Commission Implementing Regulation (EU) 2018/277 of 23 February 2018 amending Implementing Regulation (EU) 2015/207 with regard to changes to the models for the implementation reports for the Investment for Growth and Jobs goal and for the European territorial cooperation goal, as well as for the models for the progress report and the annual control reports and correcting that Regulation with regard to the model for the implementation report for the Investment for Growth and Jobs goal and annual control report

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amending Implementing Regulation (EU) 2015/207 with regard to changes to the models for the implementation reports for the Investment for Growth and Jobs goal and for the European territorial cooperation goal, as well as for the models for the progress report and the annual control reports and correcting that Regulation with regard to the model for the implementation report for the Investment for Growth and Jobs goal and annual control report

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 111(5) and 127(6), 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 14(5) thereof,

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

Whereas:

(1) Article 52(2)(b) of Regulation (EU) No 1303/2013 states that the progress report is to assess progress made towards achievement of the Union strategy for smart, sustainable and inclusive growth, as well as of the Fund-specific missions referred to in Article 4(1) of that Regulation, among others also referring to country-specific recommendations.

(2) To ensure consistency with Article 52(2)(b) of Regulation (EU) No 1303/2013, all relevant country-specific recommendations should be taken into account in this assessment, not only new ones as set out in point 2(c) of Part I of Annex I to Commission

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Implementing Regulation (EU) 2015/207[3]. Consequently, the model for the progress report, included in Annex I to Implementing Regulation (EU) 2015/207, should be amended accordingly.

(3) To clarify the reporting requirements related to implementing the integrated approach to territorial development, the following should be amended to explicitly list integrated territorial investments: (i) the model for the progress report, as set out in Part I of Annex I to Implementing Regulation (EU) 2015/207, (ii) the model for the annual and final implementation reports for the Investment for Growth and Jobs goal, as set out in Part B of Annex V to that Regulation, (iii) the model for the implementation reports for the European territorial cooperation goal, as set out in Part B of Annex X to that Regulation.

(4) Article 50(2) of Regulation (EU) No 1303/2013 provides that the data transmitted in the annual implementation report for the European Structural and Investment Funds are to relate to values for indicators for fully implemented operations and also, where possible, having regard to the stage of implementation, for selected operations.

(5) To simplify reporting procedures, improve legal certainty for reporting requirements and ensure that monitoring data accurately reflect actual implementation progress, in particular for multiannual or multi-project operations, the models for annual implementation reports for programmes implemented under the Investment for Growth and Jobs goal, as set out in Annex V to Implementing Regulation (EU) 2015/207, and under the European territorial cooperation goal, as set out in Annex X to that Regulation, should be amended.

(6) The amounts and ceilings under Articles 70(2)(b) and 98(2) of Regulation (EU) No 1303/2013 relate only to support from the Funds and not to total support. Several tables in Annex V to Implementing Regulation (EU) 2015/207, model for the annual and final implementation reports for the Investment for Growth and Jobs goal, refer instead to total support and should therefore be corrected.

(7) Part C on ‘Reporting submitted in year 2019 and final implementation report (Article 50(5) of Regulation (EU) No 1303/2013)’ of Annex V to Implementing Regulation (EU) 2015/207 covers those elements which in accordance with Article 50(5) of Regulation (EU) No 1303/2013 are to be submitted in 2019 and in the final implementation report, in addition to the elements to be submitted in the reports for other years. Point 15 of Annex V to Implementing Regulation (EU) 2015/207 is part of Part B of that Annex and should therefore be corrected.

(8) Article 127(1) of Regulation (EU) No 1303/2013 sets the minimum coverage for non-statistical samples. However, column C in Table 10.2 (Results of audits of operations) of Annex IX to Implementing Regulation (EU) 2015/207 only sets out the ‘Amount of irregular expenditure in random sample’. Table 10.2 should therefore be corrected by inserting another column to specify both the percentage of operations covered and the percentage of expenditure covered.

(9) The notion of ‘residual error rate’ was defined in footnote 1 to point 5.9 of Annex IX (Model for the annual control report) to Implementing Regulation (EU) 2015/207.

However, the heading of column F in Table 10.2 (Results of audits of operations) gives a different definition and should therefore be corrected.

(10) For the sake of clarity, given the correction made to column C in Table 10.2 (Results of audits of operations) of Annex IX to Implementing Regulation (EU) 2015/207 by inserting a new column on the coverage of random sample and an explanatory footnote thereto as well as the correction of column F in that table, Table 10.2 (Results of audits of operations) of Annex IX should be replaced in total.

(11) To make it possible for the envisaged measures to be applied promptly, this Regulation should enter into force on the day following that of its publication in the *Official Journal of the European Union*.

(12) Implementing Regulation (EU) 2015/207 should therefore be amended and corrected accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Implementing Regulation (EU) 2015/207 is amended as follows:

(1) Annex I is amended as follows:

(a) in Part I, point 2(c) is replaced by the following:

(c) A description of the contribution of the ESI Funds to relevant country-specific recommendations.;

(b) in Part I, under point 5, a new sub-point (ca) is inserted:

(ca) In relation to Article 15(2)(a)(i) of Regulation (EU) No 1303/2013 - Overview of implementation of integrated actions for sustainable urban development.

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(c) in Part III, the title of point 11.1 is replaced by the following:
11.1Progress 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;

(2) Annex V is amended as follows:

(a) in Part A, Table 3A, the headings of the rows are replaced respectively by the following:

‘Cumulative value - outputs to be delivered by selected operations [forecast provided by beneficiaries]’ and

‘Cumulative value - outputs delivered by operations [actual achievement]’;

(b) in Part B, the title of point 14.1, is replaced by the following:
14.1Progress in the implementation of the integrated approach to territorial development, including development of regions facing demographic

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challenges and permanent or natural handicaps, integrated territorial investments, sustainable urban development, and community led local development under the operational programme;

(3) Annex X is amended as follows:

(a) in Part A, in Table 2, the headings of the rows are replaced respectively by the following:

‘Cumulative value - outputs to be delivered by selected operations [forecast provided by beneficiaries]’ and

‘Cumulative value - outputs delivered by operations [actual achievement]’;

(b) in Part B, the title of point 11.1, is replaced by the following:
11.1Progress in the implementation of the integrated approach to territorial development, including integrated territorial investments, sustainable urban development, and community led local development under the cooperation programme.

Article 2

Implementing Regulation (EU) 2015/207 is corrected as follows:

(1) Annex V is corrected as follows:

(a) in Table 8 ‘The use made of cross-financing’, columns 4 to 6 are replaced by the following:

4.	5.	6.
As a share of the EU support to the priority axis (%) (3/EU support to priority axis*100)	The amount of EU support used under cross financing based on eligible expenditure declared by the beneficiary to the managing authority (EUR)	As a share of the EU support to the priority axis (%) (5/EU support to priority axis*100)

(b) in Table 9 ‘Cost of operations implemented outside the programme area’, columns 3 to 6 are replaced by the following:

3.	4.	5.	6.
The amount of EU support envisaged to be used for operations implemented outside the programme area based on selected	As a share of the EU support to the priority axis (%) (3/ EU support to priority axis*100)	The amount of EU support in operations implemented outside the programme area based on eligible expenditure declared by the beneficiary to	As a share of the EU support to the priority axis (%) (5/ EU support to priority axis*100)