



Major projects in the 2014-2020 programming period

*Major Project Team
Unit G.1 Competence Centre: Smart and
Sustainable Growth
DG Regional and Urban Policy*



Legal framework 2014-2020



✓ **Result orientation;**

- ✓ Major projects need to deliver significant contribution to results that the priorities of EU programmes aim to achieve;

✓ **Ex-ante conditionalities;**

- ✓ Projects should follow Strategy; not that Strategy follows projects;

✓ **Concentration;**

- ✓ Scope of major projects need to be concentrated on the best "value for money";

✓ **Integrated programming;**

- ✓ Effects of major projects may be dependent on the links with other projects and legislative framework;



Legal Base 2014-2020

Article 9 of Regulation (EU) No 1303/2013 (Common Provision Regulation)

"(5) Promoting climate change adaptation, risk prevention and management"

Article 5 (5) of Regulation (EU) No 1301/2013 (ERDF Regulation) and Article 4 (b) of Regulation (EU) No 1300/2013 (CF Regulation)

"promoting climate change adaptation, risk prevention and management by:

- supporting investment for adaptation to climate change, including ecosystem-based approaches;

- promoting investment to address specific risks, ensuring disaster resilience and developing disaster management systems;"



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Legal Base 2014-2020

Regulation	Articles
Common Provisions Regulation (Reg 1303/2013)	<p>Article 100-103 Major Projects <i>Definition, specific documentation, decision of a major project</i></p> <p>Articles 58 Role of the EIB</p> <p>Article 96 Relation OPs-MPs</p>
European Territorial Cooperation (ETC) (Reg 1299/2013)	<p>Art. 8. 2. (e)</p>



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Definition of major project (art.100 of EU Reg. 1303/2013):

As part of an operational programme or operational programmes, which have been subject to a Commission decision under Article 96(10) of this Regulation or under Article 8(12) of the ETC Regulation, the ERDF and the Cohesion Fund may support **an operation comprising a series of works, activities or services** intended in itself to accomplish an indivisible task of a precise economic or technical nature which has clearly identified goals and for which the total eligible cost exceeds **EUR 50 000 000** and in the case of operations contributing to the thematic objective under point (7) of the first paragraph of Article 9 where the total eligible cost exceeds **EUR 75 000 000** (the 'major project'). Financial instruments shall not be considered to be major projects.



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Recitals 92 and 93 of Reg. 1303/2013

92) Major projects represent a substantial share of Union spending and are frequently of strategic importance with respect to the achievement of the Union strategy for smart, sustainable and inclusive growth. **Therefore it is justified that operations above certain thresholds continue to be subject to specific approval procedures under this Regulation.**

93) In order to promote the preparation and implementation of major projects on a sound, economic and technical basis **and to encourage the use of expert advice at an early stage, where independent experts** supported by technical assistance of the Commission or, in agreement with the Commission, other independent experts, **are able to provide clear statements on a major project's feasibility and economic viability, the Commission approval procedure should be streamlined.** The Commission should be able to refuse approval of the financial contribution only where it establishes a significant weakness in the independent quality review.



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Article 101 Information necessary for the approval of major projects

- (a) **the body to be responsible for implementation of the major project, and its capacity;**
- (b) **a description of investment and its location;**
- (c) **total cost and total eligible cost, taking account of the requirements set out in Article 61**
- (d) **feasibility studies carried out, including the options analysis, and the results;**
- (e) **a cost-benefit analysis, including an economic and a financial analysis, and a risk assessment;**
- (f) **an analysis of the environmental impact, taking into account climate change adaptation and mitigation needs, and disaster resilience;**
- (g) **the consistency with the relevant priority axes of the operational programme or operational programmes concerned, and its expected contribution to achieving the specific objectives of those priority axes and the expected contribution to socio-economic development;**
- (h) **the financing plan showing the total planned financial resources and the planned support from the Funds, the EIB, and all other sources of financing, together with physical and financial indicators for monitoring progress, taking account of the identified risks;**
- (i) **the timetable for implementing the major project and, where the implementation period is expected to be longer than the programming period, the phases for which support from the Funds is requested during the 2014 to 2020 programming period.**



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Additional documents for 2014-2020:

Legislative:

- ❖ **The Commission Delegated act no 480/2014 on the methodology to undertake IQR / the revenue-generating projects - adopted**

- ❖ [https://myintracomm-collab.ec.europa.eu/dg/REGIO/2014-2020/Delegated%20Acts%20%20Adopted%20Texts/DA%20CPR_C\(2014\)%201207.pdf](https://myintracomm-collab.ec.europa.eu/dg/REGIO/2014-2020/Delegated%20Acts%20%20Adopted%20Texts/DA%20CPR_C(2014)%201207.pdf)

- ❖ **Implementing Act on notification form;**

Commission Implementing Regulation (EU) No 1011/2014 of 22 September 2014 (OJ L 286, 30.9.2014, p. 1)

- ❖ **Implementing Act on Cost-Benefit Analysis (CBA) and application form – discussion/voting on 22 October by COESIF**

Non-Legislative:

- ❖ **CBA guide – to be finalised by early November 2014**
- ❖ **Internal guidelines for DG REGIO on major projects 2014-2020;**

Delegated act on the methodology to for carrying out the quality review of major projects

- ✓ Requirements for independent experts, and the procedure to accept proposals for experts from the MS;
- ✓ Principles of work of independent experts;
- ✓ Criteria for the quality review, included in Annex II to this act;

Delegated act on the methodology to for carrying out the quality review of major projects

Point 6 of Annex II to the Commission Delegated Regulation (EU) No 480/2014:

"6.1 Demonstrated contribution to the objectives of environmental and climate change policies, in particular targets linked to the Europe 2020 strategy and evidence of account being taken of the risks related to climate change adaptation and mitigation needs, disaster resilience and of appropriate measures implemented or foreseen to ensure resilience of the project to climate change variability."



key differences between 2007-2013 and 2014-2020



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Key changes in major projects 2014-2020:

- ❖ **Compulsory list of major projects in the operational programmes;**
- ❖ **Stronger role of independent experts (TA – JASPERS)**
- ❖ **Fewer major projects: the thresholds are higher and based on total eligible cost;**
- ❖ **Stronger focus on realisation of major projects: all decisions are conditional;**
- ❖ **Simplified rules for CBA and grant calculations: "flat rates", updated CBA aiming at simplification while keeping essentials;**
- ❖ **Certification of expenditure possible only when the project is submitted to the Commission;**
- ❖ **No N+3 deductions due to major projects**
- ❖ **No financing of completed projects**



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Item	2007-2013	2014-2020
Threshold	EUR 50 million for all projects (total cost)	EUR 50 million (general rule) EUR 75 million transport (for both based on total eligible cost)
List of MPs in OPs	Indicative	Compulsory and Comprehensive
Appraisal of MP documents	Compulsory by the Commission	Two possibilities: 1. Notification: quality check by independent external experts before MP submission to the EC 2. Commission's appraisal – as in the 2007-2013 programming period



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Item	2007-2013	2014-2020
Validity of the Commission approval	A Commission decision on a major project is valid for the entire programming period	The approval by the Commission shall be conditional on the first works contract (or PPP agreement) being concluded ... within three years of the date of the approval of the project by the Commission. The deadline could be extended in duly motivated cases by not more than two years.



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Item	2007-2013	2014-2020
Consistency with the EU policies	Analysed and verified by the Commission during the appraisal process of a major project	Analysed and verified during assessing the fulfilment of the ex-conditionalities plus in case of non-compliance consistency with the agreed action plan will be checked Note: compliance with EU and national law will still be verified (art. 6 of 1303/2013)



Major project appraisal procedures 2014-2020



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Project Appraisal + Notification procedure

When the documents are received by DG REGIO within the Notification procedure:

- only the information required by **Article 102.1** and the **Quality Review Report** is subject to the Commission's examination (quality check) and available for the ISC
- The Quality Review Report is an **essential source of the information about a major project** during the intra- and inter service consultations
- The Commission **does not have the right to ask** the Managing Authority **for information other than** that provided in the Notification
- The Commission may reject a major project only on the grounds that it has established **a significant weakness** in the Quality Review Report



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Project Approval - scope of the Commission's review

NOTIFICATION

- Commission assesses the information provided in the Notification (limited assessment)
- Two steps: acceptance of a Notification for further appraisal by the Commission and launching of the Intra and Inter-Service Consultations

FULL APPRAISAL

- Commission assesses the complete documentation on the project (full assessment)
- Two steps: acceptance of a full application for further appraisal by the Commission and launching of the Intra and Inter-Service Consultations



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Thank you for your attention and looking forward to further cooperation on major projects!

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