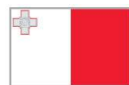


Operational Programme I 2014-2020

*Fostering a competitive and sustainable economy to meet
our challenges*



European Union
European Structural and Investment Funds



Ex-Ante Conditionalities (Article 19 CPR)

- There are two types: **thematic** ex-ante conditionalities, related to a sector or policy (e.g. R&D, active inclusion) and **general** ex-ante conditionalities, which can apply to all sectors and policies (e.g. public procurement, anti-discrimination rules);
- The ex-ante conditionalities are set out in the Fund-specific rules and reflect existing commitments or obligations that should be fulfilled as a general rule by programme adoption at the latest;

Ex-Ante Conditionalities (Article 19 CPR)

- In case applicable ex-ante conditionalities are not fulfilled (either completely or partially not-fulfilled), Member States need to prepare an Action Plan to indicate the actions to be taken, the responsible bodies and a timetable to ensure that they will be fulfilled at the latest by the end of 2016;
- If the Commission concludes that the applicable ex-ante conditionalities have not been fulfilled, interim payments may be suspended in accordance with Art. 142 (1) (e) of the CPR by Commission Decision.

Ex-Ante Conditionalities (status as reported in OP)

In the Case of OPI, sixteen (16) thematic ex-ante conditionalities are applicable

Ex-ante conditionality	Priority Axis	Status Achieved
1.1 – Research and innovation: smart specialisation strategy	PA 1	Partially
1.2 – Research and Innovation infrastructure: multi- annual plan for budgeting and prioritisation of investments		No
2.1 – Digital growth: A strategic policy framework for digital growth	PA 2	Yes
3.1 – Promotion of entrepreneurship taking into account the Small Business Act (SBA).	PA 3	Partially
4.1 – Energy efficiency in infrastructure, public buildings, housing sector 4.3 – Renewable Energy	PA 4	Partially Yes

Ex-Ante Conditionalities (as at February 2015)

Ex-ante conditionality	Priority Axis	Status Achieved
6.1 – Water 6.2 – Waste	PA 10	No Yes
7.1 – Transport 7.1 – Other modes of Transport	PA 11 PA 7	No No
9.1 – Active Inclusion 9.3 – Active Health	PA 6 PA 8	Partially Partially
10.1 – Early School Leaving 10.2 – Higher Education 10.3 – Lifelong Learning 10.4 – Vocational Education and Training	PA 9	Partially Partially Partially Partially

Ex-Ante Conditionalities (as at February 2015)

No.	Subject	Criteria not fulfilled	By when	By who
1.1	Research and Innovation: The existence of a national or regional smart specialisation strategy in line with the National Reform Programme, to leverage private research and innovation expenditure, which complies with the features of well-performing national or regional research and innovation systems.	A national or regional smart specialisation strategy is in place that:		Ministry for Education and Employment (MEDE) Malta Council for Science and Technology (MCST)
		- outlines measures to stimulate private RTD investment;	30/06/2015	
		- contains a monitoring mechanism.	31/12/2015	
		A framework outlining available budgetary resources for research and innovation has been adopted	30/06/2015	

Ex-Ante Conditionalities (as at February 2015)

No.	Subject	Criteria not fulfilled	By when	By who
1.2	Research and Innovation infrastructure: The existence of a multi-annual plan for budgeting and prioritization of investments	A national multi-annual plan for budgeting and prioritization of investments is developed.	30/06/2015	Ministry for Education and Employment (MEDE) Malta Council for Science and Technology (MCST)

Ex-Ante Conditionalities (as at February 2015)

No.	Subject	Criteria not fulfilled	By when	By who
3.1	Specific Actions have been carried out to underpin the promotion of entrepreneurship taking into account the Small Business Act (SBA)	measures have been put in place with the objective of reducing the time and cost involved in setting-up a business taking account of the targets of the SBA;	31/12/2015	Ministry for the Economy, Investment and Small Business
		a mechanism is in place to monitor the implementation of the measures of the SBA which have been put in place and assess the impact on SM	31/03/2015 (Completed)	

Ex-Ante Conditionalities (as at February 2015)

No.	Subject	Criteria not fulfilled	By when	By who
4.1	Actions have been carried out to promote cost-effective improvements of energy end use efficiency and cost-effective investment in Energy efficiency when constructing or renovating buildings.	The actions are: measures to ensure minimum requirements are in place related to the energy performance of buildings consistent with Article 3, Article 4 and Article 5 of Directive 2010/31/EU of the European Parliament and of the Council;	01/01/2016	Ministry for Transport and Infrastructure (MTI) Building Regulations Office (BRO)
		The actions are: measures necessary to establish a system of certification of the energy performance of buildings consistent with Article 11 of Directive 2010/31/EU;	31/12/2015	

Ex-Ante Conditionalities (as at February 2015)

No.	Subject	Criteria not fulfilled	By when	By who
5.1	Risk prevention and risk management: the existence of national or regional risk assessments for disaster management taking into account climate change adaptation	<p>A national risk assessment for disaster management, taking into account climate change adaptation, is developed</p> <p>NB: Reported in the Partnership Agreement (as this covers all ESIF) but not in the ERDF/CF Operational Programme I.</p>	31/12/2015	Ministry for Home Affairs and National Security (MHAS) Civil Protection Department (CPD)

Ex-Ante Conditionalities (as at February 2015)

No.	Subject	Criteria not fulfilled	By when	By who
6.1	Water sector: The existence of (a) a water pricing policy which provides adequate incentives for users to use water resources efficiently and (b) an adequate contribution of the different water uses to the recovery of the costs of water services at a rate determined in the approved river basin management plan for investment supported by the programmes	<p>In sectors supported by the ERDF, the Cohesion Fund and the EAFRD, a Member State has ensured a contribution of the different water uses to the recovery of the costs of water services by sector consistent with the first indent of Article 9(1) of Directive 2000/60/EC having regard, where appropriate, to the social, environmental and economic effects of the recovery as well as the geographic and climatic conditions of the region or regions affected.</p> <p>The adoption of a river basin management plan for the river basin district consistent with Article 13 of Directive 2000/60/EC.</p>	22/12/2015	Ministry for Energy and Health (MEH), Ministry for Sustainable Development, the Environment and Climate Change (MSDEC), Malta Environment and Planning (MEPA), Malta Resources Authority (MRA) Lead: MEH (SEWCU), Supporting Competent Authorities: MEPA, MRA

Ex-Ante Conditionalities (as at February 2015)

No.	Subject	Criteria not fulfilled	By when	By who
7.1	Road Transport: The existence of a comprehensive plan(s) or plans or framework(s) or frameworks for transport investment in accordance with the Member States' institutional set-up (including public transport at regional and local level) which supports infrastructure development and improves connectivity to the TEN-T comprehensive and core networks)	A national transport strategy and a national transport master plan with the support of a new national transport model is developed.	30/09/2015	Ministry for Transport and Infrastructure (MTI) Integrated Transport Strategy Directorate within Transport Malta

Ex-Ante Conditionalities (as at February 2015)

No.	Subject	Criteria not fulfilled	By when	By who
7.3	Other modes of transport, including inland-waterways and maritime transport, ports, multimodal links and airport infrastructure: The existence within the comprehensive transport plan or plan(s) or framework or framework(s) of an explicit specific section on inland-waterways and maritime transport, ports multimodal links and airport infrastructure, which contribute to improve connectivity to the TEN-T comprehensive and core networks and to promoting sustainable regional and local mobility.	A national transport strategy and a national transport master plan with the support of a new national transport model is developed.	30/09/2015	Ministry for Transport and Infrastructure (MTI) Integrated Transport Strategy Directorate within Transport Malta

Ex-Ante Conditionalities (as at February 2015)

No.	Subject	Completed	By who
9.1	The existence and the implementation of a national strategic policy framework for poverty reduction aiming at the active inclusion of people excluded from the labour market in the light of the Employment guidelines	National Strategic Policy for Poverty Reduction & Social Inclusion (Malta 2014-2024)	Ministry for the Family and Social Solidarity (MFSS)
9.3	Health: The existence of a national or regional strategic policy framework for health within the limits of Article 168 TFEU ensuring economic sustainability	National Health Systems Strategy for Malta 2014-2020, supplemented by a Health System Performance Assessment and a Budgetary Framework for the National Health Systems	Ministry for Energy and Health (MEH)

Ex-Ante Conditionalities (as at February 2015)

No.	Subject	Completed	By who
10.1	Early school leaving: The existence of a strategic policy framework to reduce early school leaving (ESL) within the limits of Article 165 TFEU	A Strategic Plan for the Prevention of Early School Leaving in Malta 2014	Ministry for Education and Employment (MEDE)
10.2	Higher Education: The existence of a national or regional strategic policy framework for increasing tertiary education attainment, quality and efficiency within the limits of Article 165 TFEU	A Higher Education Strategy for Malta 2014	Ministry for Education and Employment (MEDE)
10.3	Lifelong learning: The existence of a national and/or regional strategic policy framework for lifelong learning within the limits of Article 165 TFEU	Malta National Lifelong Learning Strategy 2020	Ministry for Education and Employment (MEDE)
10.4	Vocational training and dual learning systems The existence of a national or regional strategic policy framework for increasing the quality and efficiency of VET systems within the limits of Article 165 TFEU	National Vocational Education and Training Policy for Malta	Ministry for Education and Employment (MEDE)

Ex-Ante Conditionalities (status as reported in OP)

Seven (7) general ex-ante conditionalities, all of which are applicable

Ex-ante conditionality	Priority axes to which conditionality applies	Ex-ante Conditionality Fulfilled (Yes/No/Partially)
G1 – Anti Discrimination	All: PA 1, PA 2, PA 3, PA 4, PA 5, PA 6, PA 7, PA 8, PA 9 ,PA 10, PA 11 PA 12	Yes
G2 – Gender Equality	All: PA1, PA2, PA3, PA4, PA5, PA6, PA7, PA8, PA9, PA10, PA11 and PA12	Yes
G3 – Disability	All: PA1, PA2, PA3, PA4, PA5, PA6, PA7, PA8, PA9, PA10, PA11 and PA12	Yes
G4 – Public Procurement	All: PA1, PA2, PA3, PA4, PA5, PA6, PA7, PA8, PA9, PA10, PA11 and PA12	Yes
G5 – State Aid	PA1, PA2, PA3, PA4, PA5, PA6, PA7, PA8, PA9, PA10 and PA11	Yes
G6 – Environmental Legislation	PA1, PA2, PA3, PA4, PA5, PA6, PA7, PA8, PA9, PA10 and PA11	Yes
G7 – Statistical systems and result indicators	PA1, PA2, PA3, PA4, PA5, PA6, PA7, PA8, PA9, PA10 and PA11	Yes

Ex-Ante Conditionalities (follow up)

Monitoring and Evaluation through:



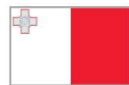
- Regular bi-lateral meetings with all line ministries/entities;
- Feedback received, measuring progress and acting accordingly;
- Regular reporting to the EC in order to expediently close all pending EACs.

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