

**ANNEX 3: DECLARATION BY THE LEAD PARTNER  
(INTERREG VI-B) NEXT BLACK SEA BASIN Programme  
Guidelines for Applicants - Regular projects  
First Call for proposals**

<b>Project title and acronym:</b>	
<b>Name of the legal entity applying for funding as Lead Partner:</b>	
<b>Country and region of Registration:</b>	

The Lead Partner, represented by the undersigned, \_\_\_\_\_, in the context of the present Application, hereby declares that:

1. The legal status of our organisation falls within the following category<sup>1</sup> (**compulsory to tick one category a-c**):
  - a) ☐ **regional, local or national public authority** (e.g.: regional/county council, local council, municipality, ministry);
  - b) ☐ **bodies governed by public law** (e.g.: state/regional owned institute, universities and educational institutions, regional development agencies, nature parks and protected areas management bodies, research institutes, etc);
  - c) ☐ **non-profit organizations** (e.g.: associations, unions, foundations, private universities if their legal status is of a non-profit organization, Local Action Groups, Euro regions, European Grouping of Territorial Cooperation<sup>2</sup>)
2. Our organisation is fully aware of the content of the project proposal and confirms that all information included in it and uploaded in the Jems corresponds to reality and is assumed by us;
3. Our organisation is familiar with the content of the Interreg NEXT Black Sea Basin Programme, with the conditions for support from programme as set in the Guidelines for Grant Applicants for regular projects and in the standard Grant Contract, and understands and accepts what our obligations under the standard Grant Contract will be if the grant is awarded<sup>3</sup>;
4. The project proposal is in line with the relevant EU legislation, programme rules and where relevant, national legislation and policies of the countries involved. In particular, all necessary approvals and permissions have been obtained or will be obtained, as the case, according to the Guidelines for Applicants published for the 1<sup>st</sup> call for proposals.
5. Our organisation is directly responsible for the preparation, management and implementation of the project with our partners, and is not acting as an intermediary;
6. Our organisation, as Lead partner, will bear the overall responsibility for the implementation of the entire project, as required by point (b) of Article 26(1) of Regulation (EU) 2021/1059;

<sup>1</sup> As described in the Guidelines for Grant Applicants, Part II, section 5.1 Legal status

<sup>2</sup> in the meaning of Article 2(16) of Regulation (EU) No 1303/2013;

<sup>3</sup> Model of Standard grant contract to be signed between Lead Partner and Managing Authority is presented in Annex 9

7. Our organisation has sufficient human resources and administrative capacity to implement the project activities which were assumed by our organisation;
8. Our organisation holds the professional experience, competence and qualifications in the field(s) we applied for;
9. Our organisation shall ensure that the representatives in the project management team are available throughout the entire project execution period;
10. Our organisation owns the necessary financial resources and shall cover:
  - all non-eligible expenditures;
  - own contribution to the eligible expenditure (co-financing);
  - the temporary availability of funds necessary to run the project between the payments from the programme;
  - all expenses needed for ensuring the financial sustainability of project outputs.
11. Our organisation can hold a dedicated bank account for the project<sup>4</sup> and it has the legal capacity to receive/transfer funds from/to foreign countries;
12. Our organisation is aware of our obligation and agree to sign a Partnership Agreement with the project partners, in compliance with point (a) of Article 26(1) of Regulation (EU) 2021/1059, as a prior condition for the signature of the Grant Contract between our organisation as Lead Partner and the Managing Authority; we will sign and comply with the obligations foreseen in the Grant contract and the Partnership Agreement;
13. Our organisation is not in any of the situations excluding us from participating in contracts as listed in Articles 136 - 141 of the EU Regulation 1046/2018 on the financial rules applicable to the general budget of the European Union, as specified in Part II, Section 5.4 Exclusion Criteria of the Guidelines for Grant Applicants. Furthermore, it is recognised and accepted that if we participate in spite of being in any of these situations, we may be excluded from other procedures in accordance with the aforementioned articles;
14. Our organisation is in the position to commit to deliver upon request, the supporting documents stipulated under Part II, Section 14 Mandatory documents to be provided with the project proposal of the Guidelines for Grant Applicants;
15. The project activities shall not harm on the environment. Our organisation is in the position to commit to provide additional information or documents to support this statement, at any moment, if required;
16. Our organisation is the owner or has a concession act or long-term contract or administration contract or rental/bailment contract stating its rights for at least 5 years from the completion of the project for the land/building on which the investments is proposed to be made. Moreover, the land and/or building/ item of infrastructure, is:
  - free of any encumbrances;
  - not the object of a pending litigation;
  - not the object of a claim according to the relevant national legislation.
17. Our organisation is able to provide during the contracting stage, all required documents related to the ownership of the land and/or building;  
☐ I confirm that points 16 and 17 do not apply [to be ticked only by organizations NOT having investment(s) foreseen in the project].

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<sup>4</sup> Bank accounts in EUR are strongly recommended, due to high currency exchange risks.

18. Our organisation has not benefited from financing support from public funds, before the deadline for submitting the applications under this call for proposals, for the same project or part of it in terms of objectives, activities and results, etc.;
19. Our organisation is fully aware of the obligation to inform without delay the Managing Authority to which this proposal is submitted if the same proposal for funding made to other donors has been approved by them after the submission of this Application;
20. Our organisation is aware that in the event that the project proposal is approved for funding, the Managing Authority shall publish the details regarding the beneficiaries and project, in accordance with Art.49.3 of the Regulation (EU) no.1060/2021 of the European Parliament and of the Council;
21. Our organisation is aware that any personal data will be processed for the purpose of assessment and selection, contracting, monitoring, reporting, communication, publication, evaluation, financial management, verifications and audits and project closer, in accordance with the requirements for data protection of personal data, as provided in the Regulation (EU) 2016/679 of the European Parliament and of the Council;
22. Our organisation is aware that in case substantial change(s) to the project is(are) needed before contracting, this(ese) should be agreed by all partners;
23. Our organisation will assume responsibility in the event of any irregularity or fraud in the expenditure which our organisation has declared as well as in case of any financial corrections due to poor or partial implementation of the project in accordance with the grant contract. We will repay the Managing Authority any amount of grant unduly paid;
24. In the event of approval of the project for which we are applying for assistance from the Interreg NEXT BSB Programme, our organisation commits itself to provide the 10% co-financing to the INTERREG budget allocated to our organisation;
25. We have assessed the project activities and in the limit of our information, none of the project activities is state aid relevant; We also understand and commit ourselves that in case following the project assessment it will be required to make an adjustment to a potential state aid relevant activity, the respective adjustment or any other required adjustment will be made accordingly;
26. If, after the submission of the project proposal, our organisation and/or the organisation of a project partner is no longer in the position to fulfil requirements listed above, it will inform the Managing Authority without delay.

Signed on behalf of the Lead Partner (legal representative of the organization):

<b>Complete name of the legal representative as indicated in the Application Form (Jems)</b>	
<b>Position within the organisation</b>	
<b>Signature</b>	
<b>Date</b>	