorities sent the Commission a request arising from the storms which had affected Brittany to allocate to that region part of the appropriations remaining available under Objective 2-France by increasing the assistance from the Structural Funds under the single programming document for Brittany by EUR 5 332 831 to be allocated to priority 3 'Making firms more dynamic and adjusting the regional economy to global conditions.'

The resulting requirement for national resources of EUR 583 902 092 from the public sector and EUR 351 348 997 from the private sector can be partly met by Community loans from the European Investment Bank and other lending instruments.

(3) At its meeting on 12 October 2001 the Monitoring Committee for the single programming document examined and approved the amendments to that Document and its financing plan. The Commission was informed of the approval of those amendments by letter dated 17 September 2001.

Article 3

1. The total assistance from the Structural Funds granted under the single programming document amounts to EUR 408 968 095, to which the EAGGF Guarantee Section will contribute a further EUR 56 707 000.

(4) Decision C(2001)647 should therefore be amended,

The procedure for granting the financial assistance, including the financial contribution from the Funds for the various priorities included in the single programming document, is set out in the financing plan annexed to this Decision.

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

2. The indicative initial estimated breakdown among the Structural Funds of the total Community assistance available is as follows:

Article 2

This Decision is addressed to the French Republic.

ERDF EUR 366 968 095,

Done at Brussels, 26 March 2002.

ESF EUR 42 000 000.

For the Commission

Michel BARNIER

Member of the Commission

The financial tables annexed to Decision C(2001)647 shall be replaced by those annexed to this Decision.

CORRIGENDA

Corrigendum to Commission Decision 2002/506/EC of 22 March 2001 approving the Single Planning Document for Community structural assistance under Objective 2 in the region of Ile-de-France in France

(Official Journal of the European Communities L 175 of 4 July 2002)

On page 14, Article 2(2):

for: '2. The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 414 817 158 for the Structural Funds at EUR 142 315 579.

The resulting requirement for national resources of EUR 147 415 579 from the public sector and EUR 125 086 000 from the private sector can be partly met by Community loans from the European Investment Bank and other lending instruments.'

read: '(2) The indicative financing plan puts the total cost of the priorities selected for the joint action by the Community and the Member State at EUR 415 317 158 for the whole period and financial contribution from the Structural Funds at EUR 142 315 579.

The resulting requirement for national resources of EUR 147 915 579 from the public sector and EUR 125 086 000 from the private sector can be partly met by Community loans from the European Investment Bank and other lending instruments.'
