

Management Obligations deriving from GA and CA

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overview

- Management obligations deriving from the GA – Core text
- Management obligations deriving from Annex I of the GA
- Management obligations deriving from the CA

Management obligations deriving from the GA

Grant Agreement - Parts

Core Text

- Articles are divided into 3 categories:
 - General conditions (general conditions of GA Annex II in FP7 & Financial Guide in FP 7)
 - Specific project related articles (Core text in FP7)
 - Optional articles („special clauses in FP7“)

General obligations and duties within the project lifetime

Annexes:

- Annex I Description of the action
- Annex II Estimated budget for the action
- Annex III Accession forms[optional 3a and 3b]
- Annex IV Model Financial Statements
- Annex V Model for the certificate on the financial statements
- Annex VI Model for the certificate on the methodology

Annex I is your original proposal!
Action tasks, milestone, deliverables

ARTICLE 7 — GENERAL OBLIGATION TO PROPERLY IMPLEMENT THE ACTION

7.1 General obligation to properly implement the action

The beneficiaries must implement the action as described in Annex 1 and in compliance with the provisions of the Agreement and all legal obligations under applicable EU, international and national law.

7.2 Consequences of non-compliance

If a beneficiary breaches any of its obligations under this Article, the grant may be reduced (see Article 43).

Such breaches may also lead to any of the other measures described in Chapter 6.

41.1 Roles and responsibilities towards the [Commission][Agency]

The beneficiaries have full responsibility for implementing the action and complying with the Agreement.

The beneficiaries are jointly and severally liable for the technical implementation of the action as described in Annex 1. If a beneficiary fails to implement its part of the action, the other beneficiaries become responsible for implementing this part (without being entitled to any additional EU funding for doing so), unless the [Commission][Agency] expressly relieves them of this obligation.

ARTICLE 7 — GENERAL OBLIGATION TO PROPERLY IMPLEMENT THE ACTION

Proper implementing the action and for **complying with the GA** means:

- each beneficiary must ensure that it complies with its obligations under the GA
- each beneficiary must ensure swift and proper implementation of the action (i.e. that there are no delays which can be attributed to it)
- each beneficiary is responsible (towards the Commission/Agency) for the tasks performed by its subcontractors and linked third parties
- the Commission/Agency is not responsible for the implementation of the action and has no responsibility for the way in which the action is conducted (or any adverse consequences).

41.2 Internal division of roles and responsibilities

The general division of roles and responsibilities within the consortium is as follows:

- **The coordinator** must coordinate and manage the grant and is the central contact point for the Commission/Agency
- **The beneficiaries** must all together contribute to a smooth and successful implementation of the grant (i.e. contribute to the proper implementation of the action, comply with their own obligations under the GA and support the coordinator in his obligations).
- **The beneficiaries** must send all documents/information **via the coordinator** — unless, for specific cases, the Commission/Agency requests them to provide such information directly to it

41.2 The coordinator's roles and responsibilities

- The coordinator is the central contact point for the Commission/Agency and represents the consortium (towards the Commission/Agency)
- For this purpose, the GA imposes a number of specific coordination tasks

Main coordination tasks:

- Monitor that the action is implemented properly
- Act as the intermediary for all communications — unless the Agreement specifies otherwise
- Request and review any documents or information required and verify their completeness and correctness

41.2 The coordinator's roles and responsibilities

- verifying that all the requested documents are submitted by the beneficiary (*e.g. the summary, the questionnaire etc.*)
- verifying that the beneficiary submits the documents in the requested format
- verifying that the technical information submitted by a beneficiary concerns its action tasks as described in Annex 1 (and not something unrelated to the action).
- Submit the deliverables and reports
- Distribute payments to the other beneficiaries, without unjustified delay
- Inform the Commission/Agency of the amounts paid to each beneficiary, if requested to do so (*see Article 44.1.2*)

41.2 Internal division of roles and responsibilities - The coordinator's roles and responsibilities

The coordinator must check the quality of the documents submitted by the beneficiaries, including:

- reviewing the individual financial statements from each beneficiary to verify consistency with the action tasks, as well as their completeness and correctness (*e.g. that the addition of the different costs declared by the beneficiary corresponds to the total amount declared, or that the 25% flat-rate for indirect costs is correctly calculated*)
- **The coordinator is not, however, obliged to verify the *eligibility* of these costs or to request justifications.**
- **Each beneficiary remains responsible for the cost it declares (both as regards eligibility and as regards sufficient records and supporting documents to substantiate them).**

41.2 The beneficiaries roles and responsibilities

Each **beneficiary** must:

- keep information stored in the Beneficiary Register (via the electronic exchange system) up to date (see Article 17);
- inform the coordinator immediately of any events or circumstances likely to affect significantly or delay the implementation of the action (see Article 17);
- submit to the coordinator in good time

41.2 The beneficiaries roles and responsibilities

Each beneficiary must submit to the coordinator in good time:

- individual financial statements for itself [*and its linked third parties*] and, if required, certificates on the financial statements (see Article 20);
- the data needed to draw up the technical reports (see Article 20);
- ethics committee opinions and notifications or authorisations for activities raising ethical issues (see Article 34);
- any other documents or information required by the *COM* under the Agreement, unless the Agreement requires the beneficiary to submit this information directly to the *COM*

GA Annex I: 3.2 Management structure and procedures

CSA Part B of the original Proposal

3. Implementation

3.1 Work plan – Work packages, deliverables and milestones

3.2 Management structure and procedures

Describe the organisational structure and the decision-making (including a list of milestones (table 3.2a));

Explain why the organisational structure and decision-making mechanisms are appropriate to the complexity and scale of the project;

Describe, where relevant, how effective innovation management will be addressed in the management structure and work plan



See Annex I of your Grant Agreement for the management structure

Additional management obligations deriving from the CA

41.3 Internal arrangements between beneficiaries — Consortium agreement

“.... These internal arrangements must be set out in a written ‘consortium agreement’ between the beneficiaries, which may cover:

- ***internal organisation of the consortium;***
- *management of access to the electronic exchange system;*
- *distribution of EU funding;*
- *additional rules on rights and obligations related to background and results*
- *settlement of internal disputes;*
- *liability, indemnification and confidentiality arrangements between the beneficiaries.*

The consortium agreement ***must not contain any provision contrary to the Agreement.***”



Check the management information in Annex I GA!!!

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National Contact Points

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What is the NCP network?

NCPs are national structures established and financed by governments of the 28 EU member states and the states associated to the framework programme. NCPs give personalised support on the spot and in applicants' own languages. The NCP systems can vary from one country to another from highly centralised to decentralised networks, and a number of very different actors, from ministries to universities, research centres and special agencies to private consulting companies.

NCP Services

German National Contact Point for Legal & Financial Matters

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