

Commission Regulation (EC) No 718/2007 of 12 June  
2007 implementing Council Regulation (EC) No 1085/2006  
establishing an instrument for pre-accession assistance (IPA)

PART II

**SPECIFIC PROVISIONS**

TITLE II

**CROSS-BORDER COOPERATION COMPONENT**

CHAPTER III

**Implementation**

*Section 3*

***Cross-border programmes among beneficiary countries***

*Sub-section 1*

***Management and control systems***

*Article 139*

**Structures and authorities**

1 For each cross-border programme, each participating beneficiary country shall establish an operating structure for the part of the programme relating to the country concerned.

2 The duties of the operating structures shall include the preparation of the cross-border programmes in accordance with Article 91.

3 The operating structures of the participating beneficiary countries shall cooperate closely in the programming and implementation of the relevant cross-border programme.

4 For each cross-border programme among beneficiary countries, the relevant operating structures shall set up a joint technical secretariat to assist the operating structures and the joint monitoring committee referred to in Article 142 in carrying out their respective duties.

The joint technical secretariat may have antennae established in each participating countries.

5 In the event of decentralised management, the functions and responsibilities of the operating structures shall be, *mutatis mutandis*, those listed in Article 28. In addition, the following provisions shall apply:

*Changes to legislation:* There are currently no known outstanding effects for the  
 Commission Regulation (EC) No 718/2007, Sub-section 1. (See end of Document for details)

- a The operating structures in each participating beneficiary country shall include one implementing agency which shall be established within the national administration or under its direct control.
- b The national authorising officer in each participating beneficiary country shall, after consulting the national IPA coordinator, designate a programme authorising officer to head the implementing agency.

The programme authorising officers shall be officials of the State administration of the beneficiary countries. He shall be responsible for the activities carried out by the implementing agency.

- [<sup>F1</sup>c For the part of the cross-border programme concerning the respective country, the implementing agency shall undertake tendering, contracting, payments, accounting and financial reporting of the procurement of services, supplies and works and contracting, payments, accounting and financial reporting of grants.]

Where relevant, the provisions laid down in Article 76 shall apply *mutatis mutandis*.

[<sup>F1</sup>6 In the event of centralised management, functions and responsibilities of the operating structures shall be defined in the relevant cross-border programmes.]

#### Textual Amendments

- F1** Substituted by [Commission Regulation \(EU\) No 80/2010 of 28 January 2010 amending Regulation \(EC\) No 718/2007 implementing Council Regulation \(EC\) No 1085/2006 establishing an instrument for pre-accession assistance \(IPA\)](#).

### Article 140

#### Role of the Commission in the selection of operations

- 1 In the event of centralised management, the Commission shall:
  - [<sup>F1</sup>a approve the criteria for selecting the operations financed by the cross-border programme including those operations identified outside calls for proposals as referred to in Article 95(1);]
  - b endorse the calls for proposals and their application packs (Guidelines for applicants) prior to publication;
  - c where relevant, endorse the composition of a steering committee entrusted with the selection of operations;
  - d formally confirm the operations selected by the joint monitoring committee referred to in Article 142. In all cases, the Commission shall retain the right of final approval of an operation selected for financing.
- 2 In the event of decentralised management, the Commissions' right to exercise *ex ante* control of the selection of operations shall be defined in the Commission decision on conferral of management in accordance with Article 14(3).

#### Textual Amendments

- F1** Substituted by [Commission Regulation \(EU\) No 80/2010 of 28 January 2010 amending Regulation \(EC\) No 718/2007 implementing Council Regulation \(EC\) No 1085/2006 establishing an instrument for pre-accession assistance \(IPA\)](#).

**Changes to legislation:**

There are currently no known outstanding effects for the Commission Regulation (EC) No 718/2007, Sub-section 1.