



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
REGIONAL AND URBAN POLICY

The Director-General

Brussels,
REGIO.DGAI.C 1/PL/ (2016)

Sent via SFC2014

**TO THE ATTENTION OF THE MANAGING AUTHORITIES, CERTIFYING AUTHORITIES AND
AUDIT AUTHORITIES
OF PROGRAMMES CO-FINANCED BY ERDF, ESF, EMFF AND COHESION FUND**

Subject: Programming period 2014-2020 – Submission of accounts, management declaration, annual summary, audit opinion and annual control report for the 2nd accounting year by 15 February 2017 when no expenditure has been declared to the Commission until 31 July 2016

Dear representatives of the Managing, Certifying and Audit Authorities,

Our services have received questions by some national authorities of ESIF programmes concerning the need to submit accounts for the 2nd accounting year (01/07/2015-30/06/2016) when no expenditure has been declared to the Commission until 31 July 2016. In particular, there is the need to clarify the impact of this situation concerning the annual pre-financing under Article 134(2) of the Common Provisions Regulation (EU) No 1303/2013 (hereafter CPR). The purpose of this letter is to provide clarifications on these matters to all authorities concerned.

As established by Article 138 CPR, for each year from 2016 until and including 2025, Member States shall submit, by the deadline set out in Article 59(5) of the Financial Regulation, the documents referred to in that Article namely:

- (a) the accounts, referred to in Article 137(1) of this Regulation, for the preceding accounting year;
- (b) the management declaration and the annual summary referred to in point (e) of the first subparagraph of Article 125(4) of this Regulation, for the preceding accounting year;
- (c) the audit opinion and the control report referred to in points (a) and (b) of the first subparagraph of Article 127(5) of this Regulation, for the preceding accounting year.

Therefore, all the documents above-mentioned (hereafter "the assurance package") will have to be submitted, even in absence of expenditure declared for that accounting year. On this basis, the Commission will recover from the Member State the amount of the annual pre-financing, since in the absence of expenditure declarations the balance for the year will necessarily be negative.

In absence of expenditure declared for the 2nd accounting year and concerning the final application for an interim application (to be submitted by 31 July 2016) and the accounts (to be submitted by 15 February 2017), the following three cases are foreseen:

Case 1: If the notification of the designation under Article 124(1) CPR has been done before 31 July 2016:

- The Certifying Authority (CA) generates manually in SFC2014 a final application for an interim payment with zero amounts, which is then submitted to the Commission by 31 July 2016.
- By 15 February 2017, the CA generates Accounts with zero amounts in SFC2014. All the other documents related to the assurance package have to be submitted by the Member State. The Audit Opinion (AO) may contain a full disclaimer, as was the case for the first accounting year.

Case 2: If the notification of the designation under Article 124(1) CPR occurs from 31 July 2016 to 15 February 2017:

- The CA generates manually in SFC2014 a final application for an interim payment with zero amounts, which is then submitted to the Commission once the designation has been notified.
- By 15 February 2017, the CA generates Accounts with zero amounts in SFC2014. All the other documents related to the assurance package have to be submitted by the Member State. The AO may contain a full disclaimer, as was the case for the first accounting year.

Case 3: If the notification of the designation under Article 124(1) CPR does not occur by 15 February 2017:

- The CA does not need to submit a final application for an interim payment.
- By 15 February 2017, the CA generates Accounts with zero amounts in SFC2014. All the other documents related to the assurance package have to be submitted by the Member State. The AO may contain a full disclaimer, as was the case for the first accounting year.

Yours sincerely

Walter Deffaa

Copy:

Nicholas Martyn, Deputy Director-General REGIO.DGA1
Normunds Popens, Deputy Director-General REGIO.DGA2
Franck Sébert, Director REGIO C
Rafael Lopez Sanchez, Deputy Head of Unit REGIO C1
Caroline Callens, Head of Unit REGIO C2
Claude Tournier, Head of Unit REGIO C3
Ilse Van Den Abeele, Head of Unit REGIO C4
Moray Gilland, Head of Unit REGIO DGA2.01
Philippe Jouret, Head of Unit, REGIO A3
Francisco Merchan Cantos, Director EMPL H
Dora Correia, Acting Director MARE F