

# Interreg Programme Management Handbook

## Guide to the 2021-2027 period

The Interreg Programme Management Handbook comprises a series of factsheets. They can be read individually, or collectively, to understand the relevance of certain aspects of Interreg management. They cover the relevance, legal basis, key challenges and approaches to the given subject.

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### Factsheet | Legal documents for the start-up of the programme

#### 1. What is it? What is the definition of this work?

Legal documents presented in this Factsheet are the necessary legal and practical documents required for the official start and implementation of any Interreg programme during the 2021-2027 programming period. These documents ensure compliance with EU regulations and facilitate the smooth execution of the programme. They have to be prepared in the programming phase of the programme life cycle or within a given period of time after the submission of the programme to the European Commission.

#### Interreg Programme

The programming document itself sets out the programme area, objectives, indicators, financing plan etc. The detailed requirements are described in Article 17 of the Interreg Regulation 2021/1059<sup>1</sup>. The template for Interreg programmes is annexed to the regulation. **Operations of Strategic Importance (OSI)** are a new requirement for 2021-2027 period. An OSI is a project that significantly contributes to achieving a programme's objectives and is subject to specific monitoring and communication measures. During the preparation of the programme, OSIs have to be described in general, and further requirements to be fulfilled during the implementation of the programme. European Commission has published [a practical toolbox on how to communicate OSIs](#).

#### Pre-Agreement

Before the Interreg programme is submitted to the European Commission, the participating Member States and, where applicable, third countries, partner countries or OCTs shall confirm in writing their agreement to the contents of an Interreg programme and commitment to provide the co-financing or financial contribution necessary to implement the Interreg Programme (Article 16(5) of Interreg Regulation). This document has to be signed before the programme is submitted to the European Commission.

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<sup>1</sup> [Regulation - 2021/1059 - EN - EUR-Lex](#) – Interreg Regulation

## Description of Management and Control System

According to Article 69(11) of the Common Provisions Regulation (CPR) 2021/1060<sup>2</sup>, each Member State shall have in place, at the latest by the time of submission of the final payment application for the first accounting year and no later than 30 June 2023, a description of the management and control system. The template for the description of the management and control system is Annex XVI of CPR.

It provides a detailed description of how the management and control systems of a programme are structured and operated, ensuring that they meet the standards required.

### 2. Why are we discussing it?

Proper preparation of the legal documents is crucial because they form the foundation for the successful implementation of an Interreg programme, ensuring legal compliance, providing clarity and structure, managing resources effectively, facilitating coordination, monitoring progress, and engaging stakeholders.

They set “the rules of the game” between participating countries (EU Member States or where relevant, third countries, partner countries or OCTs) and the European Commission (which approves the content of each programme).

### 3. What are the Legal references and basis for this topic?

The legislative framework for ETC programmes in the 2021-2027 period is primarily based on Regulation (EU) 2021/1060 – Common Provisions Regulation and Regulation (EU) 2021/1059 – Interreg Regulation. This regulation sets the rules and guidelines for cross-border (internal and external), transnational, interregional and outermost regions’ cooperation.

Legislative Framework:

- [Regulation - 2021/1060 - EN - EUR-Lex](#) – **Common Provisions Regulation**, mainly:
  - Article 5 – Policy objectives
  - Article 8 – Partnership and multi-level governance
- [Regulation - 2021/1059 - EN - EUR-Lex](#) – **Interreg Regulation**, mainly:
  - Article 16 – Preparation and submission of Interreg programmes
  - Article 17 – Content of Interreg programmes
  - Article 18 – Approval of Interreg programmes

### 4. What are the challenges, key considerations and frequently asked questions?

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<sup>2</sup> [Regulation - 2021/1060 - EN - EUR-Lex](#) – Common Provisions Regulation

The most common challenge when it comes to legal documents and their preparation is **timing**. The programming process when the programme's objectives, rules, structures, budget, etc. are being established is time-consuming, thus requires proper planning. Combining interests of all involved partners and translating them into common goals in the programme text also requires background analysis and research (e.g., SWOT analysis and SEA) and many discussions between the programme partners<sup>3</sup>. National administrative procedures need to be taken into account when planning the process of approving the programme and signing the Pre-Agreement, as very often they impact the content of the documents and the length of their official approval. Finally, proper planning and appropriate measures to address the challenge of working on the new programming period and at the same time closing the programme of 2014-2020 need to be taken into account.

Another frequently asked question is **what to exactly include and how detailed all three documents shall be**. The challenge here is to find a balance between assuring an efficient legal framework for implementing the programme and its future projects and, at the same time, providing flexibility for effective implementation, to avoid having to repeat a lengthy procedure for any minor change.

Another challenge is the **new requirement of risk-based management verification**. An option in the past, for 2021-2027 programming period this approach became compulsory (see Article 74 (1) of the CPR). All managing authorities have to come up with robust methodology that will hold against the scrutiny of the audit authority.

## 5. How are they addressed?

**The template for Interreg programmes** is an annex to the Interreg regulation, outlining the essential components and requirements that must be included in the programme document. It has a predefined number of characters for each section, which also helps to understand, how much, or how little information is required. The template helps to ensure that Interreg programmes are well-designed, coherent with EU policies, and capable of delivering targeted and measurable outcomes.

The **pre-agreement** doesn't have any specific form or template. It should contain at least the agreement to the contents of the programme and commitment to provide the co-financing or financial contribution. Some programmes add also the contact details of the Member States and third country representatives and the name and contact details of the body responsible for establishing the system for management verifications according to Article 46(4) of the Interreg Regulation.

More information on **risk-based management verifications** can be found on [Interact's website](#) including information from several events tackling this issue. European Commission provides further insight into this approach in their document Reflection paper on Risk Based Management Verifications, which is also available on the same website page.

**Description of the management and control system (DMCS)** is not a new requirement for the programmes and in many cases just need to be updated to be in line with the 2021-2027 programming period requirement. Interact organised an [event in January 2023](#) which offered valuable information and you can also find Q&A document about DMCS on the event page.

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<sup>3</sup> In this sense, partnership principle requirements have to be complied with during the preparation and implementation of the CP, as set in [Commission Delegated Regulation \(EU\) No 240/2014 of 7 January 2014 on the European code of conduct on partnership in the framework of the European Structural and Investment Funds](#).

## 6. How does it work in practice?

In practice EU Member States and third countries start their signing procedures of the pre-agreement as soon as the draft programme has been agreed on by the relevant programming body (e.g., Programming Task Force, committee, etc.). When submitting the programme to the EC via the SFC2021 system it is required to submit the pre-agreements from all countries participating in that programme. Lack of even one of the agreements would stop the submission of the programme, thus this requirement has to be met.

When it comes to the DMCS, the submission of a definitive (finally approved procedures, etc.) description to the Audit Authority is necessary for the assessment of compliance with the regulations. Setting up of the systems and preparing the DMCS can sometimes be complex and lengthy, it is recommended to dedicate enough time and resources for its elaboration. There is no need to submit the DMCS to European Commission.

Also, where the procedures are linked to key requirements, during the system audit the AA will check whether the procedures described in the MCS were followed. In practical terms, where the procedures on the ground differ from the way they are described in the manual, the internal manual should be adapted to reflect the real procedures.

## 7. Good practice examples, innovative approaches

There are no legal requirements for the DMCS to be approved by the Monitoring Committee – although it would be a good practice from a partnership and programme management point of view to at least inform the Monitoring Committee. The process for modifying a programme's DMCS will depend on the programme's internal organisation and practices.

**Disclaimer:** Cooperation can be complex, and while Interact's job is to make it easier, Interact cannot offer assurances on the accuracy of our pan-European information in any specific context.

Furthermore, understanding and knowledge evolves throughout the programming period. If you spot something out of date or inconsistent, please contact us at [communication@interact.eu](mailto:communication@interact.eu)

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