



# FactSheet

## No. 1.2

### Who can participate

The Alpine Space programme welcomes the participation of organisations from the public and private sector that bring added value to the preparation and implementation of an Alpine Space project. Such organisations may participate as project participants, observers or external experts. These roles are described below as well as the specific requirements that apply.

#### Project participants

Project participants are those organisations that are involved in the preparation and implementation of an Alpine Space project. They may act as lead partner or project partner as described below (see section structure of the partnership). They are officially listed in the expression of interest (EoI) and in the application form (AF), section B. They may be:

- public bodies and bodies governed by public law;
- private organisations.



Public bodies and bodies governed by public law are defined in the Directive 2014/24/EU, article 2<sup>1</sup>, on public procurement as:

- the State, regional or local authorities, associations formed by such authorities;
- bodies governed by public law and their associations.

According to this Directive, a 'body governed by public law' is anybody:

- a) established for the specific purpose of meeting needs in the general interest, not having an industrial or commercial character;
- b) having legal personality; and
- c) being:
  - financed, for the most part, by the State, regional or local authorities, or other bodies governed by public law;
  - or subject to management supervision by those bodies;
  - or having an administrative, managerial or supervisory board, more than half of whose members are appointed by the State, regional or local authorities, or by other bodies governed by public law.

Private organisations are those organisations having legal capacity and that are not included in the definition of public bodies and bodies governed by public law as set out above.

A non-exhaustive list of possible project participants (beneficiaries) can be found in section 2 of the cooperation programme for each thematic priority. The list is indicative. Therefore, even bodies not listed in the cooperation programme may apply for co-financing as long as they are not explicitly excluded in the terms of reference of the respective call for project proposals.

## Partnership requirements

### Transnationality

The transnational dimension of a project should be reflected in the composition of the partnership. Therefore, the programme has set the following minimum requirement: any project must involve at least 4 project participants from 4 different ASP countries.

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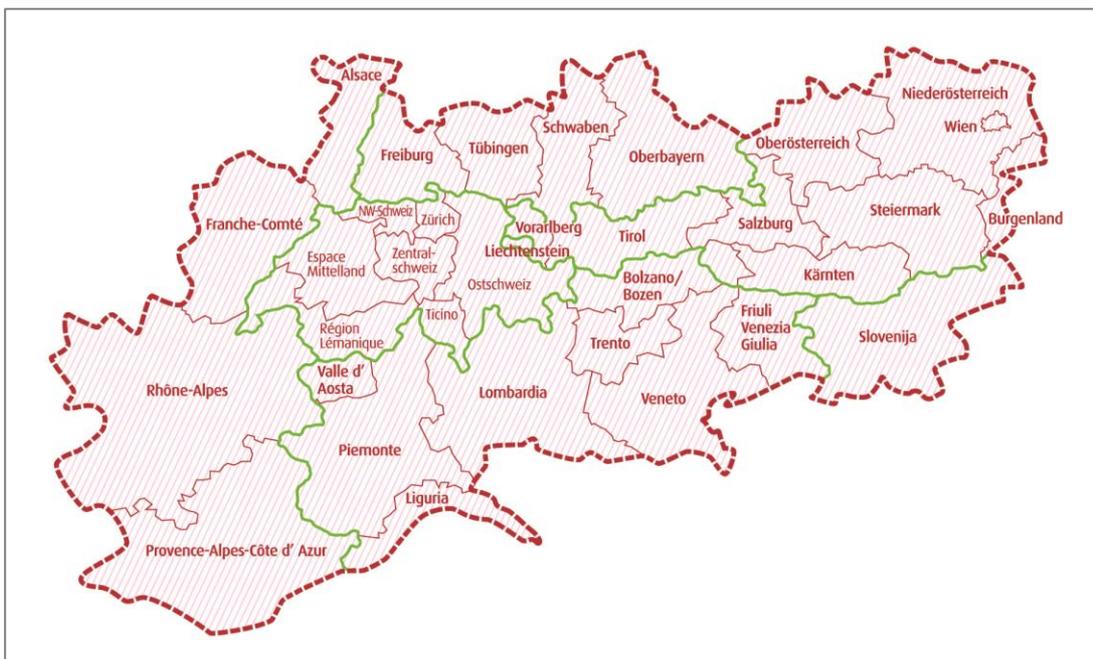
<sup>1</sup> Directive 2014/24/EU is applicable from 18 April 2016 and replaces Directive 2004/18/EC.



### Geographical location

As a general rule, project participants have to be located inside the cooperation area (see also section 1.1.1 of the cooperation programme):

- Austria: whole country;
- France: Rhône-Alpes, Provence-Alpes-Côte d’Azur, Franche-Comté, Alsace;
- Germany: districts of Oberbayern and Schwaben (in Bayern), Tübingen and Freiburg (in Baden-Württemberg);
- Italy: Lombardia, Friuli Venezia Giulia, Veneto, Trentino-Alto Adige, Valle d’Aosta, Piemonte and Liguria;
- Liechtenstein: whole country;
- Slovenia: whole country;
- Switzerland: whole country.



In addition, to receive the ERDF co-financing project participants have to be located in the territory of an EU Member State. Partners from Liechtenstein and Switzerland are not entitled to receive ERDF; they may however receive national public contributions. Applicants are invited to contact in due time the relevant Alpine Space contact point (ACP) for information how to receive national public contribution. Further details are available on the factsheet ‘Funding principle’.



Considering that the cooperation area is only partially covering the territory of France, Germany and Italy, there are two possible exceptions to the rule on the geographical location of project participants. They concern those cases where a participant is located outside the cooperation area but still on the territory of a Member State involved in the Alpine Space programme; in these cases the following rules apply:

- The project participant has a competence covering the whole country or participating region (e.g. national/ regional ministries located in the capitals/ regional capitals of France, Germany and Italy) and this is demonstrated in the relevant sections of the EoI and AF. They may request ERDF co-financing, even though they are not located in the cooperation area. There are no specific restrictions to the participation of these partners.
- The contribution of the project participant is for the benefit of the cooperation area and this is demonstrated in the relevant sections of the EoI and AF. In line with the EU Regulation 1299/2013, art. 20, ERDF co-financing for these partners is limited to 20% of the total ERDF budget approved for the project.

## Structure of the partnership

The project participants have the following functions and responsibilities:

- lead partner (LP): takes the overall responsibility for the preparation of the project and its implementation according to the AF. The lead partner corresponds to the term "lead beneficiary" used in the EU-regulations on structural funds. Only public bodies and bodies governed by public law may act as lead partner;
- project partners (PP): participate in the preparation of the project and its implementation according to the AF. They correspond to the term "beneficiary" used in the EU-regulations on structural funds.

For those projects where the LP is an institution located in Lichtenstein or Switzerland, the LP is supported by the ERDF-LP who ensures the financial management of the project. The ERDF-LP is located in an EU Member State. The lead partner and project partners (and ERDF-LP if relevant) have to be listed in the relevant sections of the EoI and AF. Their role and responsibilities are set in the AF and in the partnership agreement (PA) (see annexes). For guidance on how to structure a good partnership please refer to the terms of reference for each call for project proposals.



## Observers

Observers may have different roles in a project. They are usually institutions with a multiplier function, i.e. with the commitment and capacity to promote the project results among target groups and/or to support their uptake at the policy level. In addition, observers may provide good practices and know-how in their field of expertise; they may test project outputs or implement them at the end of the project. Projects may grant the observer status to such institutions and enable them to take part in the project's activities. It is essential that observers are involved at an early stage in the project development and its implementation. A common understanding should be reached with the project partners on their roles and expectations. Practice has shown that the involvement of observers brings mutual benefits to the project and the observers themselves. However, observers have a limited function in the partnership and are not responsible for the day-to-day preparation and implementation of the project. They provide an external view and support and can also have an advisory function.

### Requirements for observers

The role of observers has to be described in the relevant section of the AF. Project participants may plan budget for the reimbursement of travel and accommodation costs for the involvement of observers to project meetings and events; other than that, the involvement of observers is free of charge and cannot give rise to the reimbursement of expenditure (see section on external expertise and services in factsheet 'What can be co-financed').

## External experts

When project participants lack the internal resources for the performance of certain project tasks they may sub-contract these tasks to external providers of services, goods or (where relevant) works.

### Requirements for external experts

The relevant partner is responsible for ensuring that the involvement of external providers in the project complies with the applicable public procurement rules (see section on external experts and services in factsheet 'What can be co-financed').



## Reference Documents

- Directive 2014/24/EU on public procurement (replacing Directive 2004/18/EC)
- EU Regulation 1303/2013 on common provisions on ESI funds, art. 2
- EU Regulation 1299/2013, art. 20
- Cooperation programme "Alpine Space Programme 2014-2020", section 1.1.1. and section 2
- Factsheet and templates of partnership agreement