



EUROPEAN UNION



**Joint Managing Authority
Joint Operational Programme „Black Sea Basin 2007-2013”**

No. MN-57147/31.07.2014

**NOTE TO THE ATTENTION OF THE PROJECT BENEFICIARIES AND PARTNERS OF THE
PROJECTS FINANCED UNDER THE JOINT OPERATIONAL PROGRAMME “BLACK SEA
BASIN 2007-2013”**

**Object: Changes in the Eligibility (nationality and origin) rules referred to in Annex IV
following publication of Regulation (EU) N° 236/2014 on 11th March 2014**

Dear Sir / Madam,

Following the European Commission note to the joint managing authorities of the ENPI CBC programmes on the new eligibility rules, we hereby inform you, as a grant beneficiary under ENPI CBC Joint Operational Programme “Black Sea Basin 2007-2014”, that the eligibility rules set out in annex IV "Procurement by grant Beneficiaries in the context of European Union external actions" of your grant contract have been amended.

Regulation (EU) N° 236/2014 of the European Parliament of the Council of 11th March 2014, laying down common rules and procedures for the implementation of the Union's instruments for financing external action (CIR) has introduced new nationality and origin rules to follow during grant implementation.

The new rules will apply to any new contract signed.

Furthermore, due to the dynamic formulation of annex IV of grant contracts, the new rules also directly apply to ongoing contracts that were signed under the previous set of rules. We therefore require that you ensure the new eligibility requirements are enforced and applied also to all procedures launched under these contracts. In order to ensure legal certainty for all contracts and equal treatment of all grant beneficiaries, these new rules have to be applied at the latest as from **1st August 2014**.

For ease of reference for the new rules, please see the following documents:

- **ENPI** i.e. European Neighbourhood and Partnership instrument (ENPI) (Regulation (EC) N° 1638/2006 - OJ L 310/1 of 9.11.2006), the eligibility rules are mentioned under article 8 and 9 of the CIR for ENI;
- the annex of the Practical Guide containing the detailed list of eligible countries for each programme under the CIR eligibility rules is available on the Europeaid website:

<http://ec.europa.eu/europeaid/frag/annexes.do?group=A>

Along with the annex above mentioned, we invite you to read with great care the content of section 2.3.1 and 2.3.2 of the Practical Guide that explains in detail the new rules:

<http://ec.europa.eu/europeaid/prag/document.do>

In case you have any doubts we remain at your disposal to answer your questions.

Yours faithfully,

Iulia HERTZOG
Head of the Joint Managing Authority of the
Joint Operational Programme “Black Sea Basin 2007-2013”