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II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2021/435

of 3 March 2021

amending Commission Implementing Regulation (EU) No 288/2014 as regards changes to the models for operational programmes under the Investment for growth and jobs goal and under the European Territorial Cooperation goal to provide assistance under the thematic objective ‘Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy’

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006 ⁽¹⁾, and in particular Article 96(9), thereof,

Having regard to Regulation (EU) No 1299/2013 of the European Parliament and of the Council of 17 December 2013 on specific provisions for the support from the European Regional Development Fund to the European territorial cooperation goal ⁽²⁾, and in particular Article 8(11) thereof,

After consulting the Coordination Committee for the European Structural and Investment Funds,

Whereas:

- (1) Commission Implementing Regulation (EU) No 288/2014 ⁽³⁾ sets out the models for operational programmes under the Investment for growth and jobs goal and under the European Territorial Cooperation goal.
- (2) Article 92b of Regulation (EU) No 1303/2013, as amended by Regulation (EU) 2020/2221 of the European Parliament and of the Council ⁽⁴⁾, sets specific implementing arrangements for the additional resources made available from the European Union Recovery Instrument under the Investment for growth and jobs goal and under the European Territorial Cooperation goal. In particular it provides that Member States may allocate the additional resources to the new thematic objective ‘Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy’ for the years 2021 and 2022.

⁽¹⁾ OJ L 347, 20.12.2013, p. 320.

⁽²⁾ OJ L 347, 20.12.2013, p. 259.

⁽³⁾ Commission Implementing Regulation (EU) No 288/2014 of 25 February 2014 laying down rules pursuant to Regulation (EU) No 1303/2013 of the European Parliament and of the Council laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund with regard to the model for operational programmes under the Investment for growth and jobs goal and pursuant to Regulation (EU) No 1299/2013 of the European Parliament and of the Council on specific provisions for the support from the European Regional Development Fund to the European territorial cooperation goal with regard to the model for cooperation programmes under the European territorial cooperation goal (OJ L 87, 22.3.2014, p. 1).

⁽⁴⁾ Regulation (EU) 2020/2221 of the European Parliament and of the Council of 23 December 2020 amending Regulation (EU) No 1303/2013 as regards additional resources and implementing arrangements to provide assistance for fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and for preparing a green, digital and resilient recovery of the economy (REACT-EU) (OJ L 437, 28.12.2020, p. 30).

- (3) The second subparagraph of Article 92b(8) provides that the additional resources may be allocated to new priority axes within existing programmes under the Investment for growth and jobs goal and within existing cross-border cooperation programmes under the European Territorial Cooperation goal. The additional resources may also be allocated to new dedicated operational programmes under the Investment for growth and jobs goal.
- (4) Due to the specific implementing arrangements to facilitate changes to existing operational programmes under the Investment for growth and jobs goal and of existing cross-border cooperation programmes under the European Territorial Cooperation goal, as well as to facilitate the preparation of new dedicated operational programmes under the Investment for growth and jobs goal, in accordance with Article 92b(9) and (10), the models for operational programmes under the Investment for growth and jobs goal in Annex I and for operational programmes under the European Territorial Cooperation goal in Annex II to Implementing Regulation (EU) No 288/2014 should be amended accordingly.
- (5) Due to the possibility to temporarily apply a cofinancing rate of 100 % to expenditure declared in payment applications during the accounting year starting on 1 July 2020 and ending on 30 June 2021 for one or more priority axes in a programme supported by the European Regional Development Fund, the European Social Fund or the Cohesion Fund in accordance with Article 25a(1) of Regulation (EU) No 1303/2013, the models for operational programmes under the Investment for growth and jobs goal set out in Annex I to Implementing Regulation (EU) No 288/2014 and the models for operational programmes under the European Territorial Cooperation goal set out in Annex II to Implementing Regulation (EU) No 288/2014 should be amended accordingly.
- (6) In order to allow for prompt application of the measures provided for in this Regulation, this Regulation should enter into force on the day following that of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

1. Annex I to Implementing Regulation (EU) No 288/2014 is replaced by the text in Annex I to this Regulation.
2. Annex II to Implementing Regulation (EU) No 288/2014 is replaced by the text in Annex II to this Regulation.

Article 2

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 3 March 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX I

‘ANNEX I

Model for operational programmes under the Investment for growth and jobs goal

CCI	<0.1 type="S" maxlength="15" input="S" "SME"> ⁽¹⁾
Title	<0.2 type="S" maxlength="255" input="M" "SME" >
Version	<0.3 type="N" input="G" "SME" >
First year	<0.4 type="N" maxlength="4" input="M" "SME" >
Last year	<0.5 type="N" maxlength="4" input="M" "SME" >
Eligible from	<0.6 type="D" input="G" "SME" >
Eligible until	<0.7 type="D" input="G" "SME" >
EC decision number	<0.8 type="S" input="G" "SME" >
EC decision date	<0.9 type="D" input="G" "SME" >
MS amending decision number	<0.10 type="S" maxlength="20" input="M" "SME" >
MS amending decision date	<0.11 type="D" input="M" "SME" >
MS amending decision entry into force date	<0.12 type="D" input="M" "SME" >
NUTS regions covered by the operational programme	<0.12 type="S" input="S" "SME" >

⁽¹⁾ Legend for the characteristics of fields:

type: N = Number, D = Date, S = String, C = Checkbox, P = Percentage, B = Boolean

decision: N = Not part of the Commission decision approving the operational programme

input: M = Manual, S = Selection, G = Generated by system

"maxlength" = Maximum number of characters including spaces

PA – Y = Element can be covered solely by the Partnership Agreement

TA – NA = not applicable in the case of operational programmes dedicated exclusively to technical assistance

YEI – NA = not applicable in the case of operational programmes dedicated exclusively to the Youth Employment Initiative

SME = applicable also to programmes dedicated to joint uncapped guarantee and securitisation financial instruments for SMEs, implemented by the EIB.

SECTION 1

STRATEGY FOR THE OPERATIONAL PROGRAMME'S CONTRIBUTION TO THE UNION STRATEGY FOR SMART, SUSTAINABLE AND INCLUSIVE GROWTH AND THE ACHIEVEMENT OF ECONOMIC, SOCIAL AND TERRITORIAL COHESION ⁽¹⁾

(Reference: Article 27(1) and point (a) of the first subparagraph of Article 96(2) of Regulation (EU) No 1303/2013 of the European Parliament and of the Council and, for operational programmes dedicated to the thematic objective "Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy", second paragraph of Article 92b(9) and (10)) ⁽²⁾

1.1. Strategy for the operational programme's contribution to the Union strategy for smart, sustainable and inclusive growth and to the achievement of economic, social and territorial cohesion

1.1.1. Description of the programme's strategy for contributing to the delivery of the Union strategy for smart, sustainable and inclusive growth and for achieving economic, social and territorial cohesion ⁽³⁾.

<1.1.1 type="S" maxlength="70 000" input="M">

For the addition of new priority axes to an existing operational programme, in order to allocate the additional resources to the thematic objective "Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy", the description of the expected impact on fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy needs to be presented in a dedicated text box as indicated below.

For a new operational programme dedicated to the thematic objective "Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy", only the description and the textbox below need to be presented.

1.1.1.a Description of the expected impact of the operational programme on fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy.

<1.1.1 type="S" maxlength="10 000" input="M">

1.1.2. A justification for the choice of thematic objectives and corresponding investment priorities having regard to the Partnership Agreement, based on an identification of regional and, where appropriate, national needs including the need to address the challenges identified in relevant country-specific recommendations adopted in accordance with Article 121(2) TFEU and the relevant Council recommendations adopted in accordance with Article 148(4) TFEU, taking into account the ex ante evaluation ⁽⁴⁾.

⁽¹⁾ Tables in this Annex provide for the split of the REACT-EU resources (Article 92a of Regulation (EU) No 1303/2013) where necessary, i.e. ERDF REACT-EU, ESF REACT-EU and YEI REACT-EU).

⁽²⁾ Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006 (OJ L 347, 20.12.2013, p. 320).

⁽³⁾ This section is not applicable in the case of an operational programme dedicated to thematic objective "Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy".

⁽⁴⁾ This section is not applicable in the case of an operational programme dedicated to thematic objective "Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy".

For the addition of new priority axes to an existing operational programme in order to allocate the additional resources to thematic objective “Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy”, description 1.1.2.a needs to be added.

For a new operational programme dedicated to the thematic objective “Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy”, only description 1.1.2a needs to be provided.

- 1.1.2.a *Justification setting out the expected impact of the operational programme on fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy.*

Table 1

Justification for the selection of thematic objectives and investment priorities

Selected thematic objective	Selected investment priority	Justification for selection or impact on fostering crisis repair (where applicable)
<1.1.2 type="S" input="S" PA=Y TA="NA">	<1.1.3 type="S" input="S" PA=Y TA="NA">	<1.1.4 type="S" maxlength="1000" input="M" PA=Y TA="NA">

1.2. Justification for the financial allocation

Justification for the financial allocation (Union support) to each thematic objective and, where appropriate, investment priority, in accordance with the thematic concentration requirements, taking into account the ex-ante evaluation.

<1.2.1 type="S" maxlength="7000" input="M" PA=Y TA="NA">

For the addition of new priority axes to an existing operational programme in order to allocate the additional resources to the thematic objective “Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy”, description 1.2a needs to be added.

For a new operational programme dedicated to the thematic objective “Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy”, only the following description needs to be provided:

- 1.2.a **Justification for the financial allocation of the additional resources to thematic objective “Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy” to the ERDF or the ESF and how these resources target the geographic areas where they are most needed, taking into account the different regional needs and development levels in order to ensure that support is balanced between the needs of the regions and cities most affected by the impact of the COVID-19 pandemic and the need to maintain focus on less developed regions, in accordance with the objectives of economic, social and territorial cohesion set out in Article 174 TFEU.**

<1.2.1 type="S" maxlength="3000" input="M" PA=Y TA="NA">

Table 2

Overview of the investment strategy of the operational programme

Priority axis	Fund (ERDF ⁽¹⁾ , Cohesion Fund, ESF ⁽²⁾ , YEI ⁽³⁾ , ERDF REACT-EU, ESF REACT-EU or YEI REACT-EU)	Union support ⁽⁴⁾ (EUR)	Proportion of total Union support for the operational programme ⁽⁵⁾	Thematic objective ⁽⁶⁾	Investment priorities ⁽⁷⁾	Specific objectives corresponding to the investment priority	Common and programme-specific result indicators for which a target has been set
<1.2.1 type="S" input="G">	<1.2.2 type="S" input="G">	<1.2.3 type="N" " input="G">	<1.2.4 type="P" input="G">	<1.2.5 type="S" input="G">	<1.2.6 type="S" input="G">	<1.2.7 type="S" input="G">	<1.2.8 type="S" input="G">

⁽¹⁾ European Regional Development Fund.

⁽²⁾ European Social Fund.

⁽³⁾ Youth Employment Initiative.

⁽⁴⁾ Total Union support (including the main allocation and the performance reserve).

⁽⁵⁾ Information by Fund and by priority axis.

⁽⁶⁾ Title of thematic objective (not applicable to technical assistance).

⁽⁷⁾ Title of investment priority (not applicable to technical assistance).

SECTION 2

PRIORITY AXES

(Reference: points (b) and (c) of the first subparagraph of Article 96(2) of Regulation (EU) No 1303/2013)

2.A A description of the priority axes other than technical assistance

(Reference: point (b) of the first subparagraph of Article 96(2) of Regulation (EU) No 1303/2013)

2.A.1 Priority axis (repeated for each priority axis)

ID of the priority axis	<2A.1 type="N" input="G""SME" >
Title of the priority axis	<2A.2 type="S" maxlength="500" input="M""SME" >
☐ The entire priority axis will be implemented solely through financial instruments	<2A.3 type="C" input="M">
☐ The entire priority axis will be implemented solely through financial instruments set up at Union level	<2A.4 type="C" input="M""SME" >
☐ The entire priority axis will be implemented through community-led local development	<2A.5 type="C" input="M">
☐ For the ESF: The entire priority axis is dedicated to social innovation or to transnational cooperation, or both	<2A.6 type="C" input="M">
☐ The entire priority axis is dedicated to REACT-EU	<2A.7 type="C" input="M">

2.A.2 Justification for the establishment of a priority axis covering more than one category of region, thematic objective or Fund (where applicable) ^(*)

(Reference: Article 96(1) of Regulation (EU) No 1303/2013)

<2A.0 type="S" maxlength="3500" input="M">

2.A.3 Fund, category of region and calculation basis for Union support

(Repeated for each combination under a priority axis)

Fund	<2A.7 type="S" input="S""SME" >
Category of region ⁽¹⁾	<2A.8 type="S" input="S""SME" >
Calculation basis (total eligible expenditure or eligible public expenditure)	<2A.9 type="S" input="S""SME" >
Category of region for outermost regions and northern sparsely populated regions (where applicable) ⁽²⁾	<2A.9 type="S" input="S" >

^(*) This section is not applicable in the case of an operational programme or priority axes dedicated to thematic objective "Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy".

-
- (¹) This section is not applicable in the case of an operational programme or priority axes dedicated to thematic objective "Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy".
- (²) This section is not applicable in the case of an operational programme or priority axes dedicated to thematic objective "Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy".
-

2.A.4 Investment priority

(Repeated for each investment priority under the priority axis)

Investment priority	<2A.10 type="S" input="S""SME" >
---------------------	----------------------------------

2.A.5 Specific objectives corresponding to the investment priority and expected results

(Repeated for each specific objective under the investment priority)

(Reference: points (b)(i) and (ii) of the first subparagraph of Article 96(2) of Regulation (EU) No 1303/2013)

ID	<2A.1.1 type="N" input="G""SME" >
Specific objective	<2A.1.2 type="S" maxlength="500" input="M""SME" >
The results that the Member State seeks to achieve with Union support	<2A.1.3 type="S" maxlength="3500" input="M""SME" >

Table 3

Programme-specific result indicators, by specific objective

(for the ERDF, the Cohesion Fund and ERDF REACT-EU)

(Reference: point (b)(ii) of the first subparagraph of Article 96(2) of Regulation (EU) No 1303/2013

ID	Indicator	Measurement unit	Category of region (where relevant)	Baseline value	Baseline year	Target value ⁽¹⁾ (2023)	Source of data	Frequency of reporting
<2A.1.4 type="S" maxlength="5" input="M" "SME" >	<2A.1.5 type="S" maxlength="255" input="M" "SME" >	<2A.1.6 type="S" input="M" «SME»>	<2A.1.7 type="S" input="S" "SME" >	Quantitative <2A.1.8 type="N" input="M" "SME" > Qualitative <2A.1.8 type="S" maxlength="100" input="M" "SME"	<2A.1.9 type="N" input="M" "SME">	Quantitative <2A.1.10 type="N" input="M"> Qualitative <2A.1.10 type="S" maxlength="100" input="M" "SME" >	<2A.1.11 type="S" maxlength="200" input="M" "SME">	<2A.1.12 type="S" maxlength="100" input="M" "SME" >

⁽¹⁾ For ERDF, the Cohesion Fund and ERDF REACT-EU, the target values may be qualitative or quantitative.

Table 4

Common result indicators for which a target value has been set and programme specific result indicators corresponding to the specific objective (by investment priority and category of region)

(for the ESF and the ESF REACT-EU)

(Reference: point (b)(ii) of the first subparagraph of Article 96(2) of Regulation (EU) No 1303/2013)

ID	Indicator	Category of region (where relevant)	Measurement unit for indicator	Common output indicator used as basis for target setting	Baseline value			Measurement unit for baseline and target	Baseline year	Target value ⁽¹⁾ (2023)			Source of data	Frequency of reporting
					M	W	T			M	W	T		
Programme-specific <2A.1.13 type="S" maxlength="5" input="M"> Common <2A.1.13 type="S" input="S">	Programme-specific <2A.1.14 type="S" maxlength="255" input="M"> Common <2A.1.14 type="S" input="S">	<2A.1.15 type="S" input="S">	Programme-specific <2A.1.16 type="S" input="M"> Common <2A.1.16 type="S" input="S">	Programme-specific <2A.1.17 type="S" input="M"> Common <2A.1.17 type="S" input="S">	Common Output Indicators <2A.1.18 type="S" input="S">			Quantitative <2A.1.19 type="S" input="M"> Common <2A.1.19 type="S" input="G">	<2A.1.20 type="N" input="M">	Quantitative <2A.1.21 type="N" input="M"> Qualitative <2A.1.21 type="S" maxlength="100" input="M">	<2A.1.22 type="S" maxlength="200" input="M">	<2A.1.23 type="S" maxlength="100" input="M">		

⁽¹⁾ This list includes common result indicators for which a target value has been set and all programme-specific result indicators. Target values for common result indicators must be quantified; for programme-specific result indicators, they may be qualitative or quantitative. Target values may be presented as a total (men+women) or broken down by gender, the baseline values can be adjusted accordingly. "M" = men, "W"=women, "T"= total.

Table 4a

YEI and YEI REACT-EU result indicators and programme-specific result indicators corresponding to the specific objective

(by priority axis or by part of a priority axis)

(Reference: Article 19(3) of Regulation (EU) No 1304/2013 of the European Parliament and of the Council ⁽⁶⁾)

ID	Indicator	Measurement unit for indicator	Common output indicator used as basis for target setting	Baseline value			Measurement unit for baseline and target	Baseline year	Target value ⁽¹⁾ (2023)			Source of data	Frequency of reporting
				M	W	T			M	W	T		
Programme-specific <2A.1.24 type="S" maxlength="5" input="M"> Common <2A.1.24 type="S" input="S">	Programme-specific <2A.1.25 type="S" maxlength="255" input="M"> Common <2A.1.25 type="S" input="S">	Programme-specific <2A.1.26 type="S" input="M"> Common <2A.1.26 type="S" input="S">	Programme-specific <2A.1.27 type="S" input="M"> Common <2A.1.27 type="S" input="S">	Common Output Indicators <2A.1.28 type="S" input="S">			Quantitative <2A.1.29 type="S" input="M"> Common <2A.1.29 type="S" input="G">	<2A.1.30 type="N" input="M">	Quantitative <2A.1.31 type="N" input="M"> Qualitative <2A.1.31 type="S" maxlength="100" input="M">			<2A.1.32 type="S" max-length="200" input="M">	<2A.1.33 type="S" max-length="100" input="M">

⁽¹⁾ This list includes common result indicators for which a target value has been set and all programme-specific result indicators. Target values for common result indicators must be quantified; for programme-specific result indicators they may be qualitative or quantitative. All result indicators in Annex II to Regulation (EU) No 1304/2013 used to monitor YEI implementation must be linked to a quantified target value. Target values may be presented as a total (men+women) or broken down by gender, the baseline values may be adjusted accordingly. "M" = men, "W"=women, "T"= total.

⁽⁶⁾ Regulation (EU) No 1304/2013 of the European Parliament and of the Council of 17 December 2013 on the European Social Fund and repealing Council Regulation (EC) No 1081/2006 (OJ L 347, 20.12.2013, p. 470).

2.A.6 Action to be supported under the investment priority

(by investment priority)

2.A.6.1 Description of the type and examples of actions to be supported and their expected contribution to the specific objectives including, where appropriate, the identification of main target groups, specific territories targeted and types of beneficiaries

(Reference: point (b)(iii) of the first subparagraph of Article 96(2) of Regulation (EU) No 1303/2013)

Investment priority	<2A.2.1.1 type="S" input="S">
<2A.2.1.2 type="S" maxlength="17500" input="M">	

2.A.6.2 Guiding principles for selection of operations

(Reference: point (b)(iii) of the first subparagraph of Article 96(2) of Regulation (EU) No 1303/2013)

Investment Priority	<2A.2.2.1 type="S" input="S">
<2A.2.2.2 type="S" maxlength="5000" input="M">	

2.A.6.3 Planned use of financial instruments(when appropriate)

(Reference: point (b)(iii) of the first subparagraph of Article 96(2) of Regulation (EU) No 1303/2013)

Investment Priority	<2A.2.3.1 type="S" input="S">
Planned use of financial instruments	<2A.2.3.2 type="C" input="M">
<2A.2.3.3 type="S" maxlength="7000" input="M">	

2.A.6.4 Planned use of major projects(when appropriate)

(Reference: point (b)(iii) of the first subparagraph of Article 96(2) of Regulation (EU) No 1303/2013)

Investment Priority	<2A.2.4.1 type="S" input="S">
<2A.2.4.2 type="S" maxlength="3500" input="M">	

2.A.6.5 Output indicators by investment priority and, where appropriate by category of region

(Reference: point (b)(iv) of the first subparagraph of Article 96(2) of Regulation (EU) No 1303/2013)

Table 5

Common and programme-specific output indicators(by investment priority, broken down by category of region for the ESF, and where relevant, for the ERDF ⁽⁷⁾)

ID	Indicator	Measure- ment unit	Fund	Category of region (where relevant)	Target value (2023) ⁽¹⁾			Source of data	Frequency of reporting
					M	W	T		
<2A.2.5.1 type="S" input="S"SME >	<2A.2.5.2 type="S" input="S"SM- E >	<2A.2.5.3 type="S" input="S" SME >	<2A.2.5.4 type="S" input="S" SME >	<2A.2.5.5 type="S" input="S" SME >	<2A.2.5.6 type="N" input="M"SME >			<2A.2.5.7 type="S" maxlength="200" input="M"SME >	<2A.2.5.8 type="S" maxlength="100" input="M"SME >

⁽¹⁾ For the ESF, this list includes common output indicators for which a target value has been set. Target values may be presented as a total (men+women) or broken down by gender. For the ERDF REACT-EU, gender breakdown is in most cases not relevant. "M" = men, "W"=women, "T"= total.

2.A.7 Social innovation, transnational cooperation and contribution to thematic objectives 1-7 and 13

Specific provisions for ESF and ESF REACT-EU ⁽⁸⁾, where applicable (by priority axis and, where relevant, category of region): social innovation, transnational cooperation and ESF contribution to thematic objectives 1 to 7 and 13.

Description of the contribution of the planned actions of the priority axis to:

- social innovation (if not covered by a dedicated priority axis);
- transnational cooperation (if not covered by a dedicated priority axis);
- thematic objectives referred to in points (1) to (7) of the first paragraph of Article 9 and in Article 92b(9) of Regulation (EU) No 1303/2013.

Priority axis	<2A.3.1 type="S" input="S">
<2A.3.2 type="S" maxlength="7000" input="M">	

⁽⁷⁾ Breakdown per category of regions is not applicable in the case of an operational programme or priority axes dedicated to thematic objective "Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy".

⁽⁸⁾ For the ESF and ESF REACT-EU, this list includes common output indicators for which a target value has been set and all programme-specific output indicators.

2.A.8 Performance framework ⁽⁹⁾

(Reference: point (b)(v) of the first subparagraph of Article 96(2) and Annex II to Regulation (EU) No 1303/2013)

Table 6

Performance framework of the priority axis

(by fund and, for the ERDF and ESF, category of region) ⁽¹⁰⁾

Priority axis	Indicator type (Key implementation step, financial, output or, where appropriate, result indicator)	ID	Indicator or key implementation step	Measurement unit, where appropriate	Fund	Category of region	Milestone for 2018 ⁽¹⁾			Final target (2023) ⁽²⁾			Source of data	Explanation of relevance of indicator, where appropriate
							M	W	T	M	W	T		
<2A.4.1 type="S" input="S">	<2A.4.2 type="S" input="S">	Implementation Step or Financial indicator <2A.4.3 type="S" maxlength="5" input="M"> Output or result <2A.4.3 type="S" input="S">	Implementation Step or Financial indicator <2A.4.4 type="S" maxlength="255" input="M"> Output or Result <2A.4.4 type="S" input="G" or "M">	Implementation Step or Financial indicator <2A.4.5 type="S" input="M"> Output or Result <2A.4.5 type="S" input="G" or "M">	<2A.4.6 type="S" input="S">	<2A.4.7 type="S" input="S">	<2A.4.8 type="S" max-length="255" input="M">			Implementation Step or Financial <2A.4.9 type="S" input="M"> Output or Result <2A.4.8 type="S" input="M">			Implementation Step or Financial indicator <2A.4.10 type="S" max-length="200" input="M"> Output or Result <2A.4.10 type="S" input="M">	<2A.4.11 type="S" max-length="500" input="M">

⁽⁹⁾ This section is not applicable in the case of an operational programme or priority axes dedicated to thematic objective "Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy".

⁽¹⁰⁾ Where YEI is implemented as part of a priority axis, YEI milestones and targets must be distinguished from other milestones and targets for the priority axis in accordance with implementing acts referred to in the fifth subparagraph of Article 22(7) of Regulation (EU) No 1303/2013, as YEI resources (specific allocation and matching ESF support) are excluded from the performance reserve.

(¹) Milestones may be presented as a total (men+women) or broken down by gender. “M” = men, “W”=women, “T”= total.
 (²) Target values may be presented as a total (men+women) or broken down by gender. “M” = men, “W”=women, “T”= total.

Additional qualitative information on the establishment of the performance framework (optional)

<2A.4.12 type="S" maxlength="7000" input="M">

2.A.9 Categories of intervention

(Reference: point (b)(vi) of Article 96(2) of Regulation (EU) No 1303/2013)

Categories of intervention corresponding to the content of the priority axis based on a nomenclature adopted by the Commission, and indicative breakdown of Union support.

Tables 7-11

Categories of intervention ⁽¹⁾

(by Fund and category of region, if the priority axis covers more than one)

Table 7: Dimension 1 – Intervention field

Fund	<2A.5.1.1 type="S" input="S" Decision=N >	
Category of region ⁽¹⁾	<2A.5.1.2 type="S" input="S" Decision=N >	
Priority axis	Code	Amount (EUR)
<2A.5.1.3 type="S" input="S" Decision=N>	<2A.5.1.4 type="S" input="S" Decision=N >	<2A.5.1.5 type="N" input="M" Decision=N >

⁽¹⁾ This section is not applicable in the case of an operational programme or priority axes dedicated to thematic objective "Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy".

Table 8: Dimension 2 – Form of finance

Fund	<2A.5.2.1 type="S" input="S" Decision=N >	
Category of region ⁽¹⁾	<2A.5.2.2 type="S" input="S" Decision=N >	
Priority axis	Code	Amount (EUR)
<2A.5.2.3 type="S" input="S" Decision=N>	<2A.5.2.4 type="S" input="S" Decision=N >	<2A.5.2.5 type="N" input="M" Decision=N >

⁽¹⁾ This section is not applicable in the case of an operational programme or priority axes dedicated to thematic objective "Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy".

Table 9: Dimension 3 – Territory type

Fund	<2A.5.3.1 type="S" input="S" Decision=N >
Category of region ⁽¹⁾	<2A.5.3.2 type="S" input="S" Decision=N >

⁽¹⁾ Amounts include total Union support (the main allocation and the allocation from the performance reserve).

Priority axis	Code	Amount (EUR)
<2A.5.3.3 type="S" input="S" Decision=N>	<2A.5.3.4 type="S" input="S" Decision=N >	<2A.5.3.5 type="N" input="M" Decision=N >

(¹) This section is not applicable in the case of an operational programme or priority axes dedicated to thematic objective "Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy".

Table 10: Dimension 4 – Territorial delivery mechanisms

Fund	<2A.5.4.1 type="S" input="S" Decision=N >	
Category of region (¹)	<2A.5.4.2 type="S" input="S" Decision=N >	
Priority axis	Code	Amount (EUR)
<2A.5.4.2 type="S" input="S" Decision=N>	<2A.5.4.4 type="S" input="S" Decision=N >	<2A.5.4.5 type="N" input="M" Decision=N >

(¹) This section is not applicable in the case of an operational programme or priority axes dedicated to thematic objective "Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy".

Table 11: Dimension 6 – ESF and ESF REACT-EU secondary theme (¹)(ESF only)

Fund	<2A.5.5.1 type="S" input="S" Decision=N >	
Category of region (²)	<2A.5.5.2 type="S" input="S" Decision=N >	
Priority axis	Code	Amount (EUR)
<2A.5.5.3 type="S" input="S" Decision=N>	<2A.5.5.4 type="S" input="S" Decision=N >	<2A.5.5.5 type="N" input="M" Decision=N >

(¹) Include, where appropriate, quantified information on the ESF's contribution to the thematic objectives referred to in points (1) to (7) of the first paragraph of Article 9 and in Article 92b(9) of Regulation (EU) No 1303/2013.

(²) This section is not applicable in the case of an operational programme or priority axes dedicated to thematic objective "Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy".

2.A.10 Summary of the planned use of technical assistance including, where necessary, actions to reinforce the administrative capacity of authorities involved in the management and control of the programmes and beneficiaries (where appropriate) ⁽¹²⁾

(by priority axis)

(Reference: point (b)(vii) of Article 96(2) of Regulation (EU) No 1303/2013)

Priority axis	<3A.6.1 type="S" input="S">
<2A.6.2 type="S" maxlength="2000" input="M">	

2.B Description of the priority axes for technical assistance

(Reference: point (c) of the first subparagraph of Article 96(2) of Regulation (EU) No 1303/2013)

2.B.1 Priority axis (repeated for each Technical Assistance priority axis)

ID of the priority axis	<2B.0.2 type="N" maxlength="5" input="G">
Title of the priority axis	<2B.0.3 type="S" maxlength="255" input="M">
☐ The entire priority axis is dedicated to technical assistance referred to in Article 92b(6) of Regulation (EU) No 1303/2013	<2B.0.1 type="C" input="M">

2.B.2 Justification for establishing a priority axis covering more than one category of region (where applicable)

(Reference: Article 96(1) of Regulation (EU) No 1303/2013)

<2B.0.1 type="S" maxlength="3500" input="M">

2.B.3 Fund and category of region (repeated for each combination under the priority axis)

Fund	<2B.0.4 type="S" input="S">
Category of region ⁽¹⁾	<2B.0.5 type="S" input="S">
Calculation basis (total eligible expenditure or eligible public expenditure)	<2B.0.6 type="S" input="S">

⁽¹⁾ This section is not applicable in the case of an operational programme or priority axes dedicated to thematic objective "Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy".

2.B.4 Specific objectives and expected results

(repeated for each specific objective under the priority axis)

(Reference: points (c)(i) and (ii) of the first subparagraph of Article 96(2) of Regulation (EU) No 1303/2013)

⁽¹²⁾ This section is not required in the case of an operational programme or priority axes dedicated to thematic objective "Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy".

ID	<2B.1.1 type="N" maxlength="5" input="G">
Specific objective	<2B.1.2 type="S" maxlength="500" input="M">
Results that the Member State seeks to achieve with Union support ⁽¹⁾	<2B.1.3 type="S" maxlength="3500" input="M">

(¹) Required where Union support for technical assistance in the programme exceeds EUR 15 million.

2.B.5 Result indicators ⁽¹³⁾

Table 12

Programme-specific result indicators (by specific objective)

(for ERDF/ESF/Cohesion Fund/ERDF REACT-EU/ESF REACT-EU)

(Reference: point (c)(ii) of the first subparagraph of Article 96(2) of Regulation (EU) No 1303/2013)

ID	Indicator	Measurement unit	Baseline value			Baseline year	Target value ⁽¹⁾ (2023)			Source of data	Frequency of reporting
			M	W	T		M	W	T		
<2.B.2.1 type="S" maxlength="5" input="M">	<2.B.2.2 type="S" maxlength="255" input="M">	<2.B.2.3 type="S" input="M">	Quantitative <2.B.2.4 type="N" input="M">			<2.B.2.5 type="N" input="M">	Quantitative <2.B.2.6 type="N" input="M"> Qualitative <2.B.2.6 type="S" maxlength="100" input="M">			<2.B.2.7 type="S" maxlength="200" input="M">	<2.B.2.8 type="S" maxlength="100" input="M">

(¹) Target values may be qualitative or quantitative. Target values may be presented as a total (men+women) or broken down by gender, the baseline values may be adjusted accordingly. "M" = men, "W"=women, "T"= total.

2.B.6 Actions to be supported and their expected contribution to the specific objectives (by priority axis)

(Reference: points (c)(i) and (iii) of the first subparagraph of Article 96(2) of Regulation (EU) No 1303/2013)

2.B.6.1 A description of actions to be supported and their expected contribution to the specific objectives

(Reference: points (c)(i) and (iii) of the first subparagraph of Article 96(2) of Regulation (EU) No 1303/2013)

Priority axis	<2.B.3.1.1 type="S" input="S">
	<2.B.3.1.2 type="S" maxlength="7000" input="M">

(¹³) Required where objectively justified given the content of the action and where Union support for technical assistance in the programme exceeds EUR 15 million.

2.B.6.2 Output indicators expected to contribute to results (by priority axis)

(Reference: point (c)(iv) of the first subparagraph of Article 96(2) of Regulation (EU) No 1303/2013)

Table 13

Output indicators (by priority axis)

(for ERDF/ESF/Cohesion Fund/ERDF REACT-EU/ESF REACT-EU)

ID	Indicator	Measurement unit	Target value (2023) ⁽¹⁾ (optional)			Source of data
			M	W	T	
<2.B.3.2.1 type="S" maxlength="5" input="M">	<2.B.2.2.2 type="S" maxlength="255" input="M">	<2.B.3.2.3 type="S" input="M">	<2.B.3.2.4 type="N" input="M">			<2.B.3.2.5 type="S" maxlength="200" input="M">

⁽¹⁾ Target values for output indicators under technical assistance are optional. Target values may be presented as a total (men +women) or broken down by gender. "M" = men, "W"=women, "T"= total.

2.B.7 Categories of intervention (by priority axis)

(Reference: point (c)(v) of the first subparagraph of Article 96(2) of Regulation (EU) No 1303/2013)

Corresponding categories of intervention based on a nomenclature adopted by the Commission, and an indicative breakdown of Union support.

Tables 14-16

Categories of intervention ⁽¹⁴⁾

Table 14: Dimension 1 – Intervention field		
Category of region ⁽¹⁾ : <type="S" input="S">		
Priority axis	Code	Amount (EUR)
<2B.4.1.1 type="S" input="S"> >Decision=N>	<2B.4.1.2 type="S" input="S"> Decision=N>	<2B.4.1.3 type="N" input="M"> Decision=N>

⁽¹⁾ This section is not applicable in the case of an operational programme or priority axes dedicated to thematic objective "Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy".

⁽¹⁴⁾ Amounts include total Union support (the main allocation and the allocation from the performance reserve).

Table 15: Dimension 2 – Form of finance**Category of region** ⁽¹⁾: <type="S" input="S">

Priority axis	Code	Amount (EUR)
<2B.4.2.1 type="S" input="S" > Decision=N>	<2B.4.2.2 type="S" input="S"> Decision=N>	<2B.4.2.3 type="N" input="M"> Decision=N>

⁽¹⁾ This section is not applicable in the case of an operational programme or priority axes dedicated to thematic objective "Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy".

Table 16: Dimension 3 – Territory type**Category of region** ⁽¹⁾: <type="S" input="S">

Priority axis	Code	Amount (EUR)
<2B.4.3.1 type="S" input="S" > Decision=N>	<2B.4.3.2 type="S" input="S"> Decision=N>	<2B.4.3.3 type="N" input="M"> Decision=N>

⁽¹⁾ This section is not applicable in the case of an operational programme or priority axes dedicated to thematic objective "Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy".

FINANCING PLAN

(Reference: point (d) of the first subparagraph of Article 96(2) and the fifth subparagraph of Article 92b(9) of Regulation (EU) No 1303/2013)

3.1 Financial appropriation from each fund and amounts for performance reserve

(Reference: point (d)(i) of the first subparagraph of Article 96(2) of Regulation (EU) No 1303/2013)

Table 17

Fund	Category of region	2014		2015		2016		2017		2018		2019		2020		2021	2022	Total	
		Main allocation ⁽¹⁾	Performance reserve	Main allocation	Performance reserve	Main allocation	Performance reserve	Main allocation	Performance reserve	Main allocation	Performance reserve	Main allocation	Performance reserve	Main allocation	Performance reserve	Total allocation (Union support)	Total allocation (Union support)	Main allocation	Performance reserve
<3.1.1 type="S" input="G" "SM-E">	<3.1.2 type="S" input="G" "SME" >	<3.1.3 type="N" input="M" "SME" >	<3.1.4 type="N" input="M" "TA - "NA" YEI - "NA">	<3.1.5 type="N" input="M" "SME" >	<3.1.6 type="N" input="M" "TA - "NA" YEI - "NA">	<3.1.7 type="N" input="M" "SME" >	<3.1.8 type="N" input="M" "TA - "NA" YEI - "NA">	<3.1.9 type="N" input="M" "SME" >	<3.1.10 type="N" input="M" "TA - "NA" YEI - "NA">	<3.1.11 type="N" input="M" "SME" >	<3.1.12 type="N" input="M" "TA - "NA" YEI - "NA">	<3.1.13 type="N" input="M" "SME" >	<3.1.14 type="N" input="M" "TA - "NA" YEI - "NA">	<3.1.15 type="N" input="M" "SME" >	<3.1.16 type="N" input="M" "TA - "NA" YEI - "NA" REACT-EU - NA">	<3.1.17 type="N" input="M" "	<3.1.18 type="N" input="M" "	<3.1.19 type="N" input="G" "SME" >	<3.1.20 type="N" input="G" "TA - "NA" YEI - "NA">

(1)	ERDF	In less developed regions														Not applicable	Not applicable		
(2)		In transition regions														Not applicable	Not applicable		
(3)		In more developed regions														Not applicable	Not applicable		
(4)		Total without REACT-EU														Not applicable	Not applicable		
(5)	ESF ⁽²⁾	In less developed regions														Not applicable	Not applicable		
(6)		In transition regions														Not applicable	Not applicable		

(7)		In more developed regions															Not applicable	Not applicable		
(8)		Total without REACT-EU															Not applicable	Not applicable		
(9)	YEI-specific allocation	Not applicable		Not applicable		Not applicable	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable
(10)	Cohesion Fund	Not applicable															Not applicable	Not applicable		
(11)	ERDF	Special allocation to outermost regions or northern sparsely populated regions															Not applicable	Not applicable		

(12)	ERDF REA- CT-EU	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable				Not applic- able
(13)	ESF REA- CT-E- U ⁽¹⁾	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable				Not applic- able
(14)	YEI REA- CT-EU speci- fic alloca- tion	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable				Not applic- able
(15)	REA- CT-EU	Total	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable	Not appli- cable				Not applic- able
(16)	Grand total	Total																		

⁽¹⁾ Total allocation (Union support) less allocation to performance reserve.

⁽²⁾ Total allocation from the ESF, including matching ESF support for YEI. The columns for the performance reserve do not include matching ESF support for YEI, as this is excluded from the performance reserve.

⁽³⁾ Total allocation from the ESF, including matching ESF support for YEI. The columns for the performance reserve do not include matching ESF support for YEI, as this is excluded from the performance reserve.

3.2 Total financial appropriation by fund and national co-financing (EUR)

(Reference: point (d)(ii) of the first subparagraph of Article 96(2) of Regulation (EU) No 1303/2013)

1. The table sets out the financial plan by priority axis.
2. Where a priority axis covers more than one fund, the Union support and national counterpart is broken down by fund with a separate co-financing rate within the priority axis for each fund.
3. Where the priority axis covers more than one category of region, the Union support and national counterpart is broken down by category of region with a separate co-financing rate within the priority axis for each category of region.
4. The EIB contribution is presented at priority axis level.

Table 18a

Financing plan

Priority axis	Fund	Category of region	Basis for calculation of Union support (Total eligible cost or public eligible cost)	Union support	National counterpart	Indicative breakdown of national counterpart		Total funding	Co-financing rate ⁽²⁾	100% co-financing rate for accounting year 2020-2021 ^(*)	For information EIB contributions	Main allocation (total funding less performance reserve)		Performance reserve		Performance reserve amount as proportion of total Union support
						National public funding	National private funding ⁽¹⁾					Union support	National counterpart	Union support	National counterpart ⁽⁴⁾	
				(a)	(b) = (c) + (d))	(c)	(d)	(e) = (a) + (b)	(f) = (a)/(e) ⁽³⁾		(g)	(h) = (a)-(j)	(i) = (b) - (k)	(j)	(k) = (b) * ((j)/(a))	(l) = (j)/(a) * 100
<3.2.A.1 type="S" input="G" "SME" >	<3.2.A.2 type="S" input="G" "SME" >	<3.2.A.3 type="S" input="G" "SME" >	<3.2.A.4 type="S" input="G" "SME" >	<3.2.A.5 type="N" input="M" "SME" >	<3.2.A.6 type="N" input="G" "SME" >	<3.2.A.7 type="N" input="M" "SME" >	<3.2.A.8 type="N" input="M" "SME" >	<3.2.A.9 type="N" input="G" "SME" >	<3.2.A.10 type="P" input="G" "SME" >	See footnote * for details (examples below)	<3.2.A.11 type="N" input="M" "SME" >	<3.2.A.12 type="N" input="M" TA - "NA" YEI - "NA">	<3.2.A.13 type="N" input="M" TA - "NA" YEI - "NA">	<3.2.A.14 type="N" input="M" TA - "NA" REACT-EU „NA">	<3.2.A.15 type="N" input="M" TA - "NA" REACT-EU „NA">	<3.2.A.16 type="N" input="G" TA - "NA" YEI - "NA" REACT-EU "NA">
Priority axis 1	ERDF									□						
Priority axis 2	ESF									□						
Priority axis 3	YEI ⁽⁶⁾	NA								□				NA	NA	NA

Priority axis 4	ESF									☐						
	YEI ⁽⁶⁾	NA								☐				NA	NA	NA
Priority Axis 5	Cohesion Fund	NA								☐						
Priority Axis 6	ERDF REAC-T-EU	NA								☐	NA			NA	NA	NA
Priority Axis 7	ESF REAC-T-EU	NA								☐	NA			NA	NA	NA
Priority axis 8	YEI REAC-T-EU ⁽⁷⁾	NA								☐	NA			NA	NA	NA
Priority axis 9	ESF REAC-T-EU	NA								☐	NA			NA	NA	NA
	YEI REACT EU ⁽⁸⁾	NA								☐	NA			NA	NA	NA
Total	ERDF	Less devel-oped		Equals total (1) in Table 17												
Total	ERDF	Transi-tion		Equals total (2) in Table 17												
Total	ERDF	More devel-oped		Equals total (3) in Table 17												

[illegible]

Total	ESF ⁽¹²⁾	More developed		This does not equal total (7) in Table 17, which includes ESF matching support to YEI												
Total	ESF REAC-T-EU	NA		Equals total (13) in Table 17							NA			NA	NA	NA
Total	YEI ⁽¹³⁾	NA		This does not equal total (9) in Table 17, which only includes the YEI-specific allocation												
Total	YEI REAC-T-EU ⁽¹⁴⁾	NA		Equals total (14) in Table 17							NA			NA	NA	NA
Total	Cohesion Fund	NA		Equals total (10) in Table 17												
Total	REAC-T-EU	NA		Equals total (15) in Table 17							NA			NA	NA	NA

Grand total				Equals total (16) in Table 17												
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(*) By ticking the box the Member State requests to apply, pursuant to Article 25a(1) of Regulation (EU) No 1303/2013, a co-financing rate of 100% to expenditure declared in payment applications during the accounting year starting on 1 July 2020 and ending on 30 June 2021 for [all priority axes] [some of the priority axes] of the operational programme.

(1) To be completed only when priority axes are expressed in total costs.

(2) The derogation from the first and second sub-paragraphs of Article 120(3) CPR (provided for in Article 92b(11) CPR) is not applicable to the REACT-EU additional resources allocated to technical assistance. Where the technical assistance priority axis provides support for more than one category of regions, the co-financing rate for such a priority axis will be determined by proportionately reflecting, within the ceilings provided for in Article 120(3) CPR, the distribution of the REACT-EU resources amongst categories of regions within that priority axis.

(3) This rate may be rounded to the nearest whole number in the table. The precise rate used to reimburse payments is the ratio (f).

(4) The national counterpart is divided pro-rata between the main allocation and the performance reserve.

(5) This priority axis comprises the specific allocation to YEI and the matching ESF support.

(6) This part of a priority axis comprises the specific allocation to YEI and the matching ESF support.

(7) This priority axis comprises the specific allocation to YEI and the matching ESF support.

(8) This part of a priority axis comprises the specific allocation to YEI REACT-EU and the matching ESF REACT-EU support.

(9) ESF allocation without the matching support for the YEI.

(10) The sum of total ESF support in less developed, transition and more developed regions and the resources allocated to the YEI in Table 18a equals the sum of total ESF support in such regions and the specific allocation to the YEI in Table 17.

(11) ESF allocation without the matching support for the YEI.

(12) ESF allocation without the matching support for the YEI.

(13) Includes the YEI special allocation and the matching support from the ESF.

(14) Includes the YEI REACT-EU special allocation and the matching support from the ESF REACT-EU.

Table 18b

Youth Employment Initiative – ESF, ESF REACT-EU- and YEI-specific allocations ⁽¹⁵⁾(where appropriate)

	Fund ⁽¹⁾	Category of region	Basis for calculation of Union support (Total eligible cost or public eligible cost)	Union support (a)	National counterpart (b) = (c) + (d)	Indicative breakdown of national counterpart		Total funding (e) = (a) + (b)	Co-financing rate (f) = (a)/(e) ⁽²⁾
						National public funding (c)	National private funding (d) ⁽²⁾		
	<3.2.B.1 type="S" input="G">	<3.2.B.2 type="S" input="G">	<3.2.B.3 type="S" input="G">	<3.2.B.1 type="N" input="M">	<3.2.B.4 type="N" input="G">	<3.2.B.5 type="N" input="M">	<3.2.B.6 type="N" input="M">	<3.2.B.7 type="N" input="G">	<3.2.B.8 type="P" input="G">
1.	YEI-specific allocation	NA			0				100%
2.	ESF matching support	less developed							
3.	ESF matching support	transition							
4.	ESF matching support	more developed							
5.	YEI REACT-EU specific allocation	NA							100%
6.	ESF REACT-EU matching support	NA							

⁽¹⁵⁾ To be completed for every (part of a) priority axis which implements the YEI.

7.	TOTAL: YEI [part of] Priority axis	[Must equal [part of] Priority axis 3]		Sum (1:4)	Sum (1:4)				
8.	TOTAL: YEI REACT-EU [part of] Priority axis	[Must equal [part of] Priority axis							
9.			Ratio of ESF for less developed regions 2/sum(2:4)	<3.2.c.11 type="P" input="G">					
10.			Ratio of ESF for transition regions 3/sum(2:4)	<3.2.c.13 type="P" input="G">					
11.			Ratio of ESF for more developed regions 4/sum(2:4)	<3.2.c.14 type="P" input="G">					

⁽¹⁾ The YEI (specific allocation and matching ESF support) is considered a Fund and appears as a separate row even if it is part of a priority axis.

⁽²⁾ To be completed only when priority axes are expressed in total costs.

⁽³⁾ This rate may be rounded to the nearest whole number in the table. The precise rate used to reimburse payments is the ratio (f).

Table 18c

Breakdown of the financial plan by priority axis, fund, category of region and thematic objective

(Reference: point (d)(ii) of the first subparagraph of Article 96(2) of Regulation (EU) No 1303/2013)

Priority axis	Fund ⁽¹⁾	Category of region (where relevant)	Thematic objective	Union support	National counterpart	Total funding
<3.2.C.1 type="S" input="G">	<3.2.C.2 type="S" input="G">	<3.2.C.3 type="S" input="G">	<3.2.C.4 type="S" input="G">	<3.2.C.5 type="N" input="M">	<3.2.C.6 type="N" input="M">	<3.2.C.7 type="N" input="M">
Total						

⁽¹⁾ For the purposes of this table, the YEI (specific allocation and matching ESF support) is considered as a fund.

Table 19

Indicative amount of support to be used for climate change objectives(Reference: Article 27(6) of Regulation (EU) No 1303/2013) ⁽¹⁶⁾

Priority axis	Indicative amount of support to be used for climate change objectives (EUR)	Proportion of total allocation to the operational programme (%)
<3.2.C.8 type="S" input="G">	<3.2.C.9 type="N" input="G"> Decision=N>	<3.2.C.10 type="P" input="G"> Decision=N>
Total REACT-EU		
Total		

⁽¹⁶⁾ This table is generated automatically on the basis of tables on categories of intervention under each priority axis.

SECTION 4

INTEGRATED APPROACH TO TERRITORIAL DEVELOPMENT ⁽¹⁷⁾

(Reference: Article 96(3) of Regulation (EU) No 1303/2013)

Description of the integrated approach to territorial development taking into account the content and objectives of the operational programme having regard to the Partnership Agreement and showing how it contributes to the accomplishment of the objectives of the operational programme and expected results.

<4.0 type="S" maxlength="3500" input="M">

4.1 Community-led local development (where appropriate)

(Reference: point (a) of Article 96(3) of Regulation (EU) No 1303/2013)

The approach to the use of community-led local development instruments and the principles for identifying the areas where they will be implemented

<4.1 type="S" maxlength="7000" input="M" PA=Y>

4.2 Integrated actions for sustainable urban development (where appropriate)(Reference: point (b) of Article 96(3) of Regulation (EU) No 1303/2013; Article 7(2) and (3) of Regulation (EU) No 1301/2013 of the European Parliament and of the Council ⁽¹⁸⁾)

Where appropriate the indicative amount of ERDF support for integrated actions for sustainable urban development to be implemented in accordance with the provisions under Article 7(2) of Regulation (EU) No 1301/2013 and the indicative allocation of ESF support for integrated action.

<4.2.1 type="S" maxlength="3500" input="M">

Table 20

Integrated actions for sustainable urban development – indicative amounts of ERDF and ESF support

Fund	ERDF and ESF support (indicative) (EUR)	Proportion of fund's total allocation to programme
<4.2.2 type="S" input="G">	<4.2.3 type="N" input="M">	<4.2.3 type="P" input="G">
Total ERDF without REACT-EU		
Total ESF without REACT-EU		
TOTAL ERDF+ESF without REACT-EU		

⁽¹⁷⁾ In the case of operational programme or of programme revision in order to establish one or more separate priority axes dedicated to thematic objective "Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy", this part is required only where corresponding support is provided.

⁽¹⁸⁾ Regulation (EU) No 1301/2013 of the European Parliament and of the Council of 17 December 2013 on the European Regional Development Fund and on specific provisions concerning the Investment for growth and jobs goal and repealing Regulation (EC) No 1080/2006 (OJ L 347, 20.12.2013, p. 289).

4.3 Integrated Territorial Investment (ITI) (where appropriate)

(Reference: point (c) of Article 96(3) of Regulation (EU) No 1303/2013)

The approach to the use of Integrated Territorial Investments (ITIs) (as defined in Article 36 of Regulation (EU) No 1303/2013) other than in cases covered by point 4.2, and their indicative financial allocation from each priority axis.

<4.3.1 type="S" maxlength="5000" input="M PA=Y">

Table 21

Indicative financial allocation to ITI other than those mentioned under point 4.2

(aggregate amount)

Priority axis	Fund	Indicative financial allocation (Union support) (EUR)
<4.3.2 type="S" input="G" PA=Y>	<4.3.3 type="S" input="G" PA=Y >	<4.3.4 type="N" input="M" PA=Y >
Total ERDF [without REACT-EU]		
Total ESF [without REACT-EU]		
TOTAL ERDF+ESF [without REACT-EU]		
Total ERDF REACT-EU		
Total ESF REACT-EU		
TOTAL ERDF REACT-EU+ESF REACT-EU		
Grand total		

4.4 The arrangements for interregional and transnational actions, within the operational programme, with beneficiaries located in at least one other Member State (where appropriate)

(Reference: point (d) of Article 96(3) of Regulation (EU) No 1303/2013)

<4.4.1 type="S" maxlength="3500" input="M" PA=Y>

4.5 Contribution of the planned actions under the programme to macro-regional and sea-basin strategies, subject to the needs of the programme area as identified by the Member State (where appropriate)

(Where the Member State and regions participate in macro-regional strategies and sea basin strategies)

(Reference: point (e) of Article 96(3) of Regulation (EU) No 1303/2013)

<4.4.2 type="S" maxlength="3500" input="M" >

SECTION 5

SPECIFIC NEEDS OF GEOGRAPHICAL AREAS MOST AFFECTED BY POVERTY OR TARGET GROUPS AT HIGHEST RISK OF DISCRIMINATION OR SOCIAL EXCLUSION (WHERE APPROPRIATE) ⁽¹⁹⁾

(Reference: point (a) of Article 96(4) of Regulation (EU) No 1303/2013)

5.1 Geographical areas most affected by poverty/target groups at highest risk of discrimination or social exclusion

<5.1.1 type="S" maxlength="7000" input="M" Decision= N PA=Y>

5.2 Strategy to address the specific needs of geographical areas most affected by poverty/target groups at highest risk of discrimination or social exclusion, and where relevant, the contribution to the integrated approach set out in the Partnership Agreement

<5.2.1 type="S" maxlength="7000" input="M" Decision= N PA=Y>

Table 22

Actions to address specific needs of geographical areas most affected by poverty/target groups at highest risk of discrimination or social exclusion ⁽²⁰⁾

Target group/ geographical area	Main types of planned action as part of integrated approach	Priority axis	Fund	Category of region (where relevant)	Investment priority
<5.2.2 type="S" maxlength="255" input="M" Decision=N PA=Y >	<5.2.3 type="S" maxlength="1500" input="M" Decision= N PA=Y >	<5.2.4 type="S" input="S" Decision= N PA=Y >	<5.2.6 type="S" input="S" Decision= N PA=Y >	<5.2.7 type="S" input="S" Decision= N PA=Y >	<5.2.5 type="S" input="S" PA=Y >

⁽¹⁹⁾ This section is not required in the case of an operational programme dedicated to thematic objective "Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy".

⁽²⁰⁾ If the programme covers more than one category of region, a breakdown by category may be necessary.

SECTION 6

SPECIFIC NEEDS OF GEOGRAPHICAL AREAS WHICH SUFFER FROM SEVERE AND PERMANENT NATURAL OR DEMOGRAPHIC HANDICAPS (WHERE APPROPRIATE) ⁽²¹⁾

(Reference: point (b) of Article 96(4) of Regulation (EU) No 1303/2013)

<6.1 type="S" maxlength="5000" input="M" Decisions=N PA=Y>

⁽²¹⁾ This section is not required in the case of an operational programme dedicated to thematic objective "Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy".

SECTION 7

AUTHORITIES AND BODIES RESPONSIBLE FOR MANAGEMENT, CONTROL AND AUDIT AND THE ROLE OF RELEVANT PARTNERS

(Reference: Article 92b(10) third paragraph and Article 96(5) of Regulation (EU) No 1303/2013)

7.1 Relevant authorities and bodies

(Reference: points (a) and (b) of Article 96(5) of Regulation (EU) No 1303/2013)

Table 23

Relevant authorities and bodies

Authority/body	Name of authority/body and department or unit	Head of authority/body (position or post)
<7.1.1 type="S" input="S" Decision=N "SME" >	<7.1.2 type="S" maxlength="255" input="M" Decision=N "SME" >	<7.1.3 type="S" maxlength="255" input="M" Decision=N "SME" >
Managing authority		
Certifying authority, where applicable		
Audit authority		
Body to which Commission will make payments		

7.2 Involvement of relevant partners

(Reference: point (c) of Article 96(5) of Regulation (EU) No 1303/2013)

7.2.1 Actions taken to involve the relevant partners in the preparation of the operational programme, and the role of those partners in the implementation, monitoring and evaluation of the programme

<7.2.1 type="S" maxlength="14000" input="M" Decisions=N "SME">

7.2.2 Global grants (for the ESF and ESF REACT-EU, where appropriate)

(Reference: Article 6(1) of Regulation (EU) No 1304/2013)

<7.2.2 type="S" maxlength="5000" input="M" Decisions=N>

7.2.3 Allocation of an amount for capacity building (for the ESF and ESF REACT-EU, where appropriate)

(Reference: Article 6(2) and (3) of Regulation (EU) No 1304/2013)

<7.2.3 type="S" maxlength="14000" input="M" Decisions=N>

SECTION 8

COORDINATION BETWEEN THE FUNDS, THE EAFRD, THE EMFF AND OTHER UNION AND NATIONAL FUNDING INSTRUMENTS, AND WITH THE EIB

(Reference: point (a) of Article 96(6) of Regulation (EU) No 1303/2013)

The mechanisms to ensure coordination between the Funds, the European Agricultural Fund for Rural Development (EAFRD), the European Maritime and Fisheries Fund (EMFF) and other Union and national funding instruments, and with the European Investment Bank (EIB), taking into account the relevant provisions laid down in the Common Strategic Framework.

<8.1 type="S" maxlength="14000" input="M" Decisions=N PA=Y>

SECTION 9

EX-ANTE CONDITIONALITIES ⁽²²⁾

(Reference: point (b) of Article 96(6) of Regulation (EU) No 1303/2013)

9.1 Ex-ante conditionalities**Information on the assessment of the applicability and the fulfilment of ex-ante conditionalities (optional)**

<9.0 type="S" maxlength="14000" input="M" PA=Y>

Table 24

Applicable ex-ante conditionalities and assessment of their fulfilment

Ex-ante conditionality	Priority axes to which conditionality applies	Ex-ante conditionality fulfilled (yes/no/partially)	Criteria	Criteria fulfilled (yes/no)	Reference (reference to strategies, legal act or other relevant documents, incl. relevant sections, articles or paragraphs, accompanied by web-links or access to full text)	Explanations
<9.1.1 type="S" maxlength="500" input="S" PA=Y "SME" >	<9.1.2 type="S" maxlength="100" input="S" PA=Y "SME" >	<9.1.3 type="C" input="G" PA=Y "SME" >	<9.1.4 type="S" maxlength="500" input="S" PA=Y "SME" >	<9.1.5 type="B" input="S" PA=Y "SME" >	<9.1.6 type="S" maxlength="500" input="M" PA=Y "SME" >	<9.1.7 type="S" maxlength="1000" input="M" PA=Y "SME" >

⁽²²⁾ This section is not applicable in the case of an operational programme dedicated to thematic objective "Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy".

9.2 Description of actions to fulfil ex-ante conditionalities, responsible bodies and timetable ⁽²³⁾

Table 25

Actions to fulfil applicable general ex-ante conditionalities

General ex-ante conditionality	Criteria not fulfilled	Actions to be taken	Deadline (date)	Bodies responsible
<9.2.1 type="S" maxlength="500" input="G" PA=Y "SME">	<9.2.2 type="S" maxlength="500" input="G" PA=Y "SME" >	<9.2.3 type="S" maxlength="1000" input="M" PA=Y "SME" >	<9.2.4 type="D" input="M" PA=Y "SME" >	<9.2.5 type="S" maxlength="500" input="M" PA=Y "SME" >

Table 26

Actions to fulfil applicable thematic ex-ante conditionalities

Thematic ex-ante conditionality	Criteria not fulfilled	Actions to be taken	Deadline (date)	Bodies responsible
<9.2.1 type="S" maxlength="500" input="G" PA=Y "SME" TA- "NA">	<9.2.2 type="S" maxlength="500" input="G" PA=Y "SME" TA- "NA" >	<9.2.3 type="S" maxlength="1000" input="M" PA=Y "SME" TA- "NA" >	<9.2.4 type="D" input="M" PA=Y "SME" TA- "NA" >	<9.2.5 type="S" maxlength="500" input="M" PA=Y "SME" TA- "NA">
1. X		Action 1	Deadline for action 1	
		Action 2	Deadline for action 2	

⁽²³⁾ Tables 25 and 26 cover only applicable general and thematic ex-ante conditionalities which are completely unfulfilled or partially fulfilled (see Table 24) at the time of submission of the programme.

SECTION 10

REDUCTION OF ADMINISTRATIVE BURDEN FOR BENEFICIARIES ⁽²⁴⁾

(Reference: point (c) of Article 96(6) of Regulation (EU) No 1303/2013)

Summary of the assessment of the administrative burden for beneficiaries and, where necessary, the actions planned accompanied by an indicative timeframe to reduce administrative burden

<10.0 type="S" maxlength="7000" input="M" decision=N PA=Y>

⁽²⁴⁾ This section is not required in the case of an operational programme dedicated to thematic objective "Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy".

SECTION 11

HORIZONTAL PRINCIPLES ⁽²⁵⁾

(Reference: Article 96(7) of Regulation (EU) No 1303/2013)

11.1 Sustainable development

Description of specific action to take into account environmental protection requirements, resource efficiency, climate change mitigation and adaptation, disaster resilience and risk prevention and management, in the selection of operations.

<13.1 type="S" maxlength="5500" input="M" decision=N>

11.2 Equal opportunities and non-discrimination

Description of specific action to promote equal opportunities and prevent discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation during the preparation, design and implementation of the operational programme and in particular in relation to access to funding, taking account of the needs of the various target groups at risk of such discrimination and in particular the requirements to ensure accessibility for persons with disabilities.

<13.2 type="S" maxlength="5500" input="M" decision=N>

11.3 Equality between men and women

Description of contribution of the operational programme to the promotion of equality between men and women and, where appropriate, the arrangements to ensure the integration of the gender perspective at operational programme and operation level.

<13.2 type="S" maxlength="5500" input="M" decision=N>

⁽²⁵⁾ This section is not required in the case of an operational programme dedicated to thematic objective "Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy".

SECTION 12

SEPARATE ELEMENTS

12.1 Major projects to be implemented during programming period

(Reference: point (e) of Article 96(2) of Regulation (EU) No 1303/2013)

Table 27

List of major projects

Project	Planned notification/ submission date (year, quarter)	Planned start of implementation (year, quarter)	Planned completion date (year, quarter)	Priority Axes/Investment Priorities
<12.1.1 type="S" maxlength="500" input="S" decision=N>	<12.1.2 type="D" input="M" decision=N >	<12.1.3 type="D" input="M" decision=N >	<12.1.4 type="D" input="M" decision=N >	<12.1.5 type="S" input="S" decision=N >

12.2 Performance framework of operational programme ⁽²⁶⁾

Table 28

Performance framework by fund and category of region (summary table)

Priority axis	Fund	Category of region	Indicator or key implementation step	Measurement unit, where appropriate	Milestone for 2018	Final target (2023) ⁽²⁷⁾		
						M	W	T
<12.2.1 type="S" input="G">	<12.2.2 type="S" input="G">	<12.2.3 type="S" input="G">	<12.2.4 type="S" input="G">	<12.2.5 type="S" input="G">	<12.2.6 type="S" input="G">	<12.2.7 type="S" input="G">		

12.3 Relevant partners involved in preparation of programme

 <12.3 type="S" maxlength="10500" input="M" decision=N>

⁽²⁶⁾ This section is not applicable in the case of an operational programme dedicated to thematic objective "Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy".

⁽²⁷⁾ The target value may be presented as a total (men+women) or broken down by gender.

ANNEXES (uploaded to electronic data exchange system as separate files):

- Draft report of ex-ante evaluation with executive summary (mandatory)
 - (Reference: Article 55(2) and Article 92b(10) of Regulation (EU) No 1303/2013) ⁽²⁸⁾
 - Documentation on assessment of applicability and fulfilment of ex-ante conditionalities (as appropriate) ⁽²⁹⁾
 - Opinion of national equality bodies on Sections 11.2 and 11.3 (as appropriate) (Reference: Article 96(7) of Regulation (EU) No 1303/2013) ⁽³⁰⁾
 - Citizens' summary of operational programme (as appropriate)'
-

⁽²⁸⁾ This annex is not applicable in the case of an operational programme dedicated to thematic objective "Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy".

⁽²⁹⁾ This annex is not applicable in the case of an operational programme dedicated to thematic objective "Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy".

⁽³⁰⁾ This annex is not required in the case of an operational programme dedicated to thematic objective "Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy".

ANNEX II

Annex II is replaced by the following:

'ANNEX II

Model for cooperation programmes under the European territorial cooperation goal

CCI	<0.1 type='S' maxlength='15' input='S'> ⁽¹⁾
Title	<0.2 type='S' maxlength='255' input='M'>
Version	<0.3 type='N' input='G'>
First year	<0.4 type='N' maxlength='4' input='M'>
Last year	<0.5 type='N' maxlength='4' input='M'>>
Eligible from	<0.6 type='D' input='G'>
Eligible until	<0.7 type='D' input='G'>>
EC decision number	<0.8 type='S' input='G'>>
EC decision date	<0.9 type='D' input='G'>>
MS amending decision number	<0.10 type='S' maxlength='20' input='M'>>
MS amending decision date	<0.11 type='D' input='M'>>
MS amending decision entry into force date	<0.12 type='D' input='M'>>
NUTS regions covered by the cooperation programme	<0.13 type='S' input='S'>>

⁽¹⁾ Legend:

type: N=Number, D=Date, S=String, C=Checkbox, P=Percentage, B=Boolean

decision : N=Not part of the Commission decision approving the cooperation programme

input: M=Manual, S=Selection, G=Generated by system

"maxlength"= Maximum number of characters including spaces.

SECTION 1

STRATEGY FOR THE COOPERATION PROGRAMME'S CONTRIBUTION TO THE UNION STRATEGY FOR SMART, SUSTAINABLE AND INCLUSIVE GROWTH AND THE ACHIEVEMENT OF ECONOMIC, SOCIAL AND TERRITORIAL COHESION ⁽¹⁾

(Reference: Article 27(1) of Regulation (EU) No 1303/2013 of the European Parliament and of the Council ⁽²⁾ and point (a) of Article 8(2) of Regulation (EU) No 1299/2013 of the European Parliament and of the Council ⁽³⁾)

1.1 Strategy for the cooperation programme's contribution to the Union strategy for smart, sustainable and inclusive growth and to the achievement of economic, social and territorial cohesion

1.1.1 Description of the cooperation programme's strategy for contributing to the delivery of the Union strategy for smart, sustainable and inclusive growth and for achieving economic, social and territorial cohesion

<1.1.1 type='S' maxlength='70000' input='M'>

In the case of revision of an existing cooperation programme, in order to allocate the REACT-EU additional resources, the description of the expected impact on fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy shall be presented in a dedicated text box as indicated below.

1.1.1a Description of the expected impact of the cooperation programme on fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy

<1.1.1 type="S" maxlength="10 000" input="M">

1.1.2 Justification for the choice of thematic objectives and corresponding investment priorities, having regard to the Common Strategic Framework, based on an analysis of the needs within the programme area as a whole and the strategy chosen in response to such needs, addressing, where appropriate, missing links in cross-border infrastructure, taking into account the results of the ex-ante evaluation

In the case of revision of an existing cooperation programme in order to allocate the REACT-EU additional resources, the following description shall be added.

1.1.2a Justification setting out the expected impact of the cooperation programme on fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy

(Reference: Article 92b(9) of Regulation (EU) No 1303/2013)

⁽¹⁾ 'REACT-EU' resources refer to the additional resources made available for programming under ERDF to provide assistance under the thematic objective "Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy (REACT-EU)" and technical assistance (Articles 92a and 92b of Regulation (EU) No 1303/2013. Tables in this Annex provide for the split of the REACT-EU additional resources where necessary.

⁽²⁾ Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006 (OJ L 347, 20.12.2013, p. 320).

⁽³⁾ Regulation (EU) No 1299/2013 of the European Parliament and of the Council of 17 December 2013 on specific provisions for the support from the European Regional Development Fund to the European territorial cooperation goal (OJ L 347, 20.12.2013, p. 259).

Table 1

Justification for the selection of thematic objectives and investment priorities

Selected thematic objective	Selected investment priority	Justification for selection or impact on fostering crisis repair (where applicable)
<1.1.2 type='S' input='S' >	<1.1.3 type='S' input='S'>	<1.1.4 type='S' maxlength='1000' input='M'>

1.2 Justification for the financial allocation

Justification for the financial allocation (i.e. Union support) to each thematic objective and, where appropriate, investment priority, in accordance with the thematic concentration requirements, taking into account the ex-ante evaluation.

<1.2.1 type='S' maxlength='7000' input='M' >

In the case of revision of an existing cooperation programme in order to allocate the REACT-EU additional resources, the following description shall be added:

1.2a Justification for the financial allocation of the REACT-EU additional resources to the programme and how these resources target the geographic areas where they are most needed, taking into account the different regional needs and development levels in order to ensure that focus is maintained on less developed regions, in accordance with the objectives of economic, social and territorial cohesion set out in Article 174 TFEU.

<1.2.1 type='S' maxlength='3000' input='M' >

Table 2

Overview of the investment strategy of the cooperation programme

Priority axis	ERDF support (in EUR)	Proportion (%) of the total Union support for the cooperation programme (by Fund) ⁽¹⁾			Thematic objective ⁽²⁾	Investment priorities ⁽³⁾	Specific objectives corresponding to the investment priorities	Result indicators corresponding to the specific objective
		ERDF ⁽⁴⁾	ENI ⁽⁵⁾ (where applicable)	IPA ⁽⁶⁾ (where applicable)				
<1.2.1 type='S' input='G'>	<1.2.2 type='S' input='G'>	<1.2.3 type='N' ' input='G'>	<1.2.4 type='S' input='G'><1.2.9 type='P' input='G'>	<1.2.5 type='S' input='G'><1.2.10 type='P' input='G'>	<1.2.6 type='S' input='G'>	<1.2.7 type='S' input='G'>	<1.2.8 type='S' input='G'>	<1.2.9 type='S' input='G'>
REACT-EU								

⁽¹⁾ Presentation of the shares corresponding to ENI and IPA amounts depends on management option chosen.

⁽²⁾ Title of the thematic objective (not applicable to technical assistance).

⁽³⁾ Title of the investment priority (not applicable to technical assistance).

⁽⁴⁾ European Regional Development Fund.

⁽⁵⁾ European Neighbourhood Instrument.

⁽⁶⁾ Instrument for Pre-Accession Assistance.

SECTION 2

PRIORITY AXES

(Reference: points (b) and (c) of Article 8(2) of Regulation (EU) No 1299/2013)

SECTION 2.A

DESCRIPTION OF THE PRIORITY AXES OTHER THAN TECHNICAL ASSISTANCE

(Reference: point (b) of Article 8(2) of Regulation (EU) No 1299/2013)

2.A.1 **Priority axis** (repeated for each priority axis)

<i>ID of the priority axis</i>	<2A.1 type='N' input='G'>
<i>Title of the priority axis</i>	<2A.2 type='S' maxlength='500' input='M'>
☐ The entire priority axis will be implemented solely through financial instruments	<2A.3 type='C' input='M'>
☐ The entire priority axis will be implemented solely through financial instruments set up at Union level	<2A.4 type='C' input='M'>
☐ The entire priority axis will be implemented through community-led local development	<2A.5 type='C' input='M'>
☐ The entire priority axis is dedicated to REACT-EU	<2A.6 type='C' input='M'>

2.A.2 **Justification for the establishment of a priority axis covering more than one thematic objective** (where applicable) ^(*)

(Reference: Article 8(1) of Regulation (EU) No 1299/2013)

<2.A.0 type='S' maxlength='3 500' input='M'>

2.A.3 **Fund and calculation basis for Union support**

(repeated for each fund under the priority axis)

<i>Fund</i>	<2A.6 type='S' input='S'>
<i>Calculation basis (total eligible expenditure or eligible public expenditure)</i>	<2A.8 type='S' input='S'>

(*) This field is not applicable in the case of priority axes dedicated to thematic objective "Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy".

2.A.4 **Investment priority** (repeated for each investment priority under the priority axis)

(Reference: point (b)(i) of Article 8(2) of Regulation (EU) No 1299/2013)

<i>Investment priority</i>	<2A.7 type='S' input='S'>
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2.A.5 **Specific objectives corresponding to the investment priority and expected results**

(repeated for each specific objective under the investment priority)

(Reference: points (b)(i) and (ii) of Article 8(2) of Regulation (EU) No 1299/2013)

<i>ID</i>	<2A.1.1 type='N' input='G'>
<i>Specific objective</i>	<2A.1.2 type='S' maxlength='500' input='M'>
<i>The results that the Member States seek to achieve with Union support</i>	<2A.1.3 type='S' maxlength='3500' input='M'>

Table 3

Programme specific result indicators (by specific objective)

(Reference: point (b)(ii) of Article 8(2) of Regulation (EU) No 1299/2013)

ID	Indicator	Measurement unit	Baseline value	Baseline year	Target value (2023) ⁽¹⁾	Source of data	Frequency of reporting
<2A.1.4 type='S' maxlength='5' input='M'>	<2A.1.5 type='S' maxlength='255' input='M'>	<2A.1.6 type='S' input='M'>	Quantitative <2A.1.8 type='N' input='M'> Qualitative <2A.1.8 type='S' maxlength='100' input='M'	<2A.1.9 type='N' input='M'>	Quantitative <2A.1.10 type='N' input='M'> Qualitative <2A.1.10 type='S' maxlength='100' input='M'>	<2A.1.11 type='S' maxlength='200' input='M'>	<2A.1.12 type='S' maxlength='100' input='M'>

⁽¹⁾ Target values may be qualitative or quantitative.

2.A.6 **Actions to be supported under the investment priority** (by investment priority)

2.A.6.1 **A description of the type and examples of actions to be supported and their expected contribution to the specific objectives, including, where appropriate, identification of the main target groups, specific territories targeted and types of beneficiaries**

(Reference: point (b)(iii) of Article 8(2) of Regulation (EU) No 1299/2013)

Investment Priority	<2A.2.1.1 type='S' input='S'>
	<2A.2.1.2 type='S' maxlength='14000' input='M'>

2.A.6.2 **Guiding principles for the selection of operations**

(Reference: point (b)(iii) of Article 8(2) of Regulation (EU) No 1299/2013)

Investment priority	<2A.2.2.1 type='S' input='S'>
	<2A.2.2.2 type='S' maxlength='3500' input='M'>

2.A.6.3 **Planned use of financial instruments** (where appropriate)

(Reference: point (b)(iii) of Article 8(2) of Regulation (EU) No 1299/2013)

Investment priority	<2A.2.3.1 type='S' input='S'>
Planned use of financial instruments	<2A.2.3.2 type='C' input='M'>
	<2A.2.3.3 type='S' maxlength='7000' input='M'>

2.A.6.4 **Planned use of major projects** (where appropriate)

(Reference: point (b)(iii) of Article 8(2) of Regulation (EU) No 1299/2013)

Investment priority	<2A.2.4.1 type='S' input='S'>
	<2A.2.4.2 type='S' maxlength='3500' input='M'>

2.A.6.5 **Output indicators** (by investment priority)

(Reference: point (b)(iv) of Article 8(2) of Regulation (EU) No 1299/2013)

Table 4

Common and programme specific output indicators

ID	Indicator (name of indicator)	Measurement unit	Target value (2023)	Source of data	Frequency of reporting
<2A.2.5.1 type='S' input='S'>	<2A.2.5.2 type='S' input='S'>	<2A.2.5.3 type='S' input='S'>	<2A.2.5.6 type='N' input='M'>	<2A.2.5.7 type='S' maxlength='200' input='M'>	<2A.2.5.8 type='S' maxlength='100' input='M'>

2.A.7 Performance framework ⁽³⁾

(Reference: point (b)(v) of Article 8(2) of Regulation (EU) No 1299/2013 and Annex II of Regulation (EU) No 1303/2013)

Table 5

Performance framework of the priority axis

Priority axis	Indicator type (Key implementation step, financial, output or, where appropriate, result indicator)	ID	Indicator or key implementation step	Measurement unit, where appropriate	Milestone for 2018	Final target (2023)	Source of data	Explanation of relevance of indicator, where appropriate
<2A.3.1 type='S' input='S'>	<2A.3.2 type='S' input='S'>	Implementation Step or Financial <2A.3.3 type='S' maxlength='5' input='M'> Output or result <2A.3.3 type='S' input='S'>	Implementation Step or Financial <2A.3.4 type='S' maxlength='255' input='M'> Output or Result <2A.4.4 type='S' input='G' or 'M'>	Implementation Step or Financial <2A.3.5 type='S' input='M'> Output or Result <2A.3.5 type='S' input='G' or 'M'>	<2A.3.7 type='S' maxlength='255' input='M'>	<2A.3.8 type='S' input='M'> Output or Result <2A.3.8 type='S' input='M'>	<2A.3.9 type='S' maxlength='200' input='M'> Output or Result <2A.3.9 type='S' input='M'>	<2A.3.10 type='S' maxlength='500' input='M'>

Additional qualitative information on the establishment the performance framework (optional)

<2A.3.11 type='S' maxlength='7000' input='M'>

⁽³⁾ This section is not applicable in the case of priority axes dedicated to thematic objective "Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy".

2.A.8 Categories of intervention

(Reference: point (b)(vii) of Article 8(2) of Regulation (EU) No 1299/2013)

Categories of intervention corresponding to the content of the priority axis, based on a nomenclature adopted by the Commission, and indicative breakdown of Union support

Tables 6-9

Categories of intervention

Table 6: Dimension 1 Intervention field		
Priority axis	Code	Amount (EUR)
<2A.4.1.1 type='S' input='S' Decision=N>	<2A.4.1.1 type='S' input='S' Decision=N >	<2A.4.1.3 type='N' input='M' Decision=N >
Table 7: Dimension 2 Form of finance		
Priority axis	Code	Amount (EUR)
<2A.4.1.4 type='S' input='S' Decision=N>	<2A.4.1.5 type='S' input='S' Decision=N >	<2A.4.1.6 type='N' input='M' Decision=N >
Table 8: Dimension 3 Territory type		
Priority axis	Code	Amount (EUR)
<2A.4.1.7 type='S' input='S' Decision=N>	<2A.4.1.8 type='S' input='S' Decision=N >	<2A.4.1.9 type='N' input='M' Decision=N >
Table 9: Dimension 6 Territorial delivery mechanisms		
Priority axis	Code	Amount (EUR)
<2A.4.1.10 type='S' input='S' Decision=N>	<2A.4.1.11 type='S' input='S' Decision=N >	<2A.4.1.12 type='N' input='M' Decision=N >

- 2.A.9 **A summary of the planned use of technical assistance including, where necessary, actions to reinforce the administrative capacity of authorities involved in the management and control of the programmes and beneficiaries and, where necessary, actions for to enhance the administrative capacity of relevant partners to participate in the implementation of programmes** (where appropriate) ⁽⁶⁾

(Reference: point (b)(vi) of Article 8(2) of Regulation (EU) No 1299/2013)

Priority axis	<3A.5.1 type='S' input='S'>
	<2A.5.2 type='S' maxlength='2000' input='M'>

SECTION 2.B

DESCRIPTION OF THE PRIORITY AXES FOR TECHNICAL ASSISTANCE

(Reference: point (c) of Article 8(2) of Regulation (EU) No 1299/2013)

2.B.1 Priority axis

ID	<2B.0.1 type='N' maxlength='5' input='G'>
Title	<2B.0.2 type='S' maxlength='255' input='M'>
☐ The entire priority axis is dedicated to REACT-EU	<2B.1 type='C' input='M'>

2.B.2 Fund and calculation basis for Union support (repeated for each fund under the priority axis)

Fund	<2B.0.3 type='S' input='S'>
Calculation basis (total eligible expenditure or eligible public expenditure)	<2B.0.4 type='S' input='S'>

2.B.3 Specific objectives and expected results

(Reference: points (c)(i) and (ii) of Article 8(2) of Regulation (EU) No 1299/2013)

Specific objective (repeated for each specific objective)

ID	<2B.1.1 type='N' maxlength='5' input='G'>
Specific objective	<2B.1.2 type='S' maxlength='500' input='M'>
Results that the Member States seek to achieve with Union support ⁽⁷⁾	<2B.1.3 type='S' maxlength='3500' input='M'>

⁽⁶⁾ This field is not required in the case of priority axes dedicated to thematic objective "Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy".

⁽⁷⁾ Required where the Union support to technical assistance in the cooperation programme exceeds EUR 15 million.

2.B.4 Result indicators ⁽⁸⁾

Table 10

Programme-specific result indicators (by specific objective)

(Reference: point (c)(ii) of Article 8(2) of Regulation (EU) No 1299/2013)

ID	Indicator	Measurement unit	Baseline value	Baseline year	Target value ⁽¹⁾ (2023)	Source of data	Frequency of reporting
<2.B.2.1 type='S' maxlength='5' input='M'>	<2.B.2.2 type='S' maxlength='255' input='M'>	<2.B.2.3 type='S' input='M'>	Quantitative <2.B.2.4 type='N' input='M'>	<2.B.2.5 type='N' input='M'>	Quantitative <2.B.2.6 type='N' input='M'> Qualitative <2.A.1.10 type='S' maxlength='100' input='M'>	<2.B.2.7 type='S' maxlength='100' input='M'>	<2.B.2.8 type='S' maxlength='100' input='M'>

⁽¹⁾ The target values can be qualitative or quantitative.

2.B.5 Actions to be supported and their expected contribution to the specific objectives (by priority axis)

(Reference: point (c)(iii) of Article 8(2) of Regulation (EU) No 1299/2013)

2.B.5.1 Description of actions to be supported and their expected contribution to the specific objectives

(Reference: point (c)(iii) of Article 8(2) of Regulation (EU) No 1299/2013)

Priority axis	<2.B.3.1.1 type='S' input='S'>
	<2.B.3.1.2 type='S' maxlength='7000' input='M'>

2.B.5.2 Output indicators expected to contribute to results (by priority axis)

(Reference: point (c)(iv) of Article 8(2) of Regulation (EU) No 1299/2013)

Table 11

Output indicators

ID	Indicator	Measurement unit	Target value (2023) (optional)	Source of data
<2.B.3.2.1 type='S' maxlength='5' input='M'>	<2.B.3.2.2 type='S' maxlength='255' input='M'>	<2.B.3.2.3 type='S' input='M'>	<2.B.3.2.4 type='N' input='M'>	<2.B.3.2.5 type='S' maxlength='100' input='M'>

⁽⁸⁾ Required where objectively justified by the given the content of the actions and where the Union support to technical assistance in the cooperation programme exceeds EUR 15 million.

2.B.6 Categories of intervention

(Reference: point (c)(v) of Article 8(2) of Regulation (EU) No 1299/2013)

Corresponding categories of intervention based on a nomenclature adopted by the Commission, and an indicative breakdown of Union support.

Tables 12-14

Categories of intervention

Table 12: Dimension 1 Intervention field		
Priority axis	Code	Amount (EUR)
<2B.4.1.1 type='S' input='S' Decision=N >	<2B.4.1.2 type='S' input='S' Decision=N >	<2B.4.1.3 type='N' input='M' Decision=N '>
Table 13: Dimension 2 Form of finance		
Priority axis	Code	Amount (EUR)
<2B.4.2.1 type='S' input='S' Decision=N >	<2B.4.2.2 type='S' input='S' Decision=N >	<2B.4.2.3 type='N' input='M' Decision=N >
Table 14: Dimension 3 Territory type		
Priority axis	Code	Amount (EUR)
<2B.4.3.1 type='S' input='S' Decision=N >	<2B.4.3.2 type='S' input='S' Decision=N >	<2B.4.3.3 type='N' input='M' Decision=N '>

FINANCING PLAN

(Reference: point (d) of Article 8(2) of Regulation (EU) No 1299/2013)

3.1 Financial appropriation from the ERDF (in EUR)

(Reference: point (d)(i) of Article 8(2) of Regulation (EU) No 1299/2013)

Table 15

Fund <3.1.1 type='S' input='G'>	2014	2015	2016	2017	2018	2019	2020	2021	2022	Total
ERDF without REACT-EU	<3.1.3 type='N' input='M'>	<3.1.4 type='N' input='M'>	<3.1.5 type='N' input='M'>	<3.1.6 type='N' input='M'>	<3.1.7 type='N' input='M'>	<3.1.8 type='N' input='M'>	<3.1.9 type='N' input='M'>	Not applicable	Not applicable	<3.1.10 type='N' input='G'>
ERDF REACT-EU	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable	<3.1.10 type='N' input='M'>	<3.1.11 type='N' input='M'>	
IPA amounts (where applicable)								Not applicable	Not applicable	
ENI amounts (where applicable)								Not applicable	Not applicable	
Grand total										

3.2.A Total financial appropriation from the ERDF and national co-financing (in EUR)

(Reference: point (d)(ii) of Article 8(2) of Regulation (EU) No 1299/2013)

1. The financial table sets out the financial plan of the cooperation programme by priority axis. Where outermost regions' programmes combine cross-border and transnational allocations, separate priority axes will be set out for each of these.
2. The financial table shall show for information purposes, any contribution from third countries participating in the cooperation programme (other than contributions from IPA and ENI)
3. The EIB ^(*)contribution is presented at the level of the priority axis.

(*) European Investment Bank.

Table 16

Financing plan

Priority axis	Fund	Basis for calculation of Union support (Total eligible cost or public eligible cost)	Union support (a)	National counterpart (b) = (c) + (d)	Indicative breakdown of the national counterpart		Total funding (e) = (a) + (b)	Co-financing rate ⁽²⁾ (f) = (a)/(e) ⁽³⁾	100% co-financing rate for accounting year 2020-2021 ^(*)	For information	
					National Public funding (c)	National private funding (d) ⁽¹⁾				Contributions from third countries	EIB contributions
<3.2.A.1 type='S' input='G'>	<3.2.A.2 type='S' input='G'>	<3.2.A.3 type='S' input='G'>	<3.2.A.4 type='N' input='M'>	<3.2.A.5 type='N' input='G'>	<3.2.A.6 type='N' input='M'>	<3.2.A.7 type='N' input='M'>	<3.2.A.8 type='N' input='G'>	<3.2.A.9 type='P' input='G'>	See footnote (*) for details (examples below)	<3.2.A.10 type='N' input='M'>	<3.2.A.11 type='N' input='M'>
Priority axis 1	ERDF (possibly incl. amounts transferred from IPA and ENI) ⁽⁴⁾								☐		
	IPA										
	ENI										

Priority axis N	ERDF (possibly incl. amounts transferred from IPA and ENI)								☐		
	IPA										
	ENI										
Priority axis N	ERDF REAC- T-EU								☐	Not applicable	Not applicable
Total	ERDF										
	IPA										
	ENI										
	ERDF REAC- T-EU										
Total	Total all Funds										

(*) By ticking the box the Member States request to apply, pursuant to Article 25a(1) of Regulation (EU) No 1303/2013, a co-financing rate of 100% to expenditure declared in payment applications during the accounting year starting on 1 July 2020 and ending on 30 June 2021 for [all priority axes] [some of the priority axes] of the operational programme.

(¹) To be completed only when priority axes are expressed in total costs.

(²) The derogation from the first and second subparagraphs of Article 120(3) of Regulation (EU) No 1303/2013 (provided for in Article 92b(11) of Regulation (EU) No 1303/2013) is not applicable to the REACT-EU additional resources allocated to technical assistance. The cofinancing rate for such a technical assistance priority axis should be the same as the co-financing rate for non-REACT-EU priority axis for technical assistance.

(³) This rate may be rounded to the nearest whole number in the table. The precise rate used to reimburse payments is the ratio (f).

(⁴) Presentation of amounts transferred from ENI and IPA depends on management option chosen.

3.2.B Breakdown by priority axis and thematic objective

(Reference: point (d)(ii) of Article 8(2) of Regulation (EU) No 1299/2013)

Table 17

Priority axis	Thematic objective	Union support	National counterpart	Total funding
<3.2.B.1 type='S' input='G'>	<3.2.B.2 type='S' input='G'>	<3.2.B.3 type='N' input='M'>	<3.2.B.4 type='N' input='M'>	<3.2.B.5 type='N' input='M'>
Total ERDF without REACT-EU				
Total ERDF REACT-EU				
Grand total				

Table 18

Indicative amount of support to be used for climate change objectives

(Reference: Article 27(6) of Regulation (EU) No 1303/2013) ⁽¹⁰⁾

Priority axis	Indicative amount of support to be used for climate change objectives (€)	Proportion of the total allocation to the programme (%)
<3.2.B.8 type='S' input='G'>	<3.2.B.9 type='N' input='G' Decision=N >	<3.2.B.10 type='P' input='G' Decision=N >
Total ERDF REACT-EU		
Total		

⁽¹⁰⁾ This table is generated automatically on the basis of tables on categories of intervention under each priority axis.

SECTION 4

INTEGRATED APPROACH TO TERRITORIAL DEVELOPMENT ⁽¹⁾

(Reference: Article 8(3) of Regulation (EU) No 1299/2013)

Description of the integrated approach to territorial development, taking into account the content and objectives of the cooperation programme, including in relation to regions and areas referred to in Article 174(3) TFEU, having regard to the Partnership Agreements of the participating Member States, and showing how it contributes to the accomplishment of the programme objectives and expected results

<4.0 type='S' maxlength='3500' input='M'>

4.1 Community-led local development (where appropriate)

Approach to the use of community-led local development instruments and principles for identifying the areas where they will be implemented

(Reference: point (a) of Article 8(3) of Regulation (EU) No 1299/2013)

<4.1 type='S' maxlength='7000' input='M' >

4.2 Integrated actions for sustainable urban development (where appropriate)

Principles for identifying the urban areas where integrated actions for sustainable urban development are to be implemented and the indicative allocation of the ERDF support for these actions

(Reference: point (b) of Article 8(3) of Regulation (EU) No 1299/2013)

<4.2.1 type='S' maxlength='3500' input='M'>

Table 19

Integrated actions for sustainable urban development – indicative amounts of ERDF support

Fund	Indicative amount of ERDF support (EUR)
<4.2.2 type='S' input='G'>	<4.2.3 type='N' input='M'>
ERDF without REACT-EU	

4.3 Integrated Territorial Investment (ITI) (where appropriate)

Approach to the use of Integrated Territorial Investments (ITI) (as defined in Article 36 of Regulation (EU) No 1303/2013) other than in cases covered by point 4.2, and their indicative financial allocation from each priority axis

(Reference: point (c) of Article 8(3) of Regulation (EU) No 1299/2013)

<4.3.1 type='S' maxlength='5000' input='M' >

⁽¹⁾ In the case of programme revision in order to establish one or more separate priority axes for thematic objective “Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy”, this part is required only where corresponding support is provided.

Table 20

Indicative financial allocation to ITI other than those mentioned under point 4.2 (aggregate amount)

Priority axis	Indicative financial allocation (Union support) (EUR)
<4.3.2 type='S' input='G' >	<4.3.3 type='N' input='M'>
Total ERDF without REACT-EU	
Total ERDF REACT-EU	
TOTAL	

- 4.4 **Contribution of planned interventions towards macro-regional and sea basin strategies, subject to the needs of the programme area as identified by the relevant Member States and taking into account, where applicable, strategically important projects identified in those strategies (where appropriate)**

(Where Member States and regions participate in macro-regional and sea basin strategies)

(Reference: point (d) of Article 8(3) of Regulation (EU) No 1299/2013)

<4.4.1.2 type='S' maxlength='7000' input='M' >

SECTION 5

IMPLEMENTING PROVISIONS FOR THE COOPERATION PROGRAMME

(Reference: Article 8(4) of Regulation (EU) No 1299/2013)

5.1 Relevant authorities and bodies

(Reference: Article 8(4) of Regulation (EU) No 1299/2013)

Table 21

Programme authorities

(Reference: point (a)(i) of Article 8(4) of Regulation (EU) No 1299/2013)

Authority/body	Name of authority/body and department or unit	Head of authority/body (position or post)
Managing authority	<5.1.1 type='S' maxlength='255' input='M' decision='N' >	<5.1.2 type='S' maxlength='255' input='M' decision='N' >
Certifying authority, where applicable	<5.1.3 type='S' maxlength='255' input='M' decision='N' >	<5.1.4 type='S' maxlength='255' input='M' decision='N' >
Audit authority	<5.1.5 type='S' maxlength='255' input='M' decision='N' >	<5.1.6 type='S' maxlength='255' input='M' decision='N' >

The body to which payments will be made by the Commission is:

(Reference: point (b) of Article 8(4) of Regulation (EU) No 1299/2013)

☐ the certifying authority	<5.1.8 type type='C' input='M'>
---	---------------------------------

Table 22

Body or bodies carrying out control and audit tasks

(Reference: points (a)(ii) and (iii) of Article 8(4) of Regulation (EU) No 1299/2013)

Authority/body	Name of authority/body and department or unit	Head of authority/body (position or post)
Body or bodies designated to carry out control tasks	<5.1.9 type='S' maxlength='255' input='M' >	<5.1.10 type='S' maxlength='255' input='M' >
Body or bodies designated to be responsible for carrying out audit tasks	<5.1.11 type='S' maxlength='255' input='M' >	<5.1.12 type='S' maxlength='255' input='M' >

5.2 Procedure for setting up the joint secretariat

(Reference: point (a)(iv) of Article 8(4) of Regulation (EU) No 1299/2013)

<5.2 type='S' maxlength='3500' input='M' >

5.3 Summary description of the management and control arrangements

(Reference: point (a)(v) of Article 8(4) of Regulation (EU) No 1299/2013)

<5.3. type='S' maxlength='35000' input='M' >

5.4 **Apportionment of liabilities among participating Member States in case of financial corrections imposed by the managing authority or the Commission**

(Reference: point (a)(vi) of Article 8(4) of Regulation (EU) No 1299/2013)

<5.4 type='S' maxlength='10500' input='M' >

5.5 **Use of the Euro (where applicable)**

(Reference: Article 28 of Regulation (EU) No 1299/2013)

Method chosen for the conversion of expenditure incurred in another currency than the Euro

<5.5. type='S' maxlength='2000' input='M' >

5.6 **Involvement of partners**

(Reference: point (c) of Article 8(4) of Regulation (EU) No 1299/2013)

Actions taken to involve the partners referred to in Article 5 of Regulation (EU) No 1303/2013 in the preparation of the cooperation programme, and the role of those partners in the preparation and implementation of the cooperation programme, including their involvement in the monitoring committee

<5.6 type='S' maxlength='14000' input='M' Decisions=N>

SECTION 6

COORDINATION

(Reference: point (a) of Article 8(5) of Regulation (EU) No 1299/2013)

The mechanisms that ensure effective coordination between the ERDF, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and other Union and national funding instruments, including the coordination and possible combination with the Connecting Europe Facility, the ENI, the European Development Fund (EDF) and the IPA and with the EIB, taking into account the provisions laid down in the Common Strategic Framework as set out in Annex I to Regulation (EU) No 1303/2013. Where Member States and third countries participate in cooperation programmes that include the use of ERDF appropriations for outermost regions and resources from the EDF, coordination mechanisms at the appropriate level to facilitate effective coordination in the use of these resources

<6.1 type='S' maxlength='14000' input='M' Decisions=N >

SECTION 7

REDUCTION OF ADMINISTRATIVE BURDEN FOR BENEFICIARIES

(Reference: point (b) of Article 8(5) of Regulation (EU) No 1299/2013 ⁽¹²⁾)

A summary of the assessment of the administrative burden for beneficiaries and, where necessary, the actions planned accompanied by an indicative timeframe to reduce the administrative burden.

<7..0 type='S' maxlength='7000' input='M' decision=N >

⁽¹²⁾ Not required for INTERACT and ESPON.

SECTION 8

HORIZONTAL PRINCIPLES

(Reference: Article 8(7) of Regulation (EU) No 1299/2013)

8.1 Sustainable development ⁽¹³⁾

Description of specific actions to take into account environmental protection requirements, resource efficiency, climate change mitigation and adaptation, disaster resilience and risk prevention and management, in the selection of operations.

<7.1 type='S' maxlength='5500' input='M' decision=N>

8.2 Equal opportunities and non-discrimination ⁽¹⁴⁾

Description of the specific actions to promote equal opportunities and prevent any discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation during the preparation, design and implementation of the cooperation programme and, in particular, in relation to access to funding, taking account of the needs of the various target groups at risk of such discrimination, and in particular, the requirements of ensuring accessibility for persons with disabilities.

<7.2 type='S' maxlength='5500' input='M' decision=N>

8.3 Equality between men and women

Description of the contribution of the cooperation programme to the promotion of equality between men and women and, where appropriate, the arrangements to ensure the integration of the gender perspective at cooperation programme and operation level.

<7.3 type='S' maxlength='5500' input='M' decision=N>

⁽¹³⁾ Not applicable to URBACT, INTERACT and ESPON.

⁽¹⁴⁾ Not applicable to URBACT, INTERACT and ESPON.

SECTION 9

SEPARATE ELEMENTS

9.1 Major projects to be implemented during the programming period

(Reference: point (e) of Article 8(2) of Regulation (EU) No 1299/2013)

Table 23

List of major projects ⁽¹⁵⁾

Project	Planned notification/ submission date (year, quarter)	Planned start of implementation (year, quarter)	Planned completion date (year quarter)	Priority axes/investment priorities
<9.1.1 type='S' maxlength='500' input='S' decision=N>	<9.1.2 type='D' input='M' decision='N' >	<9.1.3 type='D' input='M' decision='N' >	<9.1.4 type='D' input='M' decision='N' >	<9.1.5 type='S' input='S' decision='N' >

9.2 Performance framework of the cooperation programme ⁽¹⁶⁾

Table 24

Performance framework (summary table)

Priority axis	Indicator or key implementation step	Measurement unit, where appropriate	Milestone for 2018	Final target (2023)
<9.2.1 type='S' ' input='G'>	<9.2.3 type='S' input='G'>	<9.2.4 type='S' input='G'>	<9.2.5 type='S' input='G'>	<9.2.6 type='S' input='G'>

9.3 Relevant partners involved in the preparation of the cooperation programme

 <9.3 type='S' maxlength='15000' input='M' decision=N>

9.4 Applicable programme implementation conditions governing the financial management, programming, monitoring, evaluation and control of the participation of third countries in transnational and interregional programmes through a contribution of ENI and IPA resources

(Reference: Article 26 of Regulation (EU) No 1299/2013)

 <9.4 type='S' maxlength='14000' input='S'>

⁽¹⁵⁾ Not applicable to INTERACT and ESPON.⁽¹⁶⁾ Not applicable to thematic objective "Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy".

ANNEXES (uploaded to electronic data exchange systems as separate files):

- Draft report of the ex-ante evaluation, with an executive summary (mandatory)
(Reference: Article 55(2) and Article 92b(10) of Regulation (EU) No 1303/2013)
 - Confirmation of agreement in writing to the contents of the cooperation programme (mandatory)
(Reference: Article 8(9) of Regulation (EU) No 1299/2013)
 - A map of the area covered by the cooperation programme (as appropriate)
 - A citizens' summary of the cooperation programme (as appropriate)
-

COMMISSION IMPLEMENTING REGULATION (EU) 2021/436**of 3 March 2021****amending Implementing Regulation (EU) 2015/207 as regards changes to the model for the implementation reports for the Investment for growth and jobs goal**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006 ⁽¹⁾, and in particular Article 111(5), thereof,

After consulting the Coordination Committee for the European Structural and Investment Funds,

Whereas:

- (1) Annex V to Commission Implementing Regulation (EU) 2015/207 ⁽²⁾ sets out the model for the implementation reports for the Investment for growth and jobs goal in accordance with Article 111(5) of Regulation (EU) No 1303/2013.
- (2) Article 92b of Regulation (EU) No 1303/2013, as amended by Regulation (EU) 2020/2221 of the European Parliament and of the Council ⁽³⁾, sets out the conditions for the use of the additional resources from the European Union Recovery Instrument for the Investment in growth and jobs goal for the new thematic objective 'Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy'. The relevant model for the implementation reports in Annex V to Implementing Regulation (EU) 2015/207 should therefore be amended accordingly.
- (3) In order to allow for prompt application of the crisis repair in the context of the COVID-19 pandemic, this Regulation should enter into force on the day following that of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

Annex V to Implementing Regulation (EU) 2015/207 is replaced by the text in the Annex to this Regulation.

⁽¹⁾ OJ L 347, 20.12.2013, p. 320.

⁽²⁾ Commission Implementing Regulation (EU) 2015/207 of 20 January 2015 laying down detailed rules implementing Regulation (EU) No 1303/2013 of the European Parliament and of the Council as regards the models for the progress report, submission of the information on a major project, the joint action plan, the implementation reports for the Investment for growth and jobs goal, the management declaration, the audit strategy, the audit opinion and the annual control report and the methodology for carrying out the cost-benefit analysis and pursuant to Regulation (EU) No 1299/2013 of the European Parliament and of the Council as regards the model for the implementation reports for the European territorial cooperation goal (OJ L 38, 13.2.2015, p. 1).

⁽³⁾ Regulation (EU) 2020/2221 of the European Parliament and of the Council of 23 December 2020 amending Regulation (EU) No 1303/2013 as regards additional resources and implementing arrangements to provide assistance for fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and for preparing a green, digital and resilient recovery of the economy (REACT-EU) (OJ L 437, 28.12.2020, p. 30).

Article 2

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This *Regulation* shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 3 March 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Annex V is replaced as follows:

'ANNEX V

Model for the annual and final implementation reports for the Investment for growth and jobs goal

PART A

DATA REQUIRED EVERY YEAR ("LIGHT REPORTS")**(Article 50(2) of Regulation (EU) No 1303/2013)**

1. IDENTIFICATION OF THE ANNUAL/FINAL IMPLEMENTATION REPORT

CCI	<type='S' maxlength = 15 input='S'>
Title	<type='S' maxlength = 255 input='G'>
Version	<type='N' input='G'>
Reporting year	<type='N' input='G'>
Date of approval of the report by the monitoring committee	<type='D' input='M'>

2. OVERVIEW OF THE IMPLEMENTATION OF THE OPERATIONAL PROGRAMME (Articles 50(2) and 111(3)(a) of Regulation (EU) No 1303/2013)

Key information on the implementation of the operational programme for the year concerned, including on financial instruments, with relation to the financial and indicator data.

<type='S' maxlength = 7000 input='M'>

3. IMPLEMENTATION OF THE PRIORITY AXIS (Article 50(2) of Regulation (EU) No 1303/2013)

3.1 **Overview of the implementation** ⁽¹⁾, ⁽²⁾

ID	Priority axis	Key information on the implementation of the priority axis with reference to key developments, significant problems and steps taken to address these problems
<type='S' input='G'>	<type='S' input='G'>	<type='S' maxlength = 1750 input='M'>

3.2 **Common and programme specific indicators (Article 50(2) of Regulation (EU) No 1303/2013)** ⁽³⁾

Data for common and programme-specific indicators by investment priority transmitted using Tables 1 to 4 below.

⁽¹⁾ Structured data required for the report on YEI which is to be submitted in April 2015 in accordance with Article 19(3) and Annex II of Regulation (EU) No 1304/2013. When YEI is implemented as a part of a priority axis, the reporting should be split between the YEI part and the other part of the priority axis.

⁽²⁾ Tables in this Annex provide for the split of the REACT-EU resources (Article 92a of Regulation (EU) No 1303/2013) where necessary, i.e. ERDF REACT-EU, ESF REACT-EU and YEI REACT-EU.

⁽³⁾ Structured data required for the report on YEI which is to be submitted in April 2015 in accordance with Article 19(3) and Annex II of Regulation (EU) No 1304/2013.

Table 1

Result indicators for the ERDF, the ERDF REACT-EU and the Cohesion Fund (by priority axis and specific objective); applies also to Technical Assistance priority axis ⁽⁴⁾

							ANNUAL VALUE										Observations (if necessary)
ID	Indicator	Measurement Unit	Category of region (where relevant)	Baseline Value	Baseline Year	Target Value (2023)	2014	15	16	17	18	19	20	21	22	23	
<type='S' input='G'>	<type='S' input='G'>	<type='S' input='G'>	<type='S' input='G'>	<type='N' or 'S' input='G'>	<type='N' input='G'>	<type='N' or 'S' input='G'>	<type='N' or 'S' input='M'>	<type='N' or 'S' input='M'>	<type='N' or 'S' input='M'>	<type='N' or 'S' input='M'>	<type='N' or 'S' input='M'>	<type='N' or 'S' input='M'>	<type='N' or 'S' input='M'>	<type='N' or 'S' input='M'>	<type='N' or 'S' input='M'>	<type='N' or 'S' input='M'>	<type='S' max-length = 875 input='M'>
						m w t	m w t	m w t	m w t	m w T	m w t	m w t	m w t	m w t	m w t	m w t	

⁽⁴⁾ In Table 1 breakdown by gender is to be used in the annual value fields only if it has been included in Table 12 of the OP. Otherwise use T = total.

Table 2A

Common result indicators for ESF and ESF REACT-EU (by priority axis, investment priority, and by category of region, where applicable). Data on all common ESF and ESF REACT-EU result indicators (with and without target) shall be reported broken down by gender. For a Technical Assistance priority axis only those common indicators shall be reported for which a target has been set ⁽⁵⁾ ⁽⁶⁾

Investment priority:

ID	Indicator	Cate- gory of region	Com- mon output indica- tor used as basis for target setting	Mea- sure- ment Unit for base- line and target	Target Value (2023) (Gender breakdown optional for the target)			2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	Cumulative value (calculated automatically)				Achievement ratio Gender breakdown optional									
<type='S' input='G'>	<type='S' input='G'>	<type='S' input='G'>	<type='S' input='G'>	<type='S' input='G'>	<type='N' or 'S' input='G'>			<type='N' or 'S' input='M'>	<type='N' or 'S' input='M'>	<type='N' or 'S' input='M'>	<type='N' or 'S' input='M'>	<type='N' or 'S' input='M'>	<type='N' or 'S' input='M'>	<type='N' or 'S' input='M'>	<type='N' or 'S' input='M'>	<type='N' or 'S' input='M'>	<type='N' or 'S' input='M'>	<type='N' input='G'>				<type='P' input='G'>									
								Annual Value																							
					Total	M	W	M	W	M	W	W	M	M	W	M	W	M	W	M	W	M	W	M	W	Total	M	W	T	M	W
	Inactive participants engaged in job searching upon leaving																														

⁽⁵⁾ Structured data required for the report on YEI which is to be submitted in April 2015 in accordance with Article 19(3) and Annex II of Regulation (EU) No 1304/2013.

⁽⁶⁾ If the investment priority contains a target for a common ESF result indicator, data must be provided for the respective result indicator with regard to the selected target group (i.e. the common output indicator used as a reference) as well as data for the entire population of participants who achieved the respective result in the IP.

						Annual Value																								
			total	M	W	M	W	M	W	M	W	M	W	M	W	M	W	M	W	M	W	M	W	M	W	total	M	W	total	M
	Unemployed participants who complete the YEI supported intervention																													
	Unemployed participants who receive an offer of employment, continued education, apprenticeship or traineeship upon leaving																													
	Unemployed participants who are in education/ training, gain a qualification, or are in employment, including self-employment, upon leaving																													
	Long-term unemployed participants who complete the YEI supported intervention																													
	Long-term unemployed participants who receive an offer of employment, continued education, apprenticeship or traineeship upon leaving																													
	Long-term unemployed participants who are in education/training, gain a qualification, or are in employment, including self-employment, upon leaving																													
	Inactive participants not in education or training who complete the YEI supported intervention																													

[illegible]

- (1) Estimate for the year based on representative sampling.
- (2) Estimate for the year based on representative sampling.
- (3) Estimate for the year based on representative sampling.
- (4) Estimate for the year based on representative sampling. Member States have two options of reporting. Option 1: The minimum requirement is to provide data twice in the 2019 AIR and in the final implementation report. In this option, cumulative values are reported in the 'Cumulative value' column in the 2019 AIR and in the final IR. Option 2: Annual values are provided for each year.
- (5) Estimate for the year based on representative sampling. Member States have two options of reporting. Option 1: The minimum requirement is to provide data twice in the 2019 AIR and in the final implementation report. In this option, cumulative values are reported in the 'Cumulative value' column in the 2019 AIR and in the final IR. Option 2: Annual values are provided for each year.
- (6) Estimate for the year based on representative sampling. Member States have two options of reporting. Option 1: The minimum requirement is to provide data twice in the 2019 AIR and in the final implementation report. In this option, cumulative values are reported in the 'Cumulative value' column in the 2019 AIR and in the final IR. Option 2: Annual values are provided for each year.
- (7) Estimate for the year based on representative sampling. Member States have two options of reporting. Option 1: The minimum requirement is to provide data twice in the 2019 AIR and in the final implementation report. In this option, cumulative values are reported in the 'Cumulative value' column in the 2019 AIR and in the final IR. Option 2: Annual values are provided for each year.

Table 2C

Programme specific result indicators for ESF and ESF-REACT EU (by priority axis, investment priority and by category of region, where applicable); applies also to Technical Assistance priority axis. For the YEI programme specific indicators: for each priority axis or part thereof supporting the YEI a breakdown by category of region is not required ⁽⁸⁾. For the YEI REACT-EU programme specific indicators, a breakdown by category of region is not applicable.

Investment priority:

ID	Indicator	ESF/ YEI	Category of region (where relevant)	Measurement Unit for indicator	Measurement unit for baseline and Target	Target Value (2023)	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023		Achievement ratio											
<type='S' input='G'>	<type='S' input='G'>	<type='S' input='G'>	<type='S' input='G'>	<type='S' input='G'>	<type='S' input='G'>	<type='N or 'S' input='G'>	<type='N' or 'S' input='M'>	<type='N' or 'S' input='M'>	<type='N' or 'S' input='M'>	<type='N' or 'S' input='M'>	<type='N' or 'S' input='M'>	<type='N' or 'S' input='M'>	<type='N' or 'S' input='M'>	<type='N' or 'S' input='M'>	<type='N' or 'S' input='M'>	<type='N' or 'S' input='M'>		<type='P' input='G'> (Only for quantitative result indicators)											
							a	c	a	c	a	c	a	c	a	c	a	c	a	c	a	c	a	c					
						t	m	w	t	m	w	t	m	w	t	m	w	t	m	w	t	m	w	t	m	w	t	m	w

Both annual and cumulative values are compulsory. In case the annual value cannot be provided (e.g. because percentages are reported and the denominator would be zero), the annual value is n.a. Cumulative values of indicators expressed in absolute numbers and percentages in relation to the reference output indicators are calculated automatically.

⁽⁸⁾ Structured data required for the report on YEI which is to be submitted in April 2015 in accordance with Article 19(3) and Annex II of Regulation (EU) No 1304/2013.

Table 3A

Common and programme specific output indicators for the ERDF, the ERDF REACT-EU and the Cohesion Fund (by priority axis, investment priority, broken down by category of region for the ERDF; applies also to Technical assistance priority axes) ^(f)

Investment priority:

	ID	Indicator	Measurement unit	Fund	Category of region (where relevant)	Target value ⁽¹⁾ (2023)	2014	15	16	17	18	19	20	21	22	23	Observations (if necessary)
	<type='S' input='G'>	<type='S' input='G'>	<type='S' input='G'>	<type='S' input='G'>	<type='S' input='G'>	<type='N' input='G'>	<type='N' input='M'>	<type='N' input='M'>	<type='N' input='M'>	<type='N' input='M'>	<type='N' input='M'>	<type='N' input='M'>	<type='N' input='M'>	<type='N' input='M'>	<type='N' input='M'>	<type='N' input='M'>	<type='S' max-length = 875 input='M'>
						m w t	m w t	m w t	m w t	m w t	m w t	m w t	m w t	m w t	m w t	m w t	
Cumulative value – outputs to be delivered by selected operations [forecast provided by beneficiaries]																	
Cumulative value – outputs delivered by operations [actual achievement]																	

^(f) Targets are optional for Technical Assistance priority axes.

^(g) In Table 3A break down by gender is to be used in the relevant fields only if it has been included in Table 5 or 13 of the OP. Otherwise use T = total.

Table 3B

For certain common output indicators for ERDF and ERDF REACT-EU support under investment for growth and jobs goal relating to productive investment – Number of enterprises supported by the Operational Programme net of multiple support to the same enterprises

Name of indicator	Number of enterprises supported by OP net of multiple support
Number of enterprises receiving support	<type='N' input='M'>
Number of enterprises receiving grants	<type='N' input='M'>
Number of enterprises receiving financial support other than grants	<type='N' input='M'>
Number of enterprises receiving non-financial support	<type='N' input='M'>
Number of new enterprises supported	<type='N' input='M'>

Table 4A

Common output indicators for the ESF and ESF REACT-EU (by priority axis, investment priority, by category of region, where applicable). For the YEI, for each priority axis or any part thereof, a breakdown by category of region is not required (*). For the YEI REACT-EU, for each priority axis or any part thereof, a breakdown by category of region is not applicable.

Investment priority:

Indicator ID	Indicator (name of indicator)	Category of region (where relevant)	Target value (2023) Gender breakdown optional (for the target)			2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	Cumulative value (calculated automatically)			Achievement ratio gender breakdown optional																
<type='S' input='G'>	<type='S' input='G'>	<type='S' input='G'>	<type='N' input='G'>			<type='N' input='M'>	<type='N' input='M'>	<type='N' input='M'>	<type='N' input='M'>	<type='-N' input='-M'>	<type='N' input='M'>	<type='N' input='M'>	<type='N' input='M'>	<type='N' input='M'>	<type='N' input='M'>	<type='N' input='G'>			<type='P' input='G'>																
						Annual Value																													
			Total	M	W	M	W	M	W	M	W	M	W	M	W	M	W	M	W	M	W	M	W	M	W	total	M	W	total	M	W				
	Unemployed(ESF)																																		
	Unemployed(YEI)																																		
	Long-term unemployed (ESF)																																		
	Long-term unemployed (YEI)																																		
	Inactive (ESF)																																		
	Inactive (YEI)																																		
	Inactive not in education or training (ESF)																																		
	Inactive not in education or training (YEI)																																		
	Employed including self-employed																																		
	Below 25 years of age (ESF)																																		
	Below 25 years of age (YEI)																																		
	Above 54 years of age																																		

(*) Structured data required for the report on YEI which is to be submitted in April 2015 in accordance with Article 19(3) and Annex II of Regulation (EU) No 1304/2013.

[illegible]

- (a) Estimate based on representative sampling. Member States have two options of reporting. Option 1: The minimum requirement is to provide data once in the 2017 AIR. In this option, a cumulative value is reported in the 'Cumulative value' column in the 2017 AIR. Option 2: Annual values are provided for each year.
- (b) Estimate based on a representative sampling. Member States have two options of reporting. Option 1: The minimum requirement is to provide data once in the 2017 AIR. In this option, a cumulative value is reported in the 'Cumulative value' column in the 2017 AIR. Option 2: Annual values are provided for each year.
- (c) The grand total of participants includes those with complete records (of personal non sensitive data) as well as participants with incomplete records (of personal non sensitive data). The total number of participants is calculated in the SFC2014 system based on the following three common output indicators "unemployed, including long-term unemployed", "inactive" and "employed, including self-employed". That total only encompasses participants with complete data records including all personal non-sensitive data. In the grand total of participants, Member States are required to report on all ESF participants, including those with non-complete record of personal non-sensitive data.

Table 4B

Programme specific output indicators for the ESF and ESF REACT-EU (by priority axis, investment priority, by category of region; applies also to technical assistance priority axes.) For the YEI, for each priority axis or any part thereof, a breakdown by category of region is not required ⁽¹⁰⁾. For the ESF REACT-EU and YEI REACT-EU, for each priority axis or any part thereof, a breakdown by category of region is not applicable.

Investment priority:

ID	Indicator (name of indicator)	Category of region (where relevant)	Measurement unit	Target value (2023)	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	Cumulative value (calculated automatically)	Achievement ratio
<type='S' input='G'>	<type='S' input='G'>	<type='S' input='G'>	<type='S' input='G'>	<type='N' input='G'>	<type='N' input='M'>	<type='N' input='M'>	<type='N' input='M'>	<type='N' input='M'>	<type='N' input='M'>	<type='N' input='M'>	<type='N' input='M'>	<type='N' input='M'>	<type='N' input='M'>	<type='N' input='M'>	<type='N' input='G'>	<type='P' input='G'>
					Annual Value											
				t m w	t m w	t m w	t m w	t m w	t m w	t m w	t m w	t m w	t m w	t m w	total m w	total m w

⁽¹⁰⁾ Structured data required for the report on YEI which is to be submitted in April 2015 in accordance with Article 19(3) and Annex II of Regulation (EU) No 1304/2013.

3.3. **Milestones and targets defined in the performance framework (Article 50(2) of Regulation (EU) No 1303/2013) – submitted in annual implementation reports from 2017 onwards** ⁽¹¹⁾ ⁽¹²⁾

Reporting on financial indicators, key implementation steps, output and result indicators to act as milestones and targets for the performance framework (submitted starting with the report in 2017).

Table 5

Information on the milestones and targets defined in the performance framework

									Value achieved (*)																
Priority Axis	Indicator Type (Key implementation step, financial, output or, where appropriate result indicator)	ID	Indicator or key implementation step	Measurement unit, where appropriate	Fund	Category of region	Milestone for 2018	Final target (2023)	2014	15	16	17	18	19	20	21	22	23							
<type='S' input='G'>	<type='S' input='G'>	<type='S' input='G'>	<type='S' input='G'>	<type='S' input='G'>	<type='S' input='G'>	<type='S' input='G'>	<type='S' input='G'>	<type='S' input='G'>	<type='S' or 'N' or 'P' input='M' or 'G'>	<type='S' or 'N' or 'P' input='M' or 'G'>	<type='S' or 'N' or 'P' input='M' or 'G'>	<type='S' or 'N' or 'P' input='M' or 'G'>	<type='S' or 'N' or 'P' input='M' or 'G'>	<type='S' or 'N' or 'P' input='M' or 'G'>	<type='S' or 'N' or 'P' input='M' or 'G'>	<type='S' or 'N' or 'P' input='M' or 'G'>	<type='S' or 'N' or 'P' input='M' or 'G'>	<type='S' or 'N' or 'P' input='M' or 'G'>							
									c (*)	a (*)	c	a	c	a	c	a	c	a	c	a	c	a	c	a	Observations (if necessary)
							m	w	t	m	w	t	m	w	t	m	w	t	m	w	t	m	w	t	<type='S' max-length = 875 input='M'>

(*) For the ERDF or the Cohesion Fund, Member States submit cumulative values for output indicators. For the ESF, the cumulative values are calculated automatically by SFC2014 based on annual values submitted by the Member States. Values for financial indicators are cumulative for all Funds. Values for the key implementation steps are cumulative for all funds, if the key implementation steps are expressed by a number or percentage. If the achievement is defined in a qualitative way, the table should indicate whether they are completed or not. * In table c = cumulative a = annual

⁽¹¹⁾ In Table 6 break down by gender is to be used in the relevant fields only if it has been included in Table 6 of the OP. Otherwise use T = total.

⁽¹²⁾ This section is not applicable in the case of an operational programme dedicated to the thematic objective “Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy” (“dedicated REACT-EU programme”) or in the case of priority axes dedicated to that thematic objective (“REACT-EU priority axes”).

3.4. **Financial data (Article 50(2) of Regulation (EU) No 1303/2013)** ⁽¹³⁾

Table 6

Financial information at priority axis and programme level as set out in Table 1 of Annex II to Commission Implementing Regulation (EU) No 1011/2014 ⁽¹⁴⁾ [Model for the transmission of financial data] ⁽¹⁵⁾

⁽¹³⁾ Structured data required for the report on YEI which is to be submitted in April 2015 in accordance with Article 19(3) and Annex II of Regulation (EU) No 1304/2013.

⁽¹⁴⁾ Commission Implementing Regulation (EU) No 1011/2014 of 22 September 2014 laying down detailed rules for implementing Regulation (EU) No 1303/2013 of the European Parliament and of the Council as regards the models for submission of certain information to the Commission and the detailed rules concerning the exchanges of information between beneficiaries and managing authorities, certifying authorities, audit authorities and intermediate bodies (OJ L 286, 30.9.2014, p. 1).

⁽¹⁵⁾ Structured data required for the report on YEI which is to be submitted in April 2015 in accordance with Article 19(3) and Annex II of Regulation (EU) No 1304/2013.

Table 7

Breakdown of the cumulative financial data by category of intervention for the ERDF, the ERDF REACT-EU, the ESF, the ESF REACT-EU and the Cohesion Fund (Article 112(1) and (2) of Regulation (EU) No 1303/2013 and Article 5 of Regulation (EU) No 1304/2013) as set out in Table 2 of Annex II to Commission Implementing Regulation (EU) No 1011/2014 [Model for the transmission of financial data]

Table 8

The use made of cross-financing ⁽¹⁶⁾

1.	2.	3.	4.	5.	6.
Use of cross-financing	Priority axis	The amount of EU support envisaged to be used for cross financing based on selected operations ⁽¹⁾ (EUR)	As a share of the EU support to the priority axis (%) (3/EU support to priority axis*100)	used under cross financing based on eligible expenditure declared by the beneficiary to the managing authority (EUR)	share of the EU support to the priority axis (%) (5/EU support to priority axis*100)
Cross-financing: Costs eligible for support under the ERDF, but supported from the ESF ⁽²⁾	<type='S' input='S'>	<type='N' input='M'>	<type='P' input='G'>	<type='N' input='M'>	<type='P' input='G'>
Cross-financing: Costs eligible for support under the ESF, but supported from the ERDF ⁽³⁾	<type='S' input='S'>	<type='N' input='M'>	<type='P' input='G'>	<type='N' input='M'>	<type='P' input='G'>
Cross-financing: Costs eligible for support under the ERDF REACT-EU, but supported from the ESF REACT-EU ⁽⁴⁾	<type='S' input='S'>	<type='N' input='M'>	<type='P' input='G'>	<type='N' input='M'>	<type='P' input='G'>
Cross-financing: Costs eligible for support under the ESF REACT-EU, but supported from the ERDF REACT-EU ⁽⁵⁾	<type='S' input='S'>	<type='N' input='M'>	<type='P' input='G'>	<type='N' input='M'>	<type='P' input='G'>

⁽¹⁾ Where it is not possible to determine precise amounts in advance, prior to the implementation of the operation, the reporting should be based on the ceilings applied to the operation i.e. if an ERDF operation may include up to 20% of ESF type expenditure, the reporting should be based on the assumption that the entire 20% could be used for this purpose. Where an operation has been completed, the data used for this column should be based on real costs incurred.

⁽²⁾ Article 98(2) of Regulation (EU) No 1303/2013.

⁽³⁾ Article 98(2) of Regulation (EU) No 1303/2013.

⁽⁴⁾ Article 98(2) of Regulation (EU) No 1303/2013.

⁽⁵⁾ Article 98(2) of Regulation (EU) No 1303/2013.

⁽¹⁶⁾ Only applicable to operational programmes under the Investment for Growth and Jobs goal, which include ESF and/or ERDF.

Table 9

Cost of operations implemented outside the programme area (the ERDF, the ERDF REACT-EU and the Cohesion Fund under the Investment for growth and jobs goal)

1.	2.	3.	4.	5.	6.
	Priority axis	The amount of EU support envisaged to be used for operations implemented outside the programme area based on selected operations (EUR)	As a share of the EU support to the priority axis at the time of adoption of the programme (%) (3/EU support to priority axis at the time of adoption of the programme *100)	The amount of EU support in operations implemented outside the programme area based on eligible expenditure declared by the beneficiary to the managing authority (EUR)	As a share of the EU support to the priority axis at the time of adoption of the programme (%) (5/EU support to priority axis at the time of adoption of the programme *100)
Cost of operations outside the programme area ⁽¹⁾	<type='S' input='S'>	<type='N' input='M'>	<type='P' input='G'>	<type='N' input='M'>	<type='P' input='G'>

⁽¹⁾ In accordance with and subject to ceilings set out in Article 70(2) of Regulation (EU) No 1303/2013 or Article 20 of Regulation (EU) No 1299/2013.

Table 10

Expenditure incurred outside the Union (ESF and ESF REACT-EU) ⁽¹⁷⁾

1.	2.	3.	4.
The amount of expenditure envisaged to be incurred outside the Union under thematic objectives 8 and 10 based on selected operations (EUR)	Share of the total financial allocation (Union and national contribution) to the ESF programme or the ESF part of a multi-fund programme (%) (1/total financial allocation (Union and national contribution) to the ESF programme or the ESF part of a multi-fund programme*100)	Eligible expenditure incurred outside the Union declared by the beneficiary to the managing authority (EUR)	Share of the total financial allocation (Union and national contribution) to the ESF programme or the ESF part of a multi-fund programme (%) (3/total financial allocation (Union and national contribution) to the ESF programme or the ESF part of a multi-fund programme*100)
<type='N' input='M'>	<type='P' input='G'>	<type='N' input='M'>	<type='P' input='G'>

⁽¹⁷⁾ In accordance with and subject to ceilings set out in Article 13 of Regulation (EU) No 1304/2013.

Table 11

Allocation of YEI resources to young people outside the eligible NUTS level 2 regions (Article 16 of Regulation (EU) No 1304/2013) ⁽¹⁸⁾

1.	2.	3.	4.	5.	6.
	Priority axis	The amount of EU support under the YEI (YEI specific allocation and corresponding ESF support) envisaged to be allocated to young people outside the eligible NUTS level 2 regions (EUR), as indicated in section 2.A.6.1 of the operational programme	The amount of EU support under the YEI (YEI specific allocation and corresponding ESF support) allocated to operations to support young people outside the eligible NUTS level 2 regions (EUR)	Eligible expenditure incurred in operations to support young people outside the eligible regions (EUR)	Corresponding EU support to eligible expenditure incurred in operations to support young people outside the eligible regions, resulting from applying the co-financing rate of the priority axis (EUR)
	<type='S' input='S'>	<type='N' input='M'>	<type='N' input='M'>	<type='N' input='M'>	<type='N' input='M'>
Total		<type='N' input='G'>	<type='N' input='G'>	<type='N' input='G'>	<type='N' input='G'>

⁽¹⁸⁾ Structured data required for the report on YEI which is to be submitted in April 2015 in accordance with Article 19(3) and Annex II of Regulation (EU) No 1304/2013.

4. SYNTHESIS OF THE EVALUATIONS (Article 50(2) of Regulation (EU) No 1303/2013)

Synthesis of the findings of all evaluations of the programme that have become available during the previous financial year, with reference of name and reference period of the evaluation reports used

<type='S' maxlength = 10500 input='M'>

5. INFORMATION ON THE IMPLEMENTATION OF THE Youth EMPLOYMENT INITIATIVE, including from REACT-EU, WHERE APPLICABLE (Articles 19(2) and 19(4) of Regulation (EU) No 1304/2013)

A general description of the implementation of the YEI, including how the YEI has contributed to the implementation of the Youth Guarantee and also including concrete examples of interventions supported in the framework of YEI.

A description of any problems encountered in the implementation of the YEI and measures taken to overcome these problems.

The report submitted in 2016 shall set out and assess the quality of employment offers received by YEI participants, including disadvantaged persons, those from marginalised communities and those leaving education without qualifications. The report shall also set out and assess their progress in continuing education, finding sustainable and decent jobs, or moving into apprenticeships or quality traineeships.

The report shall set out the main findings of evaluations assessing the effectiveness, efficiency and impact of joint support from the European Social Fund and the specific allocation for YEI including for the implementation of the Youth Guarantee.

6. ISSUES AFFECTING THE PERFORMANCE OF THE PROGRAMME AND MEASURES TAKEN (Article 50(2) of Regulation (EU) No 1303/2013) ⁽¹⁹⁾

a) Issues which affect the performance of the programme and the measures taken

<type='S' maxlength = 7000 input='M'>

b) OPTIONAL FOR LIGHT REPORTS, otherwise it will be included in point 11.1 of the model (Article 50(4) of Regulation (EU) No 1303/2013):

An assessment of whether progress made towards targets is sufficient to ensure their fulfilment, indicating any remedial actions taken or planned, where appropriate.

<type='S' maxlength = 3500 input='M'>

7. CITIZEN'S SUMMARY (Article 50(9) of Regulation (EU) No 1303/2013) ⁽²⁰⁾

A citizen's summary of the contents of the annual and the final implementation reports shall be made public and uploaded as a separate file in the form of annex to the annual and the final implementation report

⁽¹⁹⁾ Structured data required for the report on YEI which is to be submitted in April 2015 in accordance with Article 19(3) and Annex II of Regulation (EU) No 1304/2013.

⁽²⁰⁾ Structured data required for the report on YEI which is to be submitted in April 2015 in accordance with Article 19(3) and Annex II of Regulation (EU) No 1304/2013.

8. REPORT ON THE IMPLEMENTATION OF FINANCIAL INSTRUMENTS (Article 46 of Regulation (EU) No 1303/2013)

Where the managing authority decided to use financial instruments it must send to the Commission a specific report covering the financial instruments operations as an annex to the annual implementation report ⁽²¹⁾

9. Optional for the report to be submitted in 2016, not applicable to other light reports: ACTIONS TAKEN TO FULFILL EX-ANTE CONDITIONALITIES (Article 50(2) of Regulation (EU) No 1303/2013) in case applicable ex-ante conditionalities were not fulfilled upon the adoption of the OP: (see point 13 of the model) ⁽²²⁾

⁽²¹⁾ See Annex I of Commission Implementing Regulation (EU) No 821/2014.

⁽²²⁾ Optional for the report on YEI which is to be submitted in April 2015 in accordance with Article 19(3) and Annex II of Regulation (EU) No 1304/2013.

10.1. Major projects

Table 12

Major projects

Project	CCI	Status of MP 1. completed 2. approved 3. submitted 4. planned for notification/submission to Commission	Total investments	Total eligible costs	Planned notification/submission date (if applicable) (year, quarter)	Date of tacit agreement/approval by Commission (if applicable)	Planned start of implementation (year, quarter)	Planned completion date (year, quarter)	Priority Axis/Investment priorities	Current state of realisation – financial progress (% of expenditure certified to Commission compared to total eligible cost)	Current state of realisation – physical progress Main implementation stage of the project 1. completed/in operation; 2. advanced construction; 3. construction; 4. procurement; 5. design	Main outputs	Date of signature of first works contract ⁽¹⁾ (if applicable)	Observations (if necessary)
<type='S' input='G'>	<type='S' input='G'>	<type='S' input='S'>	<type='N' input='M'>	<type='N' input='M'>	<type='D' input='G'>	<type='D' input='G'>	<type='D' input='G'>	<type='D' input='G'>	<type='S' input='G'>	<type='P' input='M'>	<type='S' input='S'>	<type='S' max-length = 875 input='M'>	<type='D' input='M'>	<type='S' max-length = 875 input='M'>

⁽¹⁾ In the case of operations implemented under PPP structures the signing of the PPP contract between the public body and the private sector body (Article 102(3) of Regulation (EU) No 1303/2013).

Significant problems encountered in implementing major projects and measures taken to overcome them.

<type='S' max-length = 3500 input='M'>

Any change planned in the list of major projects in the operational programme.

<type='S' max-length = 3500 input='M'>

10.2 Joint action plans

Progress in the implementation of different stages of joint action plans

<type='S' maxlength = 3500 input='M'>

Table 13

Joint action plans (JAP)

Title of the JAP	CCI	Stage of implementation of JAP 1. completed 2. > 50 % implemented 3. Started 4. approved 5. submitted 6. planned	Total eligible costs	Total public support	OP contribution to JAP	Priority axis	Type of JAP 1. normal 2. first JAP 3. YEI	[Planned] submission to the Commission	[Planned] start of implementation	[Planned] completion	Main outputs and results	Total eligible expenditure certified to the Commission	Observations (if necessary)
<type='S' input='G'>	<type='S' input='G'>	<type='S' input='S'>	<type='N' input='M'>	<type='N' input='M'>	<type='N' input='M'>	<type='S' input='G'>	<type='S' input='S'>	<type='D' input='M'>	<type='D' input='M'>	<type='D' input='M'>	<type='S' maxlength = 875 input='M'>	<type='N' input='M'>	<type='S' maxlength = 875 input='M'>

Significant problems encountered and measures taken to overcome them

<type='S' maxlength = 3500 input='M'>

PART B

REPORTING SUBMITTED IN YEARS 2017, 2019 AND FINAL IMPLEMENTATION REPORT**(Articles 50(4), 111(3) and (4) of Regulation (EU) No 1303/2013)**

11. ASSESSMENT OF THE IMPLEMENTATION OF THE OPERATIONAL PROGRAMME (Articles 50(4) and 111(4) of Regulation (EU) No 1303/2013)

- 11.1 Information in Part A and achieving objectives of the programme (Article 50(4) of Regulation (EU) No 1303/2013)

FOR EACH PRIORITY AXIS – Assessment of the information provided above and progress towards achieving the objectives of the programme, including the contribution of the European Structural and Investment Funds to changes in the value of result indicators, when evidence is available from evaluations.

<type='S' maxlength = 10500 input='M'>

- 11.2. Specific actions taken to promote equality between men and women and to prevent discrimination, in particular accessibility for persons with disabilities, and the arrangements implemented to ensure the integration of the gender perspective in the operational programme and operations (Articles 50(4) and 111(4), second subparagraph, (e) of Regulation (EU) No 1303/2013)

An assessment of the implementation of specific actions to take into account the principles set out in Article 7 of Regulation (EU) No 1303/2013 on promotion of equality between men and women and non-discrimination, including, depending on the content and objectives of the operational programme, specific actions taken to promote equality between men and women and to prevent discrimination, in particular accessibility for persons with disabilities, and the arrangements implemented to ensure the integration of the gender perspective in the operational programme and operations.

<type='S' maxlength = 3500 input='M'>

- 11.3. Sustainable development (Articles 50(4) and 111(4), second subparagraph, (f) of Regulation (EU) No 1303/2013)

An assessment of the implementation of actions to take into account the principles set out in Article 8 of Regulation (EU) No 1303/2013 on sustainable development, including, depending on the content and objectives of the operational programme, an overview of the actions taken to promote sustainable development in accordance with that Article.

<type='S' maxlength = 3500 input='M'>

- 11.4. Reporting on support used for climate change objectives (Article 50(4) of Regulation (EU) No 1303/2013)

Figures calculated automatically by the SFC2014 based on categorisation data. Optional: clarification on the given values

<type='S' maxlength = 3500 input='M'>

- 11.5 Role of partners in the implementation of the programme (Articles 50(4) and 111(4), first subparagraph, (c) of Regulation (EU) No 1303/2013)

Assessment of the implementation of actions to take into account the role of partners referred to in Article 5 of Regulation (EU) No 1303/2013, including, involvement of the partners in the implementation, monitoring and evaluation of the operational programme.

<type='S' maxlength = 3500 input='M'>

12. OBLIGATORY INFORMATION AND ASSESSMENT ACCORDING TO ARTICLE 111(4), first subparagraph, (a) and (b), OF REGULATION (EU) NO 1303/2013

- 12.1 Progress in implementation of the evaluation plan and the follow-up given to the findings of evaluations

<type='S' maxlength = 7000 input='M'>

- 12.2 The results of the information and publicity measures of the Funds carried out under the communication strategy

<type='S' maxlength = 7000 input='M'>

13. ACTIONS TAKEN TO FULFILL EX-ANTE CONDITIONALITIES (Article 50(4) of Regulation (EU) No 1303/2013) (May be included in report to be submitted in 2016 (see point 9 above). Required in report submitted in 2017) Option: progress report ⁽²³⁾

⁽²³⁾ This section is not applicable in the case of an operational programme dedicated to the thematic objective “Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy” (“dedicated REACT-EU programme”) or in the case of priority axes dedicated to that thematic objective (“REACT-EU priority axes”).

Table 14

Actions taken to fulfil applicable general ex-ante conditionalities

General ex-ante conditionality	Criteria not fulfilled	Actions taken	Deadline (date)	Bodies responsible	Action completed by the deadline (Y/N)	Criteria fulfilled (Y/N)	Expected date for full implementation of remaining actions, if applicable	Commentary (for each action)
<type='S' maxlength = 500 input='G'>	<type='S' maxlength = 500 input='G'>	<type='S' maxlength = 1000 input='G'>	<type='D' input='G'>	<type='S' maxlength = 500 input='G'>	<type='C' input='M'>	<type='C' input='M'>	<type='C' input='M'>	<type='S' maxlength = 2000 input='M'>
		Action 1						
		Action 2						

Table 15

Actions taken to fulfil applicable thematic ex-ante conditionalities

Thematic ex-ante conditionality	Criteria not fulfilled	Actions taken	Deadline (date)	Bodies responsible	Action completed by the deadline (Y/N)	Criteria fulfilled (Y/N)	Expected date for full implementation of remaining actions, if applicable	Commentary (for each action)
<type='S' maxlength = 500 input='G'>	<type='S' maxlength = 500 input='G'>	<type='S' maxlength = 1000 input='G'>	<type='D' input='G'>	<type='S' maxlength = 500 input='G'>	<type='C' input='M'>	<type='C' input='M'>	<type='C' input='M'>	<type='S' maxlength = 2000 input='M'>
		Action 1						
		Action 2						

14. ADDITIONAL INFORMATION WHICH MAY BE ADDED DEPENDING ON THE CONTENT AND OBJECTIVES OF THE OPERATIONAL PROGRAMME (Article 111(4), second subparagraph, (a), (b), (c), (d), (g) and (h), of Regulation (EU) No 1303/2013)

- 14.1 Progress in the implementation of the integrated approach to territorial development, including development of regions facing demographic challenges and permanent or natural handicaps, integrated territorial investments, sustainable urban development, and community led local development under the operational programme

<type='S' maxlength = 3500 input='M'>
(option progress report)

- 14.2 Progress in the implementation of actions to reinforce the capacity of Member State authorities and beneficiaries to administer and use the Funds

<type='S' maxlength = 3500 input='M'>
(option progress report)

- 14.3 Progress in the implementation of any interregional and transnational actions

<type='S' maxlength = 3500 input='M'>
(option progress report)

- 14.4 Where appropriate, the contribution to macro-regional and sea basin strategies.

<type='S' maxlength = 3500 input='M'>

- 14.5 Progress in the implementation of actions in the field of social innovation, where appropriate

<type='S' maxlength = 3500 input='M'>

- 14.6 Progress in the implementation of measures to address the specific needs of geographical areas most affected by poverty or of target groups at highest risk of poverty discrimination or social exclusion, with special regard to marginalised communities and persons with disabilities, long term unemployment and young people not in employment including, where appropriate, the financial resources used

<type='S' maxlength = 3500 input='M'>
(option progress report)

PART C

REPORTING SUBMITTED IN YEAR 2019 AND FINAL IMPLEMENTATION REPORT

(Article 50(5) of Regulation (EU) No 1303/2013)

15. Financial information at priority axis and programme level (Articles 21(2) and 22(7) of Regulation (EU) No 1303/2013)

For the purpose of assessing progress towards the achievement of milestones and targets set for financial indicators in the years 2018 and 2023, Table 6 of Part A of this Annex shall have the following two additional columns:

13	14
Data for the purpose of the performance review and performance framework	
Only for report submitted in 2019: Total eligible expenditure incurred by beneficiaries and paid by 31/12/2018 and certified to the Commission Article 21(2) of Regulation (EU) No 1303/2013	Only for final implementation report: Total eligible expenditure incurred by beneficiaries and paid by 31/12/2023 and certified to the Commission Article 22(7) of Regulation (EU) No 1303/2013

16. SMART, SUSTAINABLE AND INCLUSIVE GROWTH (option progress report)

Information on and assessment of the programme contribution to achieving the Union strategy for smart, sustainable and inclusive growth.

<type='S' maxlength = 17500 input='M'>

17. ISSUES AFFECTING THE PERFORMANCE OF THE PROGRAMME AND MEASURES TAKEN – PERFORMANCE FRAMEWORK (Article 50(2) of Regulation (EU) No 1303/2013) ⁽²⁴⁾

Where the assessment of progress made with regard to the milestones and targets set out in the performance framework demonstrates that certain milestones and targets have not been achieved, Member States should outline the underlying reasons for failure to achieve these milestones in the report of 2019 (for milestones) and in the final implementation report (for targets).

<type='S' maxlength = 7000 input='M'>

⁽²⁴⁾ This section is not applicable in the case of an operational programme dedicated to the thematic objective “Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy” (“dedicated REACT-EU programme”) or in the case of priority axes dedicated to that thematic objective (“REACT-EU priority axes”).

18. YOUTH EMPLOYMENT INITIATIVE Article 19(4) and (6) of Regulation (EU) No 1304/2013 (where applicable)

The report submitted in 2019 shall set out and assess the quality of employment offers received by YEI participants, including disadvantaged persons, those from marginalised communities and those leaving education without qualifications. The report shall also set out and assess their progress in continuing education, finding sustainable and decent jobs, or moving into apprenticeships or quality traineeships.

The report shall set out the main findings of evaluations assessing the effectiveness, efficiency and impact of joint support from the European Social Fund and the specific allocation for YEI including for the implementation of the Youth Guarantee.

<type='S' maxlength = 10500 input='M'>

COMMISSION IMPLEMENTING REGULATION (EU) 2021/437**of 3 March 2021****amending Implementing Regulation (EU) No 1011/2014 as regards changes to the model for transmission of financial data, to the model for the payment application including additional information concerning financial instruments and to the model for the accounts**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006 ⁽¹⁾, and in particular Articles 112(5), 131(6) and 137(3) thereof,

Whereas:

- (1) Annex II to Commission Implementing Regulation (EU) No 1011/2014 ⁽²⁾ sets out the model for transmission of financial data in accordance with Article 112 of Regulation (EU) No 1303/2013.
- (2) Annex VI to Implementing Regulation (EU) No 1011/2014 sets out the model for payment applications including additional information concerning financial instruments in accordance with Article 131(6) of Regulation (EU) No 1303/2013.
- (3) Annex VII to Implementing Regulation (EU) No 1011/2014 sets out the model for the accounts in accordance with Article 137(3) of Regulation (EU) No 1303/2013.
- (4) Article 92b(9) of Regulation (EU) No 1303/2013, as amended by Regulation (EU) 2020/2221 of the European Parliament and of the Council ⁽³⁾, provides that the revised financing plan set out in Article 96(2)(d) of Regulation (EU) No 1303/2013 is to set out the allocation of the additional resources from the European Union Recovery Instrument to the European Regional Development Fund and to the European Social Fund without however identifying amounts for the performance reserve and with no breakdown per category of regions. Specific fields should therefore be added to the models of payment applications and accounts to reflect, for the additional resources, the same split as for the global resources, except for the breakdown per category of regions.
- (5) Article 92b(10) of Regulation (EU) No 1303/2013, as amended by Regulation (EU) 2020/2221, provides that the financing plan of a new dedicated operational programme is to set out the allocation of the additional resources from the European Union Recovery Instrument to the European Regional Development Fund and to the European Social Fund without identifying amounts for the performance reserve and with no breakdown per category of regions. New fields should therefore be added to the model for the transmission of financial data to reflect, for the additional resources, the same breakdown as for the global resources, except for the breakdown per category of regions.
- (6) The relevant models in Annexes II, VI and VII to Implementing Regulation (EU) No 1011/2014 should therefore be amended accordingly.

⁽¹⁾ OJ L 347, 20.12.2013, p. 320.

⁽²⁾ Commission Implementing Regulation (EU) No 1011/2014 of 22 September 2014 laying down detailed rules for implementing Regulation (EU) No 1303/2013 of the European Parliament and of the Council as regards the models for submission of certain information to the Commission and the detailed rules concerning the exchanges of information between beneficiaries and managing authorities, certifying authorities, audit authorities and intermediate bodies (OJ L 286, 30.9.2014, p. 1).

⁽³⁾ Regulation (EU) 2020/2221 of the European Parliament and of the Council of 23 December 2020 amending Regulation (EU) No 1303/2013 as regards additional resources and implementing arrangements to provide assistance for fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and for preparing a green, digital and resilient recovery of the economy (REACT-EU) (OJ L 437, 28.12.2020, p. 30).

- (7) In order to allow for prompt application of the measures provided for in this Regulation, this Regulation should enter into force on the day following that of its publication in the *Official Journal of the European Union*.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Coordination Committee for the European Structural and Investment Funds,

HAS ADOPTED THIS REGULATION:

Article 1

Implementing Regulation (EU) No 1011/2014 is amended as follows:

- (1) Annex II is replaced by the text in Annex I to this Regulation;
- (2) Annex VI is replaced by the text in Annex II to this Regulation;
- (3) Annex VII is replaced by the text in Annex III to this Regulation.

Article 2

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 3 March 2021.

For the Commission
The President
Ursula VON DER LEYEN

Annex II is replaced as follows:

‘ANNEX II

Model for the transmission of financial data ⁽¹⁾

Table 1

Financial information at priority axis and programme level ⁽²⁾

1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.
The financial allocation of the priority axis based on the operational programme [extracted from Table 18a of the operational programme]						Cumulative data on the financial progress of the operational programme					
Priority axis	Fund ⁽¹⁾	Category of region ⁽²⁾	Basis for the calculation of Union support* (Total eligible cost or public eligible cost)	Total funding (EUR)	Co-financing rate (%)	Total eligible cost of operations selected for support (EUR)	Proportion of the total allocation covered with selected operations (%) [column 7/column 5x100]	Public eligible cost of operations selected for support (EUR)	Total eligible expenditure declared by beneficiaries to the managing authority	Proportion of the total allocation covered by eligible expenditure declared by beneficiaries (%) [column 10/column 5x100]	Number of operations selected
							Calculation			Calculation	
<type='S' input='G'>	<type='S' input='G'>	<type='S' input='G'>	<type='S' input='G'>	<type='N' input='G'>	<type='P' input='G'>	<type='Cu' input='M'>	<type='P' input='G'>	<type='Cu' input='M'>	<type='Cu' input='M'>	<type='P' input='G'>	<type='N' input='M'>

⁽¹⁾ Legend for the characteristics of fields:
type: N = Number, D = Date, S = String, C = Checkbox, P = Percentage, B = Boolean, Cu = Currency
input: M = Manual, S = Selection, G = Generated by system

⁽²⁾ Tables in this Annex provide for the split of the REACT-EU resources (Article 92a of Regulation (EU) No 1303/2013) where necessary, i.e.: ERDF REACT-EU, ESF REACT-EU and YEI REACT-EU.

Priority axis 1	ERDF										
Priority axis 2	ESF										
Priority axis 3	YEI ⁽³⁾	NA									
Priority axis 4	ESF										
	YEI ⁽⁴⁾	NA									
Priority axis 5	Cohesion Fund	NA									
Priority axis 6	ERDF REACT-EU	NA									
Priority axis 7	ESF REACT-EU	NA									
Priority axis 8	ESF REACT-EU	NA									
	YEI REACT-EU ⁽⁴⁾	NA									
Priority axis 9	YEI REACT-EU ⁽³⁾	NA									
Total	ERDF	Less developed		<type='N' input=' G '>		<type='Cu' input=' G '>	<type='P' input=' G '>	<type='Cu' input=' G '>	<type='Cu' input=' G '>	<type='P' input='G'>	<type='N' input=' G '>
Total	ERDF	Transition		<type='N' input=' G '>		<type='Cu' input=' G '>	<type='P' input=' G '>	<type='Cu' input=' G '>	<type='Cu' input=' G '>	<type='P' input='G'>	<type='N' input=' G '>
Total	ERDF	More developed		<type='N' input=' G '>		<type='Cu' input=' G '>	<type='P' input=' G '>	<type='Cu' input=' G '>	<type='Cu' input=' G '>	<type='P' input='G'>	<type='N' input=' G '>

Total	ERDF	Special allocation to outermost regions or northern sparsely populated regions		<type='N' input=' G '>		<type='Cu' input=' G '>	<type='P' input=' G '>	<type='Cu' input=' G '>	<type='Cu' input=' G '>	<type='P' input='G'>	<type='N' input=' G '>
Total	ESF ⁽⁵⁾	Less developed		<type='N' input=' G '>		<type='Cu' input=' G '>	<type='P' input=' G '>	<type='Cu' input=' G '>	<type='Cu' input=' G '>	<type='P' input='G'>	<type='N' input=' G '>
Total	ESF ⁽⁵⁾	Transition		<type='N' input=' G '>		<type='Cu' input=' G '>	<type='P' input=' G '>	<type='Cu' input=' G '>	<type='Cu' input=' G '>	<type='P' input='G'>	<type='N' input=' G '>
Total	ESF ⁽⁵⁾	More developed		<type='N' input=' G '>		<type='Cu' input=' G '>	<type='P' input=' G '>	<type='Cu' input=' G '>	<type='Cu' input=' G '>	<type='P' input='G'>	<type='N' input=' G '>
Total	YEI ⁽⁶⁾	NA		<type='N' input=' G '>		<type='Cu' input=' G '>	<type='P' input=' G '>	<type='Cu' input=' G '>	<type='Cu' input=' G '>	<type='P' input='G'>	<type='N' input=' G '>
Total	YEI REACT-EU ⁽⁷⁾	NA		<type='N' input=' G '>		<type='Cu' input=' G '>	<type='P' input=' G '>	<type='Cu' input=' G '>	<type='Cu' input=' G '>	<type='P' input='G'>	<type='N' input=' G '>
Total	Cohesion Fund	NA		<type='N' input=' G '>		<type='Cu' input=' G '>	<type='P' input=' G '>	<type='Cu' input=' G '>	<type='Cu' input=' G '>	<type='P' input='G'>	<type='N' input=' G '>
Total	ERDF REACT-EU	NA		<type='N' input=' G '>		<type='N' input=' G '>	<type='N' input=' G '>	<type='N' input=' G '>	<type='N' input=' G '>	<type='N' input=' G '>	<type='N' input=' G '>
Total	ESF REACT-EU	NA		<type='N' input=' G '>		<type='N' input=' G '>	<type='N' input=' G '>	<type='N' input=' G '>	<type='N' input=' G '>	<type='N' input=' G '>	<type='N' input=' G '>
Grand Total	All Funds			<type='N' input=' G '>		<type='N' input=' G '>	<type='P' input=' G '>	<type='N' input=' G '>	<type='N' input=' G '>	<type='P' input='G'>	<type='N' input=' G '>

- (¹) In case the YEI is programmed as part of a priority axis (in accordance with point (c) of the second subparagraph of Article 18 of Regulation (EU) No 1304/2013), the information has to be provided separately from the other part of the priority axis.
- (²) This does not apply to the resources allocated to the YEI (i.e. the YEI specific allocation and the matching ESF support), to the Cohesion Fund, to ERDF REACT-EU and ESF REACT-EU.
- (³) This priority axis comprises the specific allocation to YEI and the matching ESF support.
- (⁴) This part of a priority axis comprises the specific allocation to YEI and the matching ESF support.
- (⁵) ESF allocation without the matching support for YEI.
- (⁶) Includes the YEI special allocation and the matching support from the ESF.
- (⁷) Includes the YEI special allocation and the matching support from the ESF REACT-EU.

Table 2

Breakdown of the cumulative financial data by category of intervention for the transmission made by 31 January

Priority axis	Characteristics of expenditure		Categorisation dimensions								Financial data			
	Fund (*)	Category of region	1 Intervention field	2 Form of finance	3 Territorial dimension	4 Territorial delivery mechanism	5 Thematic objective dimension ERDF/ Cohesion Fund	6 ESF secondary theme	7 Economic dimension	8 Location dimension	Total eligible cost of operations selected for support (EUR)	Public eligible cost of operations selected for support (EUR)	The total eligible expenditure declared by beneficiaries to the managing authority	Number of operations selected
<type='S' input='S'>	<type='S' input='S'>	<type='S' input='S'>	<type='S' input='S'>	<type='S' input='S'>	<type='S' input='S'>	<type='S' input='S'>	<type='S' input='S'>	<type='S' input='S'>	<type='S' input='S'>	<type='S' input='S'>	<type='Cu' input='M'>	<type='Cu' input='M'>	<type='Cu' input = M'>	<type='N' input = M'>

(*) Data for the YEI shall be presented separately without splitting the YEI specific allocation and the matching ESF support. Data for ERDF REACT-EU as well as for ESF REACT-EU shall be presented separately.

Table 3

A forecast of the amount for which the Member State expects to submit interim payment applications for the current financial year and the subsequent financial year

For each programme, to be filled in by Fund and category of region, where appropriate

Fund	Category of region	Union contribution		
		[current financial year]		[subsequent financial year]
		January – October	November – December	January- December
ERDF	Less developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
	Transition regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
	More developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
	Outermost regions and Northern sparsely populated regions ⁽¹⁾	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
ETC		<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
ESF	Less developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
	Transition regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
	More developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
YEI ⁽²⁾		<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Cohesion Fund		<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
ERDF REACT-EU		<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
ESF REACT-EU		<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
YEI REACT-EU		<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">

⁽¹⁾ This should only show the specific allocation for outermost regions/Northern sparsely populated regions.

⁽²⁾ This includes the specific allocation for the YEI and the corresponding ESF support.

ANNEX II

Annex VI is replaced as follows:

'ANNEX VI

Model for the payment application including additional information concerning financial instruments

PAYMENT APPLICATION

EUROPEAN COMMISSION

Fund concerned ⁽¹⁾:

<type="S" input="S" > ⁽²⁾

Commission reference (CCI):

<type="S" input="S">

Name of operational programme:

<type="S" input="G">

Commission Decision:

<type="S" input="G">

Date Commission Decision:

<type="D" input="G">

Payment application number:

<type="N" input="G">

Date of submission of the payment application:

<type="D" input="G">

National reference (optional):

<type="S" maxlength="250" input="M">

⁽¹⁾ If a programme concerns more than one fund, application for payment should be sent separately for each of them. Irrespective of the way YEI is implemented (dedicated OP, specific priority axis or part of a priority axis), expenditure related to YEI activities will always be declared under an ESF payment application and will therefore cover both YEI specific allocation and ESF corresponding support.

⁽²⁾ Legends:

type: N = Number, D = Date, S = String, C = Checkbox, P = Percentage, B = Boolean, Cu = Currency
input: M = Manual, S = Selection, G = Generated by system

Please specify the type of the payment application:

An interim payment application, in accordance with Article 131 of Regulation (EU) No 1303/2013	<radio button>
A final application for interim payment in accordance with Article 135(2) of Regulation (EU) No 1303/2013	<radio button>

According to Article 135 of Regulation (EU) No 1303/2013, this payment application refers to the accounting period:

From ⁽¹⁾

<type="D" input="G">

until:

<type="D" input="G">

⁽¹⁾ First day of the accounting year, automatically encoded by the IT system.

Expenditure broken down by priority and category of regions as entered into the accounts of the certifying authority ⁽²⁾

(Including programme contributions paid to financial instruments (Article 41 of Regulation (EU) No 1303/2013) and advances paid in context of State aid (Article 131(5) of Regulation (EU) No 1303/2013))

Priority	Calculation basis (public or total)	Total amount of eligible expenditure incurred by beneficiaries and paid in implementing operations	Total amount of public expenditure incurred in implementing operations
	(A)	(B)	(C)
Priority 1			
Less developed regions	<type="S" input="G">	<type="Cu" input="M">	<type="Cu" input="M">
Transition regions	<type="S" input="G">	<type="Cu" input="M">	<type="Cu" input="M">
More developed regions	<type="S" input="G">	<type="Cu" input="M">	<type="Cu" input="M">
Outermost regions and Northern sparsely populated regions	<type="S" input="G">	<type="Cu" input="M">	<type="Cu" input="M">
YEI ⁽¹⁾	<type="S" input="G">	<type="Cu" input="M">	<type="Cu" input="M">
Priority 2			
Less developed regions	<type="S" input="G">	<type="Cu" input="M">	<type="Cu" input="M">
Transition regions	<type="S" input="G">	<type="Cu" input="M">	<type="Cu" input="M">
More developed regions	<type="S" input="G">	<type="Cu" input="M">	<type="Cu" input="M">
Outermost regions and Northern sparsely populated regions	<type="S" input="G">	<type="Cu" input="M">	<type="Cu" input="M">
YEI	<type="S" input="G">	<type="Cu" input="M">	<type="Cu" input="M">
Priority 3			
Less developed regions	<type="S" input="G">	<type="Cu" input="M">	<type="Cu" input="M">
Transition regions	<type="S" input="G">	<type="Cu" input="M">	<type="Cu" input="M">
More developed regions	<type="S" input="G">	<type="Cu" input="M">	<type="Cu" input="M">

⁽¹⁾ Tables in this Annex provide for the split of the REACT-EU resources (Article 92a of Regulation (EU) No 1303/2013) where necessary, i.e. ERDF REACT-EU, ESF REACT-EU and YEI REACT-EU.

Outermost regions and Northern sparsely populated regions	<type="S" input="G">	<type="Cu" input="M">	<type="Cu" input="M">
Priority 4			
YEI ⁽¹⁾	<type="S" input="G">	<type="Cu" input="M">	<type="Cu" input="M">
Totals			
Less developed regions		<type="Cu" input="G">	<type="Cu" input="G">
Transition regions		<type="Cu" input="G">	<type="Cu" input="G">
More developed regions		<type="Cu" input="G">	<type="Cu" input="G">
Outermost regions and Northern sparsely populated regions		<type="Cu" input="G">	<type="Cu" input="G">
YEI		<type="Cu" input="G">	<type="Cu" input="G">
Grand Total		<type="Cu" input="G">	<type="Cu" input="G">

⁽¹⁾ The YEI is implemented through a dedicated priority as referred to in Article 18 of Regulation (EU) No 1304/2013.

The model is automatically adjusted on basis of the CCI or other elements of the programme. As an example, in case of programmes not including categories of regions (Cohesion Fund, ETC, EMFF, ENI and IPA contributions to ETC, YEI dedicated operational programme without technical assistance, ERDF REACT-EU, ESF REACT-EU, YEI REACT-EU ⁽¹⁾ if applicable) the table shall look as follows:

Priority	Calculation basis (public or total) ⁽¹⁾	Total amount of eligible expenditure incurred by beneficiaries and paid in implementing operations	Total amount of public expenditure incurred in implementing operations
	(A)	(B)	(C)
Priority 1	<type="S" input="G">	<type="Cu" input="M">	<type="Cu" input="M">
Priority 2	<type="S" input="G">	<type="Cu" input="M">	<type="Cu" input="M">
Priority 3	<type="S" input="G">	<type="Cu" input="M">	<type="Cu" input="M">
Grand Total		<type="Cu" input="G">	<type="Cu" input="G">

⁽¹⁾ For the EMFF cofinancing applies only on "Total eligible public expenditure". Therefore, in case of EMFF, the calculation base in this model will automatically be adjusted to "Public".

⁽¹⁾ Tables in this Annex provide for the split of the REACT-EU resources (Article 92a of Regulation (EU) No 1303/2013) where necessary, i.e. ERDF REACT-EU, ESF REACT-EU and YEI REACT-EU.

CERTIFICATE

By validating this payment application the Certifying Authority certifies that the responsibilities foreseen in points (a), (d), (e), (f), (g) and (h) of Article 126 of Regulation (EU) No 1303/2013 are fulfilled and requests the payment of the amounts as mentioned below.

Representing the Certifying Authority:

<type="S" input="G">

APPLICATION FOR PAYMENT

FUND	AMOUNTS			
	Less developed regions	Transition regions	More developed regions	Outermost regions and Northern sparsely populated regions
	(A)	(B)	(C)	(D)
<type="S" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">
YEI ⁽¹⁾	<type="Cu" input="G">			
ERDF REACT-EU	<type="Cu" input="G">			
ESF REACT-EU	<type="Cu" input="G">			
YEI REACT-EU ⁽²⁾	<type="Cu" input="G">			

⁽¹⁾ Covers the specific allocation for the YEI and the corresponding ESF support.

⁽²⁾ Covers the specific allocation for the YEI REACT-EU and the corresponding ESF REACT-EU support.

The model is automatically adjusted on basis of the CCI or other elements of the programme. As an example, in case of programmes not including categories of regions (Cohesion Fund, ETC, EMFF, ENI and IPA contributions to ETC, YEI dedicated operational programme without technical assistance, ERDF REACT-EU, ESF REACT-EU, YEI REACT-EU, if applicable) the table shall look as follows:

FUND	AMOUNT
<type="S" input="G">	<type="Cu" input="G">

The payment will be made on the following bank account:

Designated body	<type="S" maxlength="150" input="G">
Bank	<type="S" maxlength="150" input="G">
BIC	<type="S" maxlength="11" input="G">
Bank account IBAN	<type="S" maxlength="34" input="G">
Holder of account (where not the same as the designated body)	<type="S" maxlength="150" input="G">

Information on programme contributions paid to financial instruments as referred to in Article 41 of Regulation (EU) No 1303/2013 and included in the payment applications (cumulative from the start of the programme) ⁽⁴⁾

	Programme contributions paid to financial instruments included in payment applications		Amounts paid as eligible expenditure in the meaning of Article 42(1)(a), (b) and (d) of Regulation (EU) No 1303/2013 ⁽¹⁾	
	(A)	(B) ⁽²⁾	(C)	(D) ⁽²⁾
Priority ⁽³⁾	Total amount of programme contributions paid to financial instruments	Amount of corresponding public expenditure	Total amount of programme contributions effectively paid, or, in the case of guarantees, committed, as eligible expenditure in the meaning of Article 42(1)(a), (b) and (d) of Regulation (EU) No 1303/2013 ⁽⁴⁾	Amount of corresponding public expenditure
Priority 1				
Less developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Transition regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
More developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Outermost regions and Northern sparsely populated regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
YEI ⁽⁵⁾	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Priority 2				
Less developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Transition regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
More developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Outermost regions and Northern sparsely populated regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">

⁽⁴⁾ For EAFRD (including the European Union Recovery Instrument) included in the quarterly declaration of expenditure.

YEI	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Priority 3				
Less developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Transition regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
More developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Outermost regions and Northern sparsely populated regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
YEI	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Priority 4				
YEI ⁽⁶⁾	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Totals				
Less developed regions	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">
Transition regions	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">
More developed regions	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">
Outermost regions and Northern sparsely populated regions	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">
YEI	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">
Grand Total	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">

⁽¹⁾ At closure, the eligible expenditure shall respect the provisions of Article 42(1), (2) and (3) of Regulation (EU) No 1303/2013.

⁽²⁾ To be noted that due to the specificity of the EAFRD, the values in columns (B) and (D) are the same as those in columns (A) and (C) respectively.

⁽³⁾ For EAFRD Measure Code.

⁽⁴⁾ See footnote 49.

⁽⁵⁾ The YEI is implemented through part of a priority as referred to in Article 18 of Regulation (EU) No 1304/2013. Covers the specific allocation for the YEI and the corresponding ESF support.

⁽⁶⁾ The YEI is implemented through a dedicated priority as referred to in Article 18 of Regulation (EU) No 1304/2013. Covers the specific allocation for the YEI and the corresponding ESF support.

The model is automatically adjusted on basis of the CCI or other elements of the programme. As an example, in case of programmes not including categories of regions (Cohesion Fund, ETC, EMFF, ENI and IPA contributions to ETC, YEI dedicated operational programme without technical assistance, ERDF REACT-EU, ESF REACT-EU, YEI REACT-EU, if applicable) the table shall look as follows:

	Programme contributions paid to financial instruments included in payment applications		Amounts paid as eligible expenditure in the meaning of Article 42(1)(a), (b) and (d) of Regulation (EU) No 1303/2013 ⁽¹⁾	
	(A)	(B)	(C)	(D)
Priority	Total amount of programme contributions paid to financial instruments	Amount of corresponding public expenditure	Total amount of programme contributions effectively paid, or, in the case of guarantees, committed, as eligible expenditure in the meaning of Article 42(1)(a), (b) and (d) of Regulation (EU) No 1303/2013 ⁽¹⁾	Amount of corresponding public expenditure
Priority 1	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Priority 2	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Priority 3	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Grand Total	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">

⁽¹⁾ See footnote 49.

APPENDIX 2

Advances paid in the context of State aid (Article 131(5) of Regulation (EU) No 1303/2013) and included in the payment applications (cumulative from the start of the programme)

Priority	Total amount paid from the operational programme as advances ⁽¹⁾	Amount which has been covered by expenditure paid by beneficiaries or, where Member States have decided that the beneficiary is the body granting the aid pursuant to point (a) of Article 2(10) of Regulation (EU) No 1303/2013, by the body receiving the aid, within three years of the payment of the advance	Amount which has not been covered by expenditure paid by beneficiaries or, where Member States have decided that the beneficiary is the body granting the aid pursuant to point (a) of Article 2(10) of Regulation (EU) No 1303/2013, by the body receiving the aid, and for which the three year period has not yet elapsed
	(A)	(B)	(C)
Priority 1			
Less developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Transition regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
More developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Outermost regions and Northern sparsely populated regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
YEI ⁽²⁾	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Priority 2			
Less developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Transition regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
More developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Outermost regions and Northern sparsely populated regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
YEI	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Priority 3			
Less developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Transition regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
More developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">

Outermost regions and Northern sparsely populated regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
YEI	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Priority 4			
YEI ⁽³⁾	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Totals			
Less developed regions	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">
Transition regions	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">
More developed regions	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">
Outermost regions and Northern sparsely populated regions	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">
YEI	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">
Grand Total	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">

(¹) This amount is included in the Total amount of eligible expenditure incurred by beneficiaries and paid in implementing operations as mentioned in the payment application. As state aid is by nature public expenditure, this total amount is equal to public expenditure.

(²) The YEI is implemented through part of a priority as referred to in Article 18 of Regulation (EU) No 1304/2013. Covers the specific allocation for the YEI and the corresponding ESF support.

(³) The YEI is implemented through a dedicated priority as referred to in Article 18 of Regulation (EU) No 1304/2013. Covers the specific allocation for the YEI and ESF corresponding support.

The model is automatically adjusted on basis of the CCI or other elements of the programme. As an example, in case of programmes not including categories of regions (Cohesion Fund, ETC, EMFF, ENI and IPA contributions to ETC, YEI dedicated operational programme without technical assistance, ERDF REACT-EU, ESF REACT-EU, YEI REACT-EU, if applicable) the table shall look as follows:

Priority	Total amount paid from the operational programme as advances (¹)	Amount which has been covered by expenditure paid by beneficiaries within 3 years of the payment of the advance	Amount which has not been covered by expenditure paid by beneficiaries and for which the 3 year period has not yet elapsed
	(A)	(B)	(C)
Priority 1	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Priority 2	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">

Priority 3	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Grand Total	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">

(¹) This amount is included in the Total amount of eligible expenditure incurred by beneficiaries and paid in implementing operations as mentioned in the payment application. As state aid is by nature public expenditure, this total amount is equal to public expenditure.

ANNEX III

Annex VII is replaced as follows:

'ANNEX VII

Model for the accounts

ACCOUNTS FOR ACCOUNTING PERIOD

<type="D" – type="D" input="S">

EUROPEAN COMMISSION

Fund concerned ⁽¹⁾:

Commission reference (CCI):

Name of operational programme:

Commission Decision:

Date Commission Decision:

Version of the accounts:

Date of submission of the accounts:

National reference (optional):

<type="S" input="S" > ⁽²⁾

<type="S" input="S">

<type="S" input="G">

<type="S" input="G">

<type="D" input="G">

<type="S" input="G">

<type="D" input="G">

<type="S" maxlength="250" input="M">

⁽¹⁾ If a programme concerns more than one fund, accounts should be sent separately for each of them. In the case of YEI, annual accounts will include both the specific allocation for the YEI and the ESF corresponding support. Tables in this Annex provide for the split of the REACT-EU additional resources (Article 92a of Regulation (EU) No 1303/2013) where necessary, i.e.: ERDF REACT-EU, ESF REACT-EU and YEI REACT-EU.

⁽²⁾ Legends:

type: N=Number, D=Date, S=String, C=Checkbox, P=Percentage, B=Boolean, Cu=Currency
input: M=Manual, S=Selection, G=Generated by system

CERTIFICATE

The certifying authority hereby certifies that:

- (1) that the accounts are complete accurate and true and that the expenditure entered into the accounts complies with applicable law and has been incurred in respect of operations selected for funding in accordance with the criteria applicable to the operational programme and complying with applicable law;
- (2) that the provisions in the Fund-specific Regulations, Article 59(5) of Regulation (EU, Euratom) No 966/2012 and in points, (d) and (f) of Article 126 of Regulation (EU) No 1303/2013 are respected;
- (3) that the provisions in Article 140 of Regulation (EU) No 1303/2013 with regard to the availability of documents are respected.

Representing the certifying authority:

<type="S" input="G">

AMOUNTS ENTERED INTO THE ACCOUNTING SYSTEMS OF THE CERTIFYING AUTHORITY

Article 137(1)(a) of Regulation (EU) No 1303/2013

Priority	Total amount of eligible expenditure entered into the accounting systems of the certifying authority and which has been included in the payment applications submitted to the Commission (A)	Total amount of the corresponding public expenditure incurred in implementing operations (B)	Total amount of corresponding payments made to beneficiaries under Article 132(1) of Regulation (EU) No 1303/2013] (C)
Priority 1			
Less developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Transition regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
More developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Outermost regions and Northern sparsely populated regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
YEI ⁽¹⁾	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Priority 2			
Less developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Transition regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
More developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Outermost regions and Northern sparsely populated regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
YEI	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Priority 3			
Less developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Transition regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
More developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Outermost regions and Northern sparsely populated regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">

YEI	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Priority 4			
YEI ⁽²⁾	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Totals			
Less developed regions	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">
Transition regions	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">
More developed regions	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">
Outermost regions and Northern sparsely populated regions	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">
YEI	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">
Grand Total	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">

(¹) The YEI is implemented through part of a priority as referred to in Article 18 of Regulation (EU) No 1304/2013. Payments include the specific allocation for the YEI and the corresponding ESF support in column (C).

(²) The YEI is implemented through a dedicated priority as referred to in Article 18 of Regulation (EU) No 1304/2013. Payments include the specific allocation for the YEI and the corresponding ESF support in column (C).

The model is automatically adjusted on basis of the CCI or other elements of the programme. As an example, in case of programmes not including categories of regions (Cohesion Fund, ETC, EMFF, ENI and IPA contributions to ETC, YEI dedicated operational programme without technical assistance, ERDF REACT-EU, ESF REACT-EU, YEI REACT-EU (¹), if applicable) the table shall look as follows:

Priority	Total amount of eligible expenditure entered into the accounting systems of the certifying authority and which has been included in the payment applications submitted to the Commission (A)	Total amount of the corresponding public expenditure incurred in implementing operations (B)	Total amount of corresponding payments made to beneficiaries under Article 132(1) of Regulation (EU) No 1303/2013 (C)
Priority 1	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Priority 2	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Priority 3	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Grand Total	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">

(¹) Tables in this Annex provide for the split of the REACT-EU resources (Article 92a of Regulation (EU) No 1303/2013) where necessary, i.e.: ERDF REACT-EU, ESF REACT-EU and YEI REACT-EU.

AMOUNTS WITHDRAWN AND RECOVERED DURING THE ACCOUNTING YEAR

Article 137(1)(b) of Regulation (EU) No 1303/2013

Priority	WITHDRAWALS		RECOVERIES ⁽¹⁾	
	Total eligible amount of expenditure included in payment applications	Corresponding public expenditure	Total eligible amount of expenditure included in payment applications	Corresponding public expenditure
	(A)	(B)	(C)	(D)
Priority 1				
Less developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Transition regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
More developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Outermost regions and Northern sparsely populated regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
YEI ⁽²⁾	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Priority 2				
Less developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Transition regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
More developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Outermost regions and Northern sparsely populated regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
YEI	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Priority 3				
Less developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Transition regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
More developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Outermost regions and Northern sparsely populated regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">

YEI	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Priority 4				
YEI ⁽³⁾	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Totals				
Less developed regions	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">
Transition regions	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">
More developed regions	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">
Outermost regions and Northern sparsely populated regions	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">
YEI	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">
GRAND TOTAL	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">

Split of amounts withdrawn and recovered during the accounting year by accounting year of declaration of the corresponding expenditure

In relation to accounting year ending 30 June 2015 (total)	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Out of which amounts corrected as a result of audits of operations according to Article 127(1) of Regulation (EU) No 1303/2013	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
In relation to accounting year ending 30 June ... (total)	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Out of which amounts corrected as a result of audits of operations according to Article 127(1) of Regulation (EU) No 1303/2013	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">

⁽¹⁾ Excluding recoveries made under Article 71 of Regulation (EU) No 1303/2013 (see Appendix 4).

⁽²⁾ The YEI is implemented through part of a priority as referred to in Article 18 of Regulation (EU) No 1304/2013.

⁽³⁾ The YEI is implemented through a dedicated priority as referred to in Article 18 of Regulation (EU) No 1304/2013.

The model is automatically adjusted on basis of the CCI or other elements of the programme. As an example, in case of programmes not including categories of regions (Cohesion Fund, ETC, EMFF, ENI and IPA contributions to ETC, YEI dedicated operational programme without technical assistance, ERDF REACT-EU, ESF REACT-EU, YEI REACT-EU, if applicable) the table shall look as follows:

Priority	WITHDRAWALS		RECOVERIES ⁽¹⁾	
	Total eligible amount of expenditure included in payment applications	Corresponding public expenditure	Total eligible amount of expenditure included in payment applications	Corresponding public expenditure
	(A)	(B)	(C)	(D)
Priority 1	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Priority 2	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Priority 3	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
GRAND TOTAL	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">
Split of amounts withdrawn and recovered during the accounting year by accounting year of declaration of the corresponding expenditure				
In relation to accounting year ending 30 June 2015 (total)	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Out of which amounts corrected as a result of audits of operations according to Article 127(1) of Regulation (EU) No 1303/2013	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
In relation to accounting year ending 30 June ... (total)	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Out of which amounts corrected as a result of audits of operations according to Article 127(1) of Regulation (EU) No 1303/2013	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
⁽¹⁾ See footnote 66.				

APPENDIX 3

AMOUNTS TO BE RECOVERED AS AT THE END OF THE ACCOUNTING YEAR

Article 137(1)(b) of Regulation (EU) No 1303/2013

Priority	Total eligible amount of expenditure ⁽¹⁾ (A)	Corresponding public expenditure (B)
Priority 1		
Less developed regions	<type="Cu" input="M">	<type="Cu" input="M">
Transition regions	<type="Cu" input="M">	<type="Cu" input="M">
More developed regions	<type="Cu" input="M">	<type="Cu" input="M">
Outermost regions and Northern sparsely populated regions	<type="Cu" input="M">	<type="Cu" input="M">
YEI ⁽²⁾	<type="Cu" input="M">	<type="Cu" input="M">
Priority 2		
Less developed regions	<type="Cu" input="M">	<type="Cu" input="M">
Transition regions	<type="Cu" input="M">	<type="Cu" input="M">
More developed regions	<type="Cu" input="M">	<type="Cu" input="M">
Outermost regions and Northern sparsely populated regions	<type="Cu" input="M">	<type="Cu" input="M">
YEI	<type="Cu" input="M">	<type="Cu" input="M">
Priority 3		
Less developed regions	<type="Cu" input="M">	<type="Cu" input="M">
Transition regions	<type="Cu" input="M">	<type="Cu" input="M">
More developed regions	<type="Cu" input="M">	<type="Cu" input="M">
Outermost regions and Northern sparsely populated regions	<type="Cu" input="M">	<type="Cu" input="M">
YEI	<type="Cu" input="M">	<type="Cu" input="M">
Priority 4		
YEI ⁽³⁾	<type="Cu" input="M">	<type="Cu" input="M">
Totals		
Less developed regions	<type="Cu" input="G">	<type="Cu" input="G">
Transition regions	<type="Cu" input="G">	<type="Cu" input="G">
More developed regions	<type="Cu" input="G">	<type="Cu" input="G">
Outermost regions and Northern sparsely populated regions	<type="Cu" input="G">	<type="Cu" input="G">
YEI	<type="Cu" input="G">	<type="Cu" input="G">
GRAND TOTAL	<type="Cu" input="G">	<type="Cu" input="G">

Split of amounts to be recovered as at the end of the accounting year by accounting year of declaration of the corresponding expenditure

In relation to accounting year ending 30 June 2015 (total)	<type="Cu" input="M">	<type="Cu" input="M">
Out of which amounts corrected as a result of audits of operations according to Article 127(1) of Regulation (EU) No 1303/2013	<type="Cu" input="M">	<type="Cu" input="M">
In relation to accounting year ending 30 June (total)	<type="Cu" input="M">	<type="Cu" input="M">
Out of which amounts corrected as a result of audits of operations according to Article 127(1) of Regulation (EU) No 1303/2013	<type="Cu" input="M">	<type="Cu" input="M">

(¹) Including expenditure to be recovered under Article 71 of Regulation (EU) No 1303/2013.

(²) The YEI is implemented through part of a priority as referred to in Article 18 of Regulation (EU) No 1304/2013.

(³) The YEI is implemented through a dedicated priority as referred to in Article 18 of Regulation (EU) No 1304/2013.

The model is automatically adjusted on basis of the CCI or other elements of the programme. As an example, in case of programmes not including categories of regions (Cohesion Fund, ETC, EMFF, ENI and IPA contributions to ETC, YEI dedicated operational programme without technical assistance, ERDF REACT-EU, ESF REACT-EU, YEI REACT-EU, if applicable) the table shall look as follows:

Priority	Total eligible amount of expenditure (¹) (A)	Corresponding public expenditure (B)
Priority 1	<type="Cu" input="M">	<type="Cu" input="M">
Priority 2	<type="Cu" input="M">	<type="Cu" input="M">
Priority 3	<type="Cu" input="M">	<type="Cu" input="M">
GRAND TOTAL	<type="Cu" input="G">	<type="Cu" input="G">

Split of amounts to be recovered as at the end of the accounting year by accounting year of declaration of the corresponding expenditure

In relation to accounting year ending 30 June 2015 (total)	<type="Cu" input="M">	<type="Cu" input="M">
Out of which amounts corrected as a result of audits of operations according to Article 127(1) of Regulation (EU) No 1303/2013	<type="Cu" input="M">	<type="Cu" input="M">
In relation to accounting year ending 30 June (total)	<type="Cu" input="M">	<type="Cu" input="M">
Out of which amounts corrected as a result of audits of operations according to Article 127(1) of Regulation (EU) No 1303/2013	<type="Cu" input="M">	<type="Cu" input="M">

(¹) See footnote 70.

APPENDIX 4

RECOVERIES EFFECTED PURSUANT TO ARTICLE 71 OF REGULATION (EU) NO 1303/2013 DURING THE ACCOUNTING YEAR

Article 137(1)(b) of Regulation (EU) No 1303/2013

Priority	RECOVERIES	
	Total eligible amount of expenditure (A)	Corresponding public expenditure (B)
Priority 1		
Less developed regions	<type="Cu" input="M">	<type="Cu" input="M">
Transition regions	<type="Cu" input="M">	<type="Cu" input="M">
More developed regions	<type="Cu" input="M">	<type="Cu" input="M">
Outermost regions and Northern sparsely populated regions	<type="Cu" input="M">	<type="Cu" input="M">
YEI ⁽¹⁾	<type="Cu" input="M">	<type="Cu" input="M">
Priority 2		
Less developed regions	<type="Cu" input="M">	<type="Cu" input="M">
Transition regions	<type="Cu" input="M">	<type="Cu" input="M">
More developed regions	<type="Cu" input="M">	<type="Cu" input="M">
Outermost regions and Northern sparsely populated regions	<type="Cu" input="M">	<type="Cu" input="M">
YEI	<type="Cu" input="M">	<type="Cu" input="M">
Priority 3		
Less developed regions	<type="Cu" input="M">	<type="Cu" input="M">
Transition regions	<type="Cu" input="M">	<type="Cu" input="M">
More developed regions	<type="Cu" input="M">	<type="Cu" input="M">
Outermost regions and Northern sparsely populated regions	<type="Cu" input="M">	<type="Cu" input="M">
YEI	<type="Cu" input="M">	<type="Cu" input="M">
Priority 4		
YEI ⁽²⁾	<type="Cu" input="M">	<type="Cu" input="M">
Totals		
Less developed regions	<type="Cu" input="G">	<type="Cu" input="G">
Transition regions	<type="Cu" input="G">	<type="Cu" input="G">
More developed regions	<type="Cu" input="G">	<type="Cu" input="G">
Outermost regions and Northern sparsely populated regions	<type="Cu" input="G">	<type="Cu" input="G">
YEI	<type="Cu" input="G">	<type="Cu" input="G">
GRAND TOTAL	<type="Cu" input="G">	<type="Cu" input="G"> ²

Split of amounts recovered during the accounting year by accounting year of declaration of the corresponding expenditure

In relation to accounting year ending 30 June 2015 (total)	<type="Cu" input="M">	<type="Cu" input="M">
Out of which amounts corrected as a result of audits of operations according to Article 127(1) of Regulation (EU) No 1303/2013	<type="Cu" input="M">	<type="Cu" input="M">
In relation to accounting year ending 30 June (total)	<type="Cu" input="M">	<type="Cu" input="M">
Out of which amounts corrected as a result of audits of operations according to Article 127(1) of Regulation (EU) No 1303/2013	<type="Cu" input="M">	<type="Cu" input="M">

(¹) The YEI is implemented through part of a priority as referred to in Article 18 of Regulation (EU) No 1304/2013.

(²) The YEI is implemented through a dedicated priority as referred to in Article 18 of Regulation (EU) No 1304/2013.

The model is automatically adjusted on basis of the CCI or other elements of the programme. As an example, in case of programmes not including categories of regions (Cohesion Fund, ETC, EMFF, ENI and IPA contributions to ETC, YEI dedicated operational programme without technical assistance, ERDF REACT-EU, ESF REACT-EU, YEI REACT-EU, if applicable) the table shall look as follows:

Priority	RECOVERIES	
	Total eligible amount of expenditure (A)	Corresponding public expenditure (B)
Priority 1	<type="Cu" input="M">	<type="Cu" input="M">
Priority 2	<type="Cu" input="M">	<type="Cu" input="M">
Priority 3	<type="Cu" input="M">	<type="Cu" input="M">
GRAND TOTAL	<type="Cu" input="G">	<type="Cu" input="G">

Split of amounts recovered during the accounting year by accounting year of declaration of the corresponding expenditure

In relation to accounting year ending 30 June 2015 (total)	<type="Cu" input="M">	<type="Cu" input="M">
Out of which amounts corrected as a result of audits of operations according to Article 127(1) of Regulation (EU) No 1303/2013	<type="Cu" input="M">	<type="Cu" input="M">
In relation to accounting year ending 30 June (total)	<type="Cu" input="M">	<type="Cu" input="M">
Out of which amounts corrected as a result of audits of operations according to Article 127(1) of Regulation (EU) No 1303/2013	<type="Cu" input="M">	<type="Cu" input="M">

IRRECOVERABLE AMOUNTS AS AT THE END OF THE ACCOUNTING YEAR

Article 137(1)(b) of Regulation (EU) No 1303/2013

Priority	IRRECOVERABLE AMOUNTS		
	Total eligible amount of expenditure ⁽¹⁾ (A)	Corresponding public expenditure (B)	Comments (Obligatory) (C)
Priority 1			
Less developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="S" maxlength="1500" input="M">
Transition regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="S" maxlength="1500" input="M">
More developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="S" maxlength="1500" input="M">
Outermost regions and Northern sparsely populated regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="S" maxlength="1500" input="M">
YEI ⁽²⁾	<type="Cu" input="M">	<type="Cu" input="M">	<type="S" maxlength="1500" input="M">
Priority 2			
Less developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="S" maxlength="1500" input="M">
Transition regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="S" maxlength="1500" input="M">
More developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="S" maxlength="1500" input="M">
Outermost regions and Northern sparsely populated regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="S" maxlength="1500" input="M">
YEI	<type="Cu" input="M">	<type="Cu" input="M">	<type="S" maxlength="1500" input="M">

Priority 3			
Less developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="S" maxlength="1 500" input="M">
Transition regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="S" maxlength="1 500" input="M">
More developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="S" maxlength="1 500" input="M">
Outermost regions and Northern sparsely populated regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="S" maxlength="1 500" input="M">
YEI	<type="Cu" input="M">	<type="Cu" input="M">	<type="S" maxlength="1 500" input="M">
Priority 4			
YEI ⁽³⁾	<type="Cu" input="M">	<type="Cu" input="M">	<type="S" maxlength="1 500" input="M">
Totals			
Less developed regions	<type="Cu" input="G">	<type="Cu" input="G">	
Transition regions	<type="Cu" input="G">	<type="Cu" input="G">	
More developed regions	<type="Cu" input="G">	<type="Cu" input="G">	
Outermost regions and Northern sparsely populated regions	<type="Cu" input="G">	<type="Cu" input="G">	
YEI	<type="Cu" input="G">	<type="Cu" input="G">	
GRAND TOTAL	<type="Cu" input="G">	<type="Cu" input="G">	

⁽¹⁾ Including irrecoverable public expenditure under Article 71 of Regulation (EU) No 1303/2013.

⁽²⁾ The YEI is implemented through part of a priority as referred to in Article 18 of Regulation (EU) No 1304/2013.

⁽³⁾ The YEI is implemented through a dedicated priority as referred to in Article 18 of Regulation (EU) No 1304/2013.

The model is automatically adjusted on basis of the CCI or other elements of the programme. As an example, in case of programmes not including categories of regions (Cohesion Fund, ETC, EMFF, ENI and IPA contributions to ETC, YEI dedicated operational programme without technical assistance, ERDF REACT-EU, ESF REACT-EU, YEI REACT-EU, if applicable) the table shall look as follows:

Priority	IRRECOVERABLE AMOUNTS		
	Total eligible amount of expenditure ⁽¹⁾ (A)	Corresponding public expenditure (B)	Comments (Obligatory)
Priority 1	<type="Cu" input="M">	<type="Cu" input="M">	<type="S" maxlength="1500" input="M">
Priority 2	<type="Cu" input="M">	<type="Cu" input="M">	<type="S" maxlength="1500" input="M">
Priority 3	<type="Cu" input="M">	<type="Cu" input="M">	<type="S" maxlength="1500" input="M">
GRAND TOTAL	<type="Cu" input="G">	<type="Cu" input="G">	

⁽¹⁾ See footnote 76.

AMOUNTS OF PROGRAMME CONTRIBUTIONS PAID TO FINANCIAL INSTRUMENTS UNDER ARTICLE 41 OF REGULATION (EU) NO 1303/2013 (CUMULATIVE FROM THE START OF THE PROGRAMME)

Article 137(1)(c) of Regulation (EU) No 1303/2013

	Programme contributions paid to financial instruments included in payment applications		Amounts paid as eligible expenditure in the meaning of Article 42(1)(a), (b) and (d) of Regulation (EU) No 1303/2013 ⁽¹⁾	
	(A)	(B)	(C)	(D)
Priority	Total amount of programme contributions paid to financial instruments	Amount of corresponding public expenditure	Total amount of programme contributions effectively paid, or, in the case of guarantees, committed, as eligible expenditure in the meaning of Article 42(1)(a), (b) and (d) of Regulation (EU) No 1303/2013 ⁽²⁾	Amount of corresponding public expenditure
Priority 1				
Less developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Transitional regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
More developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Outermost regions and Northern sparsely populated regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
YEI ⁽³⁾	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Priority 2				
Less developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Transition regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
More developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Outermost regions and Northern sparsely populated regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
YEI	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">

Priority 3				
Less developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Transition regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
More developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Outermost regions and Northern sparsely populated regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
YEI	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Priority 4				
YEI ⁽⁴⁾	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Totals				
Less developed regions	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">
Transition regions	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">
More developed regions	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">
Outermost regions and Northern sparsely populated regions	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">
YEI	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">
Grand Total	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">

⁽¹⁾ At closure, the eligible expenditure shall respect the provisions of Article 42(1), (2) and (3) of Regulation (EU) No 1303/2013.

⁽²⁾ See footnote 80.

⁽³⁾ The YEI is implemented through part of a priority as referred to in Article 18 of Regulation (EU) No 1304/2013. Covers the specific allocation for the YEI and the corresponding ESF support.

⁽⁴⁾ The YEI is implemented through a dedicated priority as referred to in Article 18 of Regulation (EU) No 1304/2013. Covers the specific allocation for the YEI and the corresponding ESF support.

The model is automatically adjusted on basis of the CCI or other elements of the programme. As an example, in case of programmes not including categories of regions (Cohesion Fund, ETC, EMFF, ENI and IPA contributions to ETC, YEI dedicated operational programme without technical assistance, ERDF REACT-EU, ESF REACT-EU, YEI REACT-EU, if applicable) the table shall look as follows:

	Programme contributions paid to financial instruments included in payment applications		Amounts paid as eligible expenditure in the meaning of Article 42(1)(a), (b) and (d) of Regulation (EU) No 1303/2013 ⁽¹⁾	
	(A)	(B)	(C)	(D)
Priority	Total amount of programme contributions paid to financial instruments	Amount of corresponding public expenditure	Total amount of programme contributions effectively paid, or, in the case of guarantees, committed, as eligible expenditure in the meaning of Article 42(1)(a), (b) and (d) of Regulation (EU) No 1303/2013 ⁽¹⁾	Amount of corresponding public expenditure
Priority 1	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Priority 2	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Priority 3	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Grand Total	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">

⁽¹⁾ See footnote 80.

ADVANCES PAID IN THE CONTEXT OF STATE AID UNDER ARTICLE 131(5) OF REGULATION (EU) NO 1303/2013 (CUMULATIVE FROM THE START OF THE PROGRAMME)

Article 137(1)(c) of Regulation (EU) No 1303/2013

Priority	Total amount paid from the operational programme as advances ⁽¹⁾	Amount which has been covered by expenditure paid by beneficiaries or, where Member States have decided that the beneficiary is the body granting the aid pursuant to point (a) of Article 2(10) of Regulation (EU) No 1303/2013, by the body receiving the aid, within 3 years of the payment of the advance	Amount which has not been covered by expenditure paid by beneficiaries or, where Member States have decided that the beneficiary is the body granting the aid pursuant to point (a) of Article 2(10) of Regulation (EU) No 1303/2013, by the body receiving the aid, and for which the 3 year period has not yet elapsed
	(A)	(B)	(C)
Priority 1			
Less developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Transition regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
More developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Outermost regions and Northern sparsely populated regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
YEI ⁽²⁾	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Priority 2			
Less developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Transition regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
More developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Outermost regions and Northern sparsely populated regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
YEI	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">

Priority 3			
Less developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Transition regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
More developed regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Outermost regions and Northern sparsely populated regions	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
YEI	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Priority 4			
YEI ⁽³⁾	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Totals			
Less developed regions	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">
Transition regions	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">
More developed regions	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">
Outermost regions and Northern sparsely populated regions	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">
YEI	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">
Grand Total	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">

⁽¹⁾ This amount is included in the Total amount of eligible expenditure incurred by beneficiaries and paid in implementing operations as mentioned in the payment application. As State aid is by nature public expenditure, this total amount is equal to public expenditure.

⁽²⁾ The YEI is implemented through part of a priority as referred to in Article 18 of Regulation (EU) No 1304/2013. Covers YEI specific allocation and the corresponding ESF support.

⁽³⁾ The YEI is implemented through a dedicated priority as referred to in Article 18 of Regulation (EU) No 1304/2013. Covers the specific allocation for the YEI and ESF corresponding support.

The model is automatically adjusted on basis of the CCI or other elements of the programme. As an example, in case of programmes not including categories of regions (Cohesion Fund, ETC, EMFF, ENI and IPA contributions to ETC, YEI dedicated operational programme without technical assistance, ERDF REACT-EU, ESF REACT-EU, YEI REACT-EU, if applicable) the table shall look as follows:

Priority	Total amount paid from the operational programme as advances ⁽¹⁾	Amount which has been covered by expenditure paid by beneficiaries within three years of the payment of the advance	Amount which has not been covered by expenditure paid by beneficiaries and for which the three year period has not yet elapsed
	(A)	(B)	(C)
Priority 1	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Priority 2	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Priority 3	<type="Cu" input="M">	<type="Cu" input="M">	<type="Cu" input="M">
Grand Total	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">

⁽¹⁾ This amount is included in the total amount of eligible expenditure incurred by beneficiaries and paid in implementing operations as mentioned in the payment application. As State aid is by nature public expenditure, this total amount is equal to public expenditure.

RECONCILIATION OF EXPENDITURE

Article 137(1)(d) of Regulation (EU) No 1303/2013

Priority	Total eligible expenditure included in payment applications submitted to the Commission ⁽¹⁾		Expenditure declared in accordance with Article 137(1)(a) of Regulation (EU) No 1303/2013 ⁽²⁾		Difference ⁽³⁾		Comments (obligatory in case of difference)
	Total amount of eligible expenditure incurred by beneficiaries and paid in implementing operations	Total amount of public expenditure incurred in implementing operations	Total amount of eligible expenditure entered into the accounting systems of the Certifying Authority and which has been included in the payment applications submitted to the Commission	Total amount of the corresponding public expenditure incurred in implementing operations	(E = A-C)	(F = B-D)	
	(A)	(B)	(C)	(D)	(E)	(F)	(G)
Priority 1							
Less developed regions	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="S" maxlength="500" input="M">
Transition regions	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="S" maxlength="500" input="M">
More developed regions	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="S" maxlength="500" input="M">
Outermost regions and Northern sparsely populated regions	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="S" maxlength="500" input="M">
YEI ⁽⁴⁾	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="S" maxlength="500" input="M">
Priority 2							
Less developed regions	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="S" maxlength="500" input="M">
Transition regions	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="S" maxlength="500" input="M">
More developed regions	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="S" maxlength="500" input="M">

Outermost regions and Northern sparsely populated regions	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="S" maxlength="500" input="M">
YEI	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="S" maxlength="500" input="M">
Priority 3							
YEI ⁽⁵⁾	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="S" maxlength="500" input="M">
Totals							
Less developed regions	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	
Transition regions	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	
More developed regions	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	
Outermost regions and Northern sparsely populated regions	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	
YEI	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	
Grand Total	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	
Out of which amounts corrected in the current accounts as a result of audits of operations according to Article 127(1) of Regulation (EU) No 1303/2013					<type="Cu" input="M">	<type="Cu" input="M">	

(¹) Automatically filled in on basis of the final interim payment application submitted under Article 135(2) of Regulation (EU) No 1303/2013.

(²) Automatically filled in on basis of Appendix I.

(³) Automatically calculated.

(⁴) The YEI is implemented through part of a priority as referred to in Article 18 of Regulation (EU) No 1304/2013.

(⁵) The YEI is implemented through a dedicated priority as referred to in Article 18 of Regulation (EU) No 1304/2013.

The model is automatically adjusted on basis of the CCI or other elements of the programme. As an example, in case of programmes not including categories of regions (Cohesion Fund, ETC, EMFF, ENI and IPA contributions to ETC, YEI dedicated operational programme without technical assistance, ERDF REACT-EU, ESF REACT-EU, YEI REACT-EU, if applicable) the table shall look as follows:

Priority	Total eligible expenditure included in payment applicationssubmitted to the Commission ⁽¹⁾		Expenditure declared in accordance with Article 137(1)(a)of Regulation (EU) No 1303/2013 ⁽²⁾		Difference ⁽³⁾		Comments (obligatory in case of difference)
	Total amount of eligible expenditure incurred by beneficiaries and paid in implementing operations	Total amount of public expenditure incurred in implementing operations	Total amount of eligible expenditure entered into the accounting systems of the Certifying Authority and which has been included in the payment applications submitted to the Commission	Total amount of the corresponding public expenditure incurred in implementing operations	(E = A-C)	(F = B-D)	
	(A)	(B)	(C)	(D)	(E)	(F)	(G)
Priority 1	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="S" maxlength="500" input="M">
Priority 2	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="S" maxlength="500" input="M">
Grand Total	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	<type="Cu" input="G">	
Out of which amounts corrected in the current accounts as a result of audits of operations according to Article 127(1) of Regulation (EU) No 1303/2013					<type="Cu" input="M">	<type="Cu" input="M">	

(1) See footnote 90.
(2) See footnote 91.
(3) See footnote 92.

COMMISSION IMPLEMENTING REGULATION (EU) 2021/438**of 3 March 2021****amending Implementing Regulation (EU) No 184/2014 as regards the addition of a new thematic objective to the nomenclature of the categories of intervention under the European territorial cooperation goal**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1299/2013 of the European Parliament and of the Council of 17 December 2013 on specific provisions for the support from the European Regional Development Fund to the European territorial cooperation goal ⁽¹⁾, and in particular the second subparagraph of Article 8(2) thereof,

Whereas:

- (1) The Annex to Commission Implementing Regulation (EU) No 184/2014 ⁽²⁾ sets out the nomenclature of categories of intervention for the European Regional Development Fund under the European territorial cooperation goal.
- (2) Article 92b(9) of Regulation (EU) No 1303/2013 of the European Parliament and of the Council ⁽³⁾ as amended by Regulation (EU) 2020/2221 of the European Parliament and of the Council ⁽⁴⁾ establishes the new thematic objective 'Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy', under which the additional resources from the European Union Recovery Instrument is to be provided. Due to the addition of that thematic objective, Table 5 of the Annex to Implementing Regulation (EU) No 184/2014 should be amended accordingly.
- (3) In order to allow for prompt application of the measures provided for in this Regulation, this Regulation should enter into force on the day following that of its publication in the *Official Journal of the European Union*.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Coordination Committee for the European Structural and Investment Funds,

⁽¹⁾ OJ L 347, 20.12.2013, p. 259.

⁽²⁾ Commission Implementing Regulation (EU) No 184/2014 of 25 February 2014 laying down pursuant to Regulation (EU) No 1303/2013 of the European Parliament and of the Council laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund, the terms and conditions applicable to the electronic data exchange system between the Member States and the Commission and adopting pursuant to Regulation (EU) No 1299/2013 of the European Parliament and of the Council on specific provisions for the support from the European Regional Development Fund to the European territorial cooperation goal, the nomenclature of the categories of intervention for support from the European Regional Development Fund under the European territorial cooperation goal (OJ L 57, 27.2.2014, p. 7).

⁽³⁾ Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006 (OJ L 347, 20.12.2013, p. 320).

⁽⁴⁾ Regulation (EU) 2020/2221 of the European Parliament and of the Council of 23 December 2020 amending Regulation (EU) No 1303/2013 as regards additional resources and implementing arrangements to provide assistance for fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and for preparing a green, digital and resilient recovery of the economy (REACT-EU) (OL L 437, 28.12.2020, p. 30).

HAS ADOPTED THIS REGULATION:

Article 1

In Table 5 of the Annex to Implementing Regulation (EU) No 184/2014, the following row is added:

‘13 – Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy’.

Article 2

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 3 March 2021.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION IMPLEMENTING REGULATION (EU) 2021/439**of 3 March 2021****amending Implementing Regulation (EU) No 215/2014 as regards the addition of a new thematic objective to the nomenclature of the categories of intervention for the ERDF, the ESF and the Cohesion Fund under the Investment for growth and jobs goal**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006 ⁽¹⁾, and in particular the second subparagraph of Article 96(2) thereof,

Whereas:

- (1) Annex I to Commission Implementing Regulation (EU) No 215/2014 ⁽²⁾ sets out the nomenclature of categories of intervention for the European Regional Development Fund, the European Social Fund and the Cohesion Fund under the Investment for growth and jobs goal.
- (2) Article 92b(9) of Regulation (EU) No 1303/2013, as amended by Regulation (EU) 2020/2221 of the European Parliament and of the Council ⁽³⁾, establishes the new thematic objective 'Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy', under which the support from the additional resources from the European Union Recovery Instrument is to be provided. Due to the addition of that thematic objective, Table 5 of Annex I to Implementing Regulation (EU) No 215/2014 should be amended accordingly.
- (3) In order to allow for prompt application of the measures provided for in this Regulation, this Regulation should enter into force on the day following that of its publication in the *Official Journal of the European Union*.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Coordination Committee for the European Structural and Investment Funds,

⁽¹⁾ OJ L 347, 20.12.2013, p. 320.

⁽²⁾ Commission Implementing Regulation (EU) No 215/2014 of 7 March 2014 laying down rules for implementing Regulation (EU) No 1303/2013 of the European Parliament and of the Council laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund with regard to methodologies for climate change support, the determination of milestones and targets in the performance framework and the nomenclature of categories of intervention for the European Structural and Investment Funds (OJ L 69, 8.3.2014, p. 65).

⁽³⁾ Regulation (EU) 2020/2221 of the European Parliament and of the Council of 23 December 2020 amending Regulation (EU) No 1303/2013 as regards additional resources and implementing arrangements to provide assistance for fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and for preparing a green, digital and resilient recovery of the economy (REACT-EU) (OJ L 437, 28.12.2020, p. 30).

HAS ADOPTED THIS REGULATION:

Article 1

In Table 5 of Annex I to Implementing Regulation (EU) No 215/2014, the following row is added:

'13 - Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy'.

Article 2

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 3 March 2021.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION REGULATION (EU) 2021/440**of 8 March 2021****establishing a fisheries closure for Northern albacore in the Atlantic Ocean, north of 5° N for vessels flying the flag of Portugal**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Union control system for ensuring compliance with the rules of the common fisheries policy ⁽¹⁾, and in particular Article 36(2) thereof,

Whereas:

- (1) Council Regulation (EU) 2020/123 ⁽²⁾ lays down quotas for 2020.
- (2) According to the information received by the Commission, catches of the stock of Northern albacore in the Atlantic Ocean, north of 5° N by vessels flying the flag of or registered in Portugal have exhausted the quota allocated for 2020.
- (3) It is therefore necessary to prohibit certain fishing activities for that stock,

HAS ADOPTED THIS REGULATION:

Article 1

Quota exhaustion

The fishing quota allocated to Portugal for the stock of Northern albacore in the Atlantic Ocean, north of 5° N for 2020 referred to in the Annex shall be deemed to be exhausted from the date set out in that Annex.

Article 2

Prohibitions

Fishing activities for the stock referred to in Article 1 by vessels flying the flag of or registered in Portugal shall be prohibited from the date set out in the Annex. In particular it shall be prohibited to retain on board, relocate, tranship or land fish from that stock caught by those vessels after that date.

Article 3

Entry into force

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ Council Regulation (EU) 2020/123 of 27 January 2020 fixing for 2020 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters (OJ L 25, 30.01.2020, p. 1).

Done at Brussels, 8 March 2021.

*For the Commission,
On behalf of the President,
Virginijus SINKEVIČIUS
Member of the Commission*

ANNEX

No	40/TQ123
Member State	Portugal
Stock	ALB/AN05N
Species	Northern albacore (<i>Thunnus alalunga</i>)
Zone	Atlantic Ocean, north of 5° N
Closing date	24.12.2020

COMMISSION IMPLEMENTING REGULATION (EU) 2021/441**of 11 March 2021****imposing a definitive anti-dumping duty on imports of sulphanilic acid originating in the People's Republic of China following an expiry review pursuant to Article 11(2) of Regulation (EU) 2016/1036 of the European Parliament and of the Council**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2016/1036 of the European Parliament and of the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union ⁽¹⁾ ('the basic Regulation'), and in particular Article 11(2) thereof,

Whereas:

1. PROCEDURE**1.1. Measures in force**

- (1) In July 2002, by Regulation (EC) No 1339/2002 ⁽²⁾ the Council imposed a definitive anti-dumping duty of 21 % on imports of sulphanilic acid originating in the People's Republic of China ('the PRC') and a definitive antidumping duty of 18,3 % on imports of sulphanilic acid originating in India ('the original investigation').
- (2) By Regulation (EC) No 1338/2002 ⁽³⁾, the Council imposed a definitive countervailing duty of 7,1 % on imports of sulphanilic acid originating in India.
- (3) By Decision 2002/611/EC ⁽⁴⁾, the Commission accepted a price undertaking with regard to both the anti-dumping and anti-subsidy measures on the imports from India offered by one Indian exporting producer, namely Kokan Synthetics and Chemicals Pvt. Ltd ('Kokan').
- (4) In February 2004, by Regulation (EC) No 236/2004 ⁽⁵⁾, the Council increased the rate of the definitive antidumping duty applicable to imports of sulphanilic acid originating in the PRC from 21 % to 33,7 % following an anti-absorption reinvestigation.
- (5) In March 2004, by Decision 2004/255/EC ⁽⁶⁾, the Commission repealed Decision 2002/611/EC following the voluntary withdrawal of the undertaking by Kokan.

⁽¹⁾ OJ L 176, 30.6.2016, p. 21.

⁽²⁾ Council Regulation (EC) No 1339/2002 of 22 July 2002 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of sulphanilic acid originating in the People's Republic of China and India (OJ L 196, 25.7.2002, p. 11).

⁽³⁾ Council Regulation (EC) No 1338/2002 of 22 July 2002 imposing a definitive countervailing duty and collecting definitively the provisional countervailing duty imposed on imports of sulphanilic acid originating in India (OJ L 196, 25.7.2002, p. 1).

⁽⁴⁾ Commission Decision 2002/611/EC of 12 July 2002 accepting an undertaking offered in connection with the anti-dumping and anti-subsidy proceedings concerning imports of sulphanilic acid originating in India (OJ L 196, 25.7.2002, p. 36).

⁽⁵⁾ Council Regulation (EC) No 236/2004 of 10 February 2004 amending Regulation (EC) No 1339/2002 imposing a definitive antidumping duty and collecting definitively the provisional duty imposed on imports of sulphanilic acid originating in the People's Republic of China and India (OJ L 40, 12.2.2004, p. 17).

⁽⁶⁾ Commission Decision 2004/255/EC of 17 March 2004 repealing Decision 2002/611/EC accepting an undertaking offered in connection with the anti-dumping and anti-subsidy proceedings concerning imports of sulphanilic acid originating in India (OJ L 80, 18.3.2004, p. 29).

- (6) By Decision 2006/37/EC ⁽⁷⁾, the Commission accepted a new undertaking with regard to both the anti-dumping and anti-subsidy measures on the imports from India offered by Kokan. Regulations (EC) No 1338/2002 and (EC) No 1339/2002 were amended by Regulation (EC) No 123/2006 ⁽⁸⁾ accordingly.
- (7) By Regulation (EC) No 1000/2008 ⁽⁹⁾, the Council imposed anti-dumping duties on imports of sulphanilic acid originating in the PRC and India following an expiry review of the measures. By Regulation (EC) No 1010/2008 ⁽¹⁰⁾, the Council imposed definitive countervailing duties on imports of sulphanilic acid originating in India and amended the level of the anti-dumping duties on Indian imports of sulphanilic acid following an expiry and an interim review.
- (8) By Regulation (EU) No 1346/2014 ⁽¹¹⁾, the Commission imposed a definitive anti-dumping duty on imports of sulphanilic acid originating in the PRC and repealed the definitive anti-dumping duty on imports of sulphanilic acid originating in India following an expiry review. By Regulation (EU) No 1347/2014 ⁽¹²⁾, the Commission repealed the definitive countervailing duty on imports of sulphanilic acid originating in India following an expiry review.

1.2. Request for an expiry review

- (9) Following the publication of a Notice of impending expiry ⁽¹³⁾ of the anti-dumping measures in force on imports from the PRC, the Commission received on 19 September 2019 a request for the initiation of an expiry review of these measures pursuant to Article 11(2) of the basic Regulation. The request was lodged by Bondalti Chemicals S.A. ('the applicant' or 'Bondalti'), the sole producer of sulphanilic acid in the Union, thus representing 100 % of the Union production.
- (10) The request was based on the grounds that the expiry of the measures would be likely to result in continuation or recurrence of dumping and continuation or recurrence of injury to the Union industry.

1.3. Initiation of an expiry review

- (11) Having determined that sufficient evidence existed for the initiation of an expiry review, the Commission announced on 18 December 2019, by Notice published in the *Official Journal of the European Union* ⁽¹⁴⁾ ('the Notice of Initiation'), the initiation of an expiry review pursuant to Article 11(2) of the basic Regulation.

⁽⁷⁾ Commission Decision 2006/37/EC of 5 December 2005 accepting an undertaking offered in connection with the anti-dumping and anti-subsidy proceedings concerning imports of sulphanilic acid originating in India (OJ L 22, 26.1.2006, p. 52).

⁽⁸⁾ Council Regulation (EC) No 123/2006 of 23 January 2006 amending Regulation (EC) No 1338/2002 imposing a definitive countervailing duty on imports of sulphanilic acid originating in India and amending Regulation (EC) No 1339/2002 imposing a definitive antidumping duty on imports of sulphanilic acid originating, inter alia, in India (OJ L 22, 26.1.2006, p. 5).

⁽⁹⁾ Council Regulation (EC) No 1000/2008 of 13 October 2008 imposing a definitive anti-dumping duty on imports of sulphanilic acid originating in the People's Republic of China and India following an expiry review pursuant to Article 11(2) of Regulation (EC) No 384/96 (OJ L 275, 16.10.2008, p. 1).

⁽¹⁰⁾ Council Regulation (EC) No 1010/2008 of 13 October 2008 imposing a definitive countervailing duty on imports of sulphanilic acid originating in India following an expiry review pursuant to Article 18 of Regulation (EC) No 2026/97 and a partial interim review pursuant to Article 19 of Regulation (EC) No 2026/97 and amending Regulation (EC) No 1000/2008 imposing a definitive antidumping duty on imports of sulphanilic acid originating in the People's Republic of China and India following an expiry review pursuant to Article 11(2) of Regulation (EC) No 384/96 (OJ L 276, 17.10.2008, p. 3).

⁽¹¹⁾ Commission Implementing Regulation (EU) No 1346/2014 of 17 December 2014 imposing a definitive anti-dumping duty on imports of sulphanilic acid originating in the People's Republic of China and repealing the definitive anti-dumping duty on imports of sulphanilic acid originating in India following an expiry review pursuant to Article 11(2) of Council Regulation (EC) No 1225/2009 (OJ L 363, 18.12.2014, p. 82).

⁽¹²⁾ Commission Implementing Regulation (EU) No 1347/2014 of 17 December 2014 repealing the definitive countervailing duty on imports of sulphanilic acid originating in India following an expiry review pursuant to Article 18 of Council Regulation (EC) No 597/2009 (OJ L 363, 18.12.2014, p. 101).

⁽¹³⁾ OJ C 140, 16.4.2019, p. 10.

⁽¹⁴⁾ OJ C 425, 18.12.2019, p. 39.

1.4. Investigation

1.4.1. *Review investigation period and period considered*

- (12) The investigation of a continuation or recurrence of dumping covered the period from 1 October 2018 to 30 September 2019 ('the review investigation period'). The examination of trends relevant for the assessment of the likelihood of a continuation or recurrence of injury covered the period from 1 January 2016 to the end of the review investigation period ('the period considered').

1.4.2. *Interested parties*

- (13) In the Notice of Initiation, the Commission invited interested parties to contact it in order to participate in the investigation. In addition, the Commission specifically informed known exporting producers, the authorities of the PRC, and known importers and users about the initiation of the investigation and invited them to participate.
- (14) No parties came forward.
- (15) Interested parties had an opportunity to comment on the initiation of the investigation and to request a hearing with the Commission and/or the Hearing Officer in trade proceedings.
- (16) No hearing was held either with the Commission or the Hearing Officer.

1.4.3. *Sampling*

1.4.3.1. *Sampling of exporting producers in the PRC*

- (17) To decide whether sampling was necessary and, if so, to select a sample, the Commission asked all known exporting producers in the PRC to provide the information specified in the Notice of Initiation. In addition, it asked the Mission of the People's Republic of China to the European Union to identify other exporting producers, if any, that could be interested in participating in the investigation. No association of exporting producers was known and contacted.
- (18) No company from the PRC came forward.
- (19) Consequently, the Commission informed the authorities of the PRC ⁽¹⁵⁾ that it intended to resort to the use of facts available under Article 18 of the basic Regulation when examining the continuation or recurrence of dumping. The authorities of the PRC did not respond.

1.4.3.2. *Sampling of unrelated importers*

- (20) To decide whether sampling was necessary and, if so, to select a sample, the Commission requested all unrelated importers, or representatives acting on their behalf, including the ones who did not cooperate in the investigation leading to the measures subject to the present review, to make themselves known and to provide the information specified in the Notice of initiation.
- (21) No importer came forward.

1.4.4. *Questionnaire replies and verification*

- (22) The Commission made available online the questionnaires for exporting producers, the Union producers, and the unrelated importers.
- (23) Questionnaire reply was received from the sole Union producer.
- (24) The Commission sent to the Government of China ('GOC') a questionnaire concerning the existence of significant distortions in the PRC within the meaning of Article 2(6a)(b) of the basic Regulation.

⁽¹⁵⁾ Note Verbale of 27 January 2020.

- (25) The Commission sought to verify all the information deemed necessary for the determination of likelihood of continuation or recurrence of dumping and injury and Union interest.
- (26) Following the outbreak of the Covid-19 pandemics, the Commission decided to suspend all non-essential travels and informed the interested parties thereof ⁽¹⁶⁾. Subsequently, a remote crosscheck ('RCC') of the information submitted in the questionnaire was carried out for the following parties:

Union producer:

— Bondalti Chemicals S.A.

1.4.5. *Presentation of data*

- (27) Given that the Union industry is composed of one producer only, some of the figures presented in this regulation are in the form of ranges for reasons of confidentiality.

1.4.6. *Procedure for the determination of the normal value under Article 2(6a) of the basic Regulation*

- (28) Given the sufficient evidence available at the initiation of the investigation tending to show, with regard to the PRC, the existence of significant distortions within the meaning of point (b) of Article 2(6a) of the basic Regulation, the Commission initiated the investigation on the basis of Article 2(6a) of the basic Regulation. In order to obtain information it deemed necessary for its investigation with regard to the alleged significant distortions, the Commission sent a questionnaire to the GOC. In addition, in point 5.3.2 of the Notice of Initiation, the Commission invited all interested parties to make their views known, submit information and provide supporting evidence regarding the application of Article 2(6a) of the basic Regulation within 37 days of the date of publication of the Notice of Initiation in the *Official Journal of the European Union*. No questionnaire reply was received from the GOC and no submission on the application of Article 2(6a) of the basic Regulation was received.
- (29) In point 5.3.2 of the Notice of Initiation the Commission also specified that, in view of the evidence available, it had provisionally selected India as an appropriate source pursuant to Article 2(6a) of the basic Regulation for the purpose of determining the normal value based on undistorted prices or benchmarks. The Commission further stated that it would examine other possible sources.
- (30) On 7 May 2020, the Commission informed by a first note ('the Note of 7 May') the interested parties on the relevant sources it intended to use for the determination of the normal value. In that note, the Commission provided a list of all factors of production such as raw materials, labour and energy used in the production of sulphanilic acid. In addition, based on the criteria guiding the choice of undistorted prices or benchmarks, the Commission confirmed its intention to choose India as an appropriate source. Only the applicant sent comments on the Note of 7 May.
- (31) On 25 September 2020, the Commission informed by a second note ('the Note of 25 September') interested parties on the relevant sources it intended to use for the determination of the normal value and confirmed its choice of India as an appropriate source. It also informed interested parties that it would establish selling, general and administrative costs ('SG&A') and profits based on available information for the company Aarti, a producer in India. Comments sent by the applicant were considered. No comments on the second note were received.

1.4.7. *Subsequent procedure*

- (32) On 14 December 2020, the Commission disclosed the essential facts and considerations on the basis of which it intended to maintain the anti-dumping duties in force. All parties were granted a period within which they could make comments on the disclosure. The applicant submitted comments supporting the findings of the Commission.

⁽¹⁶⁾ Ref. No t20.001169.

2. PRODUCT UNDER REVIEW AND LIKE PRODUCT

2.1. Product under review

- (33) The product subject to this review ⁽¹⁷⁾ is sulphanilic acid and its salts ('the product under review'), originating in PRC, currently falling under CN code ex 2921 42 00 (TARIC codes 2921 42 00 40, 2921 42 00 60, and 2921 42 00 61). This includes:
- Sulphanilic acid, whether purified or technical grades, whether in the form of a solution or a powder, and
 - Salts of sulphanilic acid, whether purified or technical grades, whether in the form of a solution or a powder, produced by treating the sulphanilic acid solution with sodium hydroxide, potassium hydroxide, or calcium hydroxide (or oxide), resulting in:
 - Sodium sulphanilate,
 - Potassium sulphanilate, or
 - Calcium sulphanilate.
- (34) Sulphanilic acid is used as a raw material in the production of optical brighteners, concrete additives, food colorants, speciality dyes, and within the pharmaceutical industry.

2.2. Like product

- (35) As established in the original investigation and subsequent expiry reviews, this expiry review investigation confirmed that the following products have the same basic physical and technical characteristics as well as the same basic uses:
- the product under review
 - the product produced and sold on the domestic market of PRC and
 - the product produced and sold in the Union by the Union industry.

Therefore, these products are considered to be like products within the meaning of Article 1(4) of the basic Regulation.

3. LIKELIHOOD OF CONTINUATION OR RECURRENCE OF DUMPING

- (36) In accordance with Article 11(2) of the basic Regulation, and as stated in the Notice of Initiation, the Commission examined whether the expiry of the measures in force would be likely to lead to a continuation or recurrence of dumping from the PRC.

3.1. Non-cooperation from the sampled companies and the GOC

- (37) As mentioned in recital (18), none of the exporters/producers from PRC cooperated in the investigation. Therefore, on 27 January 2020, the Commission informed the Chinese authorities that due to the absence of cooperation from exporting producers in PRC, the Commission might apply Article 18 of the basic Regulation to its findings. The Commission stressed also that a finding based on facts available might be less favourable to the parties concerned and invited the PRC to comment. The Commission did not receive any comments in this regard.
- (38) On 18 December 2019, the Commission sent to the GOC an antidumping questionnaire intended for the authorities of the PRC. That questionnaire was provided to the GOC to allow it to provide its views on the evidence contained in the request on the basis of which it was claimed that significant distortions exist on the Chinese domestic market for the product under review which justify the application of Article 2(6a) of the basic Regulation. As highlighted in recital (28) above, the GOC did not provide any questionnaire reply nor did it address the evidence on the case file provided by the applicant, including the 'Commission Staff Working Document on Significant Distortions in the Economy of the People's Republic of China for the Purposes of Trade Defence Investigations' ('the Report').

⁽¹⁷⁾ As clarified in the Note to the File of 18 November 2020, Ref. No t20.007508. Apart from the agreement of the applicant, the Commission did not receive any comments on the Note to the File.

- (39) On 27 January 2020, the Commission informed the authorities of the PRC about its intention to also apply Article 18 of the basic Regulation and base its findings in respect of the mentioned distortions in the PRC on the facts available. The Commission stressed also that a finding based on facts available might be less favourable to the party concerned and invited the GOC to comment. The Commission did not receive any comment. The Government of PRC did not register as interested party in the proceeding.
- (40) Therefore, in accordance with Article 18(1) of the basic Regulation, the findings in relation to the existence of significant distortions set out below were based on facts available. In particular, the Commission relied on the information contained in the request for review and other sources of publicly available information such as relevant websites.
- (41) In accordance with Article 18(1) of the basic Regulation, the findings in relation to the likelihood of continuation or recurrence of dumping set out below were based on facts available. In particular, the Commission relied on the information contained in the request for review and the statistics based on the data reported to the Commission by the Member States in accordance with Article 14(6) of the basic Regulation ('14(6) database'), and Eurostat. In addition, the Commission used other sources of publicly available information such as the Global Trade Atlas ('GTA') database and the websites of relevant Chinese producers ⁽¹⁸⁾.

3.2. Dumping during the review investigation period

- (42) As explained in Section 4.3, Chinese imports accounted for more than one third of the total imports of the product under review into the Union. The volume of Chinese imports was found to be representative for the purpose of calculating dumping during the review investigation period.

3.2.1. Normal value

- (43) According to Article 2(1) of the basic Regulation, 'the normal value shall normally be based on the prices paid or payable, in the ordinary course of trade, by independent customers in the exporting country'.
- (44) However, according to Article 2(6a)(a) of the basic Regulation, 'in case it is determined [...] that it is not appropriate to use domestic prices and costs in the exporting country due to the existence in that country of significant distortions within the meaning of point (b), the normal value shall be constructed exclusively on the basis of costs of production and sale reflecting undistorted prices or benchmarks', and 'shall include an undistorted and reasonable amount of administrative, selling and general costs and for profits'.
- (45) As further explained below in Section 3.2.2, the Commission concluded in this investigation that, based on the evidence available and in view of the lack of cooperation of the GOC and the exporting producers, the application of Article 2(6a) of the basic Regulation was appropriate.

3.2.2. Existence of significant distortions

3.2.2.1. Introduction

- (46) Article 2(6a)(b) of the basic Regulation defines 'significant distortions' as those distortions which occur when reported prices or costs, including the costs of raw materials and energy, are not the result of free market forces as they are affected by substantial government intervention. In assessing the existence of significant distortions regard shall be had, inter alia, to the potential impact of one or more of the following elements:
- the market in question being served to a significant extent by enterprises which operate under the ownership, control or policy supervision or guidance of the authorities of the exporting country;
 - state presence in firms allowing the state to interfere with respect to prices or costs;

⁽¹⁸⁾ See company-specific footnotes under the next sections.

- public policies or measures discriminating in favour of domestic suppliers or otherwise influencing free market forces;
 - the lack, discriminatory application or inadequate enforcement of bankruptcy, corporate or property laws;
 - wage costs being distorted;
 - access to finance granted by institutions which implement public policy objectives or otherwise not acting independently of the state.
- (47) According to Article 2(6a)(b) of the basic Regulation, the assessment of the existence of significant distortions within the meaning of Article 2(6a)(a) shall take into account, amongst others, the non-exhaustive list of elements in the former provision. Pursuant to Article 2(6a)(b) of the basic Regulation, in assessing the existence of significant distortions, regard shall be had to the potential impact of one or more of these elements on prices and costs in the exporting country of the product under review. Indeed, as that list is non-cumulative, not all the elements need to be given regard to for a finding of significant distortions. Moreover, the same factual circumstances may be used to demonstrate the existence of one or more of the elements of the list. However, any conclusion on significant distortions within the meaning of Article 2(6a)(a) must be made on the basis of all the evidence at hand. The overall assessment on the existence of distortions may also take into account the general context and situation in the exporting country, in particular where the fundamental elements of the exporting country's economic and administrative set-up provides the government with substantial powers to intervene in the economy in such a way that prices and costs are not the result of the free development of market forces.
- (48) Article 2(6a)(c) of the basic Regulation provides that '[w]here the Commission has well-founded indications of the possible existence of significant distortions as referred to in point (b) in a certain country or a certain sector in that country, and where appropriate for the effective application of this Regulation, the Commission shall produce, make public and regularly update a report describing the market circumstances referred to in point (b) in that country or sector'.
- (49) Pursuant to this provision, the Commission has issued a country report concerning the PRC ⁽¹⁹⁾, showing the existence of substantial government intervention at many levels of the economy, including specific distortions in many key factors of production (such as land, energy, capital, raw materials and labour) as well as in specific sectors (such as steel and chemicals). Interested parties were invited to rebut, comment or supplement the evidence contained in the investigation file at the time of initiation. The Report was placed in the investigation file at the initiation stage.
- (50) The request for review provided additional evidence on significant distortions in the sulphanilic acid sector within the meaning of Article 2(6a)(b), complementing the Report. The applicant provided evidence that the production and sale of the product under review is affected (at least potentially) by the distortions mentioned in the Report, in particular by high levels of state interference in the chemical sector, including in sectors related to the production of sulphanilic acid, in particular in input sectors and as regards the factors of production.
- (51) The Commission examined whether it was appropriate or not to use domestic prices and costs in the PRC, due to the existence of significant distortions within the meaning of point (b) of Article 2(6a) of the basic Regulation. The Commission did so on the basis of the evidence available on the file, including the evidence contained in the Report, which relies on publicly available sources. That analysis covered the examination of the substantial government interventions in the PRC's economy in general, but also the specific market situation in the relevant sector including the product under review.

⁽¹⁹⁾ Commission Staff Working Document on Significant Distortions in the Economy of the People's Republic of China for the purposes of Trade Defence Investigations, 20 December 2017, SWD(2017) 483 final/2.

3.2.2.2. Significant distortions affecting the domestic prices and costs in the PRC

- (52) The Chinese economic system is based on the concept of a 'socialist market economy'. That concept is enshrined in the Chinese Constitution and determines the economic governance of the PRC. The core principle is the 'socialist public ownership of the means of production, namely, ownership by the whole people and collective ownership by the working people'. The State-owned economy is the 'leading force of the national economy' and the State has the mandate 'to ensure its consolidation and growth' ⁽²⁰⁾. Consequently, the overall setup of the Chinese economy not only allows for substantial government interventions into the economy, but such interventions are expressly mandated. The notion of supremacy of public ownership over the private one permeates the entire legal system and is emphasized as a general principle in all central pieces of legislation. The Chinese property law is a prime example: it refers to the primary stage of socialism and entrusts the State with upholding the basic economic system under which the public ownership plays a dominant role. Other forms of ownership are tolerated, with the law permitting them to develop side by side with the State ownership ⁽²¹⁾.
- (53) In addition, under Chinese law, the socialist market economy is developed under the leadership of the Chinese Communist Party ('CCP'). The structures of the Chinese State and of the CCP are intertwined at every level (legal, institutional, personal), forming a superstructure in which the roles of CCP and the State are indistinguishable. Following an amendment of the Chinese Constitution in March 2018, the leading role of the CCP was given an even greater prominence by being reaffirmed in the text of Article 1 of the Constitution. Following the already existing first sentence of the provision: '[t]he socialist system is the basic system of the People's Republic of China' a new second sentence was inserted which reads: '[t]he defining feature of socialism with Chinese characteristics is the leadership of the Communist Party of China.' ⁽²²⁾. This illustrates the unquestioned and ever growing control of the CCP over the economic system of the PRC. This leadership and control is inherent to the Chinese system and goes well beyond the situation customary in other countries where the governments exercise general macroeconomic control within the boundaries of which free market forces are at play.
- (54) The Chinese State engages in an interventionist economic policy in pursuance of goals, which coincide with the political agenda set by the CCP rather than reflecting the prevailing economic conditions in a free market ⁽²³⁾. The interventionist economic tools deployed by the Chinese authorities are manifold, including the system of industrial planning, the financial system, as well as the level of the regulatory environment.
- (55) First, on the level of overall administrative control, the direction of the Chinese economy is governed by a complex system of industrial planning which affects all economic activities within the country. The totality of these plans covers a comprehensive and complex matrix of sectors and crosscutting policies and is present on all levels of government. Plans at provincial level are detailed while national plans set broader targets. Plans also specify the means in order to support the relevant industries/sectors as well as the timeframes in which the objectives need to be achieved. Some plans still contain explicit output targets while this was a regular feature in previous planning cycles. Under the plans, individual industrial sectors and/or projects are being singled out as (positive or negative) priorities in line with the government priorities and specific development goals are attributed to them (industrial upgrade, international expansion etc.). The economic operators, private and State-owned alike, must effectively adjust their business activities according to the realities imposed by the planning system. This is not only because of the binding nature of the plans but also because the relevant Chinese authorities at all levels of government adhere to the system of plans and use their vested powers accordingly, thereby inducing the economic operators to comply with the priorities set out in the plans (see also Section 3.2.2.5 below) ⁽²⁴⁾.

⁽²⁰⁾ Report – Chapter 2, p. 6-7.

⁽²¹⁾ Report – Chapter 2, p. 10.

⁽²²⁾ Available at http://www.fdi.gov.cn/1800000121_39_4866_0_7.html (last viewed on 27 October 2020).

⁽²³⁾ Report – Chapter 2, p. 20-21.

⁽²⁴⁾ Report – Chapter 3, p. 41, 73-74.

- (56) Second, on the level of allocation of financial resources, the financial system of the PRC is dominated by the State-owned commercial banks. Those banks, when setting up and implementing their lending policy need to align themselves with the government's industrial policy objectives rather than primarily assessing the economic merits of a given project (see also Section 3.2.2.8 below) ⁽²⁵⁾. The same applies to the other components of the Chinese financial system, such as the stock markets, bond markets, private equity markets etc. Also these parts of the financial sector other than the banking sector are institutionally and operationally set up in a manner not geared towards maximizing the efficient functioning of the financial markets but towards ensuring control and allowing intervention by the State and the CCP ⁽²⁶⁾.
- (57) Third, on the level of regulatory environment, the interventions by the State into the economy take a number of forms. For instance, the public procurement rules are regularly used in pursuit of policy goals other than economic efficiency, thereby undermining market based principles in the area. The applicable legislation specifically provides that public procurement shall be conducted in order to facilitate the achievement of goals designed by State policies. However, the nature of these goals remains undefined, thereby leaving broad margin of appreciation to the decision-making bodies ⁽²⁷⁾. Similarly, in the area of investment, the GOC maintains significant control and influence over the destination and magnitude of both State and private investment. Investment screening as well as various incentives, restrictions, and prohibitions related to investment are used by authorities as an important tool for supporting industrial policy goals, such as maintaining State control over key sectors or bolstering domestic industry ⁽²⁸⁾.
- (58) In sum, the Chinese economic model is based on certain basic axioms, which provide for and encourage manifold government interventions. Such substantial government interventions are at odds with the free play of market forces, resulting in distorting the effective allocation of resources in line with market principles ⁽²⁹⁾.

3.2.2.3. Significant distortions according to Article 2(6a)(b), first indent of the basic Regulation: the market in question being served to a significant extent by enterprises which operate under the ownership, control or policy supervision or guidance of the authorities of the exporting country.

- (59) In the PRC, enterprises operating under the ownership, control and/or policy supervision or guidance by the State represent an essential part of the economy.
- (60) In the absence of any cooperation from the PRC, the Commission has limited information concerning the ownership structure of companies active in the sulphanilic acid sector in the PRC. Among the three Chinese companies indicated as major producers by the applicant, all appear to be privately owned. However, the Commission found that in the case of one of the three producers – Cangzhou Lingang Yueguo Chemical Co., Ltd – the enterprise's production unit is located in Cangzhou Lingang Economic and Technological Development Zone – a national chemical park, which is under direct CCP influence, as also evidenced by the following media report: 'On the morning of 17 July, the Party Branch of the [Lingang Economic and Technological] Development Zone Project Service Centre held a party meeting to celebrate the 99th anniversary of the founding of the Party as well as the Party's 2020 half-year assembly. Li Guoqing, Member of the Development Zone's Party Working Committee, Deputy Chairman of the Management Committee and Secretary of the Party Committee of the subordinate entities, attended the meeting and delivered a speech.' ⁽³⁰⁾. In the case of another of the companies mentioned, – Zhejiang Wulong Chemical Industrial Stock Co., Ltd – the Commission found, based on the reports by the All-China Federation of Industry and Commerce, that the enterprise has close ties with the CCP as it 'has been rated as an

⁽²⁵⁾ Report – Chapter 6, p. 120-121.

⁽²⁶⁾ Report – Chapter 6, p. 122-135.

⁽²⁷⁾ Report – Chapter 7, p. 167-168.

⁽²⁸⁾ Report – Chapter 8, p. 169-170, 200-201.

⁽²⁹⁾ Report – Chapter 2, p. 15-16, Report – Chapter 4, p. 50, p. 84, Report – Chapter 5, p. 108-9.

⁽³⁰⁾ See: <http://www.czqip.gov.cn/zonghexinxi/r-24281.html> (last viewed on 27 October 2020)

advanced grassroots Party organization at the county and town level for many years. In this company with nearly 1000 employees, the influx of population has brought difficulties to the party building work. Therefore, the company's Party branch worked hard to explore new ways of party building in the company and expand the Party building work to every department of the company. [...] Song Yunchang said that many company employees only pay attention to production work and do not have a strong understanding of Party building work. Thus, employees, and especially party members can improve the ideological understanding. [...] Every quarter, the Party branch convene a branch committee to study Party building work and analyse the situation of Party members. Song Yunchang said that the company's Party branch has also thought through the system innovation.' ⁽³¹⁾.

- (61) As submitted by the applicant, another of the three large Chinese producers of sulphanilic acid – Hebei Honggang Chemical Industry Co., Ltd – exports sulphanilic acid through at least two state owned trading companies (Northeast Pharmaceutical Group Import and Export Trade Co., Ltd and China Jiangsu International Economic and Technical Cooperation Group Co., Ltd). Moreover, according to the applicant, the three largest traders of sulphanilic acid ⁽³²⁾ are all State-owned and exported during the first seven months of 2019 more than 4 000 tonnes of sulphanilic acid, which represented 64 % of all exports from the PRC in that period.
- (62) With respect to the providers of inputs for the production of the product under review, as submitted by the applicant and confirmed in the previous investigations, the main raw material in the manufacturing of sulphanilic acid is aniline, representing 35 % of the production costs. According to the review request, and as confirmed by other sources, one of the main producers of aniline at global scale is the Chinese company Wanhua Chemical (or Yantai Wanhua) ⁽³³⁾. In 2019, Wanhua Chemical was ranked as the 37th largest chemical company worldwide by a specialized online magazine ⁽³⁴⁾. The company's largest shareholder is Yantai Guofeng Investment Holdings Ltd (Yantai Guofeng), which is a company owned fully by the State-owned Assets Supervision and Administration Commission (SASAC) of the Yantai Municipal Government ⁽³⁵⁾. In Wanhua Chemical's annual report for year 2019, Yantai Guofeng stands as the main controlling entity of Wanhua Chemical ⁽³⁶⁾. In this regard, the Commission also found in media reports that the CCP entertains a prominent role in the operations and decision-making processes of the company: 'Zhou Zhe, the deputy secretary of Wanhua Party Committee, said with emotion: "there is extensive experience behind Wanhua's successes achieved over the past 40 years. But they can be boiled down to one sentence, that is, resolutely following the Party and making good use of every reform policy issued by the Party!" From Li Jiankui, the first chairman and Party secretary to Ding Jiansheng, the chairman and Party secretary of the joint stock company and to Liao Zengtai, the current chairman and Party secretary, Wanhua's Party committee secretary and chairman of the board have always been "one person". This ensures that the Party committee plays a leading role by making the enterprise keep to the set course, overseeing the overall operations and ensuring the implementation of decisions. Wanhua ensures that there is a Party branch for each production unit and has developed them into strong bastion. Thus, all communists are always in the lead at critical times.' ⁽³⁷⁾.

⁽³¹⁾ See: https://www.acfic.org.cn/gdgs1_362/zj/zjgslgz/200901/t20090123_23197.html (last viewed on 27 October 2020)

⁽³²⁾ Northeast Pharmaceutical Group Import And Export Trade Co., Ltd, China Jiangsu International Economic And Technical Cooperation Group Co., Ltd and Zhejiang Chemicals Import & Export Corporation,

⁽³³⁾ See: <https://www.globenewswire.com/news-release/2020/03/18/2002467/0/en/Global-Aniline-Market-Opportunities-to-2025-Innovations-in-the-Production-of-Aniline-from-Biomass.html> and <https://teletype.in/@skr-tt/rkrLj4e3Q> (both last viewed on 26 October 2020)

⁽³⁴⁾ See: <https://cen.acs.org/business/finance/CENs-Global-Top-50-chemical/97/i30> (last viewed on 26 October 2020)

⁽³⁵⁾ See http://gzw.yantai.gov.cn/art/2019/8/21/art_9289_2493465.html (last viewed on 26 October 2020)

⁽³⁶⁾ See: http://static.sse.com.cn/disclosure/listedinfo/announcement/c/2020-03-31/600309_2019_n.pdf, p. 52-54 (last viewed on 26 October 2020)

⁽³⁷⁾ See article in specialised online service PUDaily: *Wanhua's Pursuit of Reform – An Exemplar of China's State-owned Enterprise Reform*. 10 June 2019, <http://www.pudaily.com/News/NewsView.aspx?nid=77913> (last viewed on 27 October 2020).

- (63) Wanhua Chemical, a major producer of aniline in the PRC and worldwide, can therefore be considered as controlled by the State. With its position, it must also be considered as an important actor of the Chinese chemical market, entering in numerous commercial interactions with the rest of the sectoral fabric, for example, in relation to the sourcing of inputs ⁽³⁸⁾. Other suppliers of aniline can also be considered as active participants of the Chinese petrochemical sector. With regard to that sector, the Commission found that that, according to national statistics, State-owned enterprises (SOEs) in the Chinese chemical sector represented 52 % of the total assets of chemical companies in 2015 ⁽³⁹⁾. SOEs, in particular large central ones, have traditionally played a dominant role in the PRC's petrochemical industry due to their oligopoly position in upstream/feedstock, easy access to government-allocated resources (funds, loans, land etc.) and strong influence in government decision-making.
- (64) With respect to the above, the GOC and the CCP maintain structures that ensure their continued influence over enterprises, and in particular State-owned or State-controlled enterprises. The State (and in many aspects also the CCP) not only actively formulates and oversees the implementation of general economic policies by such State-owned or State-controlled companies, but it also claims its rights to participate in their operational decision making. This is typically done through rotation of cadres between government authorities and these companies, through presence of party members in the companies' executive bodies and of 'party cells' in the companies' structures (see also Section 3.2.2.4), as well as through shaping the corporate structure of the sector ⁽⁴⁰⁾. In exchange, State-owned or State-controlled enterprises enjoy a particular status within the Chinese economy, which entails a number of economic benefits, in particular shielding from competition and preferential access to relevant inputs, including finance ⁽⁴¹⁾. The elements that point to the existence of government control over enterprises in the sulphanilic acid value chain, and the chemical sector at large, is further developed in Section 3.2.2.4 below.
- (65) With the significant level of government intervention in the Chinese chemical industry, including within the sulphanilic acid value chain, and a significant share of SOEs in the sector, even privately owned producers are prevented from operating under market conditions. Both public and privately owned enterprises active in the Chinese chemical sector, including producers of sulphanilic acid and producers of the inputs necessary in the production of the latter, are also subject, directly or indirectly, to policy supervision and guidance as set out in Section 3.2.2.5 below.

3.2.2.4. Significant distortions according to Article 2(6a)(b), second indent of the basic Regulation: State presence in firms allowing the state to interfere with respect to prices or costs

- (66) Apart from exercising control over the economy by means of ownership of SOEs and other tools, the GOC is in position to interfere with prices and costs through State presence in firms. While the right to appoint and to remove key management personnel in SOEs by the relevant State authorities, as provided for in the Chinese legislation, can be considered to reflect the corresponding ownership rights ⁽⁴²⁾, CCP cells in enterprises, state owned and private alike, represent another important channel through which the State can interfere with business decisions. According to the PRC's company law, a CCP organisation is to be established in every company (with at least three CCP members as specified in the CCP Constitution ⁽⁴³⁾) and the company shall provide the necessary

⁽³⁸⁾ See company's description of Wanhua's agreement with SOE Sinopec Nanjing Chemical concerning strategic cooperation with regard to aniline: 'On February 8, Yantai Wanhua Polyurethanes Co., Ltd and SINOPEC Nanjing Chemical Co., Ltd held the signing ceremony of the aniline strategic cooperation in the ancient city of Nanjing. The participants reviewed together the 10-year record their bilateral business cooperation concerning aniline, summarized their successful cooperation experience and then thoroughly discussed their future strategic cooperation relationship and reached an agreement as regards the cooperation expansion and the joint long term development. The Aniline Strategic Cooperation Agreement signed between Yantai Wanhua and Nanjing Chemical Co., Ltd (Nanhua) provides Yantai Wanhua with a stable and low cost guarantee for the supply of aniline raw materials during its fast development phase. At the same time, it improves the economic risk resistance capacities of both companies, thus creating favourable conditions for further cooperation and development of both Parties.' 9.2.2012. <https://www.whchem.com/en/newsmedia/news/271.shtml> (last viewed on 27 October 2020)

⁽³⁹⁾ Data for 2015 on the basis of the China Statistical Yearbook 2016, National Bureau of Statistics of China.

⁽⁴⁰⁾ Report – Chapter 3, p. 22-24 and Chapter 5, p. 97-108.

⁽⁴¹⁾ Report – Chapter 5, p. 104-9.

⁽⁴²⁾ Report – Chapter 5, p. 100-1.

⁽⁴³⁾ Report – Chapter 2, p. 26

conditions for the activities of the party organisation. In the past, this requirement appears not to have always been followed or strictly enforced. However, since at least 2016 the CCP has reinforced its claims to control business decisions in SOEs as a matter of political principle. The CCP is also reported to exercise pressure on private companies to put ‘patriotism’ first and to follow party discipline ⁽⁴⁴⁾. In 2017, it was reported that party cells existed in 70 % of some 1,86 million privately owned companies, with growing pressure for the CCP organisations to have a final say over the business decisions within their respective companies ⁽⁴⁵⁾. These rules are of general application throughout the Chinese economy, across all sectors, including to the producers of sulphanilic acid and the suppliers of their inputs.

- (67) By way of example, CCP structures personally overlap with the management body in the case of at least one company – Wanhua Chemical – which, as mentioned already, produces large amounts of aniline (the key constituent input of sulphanilic acid). The Commission found that the current chairman of the enterprise, Liao Zengtai, also holds the position of Party secretary. Furthermore, one of the directors of Wanhua Chemical, and chairman of its shareholding and controlling company Yantai Guofeng, is a member of the CCP, and serves as Party branch secretary of the latter enterprise. In the past, he was Party Committee Member of Yantai SASAC, and chief of the Statistical Evaluation Section of the latter public entity ⁽⁴⁶⁾. As another example to illustrate the presence of the CCP in the chemical sector’s corporate fabric, in the structures of one of the lead exporters of sulphanilic acid in the PRC – China Jiangsu International Economic and Technical Cooperation Group – all the top management team of the company is affiliated with the Party ⁽⁴⁷⁾. The company itself also reports on internal Party-related activities: ‘On the afternoon of 18th January, the Party Committee of China Jiangsu International Group Company held the 2018 annual review of the Party Organization Secretary’s work on grassroots Party Building and the 2019 Party Building Work Deployment Conference.’ ⁽⁴⁸⁾. Another of the large exporters of sulphanilic acid mentioned earlier – Northeast Pharmaceutical Group Import and Export Trade Co., Ltd – claims that one of its corporate policies is to ‘Listen to President Xi’s words, and follow the Party’ and that one of its corporate values is ‘Running a business must be beneficial to the government’ ⁽⁴⁹⁾.
- (68) The State’s presence and intervention in the financial markets (see also Section 3.2.2.8 below) as well as in the provision of raw materials and inputs further have an additional distorting effect on the market ⁽⁵⁰⁾. Thus, the State presence in firms, including SOEs, in the sulphanilic acid and other related sectors (such as the financial and input sectors) allow the GOC to interfere with respect to prices and costs.

3.2.2.5. Significant distortions according to Article 2(6a)(b), third indent of the basic Regulation: public policies or measures discriminating in favour of domestic suppliers or otherwise influencing free market forces

- (69) The direction of the Chinese economy is to a significant degree determined by an elaborate system of planning which sets out priorities and prescribes the goals the central and local governments must focus on. Relevant plans exist on all levels of government and cover virtually all economic sectors. The objectives set by the planning instruments are of binding nature and the authorities at each administrative level monitor the implementation of the plans by the corresponding lower level of government. Overall, the system of planning in the PRC results in resources being driven to sectors designated as strategic or otherwise politically important by the government, rather than being allocated in line with market forces ⁽⁵¹⁾.

⁽⁴⁴⁾ Report – Chapter 2, p. 31-2.

⁽⁴⁵⁾ Available at <https://www.reuters.com/article/us-china-congress-companies-idUSKCN1B40JU> (last viewed on 27 October 2020).

⁽⁴⁶⁾ See the company’s website: <https://www.whchem.com/cn/aboutus/management/directorboard.shtml> (last viewed on 27 October 2020)

⁽⁴⁷⁾ See the company’s website: <http://www.zjgj.com/intro/21.html> (last viewed on 27 October 2020)

⁽⁴⁸⁾ See the company’s website: <http://www.zjgj.com/news/2540.html> (last viewed on 27 October 2020)

⁽⁴⁹⁾ See the company’s website: <http://www.nepharm.com.cn/article/index/cid/88.html> (last viewed on 28 October 2020)

⁽⁵⁰⁾ Report – Chapters 14.1 to 14.3.

⁽⁵¹⁾ Report – Chapter 4, p. 41-42, 83.

- (70) The chemical industry, to which producers of sulphanilic acid and their input suppliers belong, is regarded as an important sector by the GOC. This is confirmed in the numerous plans, directives and other documents pertaining to the chemical sector, which are issued at national, regional and municipal level ⁽⁵²⁾.
- (71) Specifically, with regard to olefins – the chemical product group to which benzene (the raw material for aniline – which is the main input of sulphanilic acid) belongs to – a particular focus on the production of the latter can be found in the 13th National Five Year Plan (FYP) ⁽⁵³⁾. Olefins are also covered by provisions of the 13th FYP for the Petrochemical and Chemical Industry (2016-20), through which the State establishes development paths for specific chemical sub-sectors, including supply and value chain management, as well as setting of industrialization targets, which all can have a direct impact on market forces in these sub-sectors. In the case of olefins, the State instructs to: ‘Accelerate the promotion of key petrochemical projects construction. [...] Prepare for the use of both international and domestic resources, appropriately develop methanol-to-olefins, propane dehydrogenation-to-propylene, raise the share of non-petroleum-based products in the ethylene and propylene production volume, improve the supply security capacity’ ⁽⁵⁴⁾ and announces it will ‘orderly promote the construction of seven major petrochemical industrial bases and major projects, enhance the capacity to guarantee availability of olefins, aromatics, and other basic products, and improve the integration of refining’ ⁽⁵⁵⁾.
- (72) Other high profile Chinese policy documents, such as the State Council Guidelines on Structure Adjustment, Transformation, and Profitability Growth of the Petrochemical Industry also set among their main goals the management of supply patterns with regard to olefins: ‘The production capacity structure shall be gradually optimized. [...] Olefins, aromatics, and other basic raw materials supply guarantee capacity shall be significantly enhanced.’ ⁽⁵⁶⁾.
- (73) The provisions of the country-wide plans and guidelines find their reflection in provincial planning documents, such as the 13th FYP for the Development of the Chemical Industry in Jiangsu Province (2016 – 2020), which notably commands what steps each region should undertake with respect to the industrial base and its capacity, as well as sources of supply, notably in relation to olefins: ‘the Nanjing petrochemical base shall ensure the integration and development of refined products, olefins and aromatic hydrocarbons, [and] ensure the high-value development of downstream products’ ⁽⁵⁷⁾. Similarly, olefins are also part of the 13th Petrochemical Industry Plan for Hebei Province, whereby the authorities aims at steering structural development patterns for specific industry segments, together with capacity control, notably instructing to: ‘Speed up the development of coal – ethylene glycol, gradually develop coal (methanol) – olefins, raise the production capacity for non-petroleum-based olefins, build coal-to-aromatic hydrocarbon facilities in appropriate locations of coastal areas, raise the industry concentration level and scaling up, [...]’ ⁽⁵⁸⁾.
- (74) The Commission also found that another raw material used in the production of sulphanilic acid – sulphuric acid – was subject to public policies in the Hebei province, under the 13th Petrochemical Industry Plan for Hebei Province, with regard to controlling new production capacity: ‘[Hebei shall] [...] strictly implement the sector entry conditions, - control any new production capacity project regarding coke, caustic alkali, sodium carbonate, sulphuric acid, calcium carbide, PVC, methanol, dyes etc.’ ⁽⁵⁹⁾.

⁽⁵²⁾ Report – Chapter 16, pp. 406-424.

⁽⁵³⁾ Report – Chapter 16, p. 401

⁽⁵⁴⁾ Report – Chapter 16, p. 411

⁽⁵⁵⁾ 13th FYP for the Petrochemical and Chemical Industry, Section III.7

⁽⁵⁶⁾ Document No 57 of the State Council. 23 July 2016, Section I.3. http://www.gov.cn/zhengce/content/2016-08/03/content_5097173.htm (last viewed on 27 October 2020).

⁽⁵⁷⁾ Report – Chapter 16, p. 419

⁽⁵⁸⁾ Report – Chapter 16, p. 424

⁽⁵⁹⁾ Report – Chapter 4, p. 70

- (75) The GOC steers the development of the chemical sector in accordance with a broad range of tools, for example by providing State subsidies, notably to producers of aniline – the key raw material used in the production of sulphanilic acid. The annual reports of Wanhua Chemicals, a leading producer of aniline, confirm that the company received the following amounts of government subsidies: in 2019 – RMB 907 million ⁽⁶⁰⁾; in 2018 – RMB 1 billion; in 2017 – RMB 1,3 billion ⁽⁶¹⁾.
- (76) Moreover, the Commission found that Wanhua Chemicals, as a State-controlled company, has been recently entrusted with the implementation of a project of national extent, which showcases the close relationship with the State, which the company benefits from: 'In October 2019, the National Standardization Administration of China formally issued a reply, approving Yantai Wanhua Chemical Group Co., Ltd as the enterprise in charge of the preparation and construction of the national technical standard innovation base (new chemical materials).' ⁽⁶²⁾.
- (77) In addition, with regard to benzene, the chemical input used to produce aniline, the Commission found that the PRC applies an export tax of 40 % ⁽⁶³⁾. It however does not apply any export duty on downstream products of benzene, including sulphanilic acid.
- (78) Through these and other means, the raw materials used to produce sulphanilic acid are subject to governmental intervention, with the GOC directing and controlling virtually every aspect in the development and functioning of the chemical sector.
- (79) In sum, the GOC has measures in place to induce operators to comply with the public policy objectives of supporting encouraged industries, including the production of aniline as the main raw material used in the manufacturing of the product under review. Such measures impede market forces from operating freely.

3.2.2.6. Significant distortions according to Article 2(6a)(b), fourth indent of the basic Regulation: the lack, discriminatory application or inadequate enforcement of bankruptcy, corporate or property laws

- (80) According to the information on file, the Chinese bankruptcy system delivers inadequately on its own main objectives such as to fairly settle claims and debts and to safeguard the lawful rights and interests of creditors and debtors. This appears to be rooted in the fact that while the Chinese bankruptcy law formally rests on principles that are similar to those applied in corresponding laws in countries other than the PRC, the Chinese system is characterised by systematic under-enforcement. The number of bankruptcies remains notoriously low in relation to the size of the country's economy, not least because the insolvency proceedings suffer from a number of shortcomings, which effectively function as a disincentive for bankruptcy filings. Moreover, the role of the State in the insolvency proceedings remains strong and active, often having direct influence on the outcome of the proceedings ⁽⁶⁴⁾.
- (81) In addition, the shortcomings of the system of property rights are particularly obvious in relation to ownership of land and land-use rights in the PRC ⁽⁶⁵⁾. All land is owned by the Chinese State (collectively owned rural land and State-owned urban land). Its allocation remains solely dependent on the State. There are legal provisions that aim at allocating land use rights in a transparent manner and at market prices, for instance by introducing bidding procedures. However, these provisions are regularly not respected, with certain buyers obtaining their land for free or below market rates ⁽⁶⁶⁾. Moreover, authorities often pursue specific political goals including the implementation of the economic plans when allocating land ⁽⁶⁷⁾.

⁽⁶⁰⁾ See: http://static.sse.com.cn/disclosure/listedinfo/announcement/c/2020-03-31/600309_2019_n.pdf, p. 160 (last viewed on 28 October 2020)

⁽⁶¹⁾ See: http://static.sse.com.cn/disclosure/listedinfo/announcement/c/2019-04-23/600309_2018_n.pdf, p. 138 (last viewed on 28 October 2020)

⁽⁶²⁾ See: http://www.yantai.gov.cn/art/2020/6/28/art_20330_2762266.html (last viewed on 28 October 2020)

⁽⁶³⁾ http://transcustoms.com/China_HS_Code/China_Tariff.asp?HS_Code=2902200000 (last viewed on 29 October 2020)

⁽⁶⁴⁾ Report – Chapter 6, p. 138-149.

⁽⁶⁵⁾ Report – Chapter 9, p. 216.

⁽⁶⁶⁾ Report – Chapter 9, p. 213-215.

⁽⁶⁷⁾ Report – Chapter 9, p. 209-211.

- (82) Much like other sectors in the Chinese economy, the producers of sulphanilic acid are subject to the ordinary rules on Chinese bankruptcy, corporate, and property laws. That has the effect that these companies, too, are subject to the top-down distortions arising from the discriminatory application or inadequate enforcement of bankruptcy and property laws. The present investigation revealed nothing that would call those findings into question. As such, the Commission preliminarily concluded that the Chinese bankruptcy and property laws do not work properly, thus generating distortions when maintaining insolvent firms afloat and when allocating land use rights in the PRC. Those considerations, on the basis of the evidence available, appear to be fully applicable also in the chemical sector, including the sulphanilic acid sector and the sectors manufacturing the raw materials used to produce sulphanilic acid.
- (83) In light of the above, the Commission concluded that there was discriminatory application or inadequate enforcement of bankruptcy and property laws in the chemical sector, including with respect to the product under review.

3.2.2.7. Significant distortions according to Article 2(6a)(b), fifth indent of the basic Regulation: wage costs being distorted

- (84) A system of market-based wages cannot fully develop in the PRC as workers and employers are impeded in their rights to collective organisation. The PRC has not ratified a number of essential conventions of the International Labour Organisation ('ILO'), in particular those on freedom of association and on collective bargaining ⁽⁶⁸⁾. Under national law, only one trade union organisation is active. However, this organisation lacks independence from the State authorities and its engagement in collective bargaining and protection of workers' rights remains rudimentary ⁽⁶⁹⁾. Moreover, the mobility of the Chinese workforce is restricted by the household registration system, which limits access to the full range of social security and other benefits to local residents of a given administrative area. This typically results in workers who are not in possession of the local residence registration finding themselves in a vulnerable employment position and receiving lower income than the holders of the residence registration ⁽⁷⁰⁾. Those findings lead to the distortion of wage costs in the PRC.
- (85) No evidence was submitted to the effect that the chemical sector, including the producers of sulphanilic acid, would not be subject to the Chinese labour law system described. The sulphanilic acid sector is thus affected by the distortions of wage costs both directly (when making the product under review or the main raw material for its production) as well as indirectly (when having access to capital or inputs from companies subject to the same labour system in the PRC).

3.2.2.8. Significant distortions according to Article 2(6a)(b), sixth indent of the basic Regulation: access to finance granted by institutions which implement public policy objectives or otherwise not acting independently of the State

- (86) Access to capital for corporate actors in the PRC is subject to various distortions.
- (87) Firstly, the Chinese financial system is characterised by the strong position of State-owned banks ⁽⁷¹⁾, which, when granting access to finance, take into consideration criteria other than the economic viability of a project. Similarly to non-financial SOEs, the banks remain connected to the State not only through ownership but also via personal relations (the top executives of large State-owned financial institutions are ultimately appointed by the CCP) ⁽⁷²⁾ and, again just like non-financial SOEs, the banks regularly implement public policies designed by the government. In doing so, the banks comply with an explicit legal obligation to conduct their business in accordance with the needs of the national economic and social development and under the guidance of the industrial policies of the State ⁽⁷³⁾. This is compounded by additional existing rules, which direct finances into sectors designated by the government as encouraged or otherwise important ⁽⁷⁴⁾.

⁽⁶⁸⁾ Report – Chapter 13, p. 332-337.

⁽⁶⁹⁾ Report – Chapter 13, p. 336.

⁽⁷⁰⁾ Report – Chapter 13, p. 337-341.

⁽⁷¹⁾ Report – Chapter 6, p. 114-117.

⁽⁷²⁾ Report – Chapter 6, p. 119.

⁽⁷³⁾ Report – Chapter 6, p. 120.

⁽⁷⁴⁾ Report – Chapter 6, p. 121-122, 126-128, 133-135.

- (88) While it is acknowledged that various legal provisions refer to the need to respect normal banking behaviour and prudential rules such as the need to examine the creditworthiness of the borrower, the overwhelming evidence, including findings made in trade defence investigations, suggests that these provisions play only a secondary role in the application of the various legal instruments.
- (89) Furthermore, bond and credit ratings are often distorted for a variety of reasons including the fact that the risk assessment is influenced by the firm's strategic importance to the GOC and the strength of any implicit guarantee by the government. Estimates strongly suggest that Chinese credit ratings systematically correspond to lower international ratings ⁽⁷⁵⁾.
- (90) This is compounded by additional existing rules, which direct finances into sectors designated by the government as encouraged or otherwise important ⁽⁷⁶⁾. This results in a bias in favour of lending to SOEs, large well-connected private firms and firms in key industrial sectors, which implies that the availability and cost of capital is not equal for all players on the market.
- (91) Secondly, borrowing costs have been kept artificially low to stimulate investment growth. This has led to the excessive use of capital investment with ever lower returns on investment. This is illustrated by the recent growth in corporate leverage in the state sector despite a sharp fall in profitability, which suggests that the mechanisms at work in the banking system do not follow normal commercial responses.
- (92) Thirdly, although nominal interest rate liberalization was achieved in October 2015, price signals are still not the result of free market forces, but are influenced by government-induced distortions. Indeed, the share of lending at or below the benchmark rate still represents 45 % of all lending and recourse to targeted credit appears to have been stepped up, since this share has increased markedly since 2015 in spite of worsening economic conditions. Artificially low interest rates result in under-pricing, and consequently, the excessive utilization of capital.
- (93) Overall credit growth in the PRC indicates a worsening efficiency of capital allocation without any signs of credit tightening that would be expected in an undistorted market environment. As a result, non-performing loans have increased rapidly in recent years. Faced with a situation of increasing debt-at-risk, the GOC has opted to avoid defaults. Consequently, bad debt issues have been handled by rolling over debt, thus creating so called 'zombie' companies, or by transferring the ownership of the debt (e.g. via mergers or debt-to-equity swaps), without necessarily removing the overall debt problem or addressing its root causes.
- (94) In essence, despite the recent steps that have been taken to liberalize the market, the corporate credit system in the PRC is affected by significant distortions resulting from the continuing pervasive role of the state in the capital markets.
- (95) No evidence was submitted to the effect that the sulphanilic acid sector would be exempted from the above-described government intervention in the financial system. The Commission has also established that a leading producer of aniline (the main raw material used in the production of sulphanilic acid) benefited from government subsidies (see recital (75)). Therefore, the substantial government intervention in the financial system leads to the market conditions being severely affected at all levels.

3.2.2.9. Systemic nature of the distortions described

- (96) The Commission noted that the distortions described in the Report are characteristic for the Chinese economy. The evidence available shows that the facts and features of the Chinese system as described above in Sections 3.2.2.1 to 3.2.2.5 as well as in Part A of the Report apply throughout the country and across the sectors of the economy. The same holds true for the description of the factors of production as set out above in Sections 3.2.2.6 to 3.2.2.8 above and in Part B of the Report.

⁽⁷⁵⁾ See IMF Working Paper 'Resolving China's Corporate Debt Problem', by Wojciech Maliszewski, Serkan Arslanalp, John Caparusso, José Garrido, Si Guo, Joong Shik Kang, W. Raphael Lam, T. Daniel Law, Wei Liao, Nadia Rendak, Philippe Wingender, Jiangyan, October 2016, WP/16/203

⁽⁷⁶⁾ Report – Chapter 6, p. 121-122, 126-128, 133-135.

- (97) The Commission recalls that in order to produce sulphanilic acid, a range of inputs is needed. In that respect, the PRC is one of the leading producers of aniline – the key raw material in that production process (see recital (62)). When the producers of sulphanilic acid purchase/contract these inputs in the PRC, the prices they pay (and which are recorded as their costs) are clearly exposed to the same systemic distortions mentioned before. For instance, suppliers of inputs employ labour that is subject to the distortions. They may borrow money that is subject to the distortions on the financial sector/capital allocation. In addition, they are subject to the planning system that applies across all levels of government and sectors.
- (98) As a consequence, not only the domestic sales prices of sulphanilic acid are not appropriate for use within the meaning of Article 2(6a)(a) of the basic Regulation, but all the input costs (including raw materials, energy, land, financing, labour, etc.) are also affected because their price formation is affected by substantial government intervention, as described in Parts A and B of the Report. Indeed, the government interventions described in relation to the allocation of capital, land, labour, energy and raw materials are present throughout the PRC. This means, for instance, that an input that in itself was produced in the PRC by combining a range of factors of production is exposed to significant distortions. The same applies for the input to the input and so forth. No evidence or argument to the contrary has been adduced by the GOC or the exporting producers in the present investigation.

3.2.2.10. Conclusion

- (99) The analysis set out in Sections 3.2.2.2 to 3.2.2.9, which includes an examination of all the available evidence relating to the PRC's intervention in its economy in general as well as in the chemical sector (including the product under review) showed that prices or costs of the product under review, including the costs of raw materials, energy and labour, are not the result of free market forces because they are affected by substantial government intervention within the meaning of Article 2(6a)(b) of the basic Regulation as shown by the actual or potential impact of one or more of the relevant elements listed therein. On that basis, and in the absence of any cooperation from the GOC, the Commission concluded that it is not appropriate to use domestic prices and costs to establish normal value in this case.
- (100) Consequently, the Commission proceeded to construct the normal value exclusively on the basis of costs of production and sale reflecting undistorted prices or benchmarks, that is, in this case, on the basis of corresponding costs of production and sale from an appropriate source, in accordance with Article 2(6a) of the basic Regulation, as discussed in the following section.

3.2.3. *Appropriate source*

3.2.3.1. General remarks

- (101) The choice of the source was based on the following criteria pursuant to Article 2(6a) of the basic Regulation:
- A level of economic development similar to the PRC. For this purpose, the Commission referred to countries with a gross national income per capita similar to the PRC on the basis of the database of the World Bank ⁽⁷⁾,
 - Production of the product under review in that country;
 - Availability of relevant public data in the country.
- (102) As explained in recitals (30) and (31), the Commission issued two notes for the file on the sources for the determination of the normal value: the first note on production factors of 7 May and the second note on the production factors of 25 September. These notes described the facts and evidence underlying the relevant criteria. Through these notes, the Commission informed interested parties of its intention to consider India as an appropriate source for the reasons mentioned in recitals (103), (104) and (105) below. The Commission did not receive any comments in this regard.

⁽⁷⁾ World Bank Open Data – Upper Middle Income, <https://data.worldbank.org/income-level/upper-middle-income>.

3.2.3.2. A level of economic development similar to the PRC and production of the product under review

- (103) In the Note of 7 May on production factors, the Commission explained that the product under review appears to be produced only in India and the United States of America ('US') ⁽⁷⁸⁾, neither of which is a country with a level of economic development similar to the PRC in accordance with the criteria mentioned in recital (101) above.
- (104) As the Commission could not find any country with a similar level of economic development as the PRC with the production of a product in the same general category and/or sector of the product under review, the Commission indicated in the Note of 7 May on production factors that it would look for the production of the product under review in a country with a different level of development than the PRC reflecting undistorted prices or benchmarks in the sense of Article 2(6a)(a), first paragraph. The Commission noted that India has a level of economic development inferior to the one of the PRC. Therefore, in circumstances where a precise margin of dumping would need to be calculated, this country would not be suitable because of its lower level of economic development than the PRC. However, since the current investigation is an expiry review where the question is whether dumping is likely to continue or recur irrespective of the actual level, the Commission considered whether India could exceptionally constitute the basis to establish the costs of production and sale in the circumstances of this case. In this respect, the Commission noted that the normal value established on the basis of this very conservative approach already showed significant dumping as concluded in Section 3.2.7 below. The Commission concluded that it was therefore not necessary to explore other alternatives.
- (105) Following the request, the information available to the Commission showed that there were several producers of the product under review in India.
- (106) The Commission then verified the necessary financial data publicly available in India for those producers. The Commission focused on companies with publicly available profit and loss statements with data for the review investigation period that were profitable in this period. The Commission found audited annual reports for the period running from 1 April 2018 to 31 March 2019 available online for Aarti Industries Limited ('Aarti') and Daikaffil Chemicals India Limited.
- (107) Daikaffil India Limited's has a collaboration agreement with a foreign company. Daikaffil's website ⁽⁷⁹⁾ states that this foreign company has directly supervised and controlled the quality of Daikaffil India Limited's production in all its production lines, provided technology for free and agreed to buy-back agreements of some production. Similar statements appear on the company's financial statements. The information found seems to suggest that in these circumstances Daikaffil does not occur the production costs that another sulphanilic acid producing company will occur. This situation leads to an impact on Daikaffil's SGA and profit.
- (108) No interested party contested that India would be chosen to establish the undistorted costs of production and sale for the exporting producers, or that Aarti Industries Limited offered appropriate financial data for the purpose of this investigation. Aarti Industries Limited focuses on a broad category of products in order to gain economy of scale and synergies, a strategy found in sulphanilic acid producers in countries with a higher level of development than India. Even if it is a bigger group company, Aarti Industries Limited's management business was found to be similar to the applicant's due to its business variety and performance.

3.2.3.3. Availability of relevant public data in India

- (109) The Commission carefully analysed all relevant data available in the file for the factors of production in India and noted the following:

— There were imports of the inputs that, as established in the Note of 7 May and the Note of 25 September, are necessary for the production of the product under review.

⁽⁷⁸⁾ Worldwide sulphanilic acid is produced in the Union, the US, PRC and India.

⁽⁷⁹⁾ <http://www.daikaffil.com/collaboration.html> (last viewed on 24 November 2020).

- The Indian State of Maharashtra hosts a significant number of chemical companies and sulphanilic acid producers. Specific data from the Indian State Maharashtra was used rather than India-wide data when available.
- The industrial electricity tariff for the review investigation period was available in the form of data provided by the Maharashtra Electricity Regulatory Commission.
- Prices for natural gas for the review investigation period were readily available in the form of data provided by the Petroleum Planning and Analysis Cell in India (which is part of the Indian Ministry of Petroleum and natural gas).
- The website of the Ministry of Statistics in India provides for yearly average wages. The website of the Labour Bureau in India provides for minimum wages in manufacturing sectors and per State.

(110) According to Article 2(6a)(a) of the basic Regulation, the constructed normal value must include an undistorted and reasonable amount for SG&A and for profits. In addition, a value for manufacturing overheads needs to be established to cover costs not included in the factors of production. As aforementioned, the Indian exporting producer Aarti had publicly available financial statements that could be used as a proxy to determine an undistorted and reasonable amount for SG&A and profits.

3.2.3.4. Conclusion on India as an appropriate source

(111) In view of the above analysis, India was exceptionally considered an appropriate source on the basis of Article 2(6a)(a) of the basic Regulation for the undistorted costs and prices. The company Aarti was selected to source the necessary financial data.

3.2.4. Factors of production

(112) As mentioned in the Note of 7 May and the Note of 25 September, the Commission analysed all the available data for the factors of production identified. The Commission decided to use the following sources and units of measurement in order to determine the normal value in accordance with Article 2(6a)(a) of the basic Regulation:

Table 1

Factors of production of Sulphanilic Acid

Factor of Production	HS Code	Source of data	Unit undistorted value
Sulphuric acid; oleum	2807 00	Global Trade Atlas (GTA) ⁽¹⁾	70,15 EUR/Metric tonne
Aniline and its salts	2921 41	Global Trade Atlas (GTA)	1 342,59 EUR/Metric tonne
Activated carbon	3802 10	Global Trade Atlas (GTA)	2 835,95 EUR/Metric tonne
Demineralised water	[N/A]	Water tariff for industries in the Indian State of Maharashtra	0,06 EUR/M3
Cold water	[N/A]	Water tariff for industries in the Indian State of Maharashtra	0,06 EUR/M3
Labour	[N/A]	Labour bureau of India (Global data on average yearly wage in India extrapolated to Maharashtra)	0,92 EUR/Hour
Electricity	[N/A]	Maharashtra Electricity Regulatory Commission	0,118 EUR/kWh

Factor of Production	HS Code	Source of data	Unit undistorted value
Natural Gas	2711 21	Petroleum Planning and Analysis Cell in India	0,11 EUR/Nm ³
Vapour	[N/A]	Applicant's data	Percentage of variable costs.

(¹) <http://www.gtis.com/gta/secure/default.cfm>

3.2.4.1. Raw materials

- (113) The raw materials used for the production of the product under review are sulphuric acid and aniline (⁸⁰). For the salts, in addition to these two raw materials, there is also sodium, potassium or calcium. Since in expiry reviews, the Commission does not have to calculate the exact dumping margin, it decided to disregard the additional cost of these materials when calculating the normal value for the salts. This simplified approach resulted in a more conservative dumping margin.
- (114) In order to establish the undistorted price of raw materials as delivered at the gate of the appropriate producer, the Commission used as a basis the weighted average import CIF price to India as reported in the GTA to which import duties and domestic transport costs were added. An import CIF price in India was determined as a weighted average of unit prices of imports from all third countries excluding the PRC and countries which are not members of the WTO, listed in Annex 1 of Regulation (EU) 2015/755 of the European Parliament and the Council (⁸¹).
- (115) The Commission excluded the imports from the PRC into India as it concluded in Section 3.2.2 that it is not appropriate to use domestic prices and costs in the PRC due to the existence of significant distortions in accordance with Article 2(6a)(b) of the basic Regulation. Given that there is no evidence showing that the same distortions present on the domestic market in China do not equally affect products intended for export, the Commission considered that the same distortions affected export prices. Similarly, imports in India from non-WTO members listed in Annex 1 of Regulation (EU) 2015/755 were also excluded (⁸²). Article 2(7) of the basic Regulation provides that domestic prices in those countries cannot be used for the purpose of determining normal value. After excluding imports from the PRC to India, the volume of imports from other third countries of sulphuric acid remained representative (75,3 % of the total volumes imported into India). The volume of imports of aniline to India from third countries other than the PRC being limited, the Commission endeavoured to find other representative benchmarks.
- (116) The Commission found no undistorted international representative benchmark price for aniline in the free market. China remains the main player in the world, with nearly 50 % of the global aniline capacity, followed by Western Europe and the US (⁸³). In addition, the free market for aniline in the Union and the US is limited (⁸⁴). Some 90 % of the aniline produced worldwide goes into the production of MDI (⁸⁵), an insulating material. The applicant is the only European producer of aniline not integrated with MDI production (⁸⁶).

(⁸⁰) These are the raw materials for the production of sulphanilic acid and not for its salts.

(⁸¹) Regulation (EU) 2015/755 of the European Parliament and of the Council of 29 April 2015 on common rules for imports from certain third countries OJ L 123, 19.5.2015, p. 33 as amended by Commission delegated Regulation (EU) 2017/749 of 24 February 2017 (OJ L 113, 29.4.2017, p. 11).

(⁸²) These non -WTO members are Azerbaijan, Belarus, North Korea, Turkmenistan and Uzbekistan.

(⁸³) <https://www.reportsanddata.com/report-detail/aniline-market>

(⁸⁴) Page 6 of Huntsman Corporation's 10-K SEC filing dated 13 February 2020 refers to the absence of a significant 'market' for aniline as MDI manufacturers are either integrated with an aniline manufacturing facility or have a long-term supply contract. For details, see <https://www.huntsman.com/investors/financials/sec-filings/content/0001558370-20-000780/0001558370-20-000780.pdf>

(⁸⁵) See page 7 of the request for the review.

(⁸⁶) See page 7 of the request for the review.

- (117) The applicant submitted that average price of imported aniline to India over the past five years was 1,95 USD/kg, and never lower than 1,50 USD/kg (i.e. 1,32 EUR/kg)⁽⁸⁷⁾. The Commission used as a benchmark the most conservative price for aniline provided by the applicant, that is to say, 1,32 EUR/kg.
- (118) In order to establish the normal value according to the Commission's methodology, the import duties of the factors of production and the materials imported into India, as well as the domestic transport costs should normally be added to these import prices. For sulphuric acid, the Commission applied the import duty of India as available in the World Bank World Integrated Trade Solution⁽⁸⁸⁾, at the respective levels, depending on the country of origin of the imported volumes. Furthermore, the Commission added domestic transport costs calculated per tonne on the basis of quotations for deliveries as provided by a World Bank report⁽⁸⁹⁾. For the benchmark taken for aniline, the Commission added domestic transport.

3.2.4.2. Consumables

- (119) Consumables are activated carbon, demineralised water and cold water.
- (120) For activated carbon, the Commission applied the same methodology as for sulphuric acid in the section on raw materials above. After excluding the PRC, the imports from other third countries remained representative accounting for 50,8 % of total volumes imported to India. As to domestic transport, the Commission added domestic transport costs calculated per tonne on the basis of quotations for deliveries as provided by the World Bank report referred to in the section above.
- (121) For demineralised water and cold water, the Commission resorted to the 2018 water tariff for industries that use water for production or cooling agent in Maharashtra⁽⁹⁰⁾.

3.2.4.3. Labour

- (122) The Periodic Labour Force Surveys by the Ministry of Statistics in India⁽⁹¹⁾ show that the average yearly wage is in general the double of the minimum wage⁽⁹²⁾. The Commission used the latest analysis of labour data in India by its Labour Bureau (i.e. the report 'Indian Labour Statistics 2017')⁽⁹³⁾ showing the minimum wages in Maharashtra in the chemicals/drugs and pharmaceuticals industry sector and multiplied the minimum wage for a year by two.

3.2.4.4. Electricity

- (123) The Maharashtra Electricity Regulatory Commission publishes the price of electricity for companies (industrial users) in Maharashtra⁽⁹⁴⁾. The Commission used the data on the industrial electricity prices during the Indian financial year 2019/2020 (i.e. prices prevailing in the second half of the review investigation period).

⁽⁸⁷⁾ See t20.003680.

⁽⁸⁸⁾ Available at <https://wits.worldbank.org/WITS/WITS/Restricted/Login.aspx> (last viewed on 7 January 2020); although it requires registration, the access to the database is free.

⁽⁸⁹⁾ See page 84 of the report <https://www.doingbusiness.org/content/dam/doingBusiness/country/c/china/CHN.pdf>

⁽⁹⁰⁾ <https://timesofindia.indiatimes.com/city/mumbai/maharashtra-govt-increases-water-tariff-for-industries-using-it-as-raw-material/articleshow/62573525.cms>

⁽⁹¹⁾ http://mospi.nic.in/sites/default/files/publication_reports/Annual_Report_PLFS_2018_19_HL.pdf

⁽⁹²⁾ The yearly average wage in India during the review investigation period was some 192 000 INR (see regular wage/salary employee data in statement 17 on page 60 of the 'Annual Report, PLFS, 2018-19' downloadable via the link in the footnote above). The report 'Indian Labour Statistics 2017' shows that the yearly minimum earnings of workers in the Indian manufacturing sector in general in 2014 was over 100 000 INR/year.

⁽⁹³⁾ http://www.labourbureau.gov.in/UserContent/ILS_2017.pdf

⁽⁹⁴⁾ <https://www.merc.gov.in/faces/merc/common/outputClient.xhtml>

3.2.4.5. Natural gas

- (124) The Petroleum Planning and Analysis Cell in India (which is part of the Indian Ministry of Petroleum and natural gas) publishes regularly in its website ⁽⁹⁵⁾ the price of natural gas in India. The Commission used the published prices covering the review investigation period ⁽⁹⁶⁾.

3.2.4.6. Vapour

- (125) In the absence of any other data, for establishing vapour costs the Commission used the methodology used in the request, which was verified by the Commission during the RCC. Vapour is an 'energy' element which cost was established as a percentage of certain variable costs actually incurred by the applicant in its production of sulphanilic acid during the review investigation period ⁽⁹⁷⁾.

3.2.4.7. Manufacturing overhead costs, SG&A, profits and depreciation

- (126) According to Article 2(6a)(a), of the basic Regulation, 'the constructed normal value shall include an undistorted and reasonable amount for administrative, selling and general costs and for profits'. In addition, a value for manufacturing overhead costs needs to be established to cover costs not included in the factors of production referred to above.
- (127) In order to establish an undistorted value of the manufacturing overheads and given the absence of cooperation from the Chinese exporting producers, the Commission used facts available in accordance with Article 18 of the basic Regulation. Therefore, based on the data of the applicant ⁽⁹⁸⁾, the Commission established the ratio of manufacturing overheads to the total manufacturing and labour costs. This percentage was then applied to the undistorted value of the cost of manufacturing to obtain the undistorted value of manufacturing overheads.
- (128) For establishing an undistorted and reasonable amount for SG&A and profit, the Commission relied on the financial data for the period 1 April 2018 – 31 March 2019 for Aarti as extracted from Aarti's audited accounts available on the company's website.

3.2.5. Calculation

- (129) On the basis of the above, the Commission constructed the normal value per product type on an ex-works basis in accordance with Article 2(6a)(a) of the basic Regulation.
- (130) First, the Commission established the undistorted manufacturing costs. In the absence of cooperation by the exporting producers, the Commission relied on the information provided by the applicant in the review request on the usage of each factor (materials and labour) for the production of sulphanilic acid. These consumption rates provided by the applicant were verified by the Commission during the RCC. The Commission multiplied the usage factors by the undistorted costs per unit observed in India.
- (131) Second, manufacturing overhead costs were calculated. The calculation of these manufacturing overhead costs is explained in recital (127) above. The percentage obtained was applied to the undistorted costs of manufacturing.
- (132) Third, the Commission applied SG&A and profit. They were determined based on the financial statements of Aarti (see Section 3.2.3.3). The Commission added the following items to the undistorted cost of manufacturing:
- SG&A, which accounted for 23,6 % of the total manufacturing costs of Aarti, and
 - Profits amounting to 20,4 % of the total manufacturing costs of Aarti.

⁽⁹⁵⁾ <https://www.ppac.gov.in/>

⁽⁹⁶⁾ See page 33 of <https://www.ppac.gov.in/WriteReadData/Reports/202005260522443480671SnapshotofIndiasOilGasdata,April2020.pdf>

⁽⁹⁷⁾ See t20.007552. The detailed cost information provided by the applicant is confidential by nature in light of Article 19(1) of the basic Regulation and cannot be redacted.

⁽⁹⁸⁾ For a breakdown, see t20.007552.

- (133) On that basis, the Commission constructed the normal value per product type on an ex-works basis in accordance with Article 2(6a)(a) of the basic Regulation.

3.2.6. *Export price*

- (134) As a consequence of non-cooperation, export prices were established on the basis of the facts available in accordance with Article 18 of the basic Regulation. The Commission used import data on Chinese imports reported in the 14(6) database and Eurostat to determine export prices.
- (135) As these prices are reported on a Cost, Insurance, Freight ('CIF') basis, they were adjusted to an ex-works level by deducting an appropriate amount for transportation (53 EUR/ton) and insurance costs (0,2 %) between the PRC and the Union border. In the absence of cooperation from the Chinese exporting producers, the Commission used data provided by the applicant ⁽⁹⁹⁾.

3.2.7. *Comparison and dumping margin*

- (136) The Commission compared the constructed normal value as established in accordance with Article 2(6a)(a) of the basic Regulation on an ex-works basis with the export price at ex-works level to the Union. The Commission followed a conservative approach and compared the constructed normal value for sulphanilic acid with exports prices for sulphanilic acid and its salts (imports under TARIC code 2921 42 00 60 and under TARIC code 2921 42 00 40). The Commission disregarded however imports made under TARIC code 2921 42 00 90 (aniline derivatives and their salts – Other) as this code might include products other than the product under review.
- (137) The dumping margin found, expressed as a percentage of the CIF Union frontier price, duty unpaid, was 41,7 %.

3.2.8. *Conclusion on continuation of dumping*

- (138) The Commission therefore concluded that dumping continued during the review investigation period.

3.3. **Likely development of imports should the measures lapse**

- (139) Further to the finding of the existence of dumping during the review investigation period, the Commission investigated in accordance with Article 11(2) of the basic Regulation the likelihood of continuation of dumping, should the measures be repealed. The following additional elements were analysed: the production capacity and spare capacity in PRC, the relationship between prices level in the Union and export prices to third countries and the attractiveness of the Union market.
- (140) As a consequence of the non-cooperation of Chinese authorities and of producers/exporters in the PRC, the Commission based its assessment on the facts available in accordance with Article 18 of the basic Regulation.

3.3.1. *Production capacity and spare capacity in the PRC*

- (141) In the previous expiry review the Commission concluded that the available capacity in the PRC was in a range of 65 500 to 82 000 tonnes. At the time, the spare capacity of sulphanilic acid in the PRC was estimated within the range 13 100 – 16 400 tonnes.

⁽⁹⁹⁾ See t20.006886.

- (142) The current request for expiry review includes a list of 44 Chinese producers of sulphanilic acid and estimates that in 2019 production capacity of sulphanilic acid ranged 75 000 – 190 000 tonnes. In 2017, the production capacity of sulphanilic acid in the PRC was estimated at 98 506 tonnes for 14 Chinese producers ⁽¹⁰⁰⁾. Since 2017 production capacities have been added by producers such as Hebei Honggang Chemical Co., Ltd and Cangzhou Lingang Yueguo Chemical Co., Ltd ⁽¹⁰¹⁾. Moreover, much of the production equipment used to make dyes, pigments and organic chemical in the PRC can also be used to produce sulphanilic acid ⁽¹⁰²⁾.
- (143) In light of projections based on historical demand and exports and market intelligence about the PRC, currently the spare capacity of sulphanilic acid in the PRC ranges 35 000 – 65 000 tonnes, representing as a minimum already well more than fivefold the Union consumption in the review investigation period.

3.3.2. Prices in other export markets

- (144) The Commission made a GTA extraction with values and volumes of PRC exports of aniline derivatives and its salts ⁽¹⁰³⁾ (data for sulphanilic acid only is not available) for the period 2015-19 per country of destination. An analysis of export prices shows that, apart from sales to the US, Chinese exports of aniline derivatives and its salts to the Union are the highest priced. The product mix per country of destination is unknown, but the price difference between prices in the Union and other exports markets is significant. In 2019 the average selling price of aniline derivatives and its salts to the Union was 3,2 times higher than in other export markets. An increase of Chinese sales into the Union is thus likely in the absence of anti-dumping measures. Such imports are expected to happen at dumped prices that would undercut the prices of the sole Union producer.

3.3.3. Attractiveness of the Union market

- (145) In the world, the PRC is the largest exporting country of sulphanilic acid by quantity ⁽¹⁰⁴⁾. In light of the plans put in place by the Government of China (see Section 3.2.2) and the websites of relevant Chinese producers ⁽¹⁰⁵⁾, it is clear that Chinese producers of sulphanilic acid have significant exports.
- (146) The analysis of the GTA extraction mentioned in recital (144) above showed that Chinese exports of aniline derivatives and its salts amounted to some 82 million tonnes in 2019. The bulk of those exports went to Oman, Pakistan, Brazil, India and Vietnam. Even if the product mix of exported products might differ and data is wider than the product under review, it is noted that the average price of Chinese exports of aniline derivatives and its salts to non-EU countries was much lower than the average price of exports to the Union. The investigation found that demand for sulphanilic acid was concentrated in the US, Europe, Mexico, Brazil and Japan ⁽¹⁰⁶⁾. As to the US, sulphanilic acid prices would be high, however the access to the US market seems to be restricted for Chinese sulphanilic acid producers since the introduction of anti-dumping measures ⁽¹⁰⁷⁾. The attractiveness of the Union market in terms of demand and prices is thus patent.

⁽¹⁰⁰⁾ See p. I-16 of the publication 4680 of the United States International Trade Commission on Sulfanilic Acid from China and India, Investigations Nos 701-TA-318 and 731-TA-538 and 561 (Fourth Review) from April 2017 ('the April 2017 USITC Report').

⁽¹⁰¹⁾ Page 33 of the request.

⁽¹⁰²⁾ See p. 22 of the April 2017 USITC Report.

⁽¹⁰³⁾ Aniline derivatives and its salts include the product under review. It is a broader category than sulphanilic acid and its salts.

⁽¹⁰⁴⁾ See p. I-19 of the April 2017 USITC Report.

⁽¹⁰⁵⁾ For Hebei Honggang Chemical Industry Co., Ltd see http://en.hebhonggang.com/comcontent_detail/i=2&comContentId=2.html (last viewed on 24 November 2020); for Cangzhou Lingang Yueguo Chemical Co., Ltd see http://www.y-gchem.com/about_en.html (last viewed on 24 November 2020); for Orichem International Ltd see <http://www.orichem.com/> (last viewed on 24 November 2020).

⁽¹⁰⁶⁾ See p. I-18 of the April 2017 USITC Report. Please see footnote 98.

⁽¹⁰⁷⁾ See p. 10 of the April 2017 USITC Report. Please see footnote 98.

3.3.4. Conclusion on the likely development of imports should the measures lapse

- (147) Based on the significant production and spare capacity in the PRC and the attractiveness of the Union market, the Commission concluded that there is a strong likelihood that the expiry of the anti-dumping measures would result in an increase in dumped volumes.

3.3.5. Conclusion on the likelihood of continuation of dumping

- (148) In view of its findings on the continuation of dumping during the review investigation period and on the likely development of imports should the measures lapse, the Commission concluded, based on facts available, that there is a strong likelihood that the expiry of the anti-dumping measures would result in the continuation of dumping.

4. INJURY

4.1. Definition of the Union industry and Union production

- (149) The like product was manufactured by one Union producer during the period considered. The company constitutes the 'Union industry' within the meaning of Article 4(1) of the basic Regulation.
- (150) The total Union production during the review investigation period was established in the range of 1 900 to 2 300 tonnes, based on the information provided by the Union industry. The analysis was carried out on the basis of data provided by the sole Union producer of the like product, thus representing 100 % of the total Union production of the like product.

4.2. Union consumption

- (151) The Commission established the Union consumption on the basis of:
- sales volumes of the like product by the Union industry into the Union market,
 - import volumes of sulphanilic acid and its salts (10-digit TARIC level) reported in Eurostat.
- (152) In view of the fact that the Union industry consists of only one producer, in order to respect confidential business information, it is necessary to present the information in tables below in an indexed form.
- (153) In line with the Note to the file of 18 November 2020 ⁽¹⁰⁸⁾, the Commission followed a conservative approach and for the injury analysis only used imports classified under TARIC code 2921 42 00 60 (sulphanilic acid) and 2921 42 00 40 (sodium sulphanilate, which is a salt of sulphanilic acid produced by treating the sulphanilic acid with sodium hydroxide). The Commission, however, disregarded imports made under TARIC code 2921 42 00 90 (aniline derivatives and their salts – Other) as this code might include products other than the product under review and no proper methodology could be used to identify the proportion of the product under review under that code.
- (154) The investigation showed that the Union market for sulphanilic acid first expanded in the second year of the period considered. Then, however, the consumption declined but remained slightly above the level of 2016 in the review investigation period.

Table 2

Union consumption (volume index)

	2016	2017	2018	Review investigation period
Union consumption	100	113	104	105

Source: Union producer and Eurostat

⁽¹⁰⁸⁾ Ref. No t20.007508.

4.3. Imports from the PRC

(a) *Import volumes and market share*

- (155) The Commission established the volume of imports from the PRC to the Union on the basis of data from Eurostat and the market share of the imports by comparing these import volumes with the Union consumption as shown in Table 3.
- (156) The total volume of imports from the PRC increased continuously throughout the period considered. In the review investigation period, the import volumes were higher than in 2016 by 66 %.
- (157) Imports from the PRC grew continuously to account for more than a third of total imports in the review investigation period.
- (158) In the original investigation, the Commission investigated imports of sulphanilic acid and its salts, which is apparent, inter alia, from the definition of the product concerned in the recitals of the Regulation imposing the provisional measures ⁽¹⁰⁹⁾. Nevertheless, the Commission by omission described the product subject to the measures only as sulphanilic acid in the operative part of the Regulation. This issue became pronounced in 2015.
- (159) In 2015, after the previous expiry review was already concluded, a revision of the Union's tariff classification introduced a new TARIC code for sodium sulphanilate (TARIC code 2921 42 00 40). Moreover, at the end of 2014 and beginning of 2015, the Netherlands ⁽¹¹⁰⁾ and Italy ⁽¹¹¹⁾ issued Binding Tariff Information ('BTI') decisions classifying salts of sulphanilic acid under TARIC code 2921 42 00 90 (Aniline derivatives and their salts – Other).
- (160) The import statistics by Eurostat show that the volumes of imports from the PRC classified under TARIC code 2921 42 00 90 fluctuated between 1 500 tonnes and 3 000 tonnes between 2010 and the review investigation period ⁽¹¹²⁾. The changes in the tariff classification in 2015 and the two BTIs did not have any influence on the fluctuating trend concerning that TARIC code.
- (161) On the contrary, the volumes imported from the PRC under TARIC code 2921 42 00 60 (sulphanilic acid) clearly decreased after 2014. In 2010 to 2014, the import volumes ranged between 100 and 800 tonnes per year ⁽¹¹³⁾. Since 2015, they never exceeded 65 tonnes. In addition, the import volumes from the PRC under TARIC code 2921 42 00 40 (sodium sulphanilate) grew from approximately 35 tonnes in 2015 to more than 1 000 tonnes in the review investigation period.
- (162) Thus, the Commission considered that the Chinese exporting producers exploited the situation explained in recitals (158) and (159) and resumed imports of salts of sulphanilic acid under the TARIC codes not explicitly covered by the operative part of the anti-dumping measures during the period considered.

Table 3

Imports from the PRC (tonnes, ranges)

	2016	2017	2018	Review investigation period
PRC	600 – 670	550 – 600	750 – 800	1 050 – 1 100
<i>Index (2016 = 100)</i>	100	90	119	166

Source: Eurostat

⁽¹⁰⁹⁾ Commission Regulation (EC) No 575/2002 of 3 March 2002 imposing a provisional anti-dumping duty on imports of sulphanilic acid originating in the People's Republic of China and in India (OJ L 87, 4.4.2002, p. 28).

⁽¹¹⁰⁾ Ref. No. NLRTD-2014-1999. Available at https://ec.europa.eu/taxation_customs/dds2/ebti/ebti_consultation.jsp?Lang=en (last viewed 30 November 2020).

⁽¹¹¹⁾ Ref. No. ITIT-2014-0509C-277100. Available at https://ec.europa.eu/taxation_customs/dds2/ebti/ebti_consultation.jsp?Lang=en (last viewed 30 November 2020).

⁽¹¹²⁾ Years 2010 and 2011 were quite exceptional with imports from the PRC of more than 5 000 tonnes and less than 1 200 tonnes respectively.

⁽¹¹³⁾ Year 2013 was exceptional with import volume of only slightly more than 10 tonnes.

- (163) As explained in recitals (158) to (161), imports of the product under review increased after 2015 when the TARIC code for sodium sulphanilate was introduced. In 2016, Chinese imports accounted for 14 % of the Union market. Their market share dropped in 2017 but recovered and continued growing for the remainder of the period considered. In the review investigation period, imports from the PRC reached 22 % of the Union market share.

Table 4

Union market share (%)

	2016	2017	2018	Review investigation period
PRC in %	14	11	16	22
Index (2016 = 100)	100	80	115	158

Source: calculated based on the information from the Union producer and Eurostat

(b) Import prices and price undercutting

- (164) The Commission established the prices of imports on the basis of data from Eurostat. The average import price of the product under review from the PRC almost doubled during the period considered. The import price of sulphanilic acid, the only component of the product under review currently under measures, and the import price of its salts followed, however, divergent trends.
- (165) The import price of sulphanilic acid from the PRC decreased in the period considered. In the review investigation period, the import price dropped almost 10 % in comparison to the beginning of the period considered. The Commission considered that the peak price in 2018 was not representative since it corresponded to only 4 tonnes of sulphanilic acid imported from the PRC.
- (166) The import price of salts of sulphanilic acid from the PRC showed an opposite trend. The import price of salts grew constantly to reach in the review investigation period almost 190 % of its value in 2016.

Table 5

Import price (EUR/tonne)

	2016	2017	2018	Review investigation period
Price of sulphanilic acid in EUR/tonne	1 271	1 070	2 315	1 157
Index (2016 = 100)	100	84	182	91
Price of salts of sulphanilic acid ⁽¹⁾ in EUR/tonne	714	1 046	1 198	1 333
Index (2016 = 100)	100	146	168	187
Average price of the product under review in EUR	720	1 049	1 204	1 325
Index (2016 = 100)	100	146	167	184

⁽¹⁾ As set out in recital (153), the salts of sulphanilic acid are limited to sodium sulphanilate.

Source: Eurostat

- (167) In the absence of cooperation from the Chinese exporting producers and thus, due to the lack of information on the exact imported product types, the Commission determined price undercutting based on the imports per TARIC code and the assumption that the product types falling under the specific TARIC codes imported from the PRC are similar to those produced and sold by the single Union producer.
- (168) The Commission determined the price undercutting during the review investigation period by comparing:
- the weighted average sales price of the product under review of the only Union producer charged to unrelated customers on the Union market, adjusted to an ex-works level; and
 - the corresponding weighted average prices of the imports from PRC producers (data from Eurostat) for the product under review from the PRC per TARIC code established on a Cost, insurance, freight ('CIF') basis, adjusted to a landed price, including an amount of conventional customs duty and post importation costs.
- (169) The result of the comparison was expressed as a percentage of the Union industry's turnover during the review investigation period.
- (170) Taking into account the approach described in recital (153), the comparison showed for imports from the PRC of comparable product types based on TARIC code classification an average undercutting margin in the Union market during the review investigation period of 13,3 %.

4.4. Imports from third countries other than the PRC

- (171) Throughout the period considered, the majority of total Union imports originated in the US. The imports from the US rose between 2016 and 2017 then continuously declined but remained in the review investigation period 5 % above the level of 2016. Their market share increased by 8 percentage points between 2016 and 2018, and then dropped back to the level of 32 % in the review investigation period.
- (172) The trend of imports from third countries other than the PRC was strongly influenced by the imports from the US, thus followed the same evolution in terms of import volumes. The market share of imports from third countries other than the PRC remained rather stable during the period considered. Imports from third countries accounted for 38 – 41 % of the Union market.

Table 6

Import volumes and market shares of third countries other than the PRC (tonnes, %)

	2016	2017	2018	Review investigation period
India – import volume	270 – 300	70 – 100	70 – 100	270 – 300
<i>Index (2016 = 100)</i>	100	30	28	100
India – market share in %	6	2	2	6
Switzerland – import volume	0 – 1	0	0	0
<i>Index (2016 = 100)</i>	100	0	0	0
Switzerland – market share in %	> 0,01	0	0	0
United States – import volume	1 450 – 1 500	2 000 – 2 050	1 900 – 1 950	1 550 – 1 600
<i>Index (2016 = 100)</i>	100	137	129	105
United States – market share in %	32	39	40	32

All third countries excluding the PRC – import volume	1 720 – 1 800	2 070 – 2 150	1 970 – 2 050	1 720 – 1 900
<i>Index (2016 = 100)</i>	100	120	113	104
All third countries excluding the PRC – market share in %	38	40	41	38

Source: Eurostat

- (173) The import prices of the product under review originating in third countries other than the PRC remained well above the level of the Chinese import prices ranging from approximately 1 400 EUR/tonne in 2017 to almost 1 700 EUR/tonne in the review investigation period.

4.5. Economic situation of the industry

4.5.1. General remarks

- (174) In accordance with Article 3(5) of the basic Regulation, the examination of the impact of the dumped imports on the Union industry included an evaluation of all economic indicators having a bearing on the state of the Union industry during the period considered.
- (175) With regard to the Union industry, no sampling was applied. Thus, the assessment of the economic situation of the industry was carried out on the sole Union producer representing 100 % of the production in the Union.
- (176) For the injury determination, the Commission distinguished between macroeconomic and microeconomic injury indicators. The Commission evaluated the indicators on the basis of data submitted by the Union producer in the review request and the crosschecked questionnaire reply submitted by this producer.
- (177) This data was found to be representative of the economic situation of the Union industry.
- (178) The macroeconomic indicators are: production, production capacity, capacity utilisation, sales volume, market share, growth, employment, productivity, magnitude of the dumping margin and recovery from past dumping.
- (179) The microeconomic indicators are: average unit prices and factors affecting prices, unit cost, labour costs, inventories, profitability, cash flow, investments, return on investments, and ability to raise capital.

4.5.2. Macroeconomic indicators

4.5.2.1. Production, production capacity, and capacity utilisation

- (180) During the period considered, production decreased between 2016 and 2018. Although it slightly recovered in the review investigation period, it remained 11 % below the level of 2016.
- (181) The production capacity remained unchanged throughout the whole period considered.
- (182) At a stable production capacity, the capacity utilisation followed the same trend as the production. Thus, in the review investigation period, it dropped by 11 % (or 8 percentage points) in comparison to 2016. In addition, already in 2016, the capacity utilisation was below an optimal level.

Table 7

Union production, production capacity, and capacity utilisation

	2016	2017	2018	Review investigation period
Production in tonnes (index)	100	99	79	89
Production capacity in tonnes (index)	100	100	100	100
Capacity utilisation in %	71	70	56	63

Source: Questionnaire reply

4.5.2.2. Sales volume and market share

- (183) Following an increase in Union consumption in 2017, the Union producer was also able to increase its sales volume. In second part of the period considered, the sales volume, however, dropped and in the review investigation period, it was 11 % below the level of 2016.
- (184) In addition, the sole Union producer lost market share during the period considered. In the review investigation period, its market share was by 8 percentage points lower than in 2016.

Table 8

Sales volume and market share

	2016	2017	2018	Review investigation period
Sales volume in tonnes (index)	100	115	92	89
Market share in % (index)	48	49	43	40

Source: Questionnaire reply

4.5.2.3. Growth

- (185) From 2016 until the end of the review investigation period, the Union consumption grew continuously. Yet, due to the growing competition from the low-priced imports from the PRC, the sales volume of Union industry declined. This resulted in the Union industry losing market share over the period considered.

4.5.2.4. Employment and productivity

- (186) The employment level of the Union industry declined between 2016 and 2018 only to increase in relative terms in the review investigation period. In this respect, it must be noted that the Union industry employs a limited number of persons in the production of the product under review. Thus, a small increase in the number of employees translated into a surge of employment when expressed as an index of the basis year 2016. Consequently, the rise in employment over the period considered could not be interpreted as a clear sign of recovery.

- (187) Productivity of the Union industry's workforce, measured as output (tonnes) per fulltime equivalent (FTE) per year increased by 15 % in 2017 in comparison to 2016. For the rest of the period considered, productivity declined. In the review investigation period, production volumes below the level of 2016 in combination with a number of employees above the level of 2016 resulted in productivity that reached only 78 % of the level of 2016.

Table 9

Employment and productivity

	2016	2017	2018	Review investigation period
Employment in FTE (index)	100	86	71	114
Productivity in tonnes/FTE (index)	100	115	110	78

Source: Questionnaire reply

4.5.2.5. Magnitude of the dumping margin and recovery from past dumping

- (188) The investigation has established the continuation of dumping from the PRC, and that the magnitude of the margins of dumping as shown in recital (137) is well above the *de minimis* level.
- (189) In addition, the level of imports from the PRC was considerable during the review investigation period amounting to 22 % of the Union market.
- (190) The expiry review showed that the measures in force did not allow for a recovery of the Union industry from past dumping.

4.5.3. Microeconomic indicators

4.5.3.1. Prices and factors affecting prices

- (191) The average unit price of the Union industry achieved on the Union market grew by 8 % between 2016 and 2017. In the last two years of the period considered, the price, however, declined and in the review investigation period remained 4 % above the level of 2016.
- (192) Similarly, the cost of production grew during the period considered. The magnitude of its growth substantially exceeded the increase in sales price. Thus, the unit cost of production rose by 20 % in 2018. Although it dropped in the review investigation period, it remained 10 % above the level of 2016. This development in combination with the sales price higher by only 4 % affected the profitability of the Union producer.

Table 10

Unit price and unit cost in the Union market

	2016	2017	2018	Review investigation period
Union unit price to unrelated customers in EUR/tonne (index)	100	108	107	104
Union unit cost of production in EUR/tonne (index)	100	104	120	110

Source: Questionnaire reply

4.5.3.2. Labour costs

- (193) Average labour costs increased considerably between 2016 and 2018. In the review investigation period, labour cost per employee decreased to a level comparable with 2016.

Table 11

Labour costs

	2016	2017	2018	Review investigation period
Union labour cost in EUR/FTE (index)	100	119	133	102

Source: Questionnaire reply

4.5.3.3. Inventories

- (194) Inventories developed in a positive direction between 2016 and 2018. The quantity of closing stock decreased by 70 % in that period. Nevertheless, in the review investigation period rose again considerably to reach almost the same level as in 2016.

Table 12

Inventories

	2016	2017	2018	Review investigation period
Closing stocks in tonnes (index)	100	62	29	97

Source: Questionnaire reply

4.5.3.4. Profitability, cash flow, investments, return on investments, and ability to raise capital

- (195) During the period considered, the profitability of the Union industry, expressed as a percentage of net sales, increased in 2017. This increase was followed by an abrupt decline and the Union producer remained lossmaking for the rest of the period considered including in the review investigation period. This was mainly caused by the fact that the costs of production peaked in 2018, yet in competition against the growing low-priced imports from the PRC, the Union producer was not able to increase its sales price to an appropriate level.
- (196) The return on investments ('ROI'), expressed as the share of profit on the net book value of investments, broadly followed the profitability trend. It increased between 2016 and 2017. In the second part of the period considered, ROI dropped to negative figures.

Table 13

Profitability and return on investments

	2016	2017	2018	Review investigation period
Profitability in % (index)	100	309	-59	-76
Return on investments in % (index)	100	355	-57	-71

Source: Questionnaire reply

- (197) The net cash flow is the ability of the Union producers to self-finance their activities. The net cash flow from operating activities followed the profitability trend. Its value increased more than six-fold between 2016 and 2017. In 2018, it dropped to one third of its value in 2017. The net cash flow continued declining and in the review investigation period, it reached significantly negative figures.

Table 14

Cash flow

	2016	2017	2018	Review investigation period
Cash flow in EUR (index)	100	648	217	-163

Source: Questionnaire reply

- (198) The Union industry's annual investments in the production of the like product continuously decreased over the whole period considered. In the review investigation period, the value of net investments was by 77 % lower than in 2016.
- (199) The Union producer considered the information on their ability to raise capital sensitive. Therefore, the Commission is not able to make any finding on this matter public.

Table 15

Investments

	2016	2017	2018	Review investigation period
Net investments in EUR (index)	100	72	56	23

Source: Questionnaire reply

4.6. Conclusion on the situation of the Union industry

- (200) The investigation showed that the imports of low-priced dumped products from the PRC increased after the previous expiry review. This development was in particular enabled by the situation described in recitals (158) and (159), and the resulting imports of the product under review under TARIC codes that were not explicitly covered by anti-dumping measures. For the Union industry, this led to declining production and sales volumes that translated into worsening of its overall financial situation.
- (201) The examined macro- and micro-indicators showed that despite the anti-dumping duties the Union industry continued suffering material injury within the meaning of Article 3(1) of the basic Regulation during the review investigation period.

5. LIKELIHOOD OF CONTINUATION OF INJURY

- (202) The Commission concluded in recital (200) that the Union industry suffered material injury during the review investigation period. In addition to that conclusion, the Commission assessed, in accordance with Article 11(2) of the basic Regulation, whether there would be a likelihood of continuation of injury from the dumped imports from the PRC if the measures were allowed to lapse.
- (203) In that regard, the Commission examined the production capacity and spare capacity in the PRC, prices in other markets, the attractiveness of the Union market and the impact of imports from the PRC on the situation of the Union industry should the measures be allowed to lapse.

5.1. Spare production capacity

- (204) As mentioned in recitals (141) to (143), Chinese exporters have significant spare capacity to increase their exports rapidly. Their spare capacity was estimated between 35 000 and 65 000 tonnes, which is at least more than five times the consumption in the Union.

5.2. Prices in other export markets

- (205) As explained in recital (144), Chinese producers exported sulphanilic acid and its salts to all third countries with the exception of the US for prices below the price they were able to charge on the Union market. Moreover, the price difference was significant as in 2019, the average selling price of aniline derivatives and their salts to the Union was more than three times higher than in other export markets.

5.3. Attractiveness of the Union market

- (206) Given the more lucrative prices on the Union market compared to third country markets as described in recitals (145) and (146), it is likely that significant quantities currently exported to those countries would be re-directed to the Union market should the anti-dumping measures be allowed to lapse.
- (207) On that basis, in the absence of measures, Chinese producers would likely increase their presence in the Union market in terms of both volume and market share and at dumped prices that would likely undercut the Union industry's prices as explained in recitals (164) to (169).

5.4. Impact of imports from the PRC on the situation of the Union industry should the measures be allowed to lapse

- (208) If measures were allowed to lapse, an increase in imports from the PRC is expected, due to the attractiveness of the Union market as set out in recitals (205) and (206). These imports are likely to be undercutting the prices of the Union industry or at least put a heavy downward pressure on the non-injurious price level of the Union industry, as set out in recitals (164) to (169).

5.5. Conclusion on likelihood of continuation of material injury

- (209) With the likely arrival of large quantities of Chinese imports at dumped prices, the Union industry would be forced to reduce its production or lower its prices. The spare capacity in the PRC is of such a massive size that even a small shift of sales towards the Union would negatively affect the Union industry, especially as Chinese exports to other third countries have shown that the prices to the Union market might decrease, further undercutting the prices of the Union industry. Decreases in production volumes or sales prices by the Union industry would cause further deterioration of its profitability and other performance indicators.
- (210) On the basis of the above, it can be concluded that there is a likelihood of continuation of material injury should the current anti-dumping measures lapse.

6. UNION INTEREST

- (211) In accordance with Article 21 of the basic Regulation, the Commission examined whether maintaining the existing anti-dumping measures would be against the interest of the Union as whole. The determination of the Union interest was based on an appreciation of all the various interests involved. All interested parties were given the opportunity to make their views known in accordance with Article 21(2) of the basic Regulation

6.1. Interest of the Union industry

- (212) As mentioned in recital (208), the Union industry would likely experience further serious deterioration of its situation in case the anti-dumping measures were allowed to lapse. Therefore, the continuation of measures would benefit the Union industry because the Union producer would get the opportunity to increase its sales volumes and market share, improve its profitability and overall its economic situation.
- (213) By contrast, the discontinuation of the measures would seriously threaten the viability of the Union industry, because a shift of the Chinese imports to the Union market at dumped prices and in considerable volumes would be likely to occur, causing the continuation of material injury to the Union industry.

6.2. Interest of unrelated importers and users

- (214) In the request for an expiry review, the applicant identified 25 importers and/or users in the Union. All companies were notified of the initiation of the expiry review. None of them either cooperated in the investigation or registered as an interested party.

- (215) As explained in recital (34), sulphanilic acid has five main areas of application: optical brighteners, concrete additives, food colorants, speciality dyes, and within the pharmaceutical industry. Previous investigations found that the product under review represented a negligible share of around 1 % on the costs of production of the producers of pharmaceuticals and specialty dyes. It, however, contributed by 4 to 12 % to the costs of production of the producers of optical brighteners and concrete additives. Since none of the users or importers cooperated in the investigation, it can be concluded that they have not been substantially negatively affected by the measures.
- (216) In addition, the product under review is currently being produced in only four economies around the world: China, India, the Union, and the US. Therefore, the Commission considered that extending the measures would help preserve an already limited variety of sources for users of sulphanilic acid.
- (217) Thus, the Commission concluded that continuation of the measures would not be against the interest of importers and users.

6.3. Conclusion on Union interest

- (218) The Commission concluded that there were no compelling reasons of the Union interest against maintaining the existing measures on imports of the product under review originating in the PRC. Maintaining measures would be in the interest of the Union industry and would not harm the situation of users and importers in the Union.

7. ANTI-DUMPING MEASURES

- (219) On the basis of the conclusions reached by the Commission on continuation of dumping, continuation of injury and Union interest, the anti-dumping measures on sulphanilic acid and its salts originating in the PRC should be maintained.
- (220) All interested parties were informed of the essential facts and considerations on the basis of which it was intended to recommend that the existing measures be maintained.
- (221) In view of Article 109 of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council ⁽¹¹⁴⁾, when an amount is to be reimbursed following a judgment of the Court of Justice of the European Union, the interest to be paid should be the rate applied by the European Central Bank to its principal refinancing operations, as published in the C series of the *Official Journal of the European Union* on the first calendar day of each month.
- (222) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 15(1) of the basic Regulation. The Committee established by Article 15(1) of the basic Regulation delivered a positive opinion,

HAS ADOPTED THIS REGULATION:

Article 1

1. A definitive anti-dumping duty is hereby imposed on imports of sulphanilic acid and its salts currently falling under CN code ex 2921 42 00 (TARIC codes 2921 42 00 40, 2921 42 00 60, and 2921 42 00 61), originating in the People's Republic of China.
2. The rate of the definitive anti-dumping duty applicable to the net, free-at-Union-frontier price, before duty, of the product described in paragraph 1, shall be as follows:

Country	Definitive duty (%)
People's Republic of China	33,7

⁽¹¹⁴⁾ Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1).

3. Unless otherwise specified, the provisions in force concerning customs duties shall apply.

Article 2

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 11 March 2021.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION IMPLEMENTING REGULATION (EU) 2021/442**of 11 March 2021****making the exportation of certain products subject to the production of an export authorisation**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2015/479 of the European Parliament and of the Council of 11 March 2015 on common rules for exports ⁽¹⁾, and in particular Article 6 thereof,

Whereas:

- (1) On 30 January 2021, the Commission adopted Commission Implementing Regulation (EU) 2021/111 ⁽²⁾ making the exportation of COVID-19 vaccines as well as active substances, including master and working cell banks, used to manufacture these vaccines, subject to the production of an export authorisation, pursuant to Article 5 of Regulation (EU) 2015/479. Implementing Regulation (EU) 2021/111 applies for a maximum period of six weeks.
- (2) The production capacity of COVID-19 vaccines is still in the building-up phase and remains, for certain vaccine manufacturers, below the pledged quantities to be destined for the Union on the basis of Advanced Purchased Agreements (APAs) concluded with the Union.
- (3) In light of the critical situation of COVID-19 vaccines in the Union, and in particular the risk that vaccines produced or packaged in the Union are exported, especially to non-vulnerable countries, in potential breach of contractual commitments entered into by the pharmaceutical industries, continued protective measures are warranted to prevent shortages and delayed deliveries of such vaccines. It is therefore in the Union's interest to maintain, for a limited period of time, a mechanism to ensure that exports of COVID-19 vaccines covered by APAs with the Union are subject to a prior authorisation, so that there are adequate supplies in the Union to meet the vital demand, but without impacting on the Union's international commitments in this respect.
- (4) Export authorisations should be granted by the Member States where products covered by this Regulation are manufactured to the extent that the exports concerned do not pose a threat to the continuous supply of the vaccines necessary for the execution of the APAs between the Union and vaccine manufacturers in view of their volume or other relevant circumstances. In order to ensure a coordinated approach at Union level, the Member States should seek the opinion of the Commission in advance and decide in accordance with that opinion.
- (5) The administrative modalities for the export authorisations should be left to the discretion of the Member States during the period of application of this temporary mechanism.
- (6) An export authorisation may cover multiple export consignments of vaccines and samples. In order to facilitate the administration process while ensuring transparency, the authorisation form should be simplified, allowing that one single request and authorisation form cover one shipment with consignments to multiple final recipients within the same destination country but being released by the same customs office of export. For customs control purposes, the customs office of export should be indicated in the authorisation.
- (7) To ensure that the situation is assessed at regular intervals, and in order to ensure transparency and consistency, Member States should provide information to the Commission on requested export authorisations, and their decisions in response to such requests. The Commission should make such information publicly available on a regular basis, due account being taken of their confidential nature.

⁽¹⁾ OJ L 83, 27.3.2015, p. 34.

⁽²⁾ Commission Implementing Regulation (EU) 2021/111 of 29 January 2021 making the exportation of certain products subject to the production of an export authorisation (OJ L 31 I, 30.1.2021, p. 1).

- (8) The single market for medicinal products is closely integrated beyond the boundaries of the Union, and so are its supply chains and distribution networks. This is particularly the case with regard to the neighbouring countries and economies, the Member States of the European Free Trade Area and the Western Balkans, which are engaged in the process of integration with the Union. Subjecting exports of COVID-19 vaccines to those countries to an export authorisation requirement would be counterproductive due to their proximity and dependency on Union supplies of vaccines (most of them do not have their own production capacity for the vaccines in question in adequate quantities) and the fact that vaccines are an essential product necessary to prevent the further spreading of the pandemic. It is therefore appropriate to exempt such countries from the scope of application of this Regulation.
- (9) It is likewise appropriate to exempt from the export authorisation requirement the overseas countries and territories listed in Annex II to the Treaty, the Faeroe Islands, Andorra, San Marino, and the Vatican City, as well as territories of Member States specifically excluded from the customs territory, namely Büsingen, Helgoland, Livigno, Ceuta and Melilla, since they have a particular dependency on the metropolitan supply chains of the Member States to which they are attached or on the supply chains of neighbouring Member States, respectively. Likewise, exports to the continental shelf of a Member State or the exclusive economic zone declared by a Member State pursuant to United Nations Convention on the Law of the Sea (UNCLOS) should be exempted from the application of this Regulation.
- (10) As only exports from the customs territory of the Union are covered, countries that form part of that customs territory need not to be exempted in order to receive unrestricted shipments from within the Union. This is the case notably for the Principality of Monaco ^(*).
- (11) Based on the principle of international solidarity, exports to enable the provisions of supplies in the context of humanitarian emergency response, exports to the COVAX facilities, and in particular to low and middle-lower income countries, given their vulnerability and limited access to vaccines, exports of COVID-19 vaccines purchased or delivered through COVAX, Unicef and PAHO with destination to any other COVAX participating country and exports of COVID-19 vaccines purchased by Member States under the Union's APAs and resold or donated to a third country should be exempted from the export authorisation requirement.
- (12) Prior authorisation requirements are of an exceptional nature, and should be targeted and of a limited duration. Given the continuing constraints on vaccine production and risks of delays in the delivery of COVID-19 vaccines in the Union, as mentioned in recitals 2 and 3, the export authorisation mechanism should continue to apply for a limited time period.
- (13) Due to the limited duration of the measures provided for in Implementing Regulation (EU) 2021/111, this Regulation should enter into force as soon as possible.
- (14) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 3(1) of Regulation (EU) 2015/479,

HAS ADOPTED THIS REGULATION:

Article 1

Export authorisation

1. An export authorisation established in accordance with the form set out in Annex I shall be required for the export of the following goods:
- (a) vaccines against SARS-related coronaviruses (SARS-CoV species) currently falling under CN code 3002 20 10, irrespective of their packaging;

^(*) See Article 4(2)(a) of Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1).

(b) active substances, including master and working cell banks used for the manufacture of such vaccines, currently falling under CN codes ex 2933 99 80, ex 2934 99 90, ex 3002 90 90 and ex 3504 00 90.

2. For the purposes of this Regulation, 'export' means:

(a) an export of Union goods under the export procedure within the meaning of Article 269(1) of Regulation (EU) No 952/2013 of the European Parliament and of the Council ^(*);

(b) a re-export of non-Union goods within the meaning of Article 270(1) of that Regulation after such goods have been subject to manufacturing operations including filling and packaging within the customs territory of the Union.

3. The export authorisation shall be produced when the goods are declared for export and at the latest at the moment of the release of the goods.

4. The export authorisation shall be granted by the competent authorities of the Member State where products covered by this Regulation are manufactured and shall be issued in writing or by electronic means. For the purposes of this Regulation, manufacturing shall include the filling and packaging of vaccines. If the goods covered by this Regulation are manufactured outside the Union, the export authorisation shall be granted by the competent authorities of the Member State where the exporter is established.

5. The export or re-export declaration shall indicate the number of doses (in case of multi-dose containers, the number of doses for adults).

6. Without the production of a valid export authorisation, the exportation of the goods covered by this Regulation shall be prohibited.

7. The competent authority shall grant an export authorisation, unless it poses a threat to the execution of APAs concluded by the Union with vaccine manufacturers, in view of the volume of exports or any other relevant circumstances.

8. An export authorisation may cover one shipment with more than one consignment of goods mentioned in paragraph 1, provided all consignments are destined to the same destination country and released by the same customs office of export.

9. The following exports shall not be subject to the export authorisation provided for in this Article:

(a) exports to Albania, Andorra, Bosnia and Herzegovina, the Faroe Islands, Iceland, Kosovo ^(*), Liechtenstein, Montenegro, Norway, North Macedonia, San Marino, Serbia, Switzerland, Vatican City, the overseas countries and territories listed in Annex II to the Treaty on the Functioning of the European Union, Büsingen, Helgoland, Livigno, Ceuta and Melilla, Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Moldova, Morocco, Palestine ^(**), Syria, Tunisia, and Ukraine;

(b) exports to low- and middle-income countries in the COVAX AMC list ^(?);

(c) exports of goods purchased or delivered through COVAX, Unicef and PAHO with destination to any other COVAX participating country;

(d) exports of goods purchased by Member States under the APAs entered into by the Union and donated or resold to a third country;

(e) exports in the context of a humanitarian emergency response;

(f) exports to facilities located on the continental shelf of a Member State or the exclusive economic zone declared by a Member State pursuant to UNCLOS.

^(*) Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1).

^(*) This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

^(**) This designation shall not be construed as recognition of a State of Palestine and is without prejudice to the individual positions of the Member States on this issue.

^(?) <https://www.gavi.org/news/media-room/92-low-middle-income-economies-eligible-access-covid-19-vaccines-gavi-covax-amc>

For exports referred to in point (f) of the first subparagraph, the export declaration shall provide the information about the continental shelf or exclusive economic zone of the Member State to which the goods covered by this Regulation are to be brought by using the relevant additional reference code as defined in data element 2/3 in point 2 of Title II of Annex B to Commission Implementing Regulation (EU) 2015/2447 ⁽⁶⁾.

Article 2

Procedure

1. The request for export authorisation shall contain the information set out in Annex I and the applicable TARIC additional codes in Annex II. In addition it shall also contain information on the number of vaccine doses of goods covered by this Regulation distributed in the Union since 1 December 2020 broken down by Member State as well as information on the number of vaccine doses of goods covered by this Regulation distributed in Northern Ireland since the entry into force of Implementing Regulation (EU) 2021/111.
2. The competent authorities of the Member States shall process the requests for export authorisations as soon as possible, and shall issue a draft decision no later than two working days from the date on which all required information has been provided to them by the applicant. Under exceptional circumstances and for duly justified reasons, that period may be extended by a further period of two working days.
3. The competent authorities of the Member States shall immediately notify the request and the draft decision to the Commission at the following email address: SANTE-PHARMACEUTICALS-B4@ec.europa.eu
4. Where the Commission disagrees with the draft decision notified by a Member State, it shall issue an opinion to the competent authority within one working day from receipt of a notification. If the request is incomplete or inaccurate, that time period shall start from the moment when the required information is provided, at the request of Commission, by the competent authority of the notifying Member State. The Commission shall evaluate the impact of exports for which an authorisation is requested on the execution of the relevant APAs with the Union. The Member State shall expeditiously decide on the request for authorisation in accordance with the Commission's opinion.
5. The vaccine manufacturers that have concluded APAs with the Union shall provide the relevant data concerning their exports since 30 October 2020, together with the first request for authorisation under this Regulation or under Implementing Regulation (EU) 2021/111 to the Commission (at the following email address: SANTE-PHARMACEUTICALS-B4@ec.europa.eu) and to the authorities of the competent Member State. That information shall include the volume of exports of COVID-19 vaccines, the final destination and final recipients and a precise description of the products. The absence of such information may lead to refusal of export authorisations.
6. The competent authorities of the Member States may decide to make use of electronic documents for the purpose of processing requests for export authorisations.
7. The competent authorities of the Member States may verify the information submitted pursuant to paragraph 6 on the premises of the applicant, even after the authorisation has been granted.

Article 3

Notifications

1. Member States shall immediately notify the Commission of the export authorisations granted and those refused.

⁽⁶⁾ Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code (OJ L 343, 29.12.2015, p. 558).

2. These notifications shall contain the following information:

- (a) name and contact details of the competent Authority;
- (b) identity of the applicant;
- (c) destination country;
- (d) acceptance or refusal to grant the export authorisation;
- (e) commodity code;
- (f) quantity expressed in number of vaccine doses;
- (g) units and description of the goods;
- (h) information on the number of vaccine doses of goods covered by this Regulation distributed in the Union since 1 December 2020 broken down by Member State in which the vaccines were distributed.

The notification shall be submitted to the following email address: SANTE-PHARMACEUTICALS-B4@ec.europa.eu

3. The Commission shall make the information on the export authorisations granted and refused publicly available, due account being taken of the confidentiality of the data submitted.

Article 4

Entry into force and application

This Regulation shall enter into force on 13 March 2021.

It shall apply until 30 June 2021.

Export authorisations issued in accordance with Annex I to Implementing Regulation (EU) 2021/111 shall remain valid after the entry into force of this Regulation.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 11 March 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX I

Model for export authorisation forms referred to in Article 1

Member States shall ensure the visibility of the nature of the authorisation on the form issued. The export authorisation shall be valid in all Member States of the European Union until its expiry date.

EUROPEAN UNION Export of COVID-19 vaccines and active substances including master and working cell banks (Regulation (EU) 2021/442)

1. Authorisation holder (EORI number if applicable) and TARIC additional code		2. Authorisation number		3. Expiry date	
4. Issuing authority		5. Customs office of export		6. Destination country	
7. Commodity code	8. Quantity	9. Unit	10. Description of the goods		
11. Location					
7. Commodity code	8. Quantity	9. Unit	10. Description of the goods		
11. Location					
7. Commodity code	8. Quantity	9. Unit	10. Description of the goods		
11. Location					
7. Commodity code	8. Quantity	9. Unit	10. Description of the goods		
11. Location					
12. Signature, place and date, stamp					

Explanatory notes to the export authorisation form.

The completion of all the boxes is mandatory except when stated otherwise.

Boxes 6 to 10 are repeated 4 times to allow requesting an authorisation for 4 different products.

Box 1	Authorisation holder	Full name and address of the company for whom the authorisation is issued + EORI number if applicable. TARIC additional code as defined in Annex II.
Box 2	Authorisation number	The authorisation number is completed by the authority issuing the export authorisation and has the following format: XXyyyy999999, where XX is the 2-letter geonomenclature code ⁽¹⁾ of the issuing Member State, yyyy is the 4-digit year of issuance of the authorisation, 999999 is a 6-digit number unique within XXyyyy and attributed by the issuing authority.
Box 3	Expiry date	The issuing authority can define an expiry date for the authorisation. This expiry date cannot be later than 30 June 2021. If no expiry date is defined by the issuing authority, the authorisation expires at the latest on 30 June 2021.
Box 4	Issuing authority	Full name and address of the Member State authority that issued the export authorisation.
Box 5	Customs office of export	The full name and Union code of the customs office of where the export declaration is lodged.
Box 6	Destination country	2-letter geonomenclature code of the country of destination of the goods for which the authorisation is issued.
Box 7	Commodity code	The numerical code from the Harmonised System or the Combined Nomenclature ⁽²⁾ under which the goods to export are classified when the authorisation is issued.
Box 8	Quantity	The quantity of goods measured in the unit declared in box 9.
Box 9	Unit	The measurement unit in which the quantity declared in box 8 is expressed. The units to use are number of vaccine doses.
Box 10	Description of the goods	Plain language description precise enough to allow identification of the goods.
Box 11	Location	The geonomenclature code of the Member State where the goods are located. If the goods are located in the Member State of the issuing authority, this box must be left empty.
Box 12	Signature, stamp, place and date,	The signature and stamp of the issuing authority. The place and the date of issuance of the authorisation.

⁽¹⁾ Commission Implementing Regulation (EU) 2020/1470 of 12 October 2020 on the nomenclature of countries and territories for the European statistics on international trade in goods and on the geographical breakdown for other business statistics (OJ L 334, 13.10.2020, p. 2).

⁽²⁾ Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 256, 7.9.1987, p. 1).

ANNEX II

Taric additional codes

Company	Taric additional code for vaccines against SARS-related coronaviruses (SARS-CoV species)	Taric additional code for active substances ⁽¹⁾
AstraZeneca AB	4500	4520
Pfizer/BioNTech	4501	4521
Moderna Switzerland/Moderna Inc	4502	4522
Janssen Pharmaceutica NV	4503	4523
CureVac AG	4504	4524
Sanofi Pasteur/GlaxoSmithKline Biologicals S.A	4505	4525
Novavax	4506	4526
Other manufacturers	4999	4999

⁽¹⁾ Active substances including master and working cell banks used for the manufacture of vaccines against SARS-related coronaviruses (SARS-CoV species).

Company	TARIC additional code for other substances ⁽¹⁾
All manufacturers	4599

⁽¹⁾ 'Other substances' are products or substances that are not going to be used to manufacture vaccines against SARS-related coronaviruses (SARS-CoV species), but that are classified under the same CN codes as the active substances.

DECISIONS

COUNCIL DECISION (EU) 2021/443

of 18 February 2021

on the position to be taken on behalf of the European Union within the Partnership Council established by the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part, as regards the date on which provisional application pursuant to the Trade and Cooperation Agreement is to cease

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 217, in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) On 29 December 2020, the Council adopted Decision (EU) 2020/2252 ⁽¹⁾ on the signing, on behalf of the Union, and on provisional application of the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part ⁽²⁾ (the 'Trade and Cooperation Agreement') and of the Agreement between the European Union and the United Kingdom of Great Britain and Northern Ireland concerning security procedures for exchanging and protecting classified information ⁽³⁾ (the 'Security of Information Agreement') (together the 'Agreements').
- (2) The Security of Information Agreement is a supplementing agreement to the Trade and Cooperation Agreement, intrinsically linked to the latter in particular with regard to the dates of entry into application and termination.
- (3) Pursuant to Article 12(1) of Decision (EU) 2020/2252, and as agreed by the Parties in paragraph 2 of Article FINPROV.11 [Entry into force and provisional application] of the Trade and Cooperation Agreement, the Agreements apply on a provisional basis from 1 January 2021, pending the completion of the procedures necessary for their entry into force.
- (4) Pursuant to paragraph 2 of Article FINPROV.11 [Entry into force and provisional application] of the Trade and Cooperation Agreement, provisional application is to cease on one of the following dates, whichever is the earliest: 28 February 2021 or another date as decided by the Partnership Council established by Article INST.1 [Partnership Council] of the Trade and Cooperation Agreement (the 'Partnership Council'); or the first day of the month following that in which both Parties have notified each other that they have completed their respective internal requirements and procedures for establishing their consent to be bound.
- (5) Due to the time needed for the European Parliament and the Council to appropriately scrutinise the texts of the Agreements in all 24 authentic languages, the Union will not be able to conclude the Trade and Cooperation Agreement by 28 February 2021.

⁽¹⁾ Council Decision (EU) 2020/2252 of 29 December 2020 on the signing, on behalf of the Union, and on provisional application of the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part, and of the Agreement between the European Union and the United Kingdom of Great Britain and Northern Ireland concerning security procedures for exchanging and protecting classified information (OJ L 444, 31.12.2020, p. 2).

⁽²⁾ The text of the Agreement is published in OJ L 444, 31.12.2020, p. 14.

⁽³⁾ The text of the Agreement is published in OJ L 444, 31.12.2020, p. 1463.

- (6) Therefore, the Partnership Council should set a later date for provisional application to cease, taking into account the date at which all 24 language versions of the Agreements will have been revised and established as authentic and definitive. In view of the envisaged date of availability of those authentic and definitive versions of the Agreements, the Partnership Council should set 30 April 2021 as the date for provisional application to cease.
- (7) It is appropriate to establish the position to be taken on the Union's behalf in the Partnership Council.
- (8) In order to allow for the prompt application of the measures provided for in this Decision, it should enter into force on the date of its adoption,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf within the Partnership Council established by Article INST.1 [Partnership Council] of the Trade and Cooperation Agreement, as regards a decision to be taken in accordance with point (a) of paragraph 2 of Article FINPROV.11 [Entry into force and provisional application] thereof, shall be based on the draft decision of the Partnership Council attached to this Decision.

Article 2

The decision of the Partnership Council shall be published in the *Official Journal of the European Union*.

Article 3

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 18 February 2021.

For the Council
The President
A. P. ZACARIAS

DRAFT

DECISION NO 1/2021 OF THE PARTNERSHIP COUNCIL ESTABLISHED BY THE TRADE AND COOPERATION AGREEMENT BETWEEN THE EUROPEAN UNION AND THE EUROPEAN ATOMIC ENERGY COMMUNITY, OF THE ONE PART, AND THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, OF THE OTHER PART

of ...

as regards the date on which provisional application pursuant to the Trade and Cooperation Agreement is to cease

THE PARTNERSHIP COUNCIL,

Having regard to the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part, and in particular point (a) of paragraph 2 of Article FINPROV.11 [Entry into force and provisional application] thereof,

Whereas:

- (1) Pursuant to paragraph 2 of Article FINPROV.11 [Entry into force and provisional application] of the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part ⁽¹⁾ (the 'Trade and Cooperation Agreement'), the Parties agreed to provisionally apply the Trade and Cooperation Agreement from 1 January 2021 provided that prior to that date they had notified each other that their respective internal requirements and procedures necessary for provisional application have been completed. Provisional application is to cease on one of the following dates, whichever is the earliest: 28 February 2021 or another date as decided by the Partnership Council; or the first day of the month following that in which both Parties have notified each other that they have completed their respective internal requirements and procedures for establishing their consent to be bound.
- (2) As the European Union will not be able, due to internal procedural requirements, to conclude the Trade and Cooperation Agreement by 28 February 2021, the Partnership Council should set 30 April 2021 as the date on which provisional application is to cease pursuant to point (a) of paragraph 2 of Article FINPROV.11 [Entry into force and provisional application] of the Trade and Cooperation Agreement,

HAS ADOPTED THIS DECISION:

Article 1

The date on which provisional application is to cease pursuant to point (a) of paragraph 2 of Article FINPROV.11 [Entry into force and provisional application] of the Trade and Cooperation Agreement shall be 30 April 2021.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at ...,

*For the Partnership Council
The Co-chairs*

⁽¹⁾ The text of the Agreement is published in OJ EU L 444, 31.12.2020, p. 14.

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