

FAQs about Specific Actions under Thematic Facility Work Programmes AMIF and ISF 2021-2022, BMVI 2021-2024

13 April 2022

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Note 1 - Annex 1 HOME-Funds/2022/3, registration number Ares(2022)636750 of 27/01/2022 - **questions 1 to 14**

Note 2 – Annex 2 HOME-Funds/2022/06, registration number Ares(2022)1022596 of 11/02/2022 - **questions 15 to 18**

Note 3 – Annex 3 HOME-Funds/2022/11, registration number Ares(2022)1616607 of 04/03/2022 - **questions 19 to 30**

Note 4 – Annex 4 HOME-Funds/2022/18, registration number Ares(2022)2116636 of 23/03/2022 - **questions 31 to 37**

Note 5 – Annex 5 HOME-Funds/2022/23, registration number Ares(2022)2440143 of 1/04/2022 - **questions 38 to 43**

FAQ – Horizontal questions raised on Specific Actions

Number	Topic classification	Questions	Reply
44	Grant agreement with successful SA applicant	<p>Nous souhaiterions avoir une clarification quant au conventionnement d'une action spécifique.</p> <p>Quid du conventionnement une fois le projet d'action spécifique sélectionné par la Commission, une fois le/les Programme nationaux des États-membres modifiés, une fois le Comité de suivi passé?</p> <p>L'autorité de gestion doit-elle préparer le conventionnement comme pour les autres projets du Programme national (acte attributif de subvention avec ses annexes descriptives, budgétaires et de suivi des indicateurs) ? Pourriez-vous nous détailler la suite de la procédure s'il vous plaît ?</p> <p>We would like to have a clarification as to the grant agreement for a specific action. What about the grant agreement once the specific action project has been selected by the Commission, once the National Programmes of the Member States have been amended, once the Monitoring Committee has given its approval? Should the managing authority prepare the grant</p>	<p>Yes.</p> <p>As specific actions projects will be implemented through shared management, such projects should be managed by the Managing Authority in the same manner as other regular projects under the Home Affairs Funds, i.e. with all the regular tasks this entails such as a grant agreement according to the usual rules, procedures and practices in place at national level.</p>

		<p>agreement as for the other projects of the National Programme (award decision of a grant with its descriptive, budgetary and indicators annexes)? Could you tell us the rest of the procedure please?</p>	
<p>45</p>	<p>Allocation of EU funding to partners</p>	<p>1) How will it work, in practical terms, with funding being allocated to all participating MS instead of only to the lead MS (option 2)?</p> <p>2) If a project chooses Option 2 for funding allocation, will it be possible to reallocate funding, if necessary, between MS? What kind of procedure should one anticipate for that?</p> <p>3) Will it be possible to mix options 1 and 2 for funding allocation? For instance, if a project has 3 partners and two of them would like to have Option 2, but one of them would rather all funds be managed through the lead applicant?</p>	<p>1) The call for expression of interest offers Member States the choice on how to implement a transnational project. As regards the two options on how to do so, we refer you to the note on transnational actions (HOME/Funds /2022/07, Ares (2022)1060102).</p> <p>2) In option 2, the different financing decisions approving each national programme will allocate the funds to each respective Member State. If the partners in the projects wish to transfer part of their allocation to another partner, it will require amending the respective programmes.</p> <p>3) It is possible to do a mix of both options (for instance a project with three Member States, with two Member States managing an allocation in their respective programmes, and the third Member States having a specific co-financing arrangement with one or both of those Member States). We would like to underline that the two options were identified to allow Member States to choose the most appropriate financial arrangement given the specific circumstances of the specific action / project envisaged. We invite you to discuss the arrangements with potential partners, given these circumstances (nature of the costs, size of the costs to be managed by other Member States, location of the operations etc.) We recommend that you come to the most appropriate arrangement, i.e. one that is simple to implement, with a clear division of tasks, including pre-agreed arrangements on the nature and scope of the responsibility for presenting to the lead Member State (supporting documents on) costs incurred, where applicable.</p>

46	Managing Authorities' Communication to beneficiaries	Regarding the Managing Authority's responsibility to communicate with the beneficiaries regarding the conditions under the Member State's Programme to ensure compliance, is it enough to have written information sent to the beneficiary.	Yes
47	Note on partnership in Specific Actions	<p>1) In case of allocation of funding to the programme of each participating Member States (option 2), it is said that „The allocations would then be managed according to the national rules of a respective programme and reported separately, in the payment claims, accounts and annual performance reports“. Do I understand it correctly that if we are a partner in a project and the funds are allocated to our ISF programme, our national ISF programme will also be amended (additional funds will be allocated, activities and indicators will be added)?</p> <p>2) In case our part of the transnational project is relatively small (e.g. 5000 euros), this means that literally we will have a separate project in our national ISF programme with a budget of 5000 euros. If the allocation is given by the Commission to our National programme, do we have to add also co-financing of 10% to this project (our national rules foresee, that each cost will be co-financed), although the leading member state has stated that it will provide the co-financing itself using in-kind costs.</p> <p>3) If we will have a project of 5000 euros in our ISF programme, do I understand it correctly that simplified costs have to be used (as it is below 200 000 EUR)?</p>	<p>1) Yes</p> <p>2) Under these circumstances, it may be more appropriate to examine how you can apply option 1: no modification to your Member State programme, and the lead Member State will reimburse your costs (fully or retaining a percentage corresponding to the pre-financing).</p> <p>3) Yes</p>

FAQ – Specific Actions BMVI

❖ BMVI/2022/SA/2.3.1 - Specific Action “Visa policy - digitalization, consular cooperation and other”

Number	Topic classification	Questions	Reply
48	End date of the Specific Action	It is stated that projects should “ideally” finish by Dec 31 2023. How strict is that “ideally” and is it related to costs or to execution? Is it possible for a project to finish after Dec 31 st , if properly motivated? How does it affect a proposal's prospects?	<p>Application stage: for the purpose of the Specific Action, the end date means the date where the project outputs should be delivered. Applicants should submit proposals respecting the expected project end date.</p> <p>Implementation stage: it should be possible to extend the project duration if duly motivated and agreed with the Managing Authority.</p>

49	“Participation to BMVI”	Regarding “being a part of the BMVI”, is it regarding to which Member States or which organisations within each MS that it is possible for projects to work with?	The call for expression of interest indicates that all EU Member States participating in the BMVI are eligible. Since applications must be submitted to the Commission by the Managing Authorities, they should ensure that the project can be implemented under the CPR and the national rules, including that the project beneficiaries concerned are eligible.
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❖ **BMVI/2022/SA/1.2.1 – Specific Actions “Innovation for sea/shore, and/or land border surveillance (operational testing in pilot projects)”**

Number	Topic classification	Questions	Reply
50	Project budget	On which budget line is suitable to put costs for publication, training, and software for this project?	Such activities seem to be part of the costs for the project, in which case they should in principle not be covered under technical assistance of Member States within the meaning of Article 36 CPR. As specific actions are implemented under shared management, it is up to the national authorities to define and establish budget lines, which could cover the eligible project costs in line with the national rules.

❖ **BMVI/2022/SA/1.5.4 – Specific Actions “Support to comply with the implementation of the relevant interoperability legal framework”**

Number	Topic classification	Questions	Reply
51	Procedures of SA	1) We would like to know, when we can expect to receive the information about an additional amount. 2) What is the procedure in case of the single call under the Specific Action? Does this mean that the Commission will add the extra allocation to the Member States BMVI Programmes and Managing Authority will be responsible for the assessment of the application form and monitoring of the project implementation? Or the application will be submitted to the Commission for assessment? 3) What will be the tasks and responsibilities of the Commission and Managing Authority?	1) The Commission services intend to send a note to the Committee on the Specific Action on interoperability BMVI SA/1.5.4 in April 2022. 2) The note will inform you of the procedure to follow for this particular call for expression of interest. It is different from other calls because the intention is to provide an opportunity to all Member States to avail themselves of an allocation made available under the call. However, Member States will have to indicate their intention to do so.

			3) The call will contain details as to the activities expected to be carried out under the Specific Action. Like all other projects financed under the specific actions, the tasks and responsibilities of the Managing authority are those set out in the CPR, the BMVI Regulation and national rules applying to the programme.
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ISF/2022/SA/2.2.1 - EMPACT

	Topic classification	Questions	Reply
51	Involvement of Managing Authority	<p>1) Taking into consideration that the Managing Authority needs to take responsibility for any project proposal that will be submitted, and bearing in mind that Member State X, through the Police from Member State X, is prepared to participate in a couple of operational actions in the call for proposals Specific Actions EMPACT, please describe the procedure that should be followed after the amendment of the National Programme. As such, we are referring to the steps that the MA should take, in terms of contractual obligations with the beneficiary.</p> <p>As you said, the MA must include the project, if successful, in the NP and must treat the project as any other project that was included in the NP. Therefore, MA must sign a contract with the beneficiary from Member State X of the submitted and awarded project proposal, as the MA will sign contracts with all the beneficiaries from Member State X for the projects that are already included in NP?</p> <p>If the answer is yes, will the MA sign the contract just for the amount that was allocated for the beneficiary, or the contract should contain details about all the amount that</p>	<p>1) The grant agreement that the Managing Authority in Member State X will sign with the beneficiary from Member State X will only include the amount granted to that beneficiary.</p>

		<p>was granted by the Commission, details about the lead applicant and other participants?</p> <p>2) Taking into consideration that the NP is not yet approved, and keeping in mind that the MA has already drafted the NP and included all the future projects and the acquisitions that are planned, we are expressing our concern about the fact that the earmarked amount for the successful projects will be accounted against the maximum of 35%. Moreover, the dynamics of the operational actions and their needs (in terms of equipment) could jeopardize the NP allocation for equipment that was already calculated, and the future investments planned. Therefore, are you planning, in the future, to change this principle and not account against the maximum of 35% the additional amount that will be added to the NP?</p> <p>3) Regarding the obligation to designate a contact point for the specific action at the application phase as during the evaluation process there might be a need for clarification or additional information, could you please clarify if the contact point must be from the MA or from the beneficiary? In one of the Q&A Annexes, on a different topic, you declared that you want to communicate with the MA, and not with the beneficiary directly.</p> <p>4) Keeping in mind that the representative of the Managing Authority must sign the Declaration of Partnership for the transnational projects, we wanted to know if a Partnership Agreement should be drafted between partners and attached to the other documents that will be submitted, or the Declaration of Partnership from each MS involved is sufficient?</p>	<p>2) No, the threshold of 35% will not be changed. However please take into account footnote 27 on page 9 of the text of the call for expression of interest referring to Article 13(7) of the ISF Regulation (“the ceiling may be exceeded only in duly justified cases”).</p> <p>3) The contact point should be in the Managing Authority.</p> <p>4) The Partnership declaration form (Annex 2 to the call of expression of interest) is sufficient.</p> <p>5) No</p>
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