

TERMS OF REFERENCE

TWINNING LIGHT

Programme Title: 2003 National Pre-Accession Programme for Malta

Project Title: Assistance on the preparation for Structural and Cohesion Funds

Twinning Number: MT/2003/IB/SPP/01/TL

1. BACKGROUND

Malta successfully concluded the negotiations on Chapter 21 in July 2002. Within this context Malta was designated as an Objective 1 area. The Single Programming Document which identifies Malta's priorities for EU Structural Funds was submitted to the European Commission on 23 May 2003 (document can be downloaded at <http://ppcd.gov.mt/english/main.htm>) and negotiations between Malta and the Commission will start on 19 September.

Malta has been allocated €63.18 million* in Structural Funds, and €2.37 million* and €1.24 million* for the Community Initiatives Interreg and Equal respectively. Moreover Malta's allocation of the Cohesion Fund is between 0,16% to 0,36% of the total resources. The Planning and Priorities Co-ordination Directorate, the Ministry for Transport and Communications and the Ministry for Resources and Infrastructure are also working on the project pipeline with respect to the Cohesion Fund.

The Planning and Priorities Co-ordination Directorate within the Office of the Prime Minister (OPM) has been designated as the Managing Authority in terms of Article 9(n) of Regulation (EC) 1260/1999. The Planning and Priorities Co-ordination Directorate will be the Managing Authority for both the Structural Funds and the Cohesion Fund and will preside over the project selection process.

As Managing Authority the Planning and Priorities Co-ordination Directorate will have the overall responsibility for the preparation and management of all the Structural Funds and the Cohesion Fund. It will be responsible for the management of the European Regional Development Fund (ERDF) and will also be the competent authority responsible for the overall co-ordination of Cohesion Fund operations. The Managing Authority will delegate certain functions to a number of Intermediary Bodies (IB) as follows:

- (i) The Ministry for Resources and Infrastructure and the Ministry for Transport and Communications with respect to the implementation and day-to-day management of environment as well as transport/communications projects respectively.

* 2004 prices; amounts have been rounded to 2 decimal places

- (ii) The Office of Review within the Ministry for Social Policy with respect to the day-to-day management of the European Social Fund (ESF) and the implementation of projects co-financed by this Fund.
- (iii) The Rural Development Department and the Fisheries Conservation and Control Division within the Ministry for Agriculture and Fisheries with respect to the day-to-day management of the European Agricultural Guidance and Guarantee Fund (EAGGF) (Guidance Section) and the Financial Instrument for Fisheries Guidance (FIFG) respectively.

The institutional and administrative regional policy framework will also include:

- the International Relations Directorate within the Ministry of Finance will act as the Paying Authority in terms of Article 9(o) of Regulation (EC) 1260/99 for both Structural and Cohesion Fund operations;
- the Inter-Ministerial Committee will be responsible for achieving the necessary inter-ministerial co-operation in programme development, monitoring and co-ordination;
- the Internal Audit and Investigations Directorate will provide internal audit services to the Managing and Paying Authorities. The Directorate will also undertake on-the-spot inspections and audits in line with the provisions of Article 10 of Regulation (EC) 438/2001 (rules for the implementation of Regulation (EC) 1260/1999). The National Audit Office will be responsible for the external audit function;
- the Regional Project Committee chaired by the Ministry for Gozo will provide input into the programming process concerning Gozo's development and also to select and implement projects and measures for Gozo.

The process of strengthening the institutional framework and administrative capacity to effectively co-ordinate, manage and implement the Structural and Cohesion Funds was carried out through a special preparatory programme implemented via a twinning project with Spain. The twinning assisted the Maltese Government on issues related to training and other aspects of institution building with particular focus on programming.

A technical assistance project to assist the Planning and Priorities Co-ordination Directorate in the drafting of the Programme Complement is expected to start by September 2003. The Programme Complement lays out the strategy required to implement the programme and contains detailed elements of the programme at measure level.

Further technical expertise, however, is required in the months leading up to accession to assist the Planning and Priorities Co-ordination Directorate and the Intermediary Bodies in particular in developing manuals, guidelines and other documentation necessary to guarantee the success of Malta's ability to use the structural instruments effectively and efficiently.

2. DESCRIPTION OF THE ASSIGNMENT

- **Contracting Authority:** Department of Contracts, Malta, on behalf of the Planning and Priorities Co-ordination Directorate, Office of the Prime Minister.

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- **Beneficiary:** The Planning and Priorities Co-ordination Directorate as the overall managing authority of Structural and Cohesion Funds will be the main beneficiary of the project. The Ministry of Finance as the paying authority, designated intermediary bodies and other key players will also benefit from the technical assistance that will be provided through this twinning light project.

Beneficiary Contact Person: Ms Marlene Bonnici, Planning and Priorities Co-ordination Directorate, Office of the Prime Minister, Auberge de Castille, Valletta CMR 02

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Global objective

To assist Malta in strengthening the institutional framework and administrative capacity in order to effectively co-ordinate, manage and implement the Structural and Cohesion Funds according to EC Regulation 1260/99.

Specific objectives

The specific objectives are: -

1. To strengthen the co-ordination between the Managing Authority, the Paying Authority, the Intermediary Bodies, the Implementing Agencies, and the Regional Project Committee in Gozo to achieve effective management and utilization of the structural instruments;
2. To consolidate the knowledge of the relevant authorities with respect to the financial control aspects of structural funds;
3. To assist in the preparation of selection criteria, application forms, manuals and guidelines required for the management and implementation of the envisaged schemes and projects under the different structural instruments.

Requested services

The provision of a project leader and a number of STEs with suitable specialist knowledge is required to carry out the following: -

1. Assist in the drawing up of working agreements (“covenants”) between the Managing Authority, the Paying Authority, the Intermediary Bodies and the Implementing Agencies;
2. Hands-on training on the rules/procedures/practicalities related to the financial control aspect of structural funds;
3. (i) Assist in the drafting of manuals, guidelines and other documentation to be used in the implementation of structural funds and the cohesion fund. The following is an indicative list:
 - (a) selection criteria for the different schemes in the Agriculture and Fisheries sector and for SMEs as envisaged in the Single Programming Document;
 - (b) application forms for environmental and transport projects under the cohesion fund;
 - (c) manuals and implementation guidelines for each of the different funds.
- (ii) Assist the Maltese authorities in the project selection process.
4. Assist the Ministry for Gozo to strengthen its administrative capacity required to carry out its functions in respect of the Regional Project Committee for Gozo. The assistance is expected to focus on the project selection process as well as on the drawing up of a working agreement (“covenant”) between the Regional Project Committee for Gozo and the Managing Authority. Specific assistance will be provided to ensure the efficient liaison between this Committee and the Managing Authority, the Paying Authority and the Intermediary Bodies.
5. Assist all relevant and potential stakeholders (including NGOs and partner organizations) in identifying and proposing projects within Interreg and other Structural Funds related programmes.

Expected results

With regards to the above-mentioned inputs, the objectives of the project will be fulfilled through the following results:

1. Agreements outlining the working arrangements between the agencies involved in the various stages of the structural funds process with specific reference to the Managing Authority, the Paying Authority, the Intermediary Bodies and the Implementing Agencies.
2. Officials trained on the financial control aspect of structural funds. This training is to be carried out via one seminar/workshop of 2 days, to be followed by 8 days of bilateral meetings with the relevant authorities and one study visit of 2 days for 8 officials.

3. Manuals, guidelines and other documents required for the effective implementation of Structural and Cohesion Funds as outlined in requested service 3.
4. An agreement outlining the working arrangements between the Regional Project Committee for Gozo and the Managing Authority and a manual of procedures to be used by the Regional Project Committee for the project selection process. Trained officials via workshops and a study visit of 5 days for 4 officials (2 officials from Ministry for Gozo and 2 members from the Regional Project Committee for Gozo).
5. Assistance for the preparation of projects to be proposed within the framework of Interreg and other Structural Funds related Programmes

3. EXPERTS PROFILE

- A Member State project leader and a number of STEs are to be made available. The project leader is expected to oversee the implementation of the project and co-ordinate the logistical and technical aspects related to the input to be provided by the short-term experts.

Project Leader: a CLASS II expert to work closely with and assist the Planning and Priorities Co-ordination Directorate and other designated bodies in all requested services. The expert will have experience in the management and implementation of structural/cohesion funds.

Note: A CLASS I expert with experience in the management and implementation of structural/cohesion funds is also acceptable on condition that the expert has in-depth knowledge of the local scenario.

STE 1: a CLASS II expert to assist the Project Leader in requested service 1. The expert is to have practical knowledge and experience on the development of such agreements between different key players involved in structural funds implementation.

STE 2: a CLASS II expert to assist Project Leader and provide training as per requested service 2. The expert is to have training experience in the area of financial control.

STE 3: a CLASS II expert to assist the Project Leader in the development of selection criteria mentioned in requested service 3. The expert is to have working experience in the programming and management of schemes under the Structural Funds (especially in schemes directed towards SMEs).

STE 4: a CLASS II expert to assist the Project Leader in the drafting of applications for cohesion fund projects in the sectors of transport and environment as per requested

service 3. The expert is to have working experience in the programming and management of Cohesion Fund projects.

STE 5: a CLASS II expert to assist the Project Leader in the drawing up of manuals/guidelines for implementation of ERDF, ESF, EAGGF, FIFG and Cohesion Fund. It is understood and accepted that this may require the input of a number of experts, in case where the Member State is unable to provide one expert covering all funds.

STE 6: a CLASS II expert to assist the Project Leader in requested service 4. The expert is to have practical knowledge and experience on the development of working agreements and procedures for selection of projects falling under ERDF and ESF.

STE 7: a CLASS II expert to assist the Project Leader in requested service 5. The expert is to have experience in the identification and promotion of projects within the framework of Interreg and other related Structural funds programmes.

- All experts are expected to have a good standard of English, both written and spoken and ideally should have experience in handling an Objective 1 programme.

4. LOCATION AND DURATION

- The starting date of the project is envisaged to be November 2003.
- The finishing date of the assignment will be end April 2004.

- Number of days per expert:

Project Leader	120 man-days	Requested Services 1 - 5
STE 1	15 man-days	Requested Service 1
STE 2	10 man-days	Requested Service 2
STE 3	10 man-days	Requested Service 3
STE 4	10 man-days	Requested Service 3
STE 5	30 man-days	Requested Service 3
STE 6	30 man-days	Requested Service 4
STE 7	15 man-days	Requested Service 5

Total man-days: 240 man-days

Study-visits of 2 days for 8 officers and 5 days for 4 officers as requested under Service 2 and 4 respectively are also envisaged.

- For the greater part of the project the location of the assignment will be at the Planning and Priorities Co-ordination Directorate, Office of the Prime Minister, Auberge de Castille, Valletta CMR 02

With respect to STE 6, the expert will share his time between the Ministry for Gozo, St Francis Square, Victoria, Gozo where he will have his office, and the Planning and Priorities Co-ordination Directorate, Managing Authority where he will spend at least one day per week to ensure full coordination between the MA activities and the Regional Committee for Gozo.

Under the overall leadership of the Managing Authority, all STEs will ensure that the needs of Gozo are taken into account, and regularly coordinate with the relevant authorities.

5. REPORTING

- The project leader is to write an initial report two months after the signing of the contract and a final report that is to include a summary of each STEs input to the twinning light project. The reports are to be in English and are to be submitted as follows:

3 (three) hard copies and one electronic format (MS Office 97 or equivalent) to the beneficiary

1 (one) hard copy and one electronic format copy (MS Office 97 or equivalent) to the Delegation of the European Commission to Malta.

- The final report is to be submitted within 10 days from conclusion of twinning light.

6. BUDGET

A total sum of EUR 200,000 is being allocated for this project.