

## Fact Sheet 14: Roles and responsibilities in project partnerships

Version	Valid from	Valid to	Main changes
Version 1	16.11.2021	28.06.2022	
Version 2	28.06.2022	-	Detailing the capabilities of a private lead partner

### CORE MESSAGE

Every project has a lead partner, who has overall responsibility for ensuring that the project is delivered according to plan and for coordinating with programme management bodies. All partners, however, are responsible for delivering the activities they have committed to in the approved application and for ensuring the correctness of all costs claimed. This fact sheet explains the details of these roles. All partners should consult it before joining a project.

### Definition

A partner is defined in the regulations as a public or private body responsible for initiating or both initiating and implementing operations. In other words, a partner is one of the organisations that is part of the partnership in the project application. Organisations that are involved in the project in some other way and do not appear in the application cannot receive funding – unless they have been contracted as external experts or provide a service in line with the applicable procurement rules. Every partnership is managed by a lead partner, which also acts as the contact to programme authorities.

### Location of the lead partner?

The lead partner should act as the coordinator and driver of project activities. In the North Sea Programme, the lead partner should - as a general rule - be located in the programme area (see Fact Sheet 17).

In some cases, however, the lead partner can be located in part of a programme country which is not in the programme area, e.g. a national ministry based in Berlin. In such cases it is important that the main project activities will be carried out in the programme area and/or that the benefits of the project will be delivered to the programme area. An assessment of whether this is the case and of whether the lead partner can fulfil the programme's administrative requirements will form part of the overall project assessment. .

Lead partners can also be from Norway and, like all partners from Norway, they must comply with all EU rules.

## Criteria for lead partners

In the North Sea Programme:

- A lead partner cannot, as a point of departure, be from the private sector. However, if the organisation has private legal status, and acts in a non-profit capacity, then the partner might be exempt from this rule. The joint secretariat will ask the national representative of the country in which the organisation is based to confirm this exemption during the eligibility check, which is part of the application assessment process.
- The lead partner must demonstrate knowledge of managing European funding projects and sufficient capacity to fulfil the role.
- The lead partner must have sufficient funds to cover any repayments required to the programme (see below).

## Lead partner role

The lead partner is responsible for:

- Signing a contract with the Managing Authority on behalf of the partnership
- Signing a partnership agreement with all partners (see Fact Sheet 15), guaranteeing sound financial management of all funds allocated to the project and protection of the audit trail at all levels
- Arrangements for recovering amounts unduly paid
- Submitting compiled reports and supporting documentation to the programme via the Online Monitoring System
- Ensuring that the expenditure reported by all partners results from implementing the project and corresponds only to the activities agreed between the partnership and laid out in the approved application. This means that the lead partner has to ensure that their Controller has confirmed that the expenditure reported at partner level has been certified (see Fact Sheet 24).
- Ensuring that any indirect aid to third parties does not exceed 20.000 EUR per undertaking per project (see Fact Sheet 16)
- Ensuring successful implementation of the project<sup>1</sup>

All payments from the programme will be made to the lead partner. The lead partner must pass on the relevant ERDF share to the partnership as quickly as possible and in full. The amount can only be reduced when a written agreement on shared costs is laid out in the partnership agreement and states that the lead

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<sup>1</sup> Interreg Regulation No. 2021/1059 Article 26 (1)

partner will reduce the amount of ERDF paid to beneficiaries in order to cover their contribution to the shared costs or similar agreements.<sup>2</sup>

## Partner role

A partner is responsible for:

- Complying with all of the terms of the subsidy contract and partnership agreement
- Ensuring that a Controller is designated as soon as possible after project approval and that Control is carried out on time by the designated Controller
- Delivering content and activities in line with the approved application only
- Timely submission of reports (activity and finance) and required supporting documentation via the Online Monitoring System
- Retaining all documentation related to the project and audit trail (see Fact Sheet 13)

Every partner is responsible for ensuring the correctness of their own expenditure. If an error is found in expenditure which has been paid out, the partner is liable for reimbursing the unduly paid funds.

## Lead partner liability for financial corrections

If funds have been incorrectly paid to a partner, the amount concerned must be repaid to the programme. Generally speaking, this will be done by reducing the amount of the next payment to the project. If this is not possible (for example when the final payment has already been made), a recovery notice will be sent to the lead partner. The following procedure then applies:

- Lead partner repays the full amount to the programme immediately.
- The partner reporting the incorrect expenditure repays the lead partner.
- If it is not possible to recover the funds from the partner after all reasonable measures have been taken, the country where the partner is based will refund the amount concerned to the programme authorities.
- The programme will then reimburse this money to the lead partner<sup>3</sup>.

The recovery procedure (including provisions for legal action internally in the partnership) has to be described in the partnership agreement.

## Sub-partners

The great majority of project partners will be either lead partners or partners as described above. In some cases, however, a few of the administrative requirements can be simplified to encourage the participation of small organisations with limited resources, or larger organisations that only wish to play a very limited role in the project (for example, acting as a test case in a small pilot). For these organisations it is possible to

<sup>2</sup> Interreg Regulation No. 2021/1059 Article 26 (2)

<sup>3</sup> Interreg Regulation No. 2021/1059 Article 52

become a sub-partner of a partner in the same country. In this set-up the partner is responsible for managing administrative activities for one or more sub-partners.

The possibility to become a sub-partner of another partner is created primarily for the benefit of SMEs, NGOs, charities or even small municipalities, which may lack the financial and/or organizational capacity to cope with the administrative requirements of EU funded projects but have valuable expertise in a particular theme or work package.

There are a number of advantages to being a sub-partner:

- A sub-partner does not need their own authorised signatory. A sub-partner needs to submit separate finance and progress reports in the OMS, but these may be signed by the authorised signatory of the partner.
- Both the finance and the progress reports can be prepared by the sub-partner OR by the partner, based on an agreement between the organisations.
- Sub-partners do not need their own Controller. The partner 's Controller can certify the sub-partner's finance reports.

**Please note that these are the only differences. All programme rules regarding legal status, obligations and eligibility apply to all partners and sub-partners.**

## References

- Interreg Regulation No. 2021/1059 Articles 23, 26 and 52
- Common Provisions Regulation No. 2021/1060 Articles 2 (9) and 82