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## ANNEX I

### COMMON STRATEGIC FRAMEWORK

#### 1. INTRODUCTION

In order to promote the harmonious, balanced and sustainable development of the Union and to maximise the contribution of the ESI Funds to the Union strategy for smart, sustainable and inclusive growth as well as the Fund-specific missions of the ESI Funds, including economic, social and territorial cohesion, it is necessary to ensure that policy commitments made in the context of the Union strategy for smart, sustainable and inclusive growth are underpinned by investment through the ESI Funds and other Union instruments. The Common Strategic Framework (CSF) shall therefore, in accordance with Article 10, and in compliance with the priorities and objectives laid down in the Fund-specific Regulations, provide strategic guiding principles in order to achieve an integrated development approach using the ESI Funds coordinated with other Union instruments and policies, in line with the policy objectives and headline targets of the Union strategy for smart, sustainable and inclusive growth and, where appropriate, the flagship initiatives, while taking into account the key territorial challenges and specific national, regional and local contexts.

#### 2. CONTRIBUTION OF ESI FUNDS TO THE UNION STRATEGY FOR SMART, SUSTAINABLE AND INCLUSIVE GROWTH AND COHERENCE WITH THE UNION'S ECONOMIC GOVERNANCE

1. To support effective targeting of smart, sustainable and inclusive growth in the Partnership Agreements and programmes this Regulation identifies eleven thematic objectives, set out in the first paragraph of Article 9, corresponding to the priorities of the Union strategy for smart, sustainable and inclusive growth which shall receive support from the ESI Funds.
2. In line with the thematic objectives set out in the first paragraph of Article 9, Member States shall, in order to ensure critical mass necessary to deliver growth and jobs, concentrate support in accordance with Article 18 of this Regulation and with the Fund-specific rules on thematic concentration, and shall ensure the effectiveness of spending. Member States shall give particular attention to prioritising growth-friendly expenditure, including spending on education, research, innovation and energy efficiency and expenditure to facilitate the access of SMEs to finance, and to ensure environmental sustainability, and the management of natural resources and climate action as well as to modernise public administration. They shall also take account of maintaining or reinforcing the coverage and effectiveness of employment services and active labour market policies in order to combat unemployment, with a focus on youth and tackle the social consequences of the crisis, and promote social inclusion.
3. To ensure consistency with priorities established in the context of the European Semester, in preparing their Partnership Agreements, Member States shall plan the use of the ESI Funds taking into account the National Reform Programmes, where appropriate, and the most recent relevant country-specific recommendations adopted in accordance with Article 121(2) TFEU and relevant Council recommendations adopted in accordance with Article 148(4) TFEU in accordance with their respective roles and obligations. Member States, where necessary, shall also take into account relevant Council recommendations based on the Stability and Growth Pact and the economic adjustment programmes.

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4. In order to determine the way in which the ESI Funds can most effectively contribute to the Union strategy for smart, sustainable and inclusive growth, and to take account of the Treaty objectives, including economic, social and territorial cohesion, Member States shall select the thematic objectives for the planned use of the ESI Funds within the appropriate national, regional and local contexts.
3. INTEGRATED APPROACH TO AND ARRANGEMENTS FOR THE USE OF THE ESI FUNDS
  - 3.1 Introduction
    1. In accordance with point (a) of Article 15(2) the Partnership Agreement shall indicate an integrated approach to territorial development. Member States shall ensure that the selection of thematic objectives and investment and Union priorities addresses development needs and territorial challenges in an integrated manner in line with the analysis set out in section 6.4. Member States shall seek to make maximum use of the possibilities for ensuring coordinated and integrated delivery of the ESI funds.
    2. Member States and, where appropriate in accordance with Article 4(4), regions shall ensure that the interventions supported through the ESI Funds are complementary and are implemented in a coordinated manner with a view to creating synergies, in order to reduce the administrative cost and burden for managing bodies and beneficiaries in accordance with Articles 4, 15 and 27.
  - 3.2 Coordination and complementarity
    1. Member States and managing authorities responsible for the implementation of the ESI Funds shall work closely together in the preparation, implementation, monitoring and evaluation of the Partnership Agreement and programmes. In particular, they shall ensure that the following actions are carried out:
      - (a) identify areas of intervention where the ESI Funds can be combined in a complementary manner to achieve the thematic objectives set out in this Regulation;
      - (b) ensure in accordance with Article 4(6), the existence of arrangements for the effective coordination of the ESI Funds in order to increase the impact and effectiveness of the Funds including, where appropriate, through the use of multi-fund programmes for the Funds;
      - (c) promote the involvement of managing authorities responsible for other ESI Funds and relevant ministries in the development of support schemes to ensure coordination and synergies and to avoid overlaps;
      - (d) establish, where appropriate, joint monitoring committees for programmes implementing the ESI Funds, and the development of other joint management and control arrangements to facilitate coordination between authorities responsible for the implementation of the ESI Funds;
      - (e) make use of available joint eGovernance solutions, which may assist applicants and beneficiaries, and make the widest possible use of "one-stop shops", including for advice on the opportunities of support available through each of the ESI Funds;
      - (f) establish mechanisms to coordinate cooperation activities financed by the ERDF and the ESF with investments supported by the programmes under the Investment for growth and jobs goal;

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- (g) promote common approaches between ESI Funds with regard to guidance for the development of operations, calls for proposals and selection processes or other mechanisms to facilitate access to Funds for integrated projects;
- (h) encourage cooperation between managing authorities of different ESI Funds in the areas of monitoring, evaluation, management and control, and audit.

### 3.3 Encouraging integrated approaches

1. Member States shall, where appropriate, combine the ESI Funds into integrated packages at local, regional or national level, which are tailor-made to address specific territorial challenges in order to support the achievement of the objectives set out in the Partnership Agreement and programmes. This can be done using ITIs, Integrated operations, Joint Action Plans and community-led local development.
2. In accordance with Article 36 to achieve integrated use of thematic objectives, funding from different priority axes or operational programmes supported by the ESF, ERDF and Cohesion Fund may be combined under an ITI. Actions carried out under an ITI may be complemented with financial support from the programmes under the EAFRD or the EMFF respectively.
3. In accordance with the relevant provisions of the Fund-specific rules, to increase impact and effectiveness in a thematically coherent integrated approach a priority axis may concern more than one category of region, combine one or more complementary investment priorities from the ERDF, Cohesion Fund and ESF under one thematic objective and, in duly justified cases combine one or more complementary investment priorities from different thematic objectives in order to achieve the maximum contribution to that priority axis.
4. Member States shall promote, in accordance with their institutional and legal framework and with Article 32 the development of local and sub-regional approaches. Community-led local development shall be implemented in the context of a strategic approach to ensure that the 'bottom-up' definition of local needs takes account of priorities set at a higher level. Member States shall therefore define the approach to community-led local development in the EAFRD and, where appropriate, in the ERDF, the ESF or the EMFF in accordance with Article 15(2) and shall indicate in the Partnership Agreement the main challenges to be tackled in this way, the main objectives and priorities for community-led local development, the types of territories to be covered, the specific role to be attributed to local action groups in the delivery of strategies and the role envisaged for the EAFRD and where appropriate for the ERDF, the ESF or the EMFF in implementing community-led local development strategies in different types of territories such as rural, urban and coastal areas and the corresponding co-ordination mechanisms.

## 4. COORDINATION AND SYNERGIES BETWEEN ESI FUNDS AND OTHER UNION POLICIES AND INSTRUMENTS

Coordination by Member States as envisaged under this section shall apply in so far as a Member State intends to make use of support from the ESI Funds and other Union instruments in the relevant policy area. The Union programmes set out in this section do not constitute an exhaustive list.

### 4.1 Introduction

1. Member States and the Commission shall, in accordance with their respective responsibilities, take into consideration the impact of Union policies at national

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and regional level, and on social, economic and territorial cohesion with a view to fostering synergies and effective coordination and to identifying and promoting the most suitable means of using Union funds to support local, regional and national investment. Member States shall also ensure complementarity between Union policies and instruments and national, regional and local interventions.

2. Member States and the Commission shall, in accordance with Article 4(6) and with their respective responsibilities, ensure coordination between the ESI Funds and other relevant Union instruments at Union and Member State level. They shall take appropriate steps to ensure consistency, at programming and implementation stages, between interventions supported by the ESI Funds and the objectives of other Union policies. To this end, they shall seek to take into account the following aspects:

- (a) enhancing complementarities and synergies between different Union instruments at Union, national and regional level, both in the planning phase and during implementation;
- (b) optimise existing structures and where necessary, establish new structures that facilitate the strategic identification of priorities for the different instruments and structures for coordination at Union and national level that avoid duplication of effort and identify areas where additional financial support is needed;
- (c) make use of the potential to combine support from different instruments to support individual operations and work closely with those responsible for implementation at Union and national level to deliver coherent and streamlined funding opportunities for beneficiaries.

#### 4.2 Coordination with the Common Agricultural Policy and the Common Fisheries Policy

1. The EAFRD is an integral part of the Common Agricultural Policy and complements the measures under the European Agricultural Guarantee Fund which provide direct support to farmers and support market measures. Member States shall therefore manage those interventions together so as to maximise synergies and the added value of Union support.

2. The EMFF aims to achieve the objectives of the reformed Common Fisheries Policy and of the Integrated Maritime Policy. Member States shall therefore make use of the EMFF to support efforts to improve data collection and strengthen control, and ensure that synergies are also sought in support of the priorities of Integrated Maritime Policy, such as marine knowledge, maritime spatial planning, integrated coastal zone management, integrated maritime surveillance, the protection of the marine environment and of biodiversity, and the adaptation to the adverse effects of climate change on coastal areas.

#### 4.3 Horizon 2020 and other centrally managed Union programmes in the areas of research and innovation

1. Member States and the Commission shall have due regard to strengthening coordination, synergies and complementarities between the ESI Funds and Horizon 2020, the Programme for the Competitiveness of Enterprises and small and medium-sized enterprises (COSME) in accordance with Regulation (EU) No 1287/2013 of the European Parliament and of the Council<sup>(1)</sup>, and other relevant centrally managed Union funding programmes while also establishing a clear division of areas of intervention between them.

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2. Member States shall develop national and/or regional 'smart specialisation' strategies in line with the National Reform Programme, where appropriate. Such strategies may take the form of or be included in a national or a regional research and innovation strategic policy framework for 'smart specialisation'. Smart specialisation strategies shall be developed through involving national or regional managing authorities and stakeholders such as universities and other higher education institutions, industry and social partners in an entrepreneurial discovery process. The authorities directly concerned by Horizon 2020 shall be closely associated with that process. Smart specialisation strategies shall include:
  - (a) "Upstream actions" to prepare regional R&I players to participate in Horizon 2020 ("stairways to excellence") to be developed, where necessary, through capacity-building. Communication and cooperation between Horizon 2020 national contact points and managing authorities of the ESI Funds shall be strengthened.
  - (b) "Downstream actions" to provide the means to exploit and diffuse R&I results, stemming from Horizon 2020 and preceding programmes, into the market with particular emphasis on creating an innovation-friendly environment for business and industry, including SMEs and in line with the priorities identified for the territories in the relevant smart specialisation strategy.
3. Member States shall encourage the use of the provisions in this Regulation that allow the ESI Funds to be combined with resources under Horizon 2020 in the relevant programmes used to implement parts of the strategies referred to in point 2. Joint support shall be provided to national and regional authorities for the design and implementation of such strategies, to identify opportunities for joint financing of R&I infrastructures of European interest, the promotion of international collaboration, methodological support through peer reviews, exchange of good practice, and training throughout regions.
4. Member States and, where appropriate under Article 4(4), regions, shall consider additional measures aimed at unlocking their potential for excellence in R&I, in a manner that is complementary to and creates synergies with Horizon 2020, in particular through joint funding. Those measures shall consist of:
  - (a) linking excellent research institutions and less developed regions as well as low-performing Research, Development and Innovation (RDI) Member States and regions to create new or upgrade existing centres of excellence in less developed regions as well as in low-performing RDI Member States and regions;
  - (b) building links in less developed regions as well as in low-performing RDI Member States and regions between innovative clusters of recognised excellence;
  - (c) establishing "ERA Chairs" to attract outstanding academics, in particular to less developed regions and low-performing RDI Member States and regions;
  - (d) supporting access to international networks for researchers and innovators who lack sufficient involvement in the European Research Area (ERA) or are from less developed regions or low-performing RDI Member States and regions;
  - (e) contributing as appropriate to the European Innovation Partnerships;
  - (f) preparing national institutions and/or clusters of excellence for participation in the Knowledge and Innovation Communities (KICs) of the European Institute of Innovation and Technology (EIT); and

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- (g) hosting high-quality international researcher mobility programmes with co-funding from the "Marie Skłodowska-Curie Actions".

Member States shall endeavour to use where appropriate, and in accordance with Article 70, the flexibility to support operations outside the programme area, with a level of investment sufficient to attain a critical mass, in order to implement the measures referred to in the first subparagraph as effectively as possible.

#### 4.4 New Entrants Reserve (NER) 300 demonstration funding<sup>(2)</sup>

Member States shall ensure that financing from the ESI Funds is coordinated with support from the NER 300 Programme, which uses the revenues from auctioning 300 million allowances reserved under the new entrants reserve of the European Emissions Trading Scheme.

#### 4.5 Programme for the Environment and Climate Action (LIFE)<sup>(3)</sup> and the environmental acquis

1. Member States and the Commission shall, through a stronger thematic focus in programmes and the application of the principle of sustainable development in accordance with Article 8, seek to exploit synergies with Union policy instruments (both funding and non-funding instruments) serving climate change mitigation and adaptation, environmental protection and resource efficiency.
2. Member States shall promote and, where appropriate and in accordance with Article 4, ensure complementarity and coordination with LIFE, in particular with integrated projects in the areas of nature, biodiversity, water, waste, air, climate change mitigation and adaptation. Such coordination shall be achieved through measures such as promoting the funding of activities through the ESI Funds that complement integrated projects under LIFE as well as by promoting the use of solutions, methods and approaches validated under LIFE, inter alia, including investments in green infrastructure, energy efficiency, eco-innovation, ecosystem-based solutions, and the adoption of related innovative technologies.
3. The relevant sectoral plans, programmes or strategies (including the Prioritised Action Framework, the River Basin Management Plan, the Waste Management Plan, the mitigation plan or adaptation strategy) may serve as the coordination framework, where support is envisaged for the areas concerned.

#### 4.6 ERASMUS +<sup>(4)</sup>

1. Member States shall seek to use ESI Funds to mainstream tools and methods developed and tested successfully under "Erasmus +" in order to maximise the social and economic impact of investment in people and, inter alia give impetus to youth initiatives and citizens actions.
2. Member States shall promote and ensure in accordance with Article 4, effective coordination between ESI Funds and 'Erasmus +' at national level through a clear distinction in the types of investment and target groups supported. Member States shall seek complementarity with regard to the funding of mobility actions.
3. Coordination shall be achieved by putting in place appropriate cooperation mechanisms between managing authorities and the national agencies established under the 'Erasmus +' programme, which can foster transparent and accessible communication towards citizens at Union, national and regional level.

#### 4.7 European Union Programme for Employment and Social Innovation (EaSI)<sup>(5)</sup>

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1. Member States shall promote and ensure in accordance with Article 4(6) effective coordination between the European Union Programme for Employment and Social Innovation (EaSI) and the support provided by the ESI Funds under the employment and social inclusion thematic objectives. That effective coordination includes coordination of support provided under the EURES axis of the EaSI with actions to enhance transnational labour mobility supported by the ESF in order to promote workers' geographical mobility and boost employment opportunities, as well as coordination between the ESI Funds' support for self-employment, entrepreneurship, business creation and social enterprises and the EaSI support under the microfinance and social entrepreneurship axis.
2. Member States shall seek to scale-up the most successful measures developed under the Progress axis of the EaSI, notably on social innovation and social policy experimentation with the support of the ESF.
- 4.8 Connecting Europe Facility (CEF)<sup>(6)</sup>
  1. To maximise European added value in the fields of transport, telecommunication and energy, Member States and the Commission shall ensure that ERDF and Cohesion Fund interventions are planned in close cooperation with the support provided from the CEF, so as to ensure complementarity, avoid duplication of efforts and ensure the optimal linkage of different types of infrastructure at local, regional and national levels, and across the Union. Maximum leverage of the different funding instruments shall be ensured for projects with a Union and Internal Market dimension, which deliver the highest European added-value, and promote social economic and territorial cohesion, in particular those projects implementing the priority transport, energy and digital infrastructure networks as identified in the respective trans-European network policy frameworks, in order to build new infrastructure and substantially upgrade existing infrastructure.
  2. In the field of transport, investment planning shall be based on real and projected transport demand and identify missing links and bottlenecks, taking into account, in a coherent approach, the development of Union cross border links, and developing links across regions within a Member State. Investments in regional connectivity to the comprehensive trans-European transport network (TEN-T) and to the core TEN-T network shall ensure that urban and rural areas benefit from the opportunities created by major networks.
  3. Prioritisation of investments which have an impact beyond a certain Member State, particularly those which are part of the core TEN-T network corridors, shall be coordinated with TEN-T planning and core network corridors implementation plans, so that investments by the ERDF and the Cohesion Fund in transport infrastructure are fully in line with the TEN-T Guidelines.
  4. Member States shall focus on sustainable forms of transport and sustainable urban mobility and on investing in areas that offer the greatest European added value, taking into account the need to improve the quality, accessibility and reliability of transport services to promote public transport. Once identified, investments shall be prioritised according to their contribution to mobility, sustainability, to reducing greenhouse gas emissions, and to the Single European Transport Area, in accordance with the vision set out in the White Paper entitled "Roadmap to a Single European Transport Area – Towards a competitive and resource efficient transport system", highlighting that a significant reduction in greenhouse gases is required in the transport sector. The contribution of projects to sustainable European freight transport networks through

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the development of inland waterways should be promoted on the basis of a prior assessment of their environmental impact.

5. The ESI Funds shall deliver the local and regional infrastructures and their linkages to the priority Union networks in the energy and telecommunication areas.
  6. Member States and the Commission shall put in place appropriate coordination and technical support mechanisms to ensure the complementarity and effective planning of ICT measures to make full use of the different Union instruments (ESI Funds, CEF, Trans-European networks, Horizon 2020) for the financing of broadband networks and the digital service infrastructures. The selection of the most appropriate financing instrument shall take into account the revenue generating potential of the operation and its level of risk in order to make the most effective use of public funds. In the context of their evaluation of applications for support from the ESI Funds, Member States should have regard to the evaluations of operations relating to those that have been submitted for CEF but not selected, without prejudice to the final selection decision by the managing authority.
- 4.9 Instrument for Pre-accession Assistance, European Neighbourhood Instrument and European Development Fund
1. Member States and the Commission shall, in accordance with their respective responsibilities, seek to increase coordination between external instruments and the ESI Funds to improve effectiveness in achieving multiple Union policy objectives. Coordination and complementarities with the European Development Fund, the Pre Accession Instrument and the European Neighbourhood Instrument is particularly important.
  2. To support deeper territorial integration, Member States shall seek to capitalise on synergies between territorial cooperation activities under cohesion policy and the European Neighbourhood Instruments, in particular with regard to cross border cooperation activities, taking account of the potential offered by EGTCs.
5. HORIZONTAL PRINCIPLES REFERRED TO IN ARTICLES 5, 7 AND 8 AND CROSS-CUTTING POLICY OBJECTIVES
- 5.1 Partnership and multi-level governance
1. In accordance with Article 5, the principle of partnership and multi-level governance shall be respected by Member States in order to facilitate achieving social, economic and territorial cohesion and delivery of the Union's priorities of smart, sustainable and inclusive growth. In order to respect those principles coordinated action is required, in particular between the different levels of governance, carried out in accordance with the principles of subsidiarity and proportionality, including by means of operational and institutional cooperation, with regard to the preparation and implementation of the Partnership Agreement and programmes.
  2. Member States shall examine the need for strengthening the institutional capacity of partners in order to develop their potential in contributing to the effectiveness of the partnership.
- 5.2 Sustainable development
1. Member States and managing authorities shall, in all phases of implementation, ensure the full mainstreaming of sustainable development into the ESI Funds, respecting the principle of sustainable development as laid down in Article 3(3) TEU, as well



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as complying with the obligation to integrate environmental protection requirements pursuant to Article 11 TFEU and the polluter pays principle as set out in Article 191(2) TFEU.

Managing authorities shall undertake actions throughout the programme lifecycle, to avoid or reduce environmentally harmful effects of interventions and ensure results in net social, environmental and climate benefits. Actions to be undertaken may include the following:

- (a) directing investments towards the most resource-efficient and sustainable options;
  - (b) avoiding investments that may have a significant negative environmental or climate impact, and supporting actions to mitigate any remaining impacts;
  - (c) taking a long-term perspective when 'life-cycle' costs of alternative options for investment are compared;
  - (d) increasing the use of green public procurement.
2. Member States shall take into consideration the climate change mitigation and adaptation potential of investments made with the support of the ESI Funds, in accordance with Article 8, and ensure that they are resilient to the impact of climate change and natural disasters such as increased risks of flooding, droughts, heat waves, forest fires and extreme weather events.
  3. Investments shall be consistent with the water management hierarchy, in line with Directive 2000/60/EC of the European Parliament and of the Council<sup>(7)</sup>, with a focus on demand management options. Alternative supply options shall only be considered when the potential for water savings and efficiency has been exhausted. Public intervention in the waste management sector shall complement efforts by the private sector, in particular in relation to producer responsibility. Investments shall encourage innovative approaches that promote high levels of recycling. Investments shall be consistent with the waste hierarchy established under Directive 2008/98/EC of the European Parliament and of the Council<sup>(8)</sup>. Expenditure related to biodiversity and the protection of natural resources shall be consistent with Council Directive 92/43/EEC<sup>(9)</sup>.
- 5.3 Promotion of equality between men and women and non-discrimination
1. In accordance with Article 7, Member States and the Commission shall pursue the objective of equality between men and women and shall take appropriate steps to prevent any discrimination during the preparation, implementation, monitoring and evaluation of operations in the programmes co-financed by the ESI Funds. When pursuing the objectives of Article 7, Member States shall describe actions to be taken, in particular with regard to selection of operations, setting of objectives for interventions, and arrangements for monitoring and reporting. Member States shall also carry out gender analyses where appropriate. In particular, specific targeted actions shall be supported through the ESF.
  2. Member States shall ensure, in accordance with Articles 5 and 7, the participation of the relevant bodies responsible for promoting gender equality and non-discrimination in the partnership, and ensure adequate structures in accordance with national practices to advise on gender equality, non-discrimination and accessibility in order to provide the necessary expertise in the preparation, monitoring and evaluation of the ESI Funds.

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3. Managing authorities shall undertake evaluations or self-assessment exercises, in coordination with the monitoring committees, focusing on the application of the gender mainstreaming principle.
  4. Member States shall address, in an appropriate manner, the needs of disadvantaged groups in order to allow them to better integrate into the labour market, and thereby facilitate their full participation in society.
- 5.4 Accessibility
1. Member States and the Commission shall, in accordance with Article 7, take appropriate steps to prevent any discrimination based on disability. Managing authorities shall ensure by means of action throughout programme lifecycles that all products, goods, services and infrastructures that are open or provided to the public and are co-financed by the ESI Funds are accessible to all citizens including those with disabilities in accordance with applicable law, thereby contributing to a barrier-free environment for persons with disabilities and the elderly. In particular, accessibility to the physical environment, transport, ICT in order to promote inclusion of disadvantaged groups, including persons with disabilities, shall be ensured. Actions to be undertaken may include directing investments towards accessibility in existing buildings and established services.
- 5.5 Addressing demographic change
1. The challenges resulting from demographic change, including in particular those related to a shrinking working population, an increasing proportion of retired people in the overall population and to depopulation, shall be taken into account at all levels. Member States shall make use of the ESI Funds, in line with relevant national or regional strategies, where such strategies are in place, to tackle demographic problems and to create growth linked to an ageing society.
  2. Member States shall use the ESI Funds, in line with relevant national or regional strategies to facilitate inclusion of all age groups, including through improved access to education and social support structures with a view to enhancing job opportunities for the elderly and young people and with a focus on regions with high rates of youth unemployment in comparison to the Union average rate. Investments in health infrastructures shall be aimed at ensuring a long and healthy working life for all of the Union's citizens.
  3. To address challenges in the regions most affected by demographic change, Member States shall in particular identify measures to:
    - (a) support demographic renewal through better conditions for families and an improved balance between working and family life;
    - (b) boost employment, raise productivity and economic performance through investing in education, ICT and research and innovation;
    - (c) focus on the adequacy and quality of education, training and social support structures as well as where appropriate, on the efficiency of social protection systems;
    - (d) promote cost-effective provision of health care and long-term care including investment in e-health, e-care and infrastructure.
- 5.6 Climate change mitigation and adaptation

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In accordance with Article 8, climate change mitigation and adaptation, and risk prevention shall be integrated in the preparation and implementation of Partnership Agreements and programmes.

## 6. ARRANGEMENTS FOR ADDRESSING KEY TERRITORIAL CHALLENGES

- 6.1 Member States shall take account of geographic or demographic features and take steps to address the specific territorial challenges of each region to unlock their specific development potential, thereby also helping them to achieve smart, sustainable and inclusive growth in the most efficient way.
- 6.2 The choice and combination of thematic objectives, as well as the selection of corresponding investment and Union priorities and the specific objectives set shall reflect the needs and potential for smart, sustainable and inclusive growth of each Member State and region.
- 6.3 When preparing Partnership Agreements and programmes Member States shall therefore take into consideration that the major societal challenges faced by the Union today – globalisation, demographic change, environmental degradation, migration, climate change, energy use, the economic and social consequences of the crisis – may have different impacts in different regions.
- 6.4 With a view to an integrated territorial approach to addressing territorial challenges Member States shall ensure that programmes under the ESI Funds reflect the diversity of European regions, in terms of employment and labour market characteristics, interdependencies between different sectors, commuting patterns, population ageing and demographic shifts, cultural, landscape and heritage features, climate change vulnerabilities and impacts, land use and resource constraints, potential for more sustainable use of natural resources including renewables, institutional and governance arrangements, connectivity and accessibility, and linkages between rural and urban areas. In accordance with point (a) of Article 15(1), Member States and regions shall therefore undertake the following steps for the purpose of preparation of their Partnership Agreements and programmes:
- (a) An analysis of the Member State's or region's characteristics, development potential and capacity, particularly in relation to the key challenges identified in the Union strategy for smart, sustainable and inclusive growth, the National Reform Programmes, where appropriate, relevant country-specific recommendations adopted in accordance with Article 121(2) TFEU and in relevant Council recommendations adopted in accordance with Article 148(4) TFEU;
  - (b) An assessment of the major challenges to be addressed by the region or Member State, the identification of the bottlenecks and missing links, innovation gaps, including the lack of planning and implementation capacity that inhibit the long-term potential for growth and jobs. This shall form the basis for the identification of the possible fields and activities for policy prioritisation, intervention and concentration;
  - (c) An assessment of the cross-sectoral, cross-jurisdictional or cross-border coordination challenges, particularly in the context of macro-regional and sea-basin strategies;
  - (d) Identification of steps to achieve improved coordination across different territorial levels, taking account of the appropriate territorial scale and context for policy design as well as Member States' institutional and legal framework, and sources of funding to deliver an integrated approach linking the Union strategy for smart, sustainable and inclusive growth with regional and local actors.

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- 6.5 In order to take into account the objective of territorial cohesion, the Member States and regions shall, in particular, ensure that the overall approach to promoting smart, sustainable and inclusive growth in the areas concerned:
- (a) reflects the role of cities, urban and rural areas, fisheries and coastal areas, and areas facing specific geographical or demographic handicaps;
  - (b) takes account of the specific challenges of the outermost regions, the northernmost regions with a very low population density and of island, cross-border or mountain regions;
  - (c) addresses urban-rural linkages, in terms of access to affordable, high quality infrastructure and services, and problems in regions with a high concentration of socially marginalised communities.
7. COOPERATION ACTIVITIES
- 7.1 Coordination and complementarity
1. Member States shall seek complementarity between cooperation activities and other actions supported by the ESI Funds.
  2. Member States shall ensure that cooperation activities make an effective contribution to the objectives of the Union strategy for smart, sustainable and inclusive growth and that cooperation is organised in support of wider policy goals. To achieve this Member States and the Commission shall, in accordance with their respective responsibilities, ensure complementarity and coordination with other Union-funded programmes or instruments.
  3. To reinforce the effectiveness of cohesion policy Member States shall seek coordination and complementarity between programmes under the European territorial cooperation goal and the Investment for growth and jobs goal, in particular to ensure coherent planning and facilitate the implementation of large-scale investment.
  4. Member States shall, where appropriate, ensure that the objectives of macro-regional and sea-basin strategies form part of the overall strategic planning, in Partnership Agreements, in accordance with Article 15(2) of this Regulation, and in programmes in the regions and Member States concerned in accordance with the relevant provisions of the Fund-specific rules. Member States shall seek also to ensure that where macro-regional and sea basin strategies have been put in place, the ESI Funds support their implementation in accordance with Article 15(2) of this Regulation and the relevant provisions of the Fund-specific rules and in line with the needs of the programme area identified by the Member States. To ensure efficient implementation there shall also be coordination with other Union-funded instruments and other relevant instruments.
  5. Member States shall, where appropriate, make use of the possibility of carrying out interregional and transnational actions with beneficiaries located in at least one other Member State within the framework of the operational programmes under the Investment for growth and jobs goal, including on the implementation of relevant research and innovation measures emanating from their 'smart specialisation' strategies.
  6. Member States and regions shall make the best use of territorial cooperation programmes in overcoming barriers to cooperation beyond administrative borders, while contributing to the Union strategy for smart, sustainable and inclusive growth

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as well as strengthening economic, social and territorial cohesion. In this context, particular attention shall be paid to the regions covered by Article 349 TFEU.

## 7.2 Cross-border, transnational and interregional cooperation under the ERDF

1. Member States and regions shall seek to make use of cooperation to achieve critical mass, inter alia, in the field of ICT and research and innovation, and also to promote the development of joint smart specialisation approaches and partnerships among educational institutions. Interregional cooperation shall, where appropriate, include fostering cooperation between innovative research-intensive clusters and exchanges between research institutions taking into consideration the experience of "Regions of Knowledge" and "Research Potential in Convergence and Outermost Regions" under the Seventh Framework Programme for Research.
2. Member States and regions shall, in the areas concerned, seek to draw on cross-border and transnational cooperation to:
  - (a) ensure that areas that share major geographical features (islands, lakes, rivers, sea basins or mountain ranges) support the joint management and promotion of their natural resources;
  - (b) exploit the economies of scale that can be achieved, in particular with regard to investment related to the shared use of common public services;
  - (c) promote coherent planning and development of cross-border network infrastructure, in particular missing cross-border links, and environmentally friendly and interoperable transport modes in larger geographical areas;
  - (d) achieve critical mass, particularly in the field of research and innovation and ICT, education and in relation to measures improving the competitiveness of SMEs;
  - (e) strengthen cross-border labour market services to foster the mobility of workers across borders;
  - (f) improve cross-border governance.
3. Member States and regions shall seek to make use of interregional cooperation to reinforce the effectiveness of Cohesion Policy by encouraging exchange of experience between regions and cities to enhance design and implementation of programmes under the Investment for growth and jobs goal and the European territorial cooperation goal.

## 7.3 Contribution of mainstream programmes to macro-regional and sea-basin strategies

1. In accordance with point (a)(ii) of Article 15(2) of this Regulation and the relevant provisions of the Fund-specific rules Member States shall seek to ensure successful mobilisation of Union funding for macro-regional and sea-basin strategies in line with the needs of the programme area identified by the Member States. Ensuring successful mobilisation may be done, among other actions, by prioritising operations deriving from macro-regional and sea-basin strategies by organising specific calls for them or giving priority to these operations in the selection process through identification of operations which can be jointly financed from different programmes.
2. Member States shall consider making use of relevant transnational programmes as frameworks to support the range of policies and funds needed to implement macro-regional and sea-basin strategies.

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3. Member States shall promote, where appropriate, the use of ESI Funds in the context of macro-regional strategies, for the creation of European transport corridors, including supporting modernisation of customs, the prevention, preparedness and response to natural disasters, water management at river basin level, green infrastructure, integrated maritime cooperation across borders and sectors, R&I and ICT networks and management of shared marine resources in the sea basin and protection of marine biodiversity.
- 7.4 Transnational cooperation under the ESF
  1. Member States shall seek to address policy areas identified in the relevant Council recommendations in order to maximise mutual learning.
  2. Member States shall, where appropriate, select the themes for transnational activities and establish appropriate implementation mechanisms in accordance with their specific needs.

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- (1) Regulation (EU) No 1287/2013 of the European Parliament and of the Council of 11 December 2013 establishing a Programme for the Competitiveness of Enterprises and small and medium-sized enterprises (COSME) (2014 - 2020) and repealing Decision No 1639/2006/EC (See page 33 of this Official Journal).
- (2) Commission Decision 2010/670/EU of 3 November 2010 laying down criteria and measures for the financing of commercial demonstration projects that aim at the environmentally safe capture and geological storage of CO<sub>2</sub> as well as demonstration projects of innovative renewable energy technologies under the scheme for greenhouse gas emission allowance trading within the Community established by Directive 2003/87/EC of the European Parliament and of the Council (OJ L 290, 6.11.2010, p. 39).
- (3) Regulation (EU) No 1293/2013 of the European Parliament and of the Council of 11 December 2013 on the establishment of a Programme for the Environment and Climate Action (LIFE) and repealing Regulation (EC) No 614/2007 (See page 185 of this Official Journal).
- (4) Regulation (EU) No 1288/2013 of the European Parliament and of the Council of 11 December 2013 establishing "Erasmus+": the Union programme for education, training, youth and sport and repealing Decisions Nos 1719/2006/EC, 1720/2006/EC and 1298/2008/EC (See page 50 of this Official Journal).
- (5) Regulation (EU) No 1296/2013 of the European Parliament and of the Council of 11 December 2013 on a European Union Programme for Employment and Social Innovation ("EaSI") and amending Decision No 283/2010/EU establishing a European Progress Microfinance Facility for employment and social inclusion (See page 238 of this Official Journal).
- (6) Regulation (EU) No 1316/2013 of the European Parliament and of the Council of 11 December 2013, establishing the Connecting Europe Facility, amending Regulation (EU) No 913/2010 and repealing Regulations (EC) No 680/2007 and (EC) No 67/2010 (OJ L 348, 20.12.2013, p. 129).
- (7) Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p. 1).
- (8) Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).
- (9) Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7).

**Changes to legislation:**

There are outstanding changes not yet made to Regulation (EU) No 1303/2013 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to :**

- Regulation disapplied by [S.I. 2019/625 reg. 3Sch. 1](#) (This amendment not applied to legislation.gov.uk. Regulations revoked (13.10.2020) by S.I. 2020/1114, regs. 1(2), 2)
- Regulation power to modify conferred by [2023 asc 4 s. 19](#)
- Regulation power to modify conferred by [2020 c. 21 s. 16](#)
- Regulation power to modify conferred by [2020 c. 21 Sch. 5 para. 6](#)
- Regulation power to modify conferred by [2020 c. 21 Sch. 6 para. 7](#)
- Regulation power to modify conferred (temp.) by [2020 asp 17 s. 2](#)
- Regulation power to modify conferred (temp.) by [2020 asp 17 s. 3](#)
- Regulation power to modify conferred (temp.) by [2020 asp 17 s. 4](#)
- Regulation revoked in part by [S.I. 2020/1542 Sch. Pt. 2](#)
- Annex 1 omitted by [S.I. 2021/400 reg. 6\(35\)](#)
- Annex 1 words omitted in earlier amending provision S.I. 2019/785, reg. 18(2) by [S.I. 2020/1542 reg. 13\(11\)\(a\)](#)
- Annex 1 words substituted by [S.I. 2019/785 reg. 18\(2\)](#)
- Recital 10 Sentence 2 replacement by [EUR 2018/1046 Regulation](#)

**Changes and effects yet to be applied to the whole legislation item and associated provisions**

- Title 2 omitted by [S.I. 2021/400 reg. 6\(7\)](#)
- Title 3 Ch. 1 omitted by [S.I. 2021/400 reg. 6\(8\)](#)
- Title 7 Ch. 2 heading substituted by [S.I. 2021/400 reg. 6\(22\)](#)
- Title 9 Ch. 1 omitted by [S.I. 2021/400 reg. 6\(30\)](#)
- Title 9 Ch. 2 omitted by [S.I. 2021/400 reg. 6\(30\)](#)
- Pt. 2 Title 8 omitted by [S.I. 2019/785 reg. 12](#)
- Pt. 2 heading substituted by [S.I. 2019/785 reg. 5\(1\)](#)
- Pt. 2 Title 1 heading substituted by [S.I. 2019/785 reg. 5\(2\)](#)
- Pt. 2 heading words omitted in earlier amending provision S.I. 2019/785, reg. 5(1) by [S.I. 2020/1542 reg. 13\(3\)\(a\)](#)
- Pt. 2 Title 1 heading words omitted in earlier amending provision S.I. 2019/785, reg. 5(2) by [S.I. 2020/1542 reg. 13\(3\)\(b\)](#)
- Pt. 3 omitted by [S.I. 2019/785 reg. 14](#)
- Signature words omitted by [S.I. 2019/785 reg. 17\(2\)](#)
- Annex 1 para. 2(3) omitted by [S.I. 2019/785 reg. 18\(5\)\(e\)](#)
- Annex 1 para. 3.1(2) omitted by [S.I. 2019/785 reg. 18\(6\)\(a\)\(ii\)](#)
- Annex 1 para. 3.2(1)(b) omitted by [S.I. 2019/785 reg. 18\(6\)\(b\)\(ii\)](#)
- Annex 1 para. 3.2(1)(f) omitted by [S.I. 2019/785 reg. 18\(6\)\(b\)\(ii\)](#)
- Annex 1 para. 3.3(2) omitted by [S.I. 2019/785 reg. 18\(6\)\(c\)\(ii\)](#)
- Annex 1 para. 4.2(2) omitted by [S.I. 2019/785 reg. 18\(7\)\(c\)\(ii\)](#)
- Annex 1 para. 4.3-4.9 omitted by [S.I. 2019/785 reg. 18\(7\)\(d\)](#)
- Annex 1 para. 6.4(a) omitted by [S.I. 2019/785 reg. 18\(9\)\(d\)\(ii\)](#)
- Annex 1 para. 7.1(3)-(5) omitted by [S.I. 2019/785 reg. 18\(10\)\(a\)\(iii\)](#)
- Annex 1 para. 1 substituted by [S.I. 2019/785 reg. 18\(4\)](#)
- Annex 1 para. 2 heading substituted by [S.I. 2019/785 reg. 18\(5\)\(a\)](#)
- Annex 1 para. 3.2(1) substituted by [S.I. 2019/785 reg. 18\(6\)\(b\)\(i\)](#)
- Annex 1 para. 3.1 word omitted by [S.I. 2019/785 reg. 18\(6\)\(a\)\(i\)\(bb\)](#)
- Annex 1 para. 3.3(1) word omitted by [S.I. 2019/785 reg. 18\(6\)\(c\)\(i\)\(cc\)](#)
- Annex 1 para. 4 word omitted by [S.I. 2019/785 reg. 18\(7\)\(a\)\(iv\)](#)



- Annex 1 para. 4.1(1) word omitted by S.I. 2019/785 reg. 18(7)(b)(i)(bb)
- Annex 1 para. 4.1(2) word omitted by S.I. 2019/785 reg. 18(7)(b)(v)
- Annex 1 para. 5.5(2) word omitted by S.I. 2019/785 reg. 18(8)(e)(ii)(bb)
- Annex 1 para. 6.4 word omitted by S.I. 2019/785 reg. 18(9)(d)(i)(bb)
- Annex 1 para. 2 words omitted by S.I. 2019/785 reg. 18(5)(b)
- Annex 1 para. 2 words omitted by S.I. 2019/785 reg. 18(5)(c)
- Annex 1 para. 3.1 words omitted by S.I. 2019/785 reg. 18(6)(a)(i)(cc)
- Annex 1 para. 3.3(1) words omitted by S.I. 2019/785 reg. 18(6)(c)(i)(bb)
- Annex 1 para. 3.3(3) words omitted by S.I. 2019/785 reg. 18(6)(c)(iii)
- Annex 1 para. 5.1(1) words omitted by S.I. 2019/785 reg. 18(8)(a)(i)(bb)
- Annex 1 para. 5.1(1) words omitted by S.I. 2019/785 reg. 18(8)(a)(i)(cc)
- Annex 1 para. 5.2(1) words omitted by S.I. 2019/785 reg. 18(8)(b)(i)(aa)
- Annex 1 para. 5.2(1) words omitted by S.I. 2019/785 reg. 18(8)(b)(i)(bb)
- Annex 1 para. 5.2(1) words omitted by S.I. 2019/785 reg. 18(8)(b)(i)(cc)
- Annex 1 para. 5.5(2) words omitted by S.I. 2019/785 reg. 18(8)(e)(ii)(cc)
- Annex 1 para. 5.6 words omitted by S.I. 2019/785 reg. 18(8)(f)
- Annex 1 para. 6.3 words omitted by S.I. 2019/785 reg. 18(9)(c)(i)
- Annex 1 para. 6.4 words omitted by S.I. 2019/785 reg. 18(9)(d)(i)(cc)
- Annex 1 para. 6.4 words omitted by S.I. 2019/785 reg. 18(9)(d)(i)(dd)
- Annex 1 para. 6.4(d) words omitted by S.I. 2019/785 reg. 18(9)(d)(iv)(bb)
- Annex 1 para. 7(6) words omitted by S.I. 2019/785 reg. 18(10)(a)(iv)(bb)
- Annex 1 para. 7(6) words omitted by S.I. 2019/785 reg. 18(10)(a)(iv)(cc)
- Annex 1 para. 7.2-7.4 words omitted by S.I. 2019/785 reg. 18(10)(b)
- Annex 1 para. 2 heading words omitted in earlier amending provision S.I. 2019/785, reg. 18(3) by S.I. 2020/1542 reg. 13(11)(b)
- Annex 1 para. 4 heading words omitted in earlier amending provision S.I. 2019/785, reg. 18(3) by S.I. 2020/1542 reg. 13(11)(b)
- Annex 1 para. 1 words omitted in earlier amending provision S.I. 2019/785, reg. 18(4) by S.I. 2020/1542 reg. 13(11)(c)
- Annex 1 para 3s. 3.3(4) words omitted in earlier amending provision S.I. 2019/785, reg. 18(6)(c)(iv) by S.I. 2020/1542 reg. 13(11)(d)
- Annex 1 para 6s. 6.2 words omitted in earlier amending provision S.I. 2019/785, reg. 18(9)(b)(i) by S.I. 2020/1542 reg. 13(11)(e)
- Annex 1 para. 2 heading words substituted by S.I. 2019/785 reg. 18(3)
- Annex 1 para. 2 words substituted by S.I. 2019/785 reg. 18(5)(d)(i)
- Annex 1 para. 2 words substituted by S.I. 2019/785 reg. 18(5)(d)(ii)
- Annex 1 para. 3.1 words substituted by S.I. 2019/785 reg. 18(6)(a)(i)(aa)
- Annex 1 para. 3.3(1) words substituted by S.I. 2019/785 reg. 18(6)(c)(i)(aa)
- Annex 1 para. 3.3(4) words substituted by S.I. 2019/785 reg. 18(6)(c)(iv)
- Annex 1 para. 4 heading words substituted by S.I. 2019/785 reg. 18(3)
- Annex 1 para. 4 words substituted by S.I. 2019/785 reg. 18(7)(a)(i)
- Annex 1 para. 4 words substituted by S.I. 2019/785 reg. 18(7)(a)(ii)
- Annex 1 para. 4 words substituted by S.I. 2019/785 reg. 18(7)(a)(iii)
- Annex 1 para. 4.1(1) words substituted by S.I. 2019/785 reg. 18(7)(b)(i)(aa)
- Annex 1 para. 4.1(1) words substituted by S.I. 2019/785 reg. 18(7)(b)(i)(cc)
- Annex 1 para. 4.1(2) words substituted by S.I. 2019/785 reg. 18(7)(b)(iii)
- Annex 1 para. 4.1(2) words substituted by S.I. 2019/785 reg. 18(7)(b)(iv)
- Annex 1 para. 4.1(2) words substituted by S.I. 2019/785 reg. 18(7)(b)(vi)
- Annex 1 para. 4.1(2) words substituted by S.I. 2019/785 reg. 18(7)(b)(vii)
- Annex 1 para. 4.2(1) words substituted by S.I. 2019/785 reg. 18(7)(c)(i)(aa)
- Annex 1 para. 4.2(1) words substituted by S.I. 2019/785 reg. 18(7)(c)(i)(bb)
- Annex 1 para. 4.2(1) words substituted by S.I. 2019/785 reg. 18(7)(c)(i)(cc)
- Annex 1 para. 5.1(1) words substituted by S.I. 2019/785 reg. 18(8)(a)(i)(aa)
- Annex 1 para. 5.1(2) words substituted by S.I. 2019/785 reg. 18(8)(a)(ii)
- Annex 1 para. 5.2(2) words substituted by S.I. 2019/785 reg. 18(8)(b)(ii)
- Annex 1 para. 5.3(1) words substituted by S.I. 2019/785 reg. 18(8)(c)(i)(aa)
- Annex 1 para. 5.3(1) words substituted by S.I. 2019/785 reg. 18(8)(c)(i)(bb)
- Annex 1 para. 5.3(1) words substituted by S.I. 2019/785 reg. 18(8)(c)(i)(cc)

- Annex 1 para. 5.3(2) words substituted by S.I. 2019/785 reg. 18(8)(c)(ii)
- Annex 1 para. 5.3(4) words substituted by S.I. 2019/785 reg. 18(8)(c)(ii)
- Annex 1 para. 5.4(1) words substituted by S.I. 2019/785 reg. 18(8)(d)
- Annex 1 para. 5.5(1) words substituted by S.I. 2019/785 reg. 18(8)(e)(i)
- Annex 1 para. 5.5(2) words substituted by S.I. 2019/785 reg. 18(8)(e)(ii)(aa)
- Annex 1 para. 5.5(3) words substituted by S.I. 2019/785 reg. 18(8)(e)(iii)
- Annex 1 para. 6.1 words substituted by S.I. 2019/785 reg. 18(9)
- Annex 1 para. 6.2 words substituted by S.I. 2019/785 reg. 18(9)(b)(i)
- Annex 1 para. 6.2 words substituted by S.I. 2019/785 reg. 18(9)(b)(ii)
- Annex 1 para. 6.3 words substituted by S.I. 2019/785 reg. 18(9)(c)(ii)
- Annex 1 para. 6.3 words substituted by S.I. 2019/785 reg. 18(9)(c)(iii)
- Annex 1 para. 6.4 words substituted by S.I. 2019/785 reg. 18(9)(d)(i)(aa)
- Annex 1 para. 6.4(b) words substituted by S.I. 2019/785 reg. 18(9)(d)(iii)
- Annex 1 para. 6.4(d) words substituted by S.I. 2019/785 reg. 18(9)(d)(iv)(aa)
- Annex 1 para. 6.5 words substituted by S.I. 2019/785 reg. 18(9)(e)
- Annex 1 para. 7(6) words substituted by S.I. 2019/785 reg. 18(10)(a)(iv)(aa)
- Annex 1 para. 7.1(1) words substituted by S.I. 2019/785 reg. 18(10)(a)(i)
- Annex 1 para. 7.1(2) words substituted by S.I. 2019/785 reg. 18(10)(a)(ii)
- Annex 4 para. 1(d) omitted by S.I. 2021/400 reg. 6(36)(a)(i)
- Annex 4 para. 2 omitted by S.I. 2021/400 reg. 6(36)(b)
- Annex 4 para. 1 words omitted by S.I. 2019/785 reg. 20(2)(a)
- Annex 4 para. 1(e) words omitted by S.I. 2019/785 reg. 20(2)(b)
- Annex 4 para. 1(f) words omitted by S.I. 2019/785 reg. 20(2)(c)
- Annex 4 para. 1 words omitted by S.I. 2021/400 reg. 6(36)(a)(iv)
- Annex 4 para. 1(e) words omitted by S.I. 2021/400 reg. 6(36)(a)(ii)
- Annex 4 para. 1(k) words omitted by S.I. 2021/400 reg. 6(36)(a)(iii)
- Annex 4 para. 1(i)(j) words omitted in earlier amending provision S.I. 2019/785, reg. 20(2)(d) by S.I. 2020/1542 reg. 13(12)(a)
- Annex 4 para. 2(c) words omitted in earlier amending provision S.I. 2019/785, reg. 20(3) by S.I. 2020/1542 reg. 13(12)(b)
- Annex 4 para. 1(i) words substituted by S.I. 2019/785 reg. 20(2)(d)
- Annex 4 para. 1(j) words substituted by S.I. 2019/785 reg. 20(2)(d)
- Annex 4 para. 2(c) words substituted by S.I. 2019/785 reg. 20(3)
- Annex 11 Pt. 1 omitted by S.I. 2019/785 reg. 22(2)
- Annex 11 Pt. 2 word omitted by S.I. 2019/785 reg. 22(3)(d)
- Annex 11 Pt. 2 word omitted by S.I. 2019/785 reg. 22(3)(f)
- Annex 11 Pt. 2 word omitted by S.I. 2019/785 reg. 22(3)(g)
- Annex 11 Pt. 2 word omitted by S.I. 2019/785 reg. 22(3)(h)
- Annex 11 Pt. 2 words omitted by S.I. 2019/785 reg. 22(3)(b)
- Annex 11 Pt. 2 words omitted in earlier amending provision S.I. 2019/785, reg. 22(3) (a) by S.I. 2020/1542 reg. 13(13)(a)
- Annex 11 Pt. 2 words omitted in earlier amending provision S.I. 2019/785, reg. 22(3) (c) by S.I. 2020/1542 reg. 13(13)(b)
- Annex 11 Pt. 2 words substituted by S.I. 2019/785 reg. 22(3)(a)
- Annex 11 Pt. 2 words substituted by S.I. 2019/785 reg. 22(3)(c)
- Annex 11 Pt. 2 words substituted by S.I. 2019/785 reg. 22(3)(e)(i)
- Annex 11 Pt. 2 words substituted by S.I. 2019/785 reg. 22(3)(e)(ii)
- Annex 11 Pt. 2 table words omitted by S.I. 2020/1470 Sch. 1 para. 7(9)
- Art. 1(1)-(4) omitted by S.I. 2019/785 reg. 4(1)(d)(i)
- Art. 1(5) substituted by S.I. 2019/785 reg. 4(1)(d)(ii)
- Art. 1(6) substituted by S.I. 2019/785 reg. 4(1)(d)(iii) (This amendment not applied to legislation.gov.uk. Reg. 4(1)(d)(iii) omitted immediately before IP completion day by virtue of S.I. 2020/1542, reg. 13(2)(a)(iii))
- Art. 2(1) omitted by S.I. 2019/785 reg. 4(2)(a)
- Art. 2(4) omitted by S.I. 2021/400 reg. 6(3)(a)
- Art. 2(4) substituted by S.I. 2019/785 reg. 4(2)(b)
- Art. 2(4) words omitted in earlier amending provision S.I. 2019/785, reg. 4(2)(b) by S.I. 2020/1542 reg. 13(2)(b)(i)(aa)

- Art. 2(4) words omitted in earlier amending provision S.I. 2019/785, reg. 4(2)(b) by S.I. 2020/1542 reg. 13(2)(b)(i)(bb)
- Art. 2(5) omitted by S.I. 2021/400 reg. 6(3)(b)
- Art. 2(5) substituted by S.I. 2019/785 reg. 4(2)(c)
- Art. 2(6) substituted by S.I. 2019/785 reg. 4(2)(d)
- Art. 2(6) word substituted in earlier amending provision S.I. 2019/785, reg. 4(2)(d) by S.I. 2020/1542 reg. 13(2)(b)(ii)
- Art. 2(8) substituted by S.I. 2019/785 reg. 4(2)(e)
- Art. 2(8) words omitted in earlier amending provision S.I. 2019/785, reg. 4(2)(e) by S.I. 2020/1542 reg. 13(2)(b)(iii)(bb)
- Art. 2(8) words substituted in earlier amending provision S.I. 2019/785, reg. 4(2)(e) by S.I. 2020/1542 reg. 13(2)(b)(iii)(aa)
- Art. 2(10) words substituted by S.I. 2019/785 reg. 4(2)(f)
- Art. 2(10)(a) omitted by S.I. 2021/400 reg. 6(3)(c)(i)
- Art. 2(10)(a) words substituted by S.I. 2020/477 reg. 2(2)
- Art. 2(10)(b) words omitted by S.I. 2021/400 reg. 6(3)(c)(ii)
- Art. 2(13) omitted by S.I. 2021/400 reg. 6(3)(d)
- Art. 2(15) omitted by S.I. 2021/400 reg. 6(3)(e)
- Art. 2(15) substituted by S.I. 2019/785 reg. 4(2)(g)
- Art. 2(15) words omitted in earlier amending provision S.I. 2019/785, reg. 4(2)(g) by S.I. 2020/1542 reg. 13(2)(b)(iv)
- Art. 2(16) substituted by S.I. 2019/785 reg. 4(2)(h)
- Art. 2(19) words omitted by S.I. 2019/785 reg. 4(2)(i)
- Art. 2(20) omitted by S.I. 2019/785 reg. 4(2)(j)
- Art. 2(21) omitted by S.I. 2021/400 reg. 6(3)(f)
- Art. 2(21) words inserted by S.I. 2019/785 reg. 4(2)(k)
- Art. 2(22) omitted by S.I. 2019/785 reg. 4(2)(j)
- Art. 2(23) omitted by S.I. 2019/785 reg. 4(2)(j)
- Art. 2(26) words omitted by S.I. 2021/400 reg. 6(3)(g)
- Art. 2(27) omitted by S.I. 2021/400 reg. 6(3)(h)
- Art. 2(28) omitted by S.I. 2021/400 reg. 6(3)(h)
- Art. 2(28) words inserted by S.I. 2019/785 reg. 4(2)(l)
- Art. 2(29) omitted by S.I. 2021/400 reg. 6(3)(h)
- Art. 2(29) words omitted by S.I. 2019/785 reg. 4(2)(m)
- Art. 2(30) omitted by S.I. 2021/400 reg. 6(3)(h)
- Art. 2(30) words omitted by S.I. 2019/785 reg. 4(2)(m)
- Art. 2(31)(32) omitted by S.I. 2019/785 reg. 4(2)(n)
- Art. 2(33) omitted by S.I. 2021/400 reg. 6(3)(h)
- Art. 2(33)(34) words omitted in earlier amending provision S.I. 2019/785, reg. 4(2)(o) by S.I. 2020/1542 reg. 13(2)(b)(v)
- Art. 2(33) words substituted by S.I. 2019/785 reg. 4(2)(o)
- Art. 2(34) words substituted by S.I. 2019/785 reg. 4(2)(o)
- Art. 2(35) omitted by S.I. 2019/785 reg. 4(2)(p)
- Art. 2(36) substituted by S.I. 2019/785 reg. 4(2)(q)
- Art. 2(36) words omitted in earlier amending provision S.I. 2019/785, reg. 4(2)(q) by S.I. 2020/1542 reg. 13(2)(b)(vi)
- Art. 2(37) substituted by S.I. 2019/785 reg. 4(2)(r)
- Art. 2(37) words omitted in earlier amending provision S.I. 2019/785, reg. 4(2)(r) by S.I. 2020/1542 reg. 13(2)(b)(vii)
- Art. 2(38) omitted by S.I. 2021/400 reg. 6(3)(i)
- Art. 2(39) omitted by S.I. 2021/400 reg. 6(3)(i)
- Art. 2(39) words substituted by S.I. 2019/785 reg. 4(2)(s) (This amendment not applied to legislation.gov.uk. Reg. 4(2)(s) omitted immediately before IP completion day by virtue of S.I. 2020/1542, reg. 13(2)(b)(viii))
- Art. 2(40)-(46) inserted by S.I. 2019/785 reg. 4(2)(t)
- Art. 2(42) omitted by S.I. 2021/400 reg. 6(3)(i)
- Art. 2(43) words omitted in earlier amending provision S.I. 2019/785, reg. 4(2)(t) by S.I. 2020/1542 reg. 13(2)(b)(ix)(aa)

- Art. 2(44) words omitted in earlier amending provision S.I. 2019/785, reg. 4(2)(t) by [S.I. 2020/1542 reg. 13\(2\)\(b\)\(ix\)\(bb\)](#)
- Art. 2(46) omitted in earlier amending provision S.I. 2019/785, reg. 4(2)(t) by [S.I. 2020/1542 reg. 13\(2\)\(b\)\(ix\)\(cc\)](#)
- Art. 2(47)(48) inserted by [S.I. 2019/748 reg. 74](#)
- Art. 2(47)(a) omitted in earlier amending provision S.I. 2019/748, reg. 74 by [S.I. 2020/1542 reg. 14\(a\)](#)
- Art. 2(48) omitted in earlier amending provision S.I. 2019/748, reg. 74 by [S.I. 2020/1542 reg. 14\(b\)](#)
- Art. 5(1)(a) words omitted by [S.I. 2019/785 reg. 5\(4\)\(b\)](#)
- Art. 8(2) substituted by [S.I. 2019/785 reg. 5\(7\)\(b\)](#)
- Art. 8(2) substituted by [S.I. 2021/400 reg. 6\(6\)](#)
- Art. 8(2) words omitted in earlier amending provision S.I. 2019/785, reg. 5(7)(b) by [S.I. 2020/1542 reg. 13\(3\)\(e\)\(ii\)\(aa\)](#)
- Art. 8(2) words omitted in earlier amending provision S.I. 2019/785, reg. 5(7)(b) by [S.I. 2020/1542 reg. 13\(3\)\(e\)\(ii\)\(bb\)](#)
- Art. 9(1) substituted by [S.I. 2019/785 reg. 6\(1\)\(a\)](#)
- Art. 11(a) omitted by [S.I. 2019/785 reg. 6\(3\)\(a\)](#)
- Art. 11(c) words substituted by [S.I. 2019/785 reg. 6\(3\)\(c\)](#)
- Art. 11(e) words omitted by [S.I. 2019/785 reg. 6\(3\)\(d\)](#)
- Art. 11(f) words omitted by [S.I. 2019/785 reg. 6\(3\)\(e\)](#)
- Art. 33(1)(c) words substituted by [S.I. 2019/785 reg. 7\(7\)\(a\)\(i\)](#)
- Art. 33(1)(g) words substituted by [S.I. 2019/785 reg. 7\(7\)\(a\)\(ii\)](#)
- Art. 33(1)(g) words substituted in earlier affecting provision S.I. 2019/785, reg. 7(7)(a)(ii) by [S.I. 2020/1542 reg. 13\(5\)\(d\)](#)
- Art. 37(2)(a) words omitted by [S.I. 2021/400 reg. 6\(12\)\(c\)](#)
- Art. 37(2)(b) words omitted by [S.I. 2020/1470 Sch. 1 para. 7\(2\)\(b\)](#)
- Art. 37(2)(b) words omitted in earlier amending provision S.I. 2019/785, reg. 8(1)(c) by [S.I. 2020/1542 reg. 13\(6\)\(a\)\(ii\)](#)
- Art. 37(2)(b) words substituted by [S.I. 2019/785 reg. 8\(1\)\(c\)](#)
- Art. 37(2)(d) words substituted by [S.I. 2019/785 reg. 8\(1\)\(d\)](#)
- Art. 38(4)(a) substituted by [S.I. 2019/785 reg. 8\(2\)\(d\)\(i\)](#)
- Art. 38(4)(a) words omitted in earlier amending provision S.I. 2019/785, reg. 8(2)(d)(i) by [S.I. 2020/1542 reg. 13\(6\)\(b\)\(i\)](#)
- Art. 38(4)(b)(i) omitted by [S.I. 2019/785 reg. 8\(2\)\(d\)\(ii\)\(aa\)](#)
- Art. 38(4)(b)(iii) words omitted by [S.I. 2019/1422 reg. 14\(3\)](#)
- Art. 38(4)(b)(iii) words omitted in earlier amending provision S.I. 2019/785, reg. 8(2)(d)(ii)(dd) by [S.I. 2020/1542 reg. 13\(6\)\(b\)\(ii\)](#)
- Art. 38(4)(b)(iii) words substituted by [S.I. 2019/785 reg. 8\(2\)\(d\)\(ii\)\(cc\)](#)
- Art. 38(4)(b)(iii) words substituted by [S.I. 2019/785 reg. 8\(2\)\(d\)\(ii\)\(dd\)](#)
- Art. 38(4)(b)(ii) words substituted by [S.I. 2019/785 reg. 8\(2\)\(d\)\(ii\)\(bb\)](#)
- Art. 38(7)(a) omitted by [S.I. 2021/400 reg. 6\(13\)\(b\)\(i\)](#)
- Art. 38(7)(b) words omitted by [S.I. 2021/400 reg. 6\(13\)\(b\)\(ii\)](#)
- Art. 40(5A) omitted by [S.I. 2021/400 reg. 6\(14\)\(c\)](#)
- Art. 40(5A) words substituted by [S.I. 2019/785 reg. 8\(4\)\(d\)](#)
- Art. 41(1)(a) substituted by [S.I. 2021/400 reg. 6\(15\)\(a\)\(ii\)](#)
- Art. 41(1)(b) words omitted by [S.I. 2021/400 reg. 6\(15\)\(a\)\(iii\)](#)
- Art. 41(1)(c) omitted by [S.I. 2021/400 reg. 6\(15\)\(a\)\(iv\)](#)
- Art. 41(1)(d) words omitted by [S.I. 2021/400 reg. 6\(15\)\(a\)\(v\)](#)
- Art. 42(4)(a) words omitted in earlier amending provision S.I. 2019/785, reg. 8(5) by [S.I. 2020/1542 reg. 13\(6\)\(c\)](#)
- Art. 42(4)(a) words substituted by [S.I. 2019/785 reg. 8\(5\)](#)
- Art. 43a(i) words omitted in earlier amending provision S.I. 2019/785, reg. 8(7)(a)(i) by [S.I. 2020/1542 reg. 13\(6\)\(e\)](#)
- Art. 44(1)(b) words omitted in earlier amending provision S.I. 2019/785, reg. 8(8)(b) by [S.I. 2020/1542 reg. 13\(6\)\(f\)\(ii\)](#)
- Art. 44(1)(b) words substituted by [S.I. 2019/785 reg. 8\(8\)\(b\)](#)
- Art. 59(1A) substituted by [S.I. 2019/785 reg. 10\(2\)\(b\)](#)

- Art. 59(3)(a) omitted by S.I. 2019/785 reg. 10(2)(d)(ii)
- Art. 59(3)(b) words substituted by S.I. 2019/785 reg. 10(2)(d)(iii)
- Art. 61(7)(a) omitted by S.I. 2019/785 reg. 11(2)(f)(i)
- Art. 61(7)(b) sum substituted by S.I. 2021/400 reg. 6(21)(d)(i)
- Art. 61(7)(d) omitted by S.I. 2021/400 reg. 6(21)(d)(ii)
- Art. 61(7)(h) omitted by S.I. 2021/400 reg. 6(21)(d)(iii)
- Art. 61(7)(h) words substituted by S.I. 2019/785 reg. 11(2)(f)(ii)(aa)
- Art. 61(7)(h) words substituted by S.I. 2019/785 reg. 11(2)(f)(ii)(bb) (This amendment not applied to legislation.gov.uk. Reg. 11(2)(f)(ii)(bb) omitted immediately before IP completion day by virtue of S.I. 2020/1542, reg. 13(9)(a)(ii))
- Art. 63(1)(b) words substituted by S.I. 2019/785 reg. 11(4)(a)
- Art. 64(1)(b) words omitted by S.I. 2019/785 reg. 11(5)(a)(ii)
- Art. 65(8)(a) omitted by S.I. 2021/400 reg. 6(24)(d)(i)
- Art. 65(8)(e) omitted by S.I. 2020/1470 Sch. 1 para. 7(7)
- Art. 65(8)(f) words omitted by S.I. 2021/400 reg. 6(24)(d)(ii)
- Art. 65(8)(g) words omitted by S.I. 2021/400 reg. 6(24)(d)(iii)
- Art. 65(8)(h) omitted by S.I. 2021/400 reg. 6(24)(d)(iv)
- Art. 65(8)(h) words substituted by S.I. 2019/785 reg. 11(6)(d)(ii)(aa)
- Art. 65(8)(h) words substituted by S.I. 2019/785 reg. 11(6)(d)(ii)(bb) (This amendment not applied to legislation.gov.uk. Reg. 11(6)(d)(ii)(bb) omitted immediately before IP completion day by virtue of S.I. 2020/1542, reg. 13(9)(e)(v)(bb))
- Art. 65(8)(i) words substituted by S.S.I. 2020/477 reg. 2(7)(c)
- Art. 67(1)(e) words substituted by S.I. 2019/748 reg. 84(a)
- Art. 67(5)(b) omitted by S.I. 2019/785 reg. 11(8)(c)(ii)
- Art. 67(5)(c) words substituted by S.I. 2019/785 reg. 11(8)(c)(iii)
- Art. 67(5)(d) words omitted by S.I. 2021/400 reg. 6(26)(c)(ii)
- Art. 67(5)(e) words omitted by S.I. 2021/400 reg. 6(26)(c)(iii)
- Art. 67(5)(aa) sum substituted by S.I. 2021/400 reg. 6(26)(c)(i)(bb)
- Art. 67(5)(aa) words omitted by S.I. 2021/400 reg. 6(26)(c)(i)(aa)
- Art. 67(5)(aa) words substituted by S.S.I. 2020/477 reg. 2(8)
- Art. 67(5)(aa) words substituted by S.I. 2019/785 reg. 11(8)(c)(i)
- Art. 69(1)(d) words substituted by S.I. 2019/785 reg. 11(12)(a)(i)(bb)
- Art. 70(2)(b) substituted by S.I. 2019/785 reg. 11(13)(b)(ii)
- Art. 70(2)(b) words omitted in earlier amending provision S.I. 2019/785, reg. 11(13)(b)(ii) by S.I. 2020/1542 reg. 13(9)(i)(ii)
- Art. 70(2)(c) omitted by S.I. 2021/400 reg. 6(28)(b)
- Art. 125(2)(a) omitted by S.I. 2021/400 reg. 6(31)
- Art. 125(2)(b) omitted by S.I. 2021/400 reg. 6(31)
- Art. 125(2)(b) substituted by S.I. 2019/785 reg. 15(2)(a)(i) (This amendment not applied to legislation.gov.uk. Reg. 15 omitted immediately before IP completion day by virtue of S.I. 2020/1542, reg. 13(10))
- Art. 125(2)(e) words omitted by S.I. 2019/785 reg. 15(2)(a)(ii) (This amendment not applied to legislation.gov.uk. Reg. 15 omitted immediately before IP completion day by virtue of S.I. 2020/1542, reg. 13(10))
- Art. 125(3)(b) words omitted by S.I. 2019/785 reg. 15(2)(b)(i)(bb) (This amendment not applied to legislation.gov.uk. Reg. 15 omitted immediately before IP completion day by virtue of S.I. 2020/1542, reg. 13(10))
- Art. 125(3)(b) words substituted by S.I. 2019/785 reg. 15(2)(b)(i)(aa) (This amendment not applied to legislation.gov.uk. Reg. 15 omitted immediately before IP completion day by virtue of S.I. 2020/1542, reg. 13(10))
- Art. 125(3)(f) words substituted by S.I. 2019/785 reg. 15(2)(b)(ii) (This amendment not applied to legislation.gov.uk. Reg. 15 omitted immediately before IP completion day by virtue of S.I. 2020/1542, reg. 13(10))
- Art. 125(3)(g) words omitted by S.I. 2019/785 reg. 15(2)(b)(iii) (This amendment not applied to legislation.gov.uk. Reg. 15 omitted immediately before IP completion day by virtue of S.I. 2020/1542, reg. 13(10))

- Art. 125(4)(a) word substituted by [S.I. 2019/785 reg. 15\(2\)\(c\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Reg. 15 omitted immediately before IP completion day by virtue of S.I. 2020/1542, reg. 13(10))
- Art. 125(4)(d) words omitted by [S.I. 2019/785 reg. 15\(2\)\(c\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. Reg. 15 omitted immediately before IP completion day by virtue of S.I. 2020/1542, reg. 13(10))
- Art. 125(4)(e) omitted by [S.I. 2019/785 reg. 15\(2\)\(c\)\(iii\)](#) (This amendment not applied to legislation.gov.uk. Reg. 15 omitted immediately before IP completion day by virtue of S.I. 2020/1542, reg. 13(10))
- Art. 126(a) words substituted by [S.I. 2019/785 reg. 15\(3\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Reg. 15 omitted immediately before IP completion day by virtue of S.I. 2020/1542, reg. 13(10))
- Art. 126(g) words omitted by [S.I. 2019/785 reg. 15\(3\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Reg. 15 omitted immediately before IP completion day by virtue of S.I. 2020/1542, reg. 13(10))
- Art. 126(h) omitted by [S.I. 2019/785 reg. 15\(3\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Reg. 15 omitted immediately before IP completion day by virtue of S.I. 2020/1542, reg. 13(10))
- Art. 132(2)(a) omitted by [S.I. 2021/400 reg. 6\(33\)\(b\)](#)