

## PROGRAMMING PERIOD 2007-2013

### ADMINISTRATIVE IMPLEMENTATION PROCEDURE OF TRANSNATIONAL COOPERATION (TNC) UNDER LEADER AXIS

#### SECTION A: COUNTRY SPECIFIC DETAILS

##### 1. Name of the programme:

Spain has opted to establish 17 separate regional RDPs

##### 2. Number of Local Action Groups (LAGs):

264

##### 3. Axes covered by LAGs:

Leader actions may address axes 3 and 4 of the regional RDPs

##### 4. Axes and measures covered by TNC projects:

TNC may address measures under axes 3 and 4 of the RDPs

##### 5. Total RDP budget for all the four axes (including EU+ public+ private expenditure):

N/A

##### 6. Total budget for Leader axis:

N/A

Of which:

a. EU Funding: N/A

b. Public funding: N/A

c. Private funding: N/A

## SECTION B: PROGRAMMING AND IMPLEMENTATION OF TRANSNATIONAL COOPERATION PROJECTS

### 1. FINANCIAL ASPECTS

Budget for TNC projects (Total public funding: EU + public)	<p>Transnational cooperation in Spain is supported through national funding only. The legal basis is ordinance ARM/1287 of 8 May 2009.</p> <p>Interterritorial and transnational cooperation projects are funded on a multiannual basis, up to a maximum of four years, and will be financed from the provisions made annually in the General State Budget.</p> <p>Up to 100% of the multiannual budget of approved cooperation projects will be funded.</p> <p>Funding for a cooperation project may in no event exceed EUR 2.000.000.</p>
Responsibility for the management of the Budget (MAs or LAGs)	In accordance with the above-mentioned ordinance TNC funding is centrally managed by the state, bearing in mind implication, dimension, content and the impossibility that the funding can be territorialised.
Special budget for the preparatory technical support of TNC projects	No provision for a particular budget covering the preparation of transnational cooperation projects has been made. Related expenses are considered as expenditure of the first phase of the TNC project, which involves preparatory technical assistance (see below under eligible activities).

### 2. PROGRAMMING ASPECTS

Local Development Strategies and TNC	No information has been provided whether the consideration of TNC in the local development strategies (LDS) was a pre-condition for participation in joint actions.
Way of selecting cooperation projects	LAGs selected as part of LEADER axis 4 of the regional RDPs, which participate in an interterritorial or transnational cooperation project through a coordinating LAG can claim the funds stipulated in the ordinance.
Main topics of TNC proposed for the 2007-2013 programming period	No information has been provided. However, the project selection criteria (see below) provide some useful indications.
Cooperation with third countries	<p>In accordance with article 6 (3) of the ordinance TNC projects may extend to other rural territories outside the European Union, which are organised according to LEADER guidelines. This is considered to be the case when:</p> <ul style="list-style-type: none"> <li>• There is an active local group in the rural area with the capacity to draw up a LDS.</li> <li>• The organisation of the group is based on an open and diverse association, in which the participation of social actors is encouraged.</li> <li>• The group is made up of representatives of the territory from different socio-economic sectors, both public and private.</li> <li>• The group draws up its own LDS and is willing to work with other territories via a network connection.</li> </ul>
Maximum/minimum number of TNC projects per LAG	No information has been provided concerning the number of TNC projects a LAG may engage in.

3. COMMON PROVISIONS FOR TNC PROJECT APPROVAL	
<p>Information about procedures of approval and implementation of TNC projects</p>	<p>The legal basis is ordinance ARM/1287 of 8 May 2009, which establishes the regulatory conditions for the award of funding to interterritorial and transnational cooperation projects in the framework of the national rural network and announcing the funding for the 2009 financial year.</p> <p>In accordance with article 4 of the ordinance, each cooperation project will be carried out under the coordination and supervision of a coordinating LAG (the coordinating group), in accordance with the stipulations of Article 39.1 of Regulation (EC) No. 1974/2006, through which the funding will be channelled. In this respect, the LAGs participating in the cooperation project will choose one group to act as a coordinating group and single contact with the administration.</p> <p>As well as being a beneficiary of the funding the coordinating group will act as a collaborating body vis-à-vis the administration as regards management. Its functions are regulated in Article 12 of the General Funding Law 38/2003. The coordinating group, as single contact with the administration, will present the funding application and be the final responsible party for project implementation, it will receive the funding and distribute it between the participating partners.</p> <p>The coordinating group will take on the following functions:</p> <ul style="list-style-type: none"> <li>• Running and coordination, drawing up the preliminary draft project and the final project, as well as drawing up the proposal for cooperation agreements and, where applicable, the formal creation of the common legal structure.</li> <li>• Financial coordination of the project.</li> <li>• Running and coordination of the project.</li> <li>• Control and follow-up of all the aspects of the cooperation project (technical, financial, participation, etc.).</li> <li>• Confirmation of the commitments made by each group until the project is correctly completed.</li> <li>• Running and coordination of “post execution”. Financial closure of the project, promotion of the project and dissemination to the public.</li> </ul> <p>In the transnational cooperation projects which are coordinated by a local action group belonging to another EU Member State, the functions regarding the funding application, financial centralisation, justification and distribution of funds will be the responsibility of the Spanish group representing the Spanish groups participating in the project. This group will take on the role of project coordinating group on Spanish territory.</p>
<p>Eligibility criteria for cooperation projects</p>	<p>In order to become beneficiaries of the funds regulated by the ordinance the LAGs must fulfil the following requirements:</p> <ul style="list-style-type: none"> <li>• They must have been chosen by autonomous communities to collaborate in the management and implementation of axis 4 of the regional RDPs.</li> <li>• They are not in any of the situations stipulated in Articles 13.2 and 13.3 of the General Funding Law 38/2003, of 17 November.</li> </ul>

<p>Selection criteria for cooperation projects</p>	<p>The importance of criteria for project selection and award of project funding are as follows:</p> <ul style="list-style-type: none"> <li>• Technical quality of the cooperation project: up to 10 points;</li> <li>• Expected added value: up to 10 points;</li> <li>• Impact on women, young people and other groups of special consideration: up to 15 points;</li> <li>• Expected results and contribution to the correction of environmental, socio-economic, cultural and labour imbalances: up to 15 points;</li> <li>• Improvement of the environment and recovery of natural resources: up to 15 points.</li> <li>• Consistency of annualised budget: up to 10 points;</li> <li>• Formulation of objectives: up to 5 points;</li> <li>• Level of originality and innovation of the project: up to 10 points;</li> <li>• Description of projected activities: up to 5 points.</li> </ul> <p>The minimum score required for a cooperation project proposal to obtain approval is 50 points.</p>
<p>Eligible activities of measure 421 Cooperation</p>	<p>The funds stipulated in the ordinance are to cover expenses directly related to approved cooperation projects.</p> <p>In the first (preparatory technical assistance) phase expenses relating to the following activities will be considered eligible for funding:</p> <ul style="list-style-type: none"> <li>• Organisational activities, attendance at meetings, prior analyses, and drawing up of rough drafts or preliminary drafts of cooperation projects.</li> <li>• Search for partners to participate and creation and maintenance of an ad hoc tool.</li> <li>• Promotion of external collaborations such as universities, NGOs, etc., which bring knowledge, experience, technical resources, etc to the cooperation between rural territories.</li> <li>• Specific training programmes on cooperation: training of trainers, training of business people and social representatives involved in cooperation, training of project coordinators and support to coordinating groups in carrying out the work allocated to them due to their status.</li> <li>• Compilation and dissemination of good practices in cooperation.</li> <li>• Travel and accommodation expenses for meetings and contacts for finalising and starting up the project.</li> <li>• Accounting, legal and tax advisory services.</li> <li>• Interpreting and translation costs.</li> <li>• Audiovisual and promotional material and electronic assistance.</li> <li>• Temporary contracting of expert personnel or partial and temporary charging of salary costs of the technical personnel of the LAGs in the participating territories.</li> <li>• Employer's Social Security contributions corresponding to the salary costs in the previous paragraph.</li> <li>• Bank guarantee expenses.</li> <li>• Costs of signing the cooperation agreement or convention and/or constitution of the common legal structure.</li> <li>• Feasibility studies, follow-up and control, technical or professional projects.</li> </ul> <p>Expenses incurred after the cooperation agreement is signed shall be considered as implementation expenses of the project's second phase.</p> <p>Annex III of the ordinance provides a list of expenses that are generally considered not eligible for funding.</p>

<p>Typical examples of eligible costs for TNC projects</p>	<p>Expenditure committed by LAGs, which were selected under the LEADER Axis 4 of the regional RDPs and which corresponds to expenses derived from preparatory technical assistance, the functioning of common structures and the implementation of joint action will be eligible for funding.</p> <p>In accordance with Article 65 of Regulation (EC) No 1698/2005 only expenses committed on EU territories can be refunded.</p> <p>Promotional expenses will be eligible for funding in all territories in which cooperation projects are carried out, so that the groups selected within the framework of the LEADER axis 4 can charge to the project their own activity expenses arising from the implementation in territories organised under LEADER guidelines in non-EU countries, proportionally as agreed upon by the participants, as long as a link of these costs with the project and its effect in terms of rural development are justified.</p> <p>When there are technical, financial or managerial reasons which make it advisable, the participating groups can agree that certain joint activities will be performed under the entire responsibility of one LAG. Such agreements must be put in writing and set out the financial compensation system between the participants, without prejudice to the responsibility vis-à-vis the administration, which in all cases remains with the coordinating LAG.</p> <p>The coordinating group's expenses generated during coordination are imputed to the cooperation project.</p>
<p>Specific documents concerning the cooperation partners required from LAGs</p>	<p>Every cooperation project must be based on a cooperation agreement or convention, as referred to in Article 18 (2) lit. b of the ordinance, which stipulates the following minimum requirements:</p> <ul style="list-style-type: none"> <li>• A written commitment from the participating territories with the names and addresses of the coordinating group, cooperating groups or networks and collaborating bodies.</li> <li>• A detailed description of the project, indicating:             <ol style="list-style-type: none"> <li>a. Objectives of the project.</li> <li>b. Means to be adopted to achieve them.</li> <li>c. Potential beneficiaries.</li> <li>d. Role of each partner in organising and carrying out the project and, where stipulated, the name of the technical organisations authorised to perform specific operations.</li> <li>e. Agreements for the organisation and follow-up of the project.</li> <li>f. Expected results of the project.</li> <li>g. A procedure permitting modification of the agreement.</li> </ol> </li> <li>• A budget broken down by joint, common and individual actions and, where applicable, common structure and by LAG participating in the project.</li> <li>• An indicative chronogram for actions and types of expense.</li> <li>• The applicable legislation and competent jurisdiction in the case of disagreement between the parties, which shall be at the discretion of the groups: either one of the places of residence or the main place of activity of one of the groups, or the place where the project is mainly performed. Preference will usually be given to the main place of activity of the coordinating group.</li> <li>• A clause determining the procedure and conditions of adhesion of other territories.</li> </ul>



<p>The approval process of TNC applications</p>	<p>Cooperation projects consist of a first preparatory technical assistance phase and a second phase for implementation of the joint action.</p> <p>For the purposes of presenting applications, for the first phase:</p> <ul style="list-style-type: none"><li>• a minimum project content must be presented as foreseen by Annex I of the ordinance;</li><li>• an annual budget of the cooperation project must be presented, including and identifying the preparatory expenses prior to signing the cooperation agreement or convention, and subsequent expenses for joint action corresponding to the implementation phase.</li></ul> <p>For the second phase, a final proposal of the cooperation project must be presented. Structure and content must follow a specific template established in Annex II of the ordinance.</p>
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### List of abbreviations:

EU:	European Union
LAG:	Local Action Group
LDS:	Local Development Strategy
MA:	Managing Authority
MS:	Member State
PA:	Paying Authority
TNC:	Transnational Cooperation
RDP:	Rural Development Programme