



Ministry of Development, Public Works  
and Administration

General Directorate European Territorial Cooperation  
Directorate MA European Territorial Cooperation Programmes

No. 74632/24.06.2022

**INSTRUCTION No. 7**

Regarding the obligation of the beneficiaries to introduce all information and documents of the projects to the electronic data system EMS ENI of the ENI CBC Joint Operational Programme Romania - Republic of Moldova 2014-2020 and the obligation of the JTS to check the presence of the respective documents in the EMS

**TO: Beneficiaries of the ENI CBC Joint Operational Programme Romania  
Republic of Moldova 2014-2020**

**Joint Technical Secretariat of the ENI CBC Joint Operational  
Programme Romania - Republic of Moldova 2014-2020**

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**FROM: Iulia Hertzog, Head of the Managing Authority for the Joint  
Operational Programme Romania - Republic of Moldova 2014-2020**

Having regard to Article 30 point 1 c) *General principles of management and control systems* from the Commission Implementing Regulation (EC) No 897 of 18 August 2014 laying down specific provisions for the implementation of cross-border cooperation programmes financed under Regulation (EC) No 232/2014 of the European Parliament and of the Council establishing a European Neighbourhood Instrument (ENI CBC Implementing Rules), with further modifications and completions,

In order to comply with the obligations, set out in the grant contract regarding the provision of all information related to the projects, respectively:

*Art. 1.14 The Lead Beneficiary and the Beneficiaries shall ensure the necessary IT equipment and proper internet connection in order to communicate with the Programme in a proper manner.*

*The Lead Beneficiary and the Beneficiaries shall upload data into EMS ENI electronic system of the Programme in accordance with the MA/ JTS instructions.*

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*Art. 5.1 The Lead Beneficiary and the Beneficiaries shall provide the MA/JTS with all required information on the implementation of the project, in the language of the Contract.*

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*Art 6 - Role of the Lead Beneficiary*

*The Lead Beneficiary shall:*

*[...]*

*d) be responsible, together with all the Beneficiaries, for supplying and uploading into the EMS ENI electronic system of the Programme documents and information related to project's implementation according to MA/JTS instructions, in particular reports, modification requests and the requests for payment. Where information from the Beneficiaries is required, the Lead Beneficiary shall be responsible for obtaining, verifying and consolidating this information before passing it on to the MA/ JTS.*

*Any information provided, as well as any request made by the Lead Beneficiary to the MA, shall be deemed to have the agreement of all the Beneficiaries;*

And, in accordance with Art. 1.12 of the grant contract:

*The Lead Beneficiary and the Beneficiaries understand and agree that, for the sound implementation of the Contract and of the Programme, the MA, either directly or through the JTS, may issue mandatory instructions, guidelines, and manuals in line with the provisions of the Contract,*

#### **THE MANAGING AUTHORITY HAS ISSUED THE FOLLOWING INSTRUCTION:**

**Article 1.** Beneficiaries shall upload to the EMS ENI system all documents referred to in *Article 5 - Obligation to provide information and reports* of the grant contract as they are issued.

**Article 2.** In the case of documents issued prior to the date of this instruction, the beneficiaries shall upload them to the system before submitting the next report provided according to article 5 of the grant contract, but not later than the submission of the final report. When the report has been already submitted at the date when this instruction enters into force, the beneficiaries must upload all the documents before the final payment of MA for the project.

**Article 3.** The presence of documents in the EMS ENI system shall be checked by JTS together with the verification of the intermediate / final reports.

**Article 4.** The Managing Authority will publish this instruction on the Programme's website, and the Joint Technical Secretariat will communicate it by email to the beneficiaries.

**Article 5.** The provisions laid down in this Instruction are **mandatory** for all beneficiaries of a grant contract under the ENI CBC Joint Operational Programme Romania - Republic of Moldova 2014-2020, in accordance with Article 1.12 of the grant contract, and for the Joint Technical Secretariat of the ENI CBC Joint Operational Programme Romania Republic of Moldova 2014-2020.

**Article 6.** This instruction enters into force at the date of its signature.