

MINISTERU GHALL-AFFARIJJIET
EWROPEJ U UGWALJANZA

SEGRETARJAT PARLAMENTARI
GHALL-FONDI EWROPEJ U
DJALOGU SOCJALI



MINISTRY FOR EUROPEAN AFFAIRS
AND EQUALITY

PARLIAMENTARY SECRETARIAT
FOR EUROPEAN FUNDS AND
SOCIAL DIALOGUE

Diviżjoni għall-Ippjanar u Koordinazzjoni tal-Prijoritajiet

Planning and Priorities Co-ordination Division

Date 2nd July 2018

MA Circular 05/2018

To: Project Leaders
European Structural and Investment Funds 2014-2020 Horizontal Stakeholders

Re: Documents to be uploaded on the Structural Funds Database 2014-2020

Following the experience gained through the implementation of the Structural and Cohesion Fund Programmes, the initial implementation of operations under the Cohesion Policy 2014-2020 and the overall objectives to facilitate the management and control function through the use of ICT, the Managing Authority (MA) is hereby providing guidance on the documents to be uploaded on the Structural Funds Database (SFD) 2014-2020, which should be the main repository for documents of all stakeholders involved in the implementation of Structural and Cohesion funds in Malta. This is being done in order to ensure consistency of information when conducting checks on payments being processed, first-level controls as well as audits, to provide clear guidance, eliminate unnecessary duplication of work, reduce administrative burden and ensure that Malta is in line with principles of 'e-Cohesion'¹. In addition, beneficiaries (BNs) and stakeholders should note that the requirements for the availability of documents is to be in line with Article 140 of (EU) 1303/2013.

Documents uploaded in the Structural Funds Database 2014-2020 should only be in Portable Document Format (PDF). The Structural Funds Database includes a number of help screens which one can make reference to when uploading documentation. Further assistance on how to upload documents on SFD 2014-2020 may be sought by contacting the Structural Funds Database Unit with the MA via telephone on 2200 1142 or via e-mail at eufunds.ict.meae@gov.mt.

¹Depending on the outcome of the management verifications carried out Beneficiaries are to note that the Managing Authority can request additional documentation if deemed necessary.

SECTION 1: At *Operation* level:

- Preliminary Agreement and subsequently the Grant Agreement between the MA and the BN;
- Any addenda to the Grant Agreement or in absence of addenda, official letters issued by the MA.

SECTION 2: At *Procurement and Contract* level:

■ Direct Orders:

At Procurement level

- The documentation justifying the reasons why the beneficiary opted for a direct award including the necessary request for approval;
- Direct Order approval by MFIN (Direct Orders Office) as applicable;

At Contract level

- The agreement between the buyer and the seller. Ideally, this shall include details of the deliverables, the timing for the delivery, as applicable, and price agreed for the service/works/supply;

■ Quotations:

At Procurement level

- The request for quotation together with the details of to whom the request or call for quotation was sent to;
- The selected quotation;
- Evaluation report as approved by head of organisation/ DCC, as applicable;

At Contract level

- The agreement between the buyer and the seller. Ideally, this shall include details of the deliverables, the timing for the delivery, as applicable, and price agreed for the service/works/supply.

■ Works/Supply/Service Contracts:

At Procurement level

- Tender document, including any changes to the tender document during the publication period;
- Evaluation Report as approved by head of organization/DCC/GCC, as applicable;
- Summary of the Bills of Quantity (BoQ) or Terms of Reference (ToRs);

At Contract level

- Contract up to signatures as well as Special conditions;

- The Performance Guarantee, (together with a copy of the extended guarantee) if and where applicable;
 - A copy of the insurance policy;
 - Order to start works/ Commencement letter (as applicable);
 - Any addenda to the contract. In case of addenda recording variations, the necessary approval of the Head of Organisation and DoC, is to be uploaded accordingly.
- Contract for employment:
- At *Procurement* level
- The call for employment published;
 - Evaluation report as approved by Head of organisation/ DCC, as applicable;
- For documentation to be uploaded at *Contract* level Beneficiaries are to make reference to MA Circular 01/2018.
- Travel agreements:

No documentation is to be uploaded under Procurement and Contract level. All documentation is to be uploaded at invoice level.

SECTION 3: At *Invoice* level:

- Invoice or tax invoice or accounting documents of equivalent probative value such as the Request for payment including reimbursement request;
- Reports submitted upon request for payments related to project milestones/achievements *for example: inception report, final reports², attendance sheets³;*

In case of reimbursement claims, the corresponding invoice;

- In the case of advance payments, the Pre-Financing Guarantee and a copy of the extended guarantee if need;
 - In the case of works or technical supplies, the Certificate of Works for the particular invoice and summary of the BoQ being certified through that particular invoice;
 - Fiscal receipts or other proof of payment where fiscal receipts do not apply;
 - In case of final payment, Acceptance certificate and a copy of the Retention Guarantee where applicable.
- Staff costs in the form of a simplified cost option:

² In case of reports which include sensitive information about participants should not be uploaded but filed at the beneficiary's end. The beneficiary is to ensure such reports are accessible, readily available, documented in line with contract requirements and made available to any of the stakeholders checking the expenditure incurred.

³ Only when needed as a proof of claim as specified in the terms of reference.

Documentation in relation to employment with employees working full-time employment, fixed part-time employment and staff working on a funded project for a dedicated number of hours are to follow the MA Circular 01/2018.⁴

- Travel costs in the form of a simplified cost option:
 - Travel Agenda;
 - Boarding Passes / Train tickets;
 - Certificate of Participation / Attendance / Travel Report;
 - Statement of Expenditure in the case of claiming subsistence allowance;
 - Receipts related to contingency claims⁵.

In the case of claims processed on the basis of simplified cost options which are not delineated above, beneficiaries and stakeholders are to be guided by the details inserted in the Grant Agreement or relevant addenda where applicable, on the documentary evidence required and necessary payment triggers.

SECTION 4: GENERAL INFORMATION

Data Protection and Retention

In all cases, it is the responsibility of the beneficiary / stakeholder uploading the documents / information on SFD to ensure that the General Data Protection Regulation (2016/679) and the Data Protection Act (Chapter 586) and any subsequent amendments, are being observed and that individuals / enterprises are informed that the data concerned will be accessible to national and EU stakeholders (or delegated bodies) for payment, control and audit purposes in line with Article 125 of the CPR. In case of electronic data retention this should be retained for five years following the last payment processed for the project.

Jonathan Vassallo
Head Managing Authority

⁴ A copy of the MA Circular 01/2018 Reimbursement request form: Staff Costs – all Beneficiaries can be found on the EU Funds Website: <https://eufunds.gov.mt>.

⁵ These include hotel / airport transfers and local transportation to / from the airport.