

**MFEA  
MT NATIONAL AUTHORITY  
MANUAL OF PROCEDURES  
COVERING  
2014-2020 ERASMUS+ AND EUROPEAN SOLIDARITY  
CORPS PROGRAMMES  
VERSION 4.1**

## Table of Contents

Part - A	General Introduction.....	4
1)	List of abbreviations and definitions.....	4
2)	List of Annexes .....	4
3)	List of laws, regulations and directives .....	4
Part - B	General Provisions .....	6
4)	General Provisions .....	6
a)	Aims and Objectives.....	6
b)	Checks on the NA Work Programme (WP) .....	8
c)	Checks on the Yearly NA report .....	9
d)	Classification and rating framework for observations/recommendations.....	9
Part - C	Communications and Monitoring.....	11
5)	Communication and Monitoring.....	11
a)	The National Agency .....	11
b)	The Commission.....	11
6)	Internal/External Communication .....	11
7)	MEMOS .....	11
8)	E+ Committee Meetings and NAU Seminar Meetings.....	12
9)	Ministerial Programme Implementation Steering Committee (MPISC) .....	<b>Error! Bookmark not defined.</b>
Part - D	Relationship between the NAU and the NA .....	13
10)	Memorandum of Understanding (MOU).....	13
11)	Co-financing .....	13
12)	Co-funding.....	14
Part - E	Checks by the National Authority and Reporting .....	15
13)	NAU Checks and Reporting.....	15
a)	Annual October report.....	15
b)	EU Secretariat .....	15
c)	NAU Monitoring checks .....	16
d)	Independent Audit Body (IAB) .....	16
e)	Risk Assessment.....	17
f)	Obligation to inform the Commission.....	18
g)	Review of NA Activity Report.....	18
h)	Interim report .....	19

i) Follow up Checks on Observations issued by the Commission ... <b>Error! Bookmark not defined.</b>	
Part - F Other NAU Obligations .....	23
15) Other obligations of the NAU .....	23
a) Removing legal and administrative obstacles - Article 27(3).....	23
b) Designate a National Agency (or National Agencies) .....	23
c) Provide the Commission with appropriate ex-ante compliance assessment that the National Agency complies with all legal requirements; .....	24
d) Revocation and reinstatement of a National Agency .....	24
e) NA Legal representative.....	25
Part - G Irregularity, Negligence and Fraud.....	26
f) <i>The NAU is liable to reimburse to the Commission the funds not recovered</i> in the event of any irregularity, negligence or fraud attributable to the National Agency, or any serious shortcomings or underperformance on the part of the National Agency, where this gives rise to claims by the Commission against the National Agency.....	26
Part - H Internal NAU matters.....	28
16) Information Technology.....	28
17) Staff Training.....	28
18) Audit Trail.....	28

## Part - A General Introduction

### 1) List of abbreviations and definitions

MoP	–	Manual of Procedures
NA	–	National Agency
NAU	–	National Authority
AP	–	Audit Plan
IAB	–	Independent Audit body
MoU	–	Memorandum of Understanding
EU SEC	–	European Secretariat
EC	–	European Commission
MEDE	-	Ministry for Education and Employment
MFEA	-	Ministry for Foreign and European Affairs

Day – Refers to Working Days

### 2) List of Annexes

Annex 1 – Organigramme FPD  
 Annex 2 – Organigramme NAU  
 Annex 3 – Internal Memo HR Policies  
 Annex 4 – Closing premises and setting the alarm  
 Annex 5 – Parking courtesy  
 Annex 6 – CCTV System  
 Annex 7 – Flexitime  
 Annex 8 –  
 Annex 9 –  
 Annex 10 – Checklist for IAB work Conducted  
 Annex 11 – Checklist for Work Programme Draft 1  
 Annex 12 – Checklist for Work Programme Draft 2  
 Annex 13 – Checklist for Work Programme Final  
 Annex 14 – Check on IAB Audit Work  
 Annex 15 – Memo  
 Annex 16 – Checklist for NA YR Analysis  
 Annex 17 – NA Interim Report

### 3) List of laws, regulations and directives

The National Authority (NAU) is the regulatory body for the EU Educational Programmes administered by the EUPA on behalf of the Office of the Permanent Secretary of the Parliamentary Secretariat for EU Funds, under the Ministry for Foreign and European Affairs (MFEA). The Agency forms part of the Ministry of Education and Employment (MEDE) and as such is a public service organisation.

The NAU is thus governed by all laws, regulations, directives or circulars issued under the appropriate legislation and procedures applicable to the public service, including inter alia:

- a. The Constitution of Malta;
- b. The Public Administration Act (I of 2009);
- c. The Financial Administration and Audit Act (Cap. 174);

- d. The Public Procurement Regulations (Legal Notice 296/2010);
- e. All directives, circulars and procedures issued by various ministries particularly those issued by the Office of the Prime Minister (OPM), the Ministry of Finance (MFIN) and the Ministry of Education and Employment (MEDE),
- f. Public Service Management Code [click here](#). The National Authority falls within the public service, and consequently it is governed by the PSMC. The PSMC brings together, in concise form, all standing regulations, circulars and policies on HR Management in the Public Service. Its provisions are aimed to uphold the core values of the Public Service as announced in the Public Administration Act (PAA). The PSMC contains provisions related to:
  - a. Resourcing Policies and procedures
  - b. Pay and allowances
  - c. Hours and extra duty
  - d. Leave
  - e. Family friendly measures
  - f. Treasury pension arrangements
  - g. Conduct
  - h. Transport and subsistence
  - i. Staff welfare
  - j. Discipline
- g. Manual on Staff Development in Public Administration [click here](#)
- h. Internal Memos issued from time to time. (Refer to Annex 15 of this MoP)
- i. Government of Malta ICT Policies, Directives and Standards, collectively referred to as the GMICT Policy Framework [click here](#)
- j. REGULATION (EU) No 182/2011 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers [click here](#)
- k. REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ESTABLISHING "ERASMUS+": THE UNION PROGRAMME FOR EDUCATION, TRAINING, YOUTH AND SPORT AND REPEALING DECISIONS No 1719/2006/EC, No 1720/2006/EC AND No 1298/2008/EC [click here](#)
- l. SUBSIDIARY LEGISLATION 327.316 EUROPEAN UNION PROGRAMMES AGENCY REGULATIONS [click here](#)
- m. SUBSIDIARY LEGISLATION 174.04 Public procurement regulations [click here](#)
- n. COMMISSION DELEGATED REGULATION (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union [click here](#)
- o. Financial Responsibility Act [click here](#)

## Part - B General Provisions

### 4) General Provisions

The role that NAUs play in the overall assurance process has changed in comparison with the predecessor programmes LLP and YiA. It has new roles and responsibilities within the assurance process as well as the protection of the Union's financial interests. However, it should be stressed that the NAU keep their existing role of ensuring the links between the Programme, national policy and other (national or European) programmes.

Monitoring and supervision activities of the NAU are not limited to these areas. They are free to do more to protect their own financial interests and can also report on these activities in the October report, but the Commission does not require the National Authority to carry out additional specific verifications, checks or audits other than those pertaining to the fulfilment of its legal responsibilities which are presented in the next chapter.

#### a) Aims and Objectives

**The National Authority shall monitor and supervise the management of the Programme at National level and conduct controls in line with the communication and guidance provided by the Commission**

- 1) The NAU shall ensure that there is efficient and effective programme implementation. [For details please refer to Section 13\(g\) detailing Checks on the Yearly NA Report, Section13\(h\) detailing the interim report process and Section 13\(e\) detailing the risk assessment process](#)
- 2) The NAU shall facilitate the enhancement of the management system and the achievement of the defined objectives [For details please refer to Section 13\(h\) detailing the interim report process and Section 13\(e\) detailing the risk assessment process and Section 8 giving details on the regular meetings between the NA NAU and MEDE.](#)
- 3) The NAU shall monitor and supervise how the management of the entrusted task is carried out in terms of budget execution ([for details of this please refer to the Interim Report Procedure Section 13\(h\)](#)), used resources ([for details please refer to Section 11 on Co-financing](#)), effective risk management ([for details please refer to Section 13\(e\)](#)) and in terms of results and outputs/impact ([for details of this please refer to Section 13\(g\) which includes details on checks to be conducted on NA Activity Report and Section13\(h\) detailing the interim report process](#)).
- 4) The overall goals of the NAU's monitoring and supervision activities aim to ensure:
  - i) In close cooperation with the NA, the follow-up and adaption of the strategic framework for the implementation of the Programme covering its full duration (2014 – 2020) as specified in the yearly NA work programme (Part I);
  - ii) In close cooperation with the NA, for each specific programme objective specified in Part I of the yearly NA work programme, an appropriate target setting for the NA operational objectives; ([for details of this please refer to Section 13\(g\) which includes details on checks to be conducted on NA Activity Report](#)), [Section 4\(b\) relating to the Checks on the WP](#), [Section 4\(c\) relating to the Yearly NA Report](#)
  - iii) Overall consistency and complementarity of the Programme with relevant national policies and programmes (including, if applicable, co-funding for funds for grant support (i.e. co-funding for pre-financing payments)) and with the other Union relevant sources of funding for education, training and youth; ([for details of this please refer to Section 4\(b\)](#))

relating to the Checks on the WP. Also refer to section relating to meeting Ministerial Programme Implementation Steering Committee Section 6.)

- iv) That the NAU is not aware of any significant matters, mainly regarding the use of resources and the follow-up of recommendations and results of error rates, which would have bearing effect on NAU's supervision duties, on the Commission's reputation or on the protection of the EU funds.
- 5) In addition to this the NAU shall conduct controls as it deems necessary to secure the smooth running of the Agency. For details please refer to Section 13 (h) detailing the interim report process. Also refer to section relating to periodical meetings between the NAU and MEDE Section 6.
  - 6) In line with the guidance provided by the Commission the NAU shall enter into an agreement with an **Independent Audit Body**. The IAB shall conduct its check in light of the guidance provided by Commission and the NAU. The roles of the IAB are explained below under Section 13(d)
  - 7) The NAU will conduct **checks on the work conducted by its auditors** The roles of the IAB are explained below under Section 13(d).
  - 8) The NAU will conduct **follow up checks in relation to observations made by its auditors and the Commission**. This will be done through the Interim reporting procedure developed by the NAU. The procedure takes into account the deadlines being proposed by the Commission. Should the Commission fail to adhere to its own deadlines this should not hinder the Interim Reporting process. Instead a separate reporting mechanism shall be used to follow up on the Commission recommendations not already dealt with through the Interim reporting method (Please refer to Interim Reporting Procedure Section 13(h))
  - 9) The NAU will conduct a **risk assessment**. This will result in areas of criticality ranging from critical to negligible risk areas (refer to Section on risk assessment compilation Section 13(e)). The work on the risk assessment shall allow the NAU to keep track of the Programme Objectives and assist the NA to achieve its targets.
  - 10) The NAU will conduct **checks on the NA Work Programme** (Refer to Section 4(b)).
  - 11) The NAU will conduct **checks on the NA Activity Report**. This Report will be received by the NAU at the same time as it is received by the Commission (February 15 of any given year as per regulation)<sup>1</sup> (Refer to Section 13(g) Checks on NA Activity Report).
  - 12) The NAU will ensure to fulfil its reporting obligations to the Commission by October 31<sup>st</sup> of each year. (Refer to Section 13(a)).
  - 13) Take responsibility for the proper management of the Union funds transferred by the Commission to the National Agency by way of grant support (i.e. pre-financing payments) to be awarded under the Programme (see section 13(d) and Section 15(e).

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<sup>1</sup> The NAU conducts checks on the NA yearly Activity report, and also conducts coherence checks between data reported in the Activity report and financial reports. Virtue of the single audit principle, the NAU relies on the IAB opinion for the reliability and veracity of the financial reports.

### **b) Checks on the NA Work Programme (WP)**

As part of the Erasmus+ programme, each Member State shall determine how it organises the relationship between its National Authority and the National Agency, including tasks such as the establishment of the national agency's annual work programme. The Work programme is a document submitted on **October 15<sup>th</sup>** of each year and it is a document of great importance as it sets out the work planned by the agency for the coming year. The planning of the work programme needs to be taken seriously by both the NA and the NAU as it determines the direction that will be taken by the NA and also sets out the agencies aims, objectives and communication activities for the given year. The non adherence to the work programme may lead to a loss of reputation with the Commission and a loss of funds.

The work programme is drafted by the agency but is compiled in collaboration with key stakeholders and in close contact with both the NAU and the Ministry responsible for Education. The NAU and the ministry also undertake the role of reviewing the work programme to ensure it is clear and achievable. The method as to how such checks are conducted by the NAUs is set out below:

- 1) Virtue of Article 13 of SL327.316 of the Laws of Malta, *whenever requested, the National Agency shall submit to the European Commission and the National Authority the necessary work plans related to the Erasmus + programme.* Unless otherwise indicated, the NA WP is to be received in draft form by the Commission on October 15<sup>th</sup> of each respective year.
- 2) A number of checks on the WP will be based around the interim report that is provided by the NA which among other matters gives indicative feedback and information on the WP targets. The report will provide the NAU with basic information about the targets achieved in Year N; hence the NAU will be in a better position to assess the targets set out in the WP.
- 3) The NAU is to receive a copy of the WP at least 25 days before it is due to be sent to the Commission.
- 4) Unless otherwise indicated, the NAU will send feedback to the NA within 12 days of receipt.
- 5) The time frame shall be suspended pending NAU requests for supporting documentation.
- 6) If the NAU does not receive the requested supporting documentation by the deadline stipulated by the NAU (or in the absence of such a deadline within 2 days), a reminder will be sent.
- 7) The NAU is to receive confirmation from the NA that the policy documents referred to in the WP have been cleared by the Strategy and Implementation Division, who in turn is to liaise with the Ministry responsible for Education.
- 8) During the WP review process, the NAU may choose to hold one or more meetings with the NA as a whole or relevant NA staff to finalise the WP.
- 9) The NAU may refuse to endorse the WP presented by the NA if:
  - a) It is not convinced with the proposed work programme;
  - b) If it does not have confirmation from the Ministry responsible for education that the policy areas discussed are correct;
  - c) If its feedback has not been taken on board without explanation;
  - d) If the feedback given by the Commission has not been taken on board;
  - e) For any other reason deemed necessary at the time.
- 10) The NAU shall give its confirmation to the first final draft of the WP via e-mail prior to it being sent to the Commission.
- 11) Once the NAU receives the feedback from the Commission it shall be followed up together with the NA within the deadlines set out by the Commission. Depending on the deadlines and requirements sent out by the Commission the NAU will proceed accordingly.

### **c) Checks on the Yearly NA report**

The National Agency shall submit a yearly NA report together with a Management Declaration to the Commission and the National Authority on the 15<sup>th</sup> of February of every given program year. Through this document the Agency declares that the information being presented in the report and its annexes are complete and accurate; the expenditure was eligible for EU funding and was used for its intended purpose, as defined in the Delegation Agreement, and in accordance with the principle of sound financial management and that the internal control system put in place complies with the contractual provisions, functions properly and gives the necessary guarantees concerning the legality and regularity of the underlying transactions, safeguarding of assets and information and prevention, detection, correction and investigation and follow-up of fraud and irregularities; the underlying transactions comply with the applicable EU rules and contractual provisions.

The NAU shall conduct Checks on:

- Programme implementation
- NA operational objectives, indicators and targets
- Cooperation with the National Authority
- Cooperation with other NAs in the country (if applicable)
- Monitoring and evaluation of progress and realisation of objectives
- Synergy with other programmes and initiatives
- Communication, information and dissemination and exploitation of results
- Monitoring and support to programme beneficiaries
- Evidence-based analysis of programme results
- Quality of the NA management system (inclusive of error rates, pending recovery orders, irregularities and fraud cases)
- NA staff development and training, training of external evaluators
- TCA Overall Objectives
- TCA Realisation of planned activities
- ECVET
- Eurodesk
- Results of finalised activities (when applicable):
  - Erasmus+
  - European Solidarity Corps
  - Study visits
  - Preparatory visits
  - Europass
  - European Language Label

- 1) The NAU shall receive a copy of the Yearly NA report on February 15 of each programme year.
- 2) The Yearly NA report shall also be sent to the IAB and the Commission at such time.
- 3) The checks on the Yearly NA report shall follow the procedure and timeframes set in [Section 13\(g\)](#) for more details.

### **d) Classification and rating framework for observations/recommendations**

*Adapted from the Guide for NAUs*

- 1) The control areas applicable for NAs (Annex 5 of the Guide for NAUs) are classified in categories such as existence and legal personality, infrastructure and resources, internal control system and

so on. Each of these categories contains a number of sub-categories to which each observation has to refer to. Under each category key elements of control have been identified.

- 2) The decision on the level of importance (rating) of a weakness or lack of compliance depends on its seriousness<sup>2</sup> and impact<sup>3</sup> which both can be high, medium or low.
- 3) The following table shows the rating when integrating the results of the assessment on seriousness and impact.

4)

		impact		
		High	Medium	Low
seriousness	High	Critical	Very important	Important
	Medium	Critical	Very important	Important
	Low	Very important	Important	n/a

- 5) The higher the rating the more urgently the follow-up actions should be finalised and the closer the monitoring of the NAU needs to be. Depending on the impact on assurance resulting from the weaknesses, the Commission may take precautionary measures in order to safeguard the interests of the European Union.
- 6) As shown in the grid above, three ratings are possible:
  - a) **Critical:** means that a key internal control (see Annex 5 of the guide for NAUs) is absent or is not at all compliant with EU requirements. Such fundamental weakness or deficiency in an internal control or in a series of internal controls directly leads to or represents a very high risk of either material error, or irregularity or fraud. It either results in an established loss of EU funds or represents a high risk of loss of EU funds with regard to the use of funds to be declared in future Yearly NA Reports. The weakness has a direct impact on the assurance to be provided to the Commission. The Commission expects immediate/urgent remedial actions to be taken and to be reported on by the NAU at short notice.
  - b) **Very important:** means that there is a significant weakness or deficiency in an internal control or in a series of internal controls that are not compliant with EU requirements and that results in a major risk of error, irregularity or fraud. The Commission expects that the remedial actions are implemented within a short timeframe (typically 3 months) and reported on by the NAU by the given deadline.
  - c) **Important:** means that there is a weakness or deficiency in an internal control or in a series of internal controls that are not fully compliant with EU requirements and that results in a limited risk of error, irregularity or fraud. The Commission expects that the remedial actions are implemented within a given timeframe and reported on by the NAU in the context of the yearly information on its monitoring and supervision activities.

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<sup>2</sup> "Seriousness" is related to the importance level of the detected shortcoming (for example, a checklist which is not signed by the person who performed the checks is a less "serious" weakness compared to improper segregation of duties in a payment procedure).

<sup>3</sup> "Impact" is the (possible) consequence of the identified weakness or error (for example, the impact of an unsigned checklist is low without any financial impact whereas a shortcoming in the NA's payment procedure can have high financial impact).

## Part - C Communications and Monitoring

### 5) Communication and Monitoring

#### a) The National Agency

- i) Virtue of Article 27(8) of the Erasmus+ Regulation, the National Authority shall monitor and supervise the management of the Programme at national level.
- ii) The NAU shall keep in constant contact with the National Agency.
- iii) The NAU may provide feedback via electronic means/letter/MEMO (Please refer to [Section 7 MEMO and Section 13\(c\)](#)) or through meetings.

#### b) The Commission

- i) The NAU may communicate with the Commission whenever it has any queries or needs clarification
- ii) When deemed necessary by the head of the National Authority clearance shall be sought from the Malta's Permanent Representative to the EU.
- iii) Communication with the Commission shall be done by phone (followed up by a confirmatory e-mail if deemed necessary), via electronic means or through an official letter as deemed necessary by the head of the National Authority.

### 6) Internal/External Communication

- a) Unless indicated otherwise in this MoP 'send' shall refer to the exchange of information via electronic means.
- b) Hard copy documentation should be sent by hand and signed for in line with the procedures as set out by the Funds and Programmes Division.
- c) All communication received in hard copy shall be stamped and dated as per procedures set out by the Funds and Programmes Division.
- d) Overall communication with the NA shall be done by phone (followed up by a confirmatory e-mail if deemed necessary), via electronic means, through the MEMO system or through an official letter as deemed necessary by the NAU

### 7) MEMOS

- 1) NAU officers may draft MEMOS to document any check or procedure that would have been followed.
- 2) MEMOS shall be drawn up where deemed necessary but at least in the cases set out below:
  - a) Any extraordinary procedure
  - b) At the end of any check performed by the NAU
  - c) Following any audit check
- 3) Notes should include
  - a) A subject
  - b) Date of check/s
  - c) Date of memo
  - d) Details relating to the subject at hand
  - e) Corresponding documentation (If deemed necessary)
  - f) Signed by the author
  - g) Co-signed by co-author (if applicable)
  - h) Endorsed by Director or Director General

- 4) Such MEMOS shall be kept in a green file in chronological order
- 5) Such MEMOS may also be sent to third parties for feedback/follow up
- 6) Such MEMOS may also include Observations and Recommendations

#### Annex 15 MEMO

### 8) E+ Committee Meetings and NAU Seminar Meetings

- a) A meeting of the respective Committee shall be convened by the Committee chair, either on his/her own initiative, or at the request of a simple majority of members of the Committee.
- b) Each Member State shall be considered to be one member of the Committee. Each member of the Committee shall decide on the composition of its delegation, which shall not exceed 3 designated representatives and 3 alternate representatives.
- c) The National Authority shall nominate such person/persons when so requested
- d) Once a meeting is called, the respective nominee shall write a letter requesting the permanent secretary MFEA (EU Funds) authorization to attend such meeting. Such letter must be signed by the DG FPD or his named representative.
- e) Upon receipt of the final confirmation respective flight arrangements shall be made as per procurement guidelines and internal procedures in place at the time.
- f) After the meeting the attendee is to present a travel report of the meeting together with documentation as required by the administrative regulations in place internally.

### 9) Regular meetings between the NA, NAU and MEDE – Periodical Meetings

- a) Periodically the Ministry responsible for Education, the National Authority and the National Agency shall attend a meeting hosted by either of the parties.
- b) The meeting will act as a discussion platform between the NA, the NAU and the Ministry whereby any of the parties may bring certain matters for discussion.
- c) Unless otherwise discussed the meeting Agenda shall be sent by the NAU and the NA and the Ministry may add other points as deemed necessary.
- d) The meeting shall be minuted. Minutes shall be taken by the NAU or a representative chosen by the FPD. The minutes shall be forwarded to all invitees for feedback prior to being finalised.
- e) The following points shall always (unless otherwise deemed necessary by the NAU) feature on the meeting Agenda
  - i) Follow up on any irregularities, fraud or recovery orders exceeding 6 months
  - ii) Budget issues
    - (1) Budget Absorption
    - (2) Amendments to Budget Allocations in terms of redistribution of funds necessitating EC approval
    - (3) Increase in budget allocation
  - iii) Applications received – Are there any particular key action fields where the targets are not being met
  - iv) Have any new risks been identified or any unexpected factors met, which may preclude the NA from reaching its WP targets or fulfilling its planned activities?
  - v) Updates to the risk registers
  - vi) Staffing (vacant posts, resignations, collective agreements)
  - vii) Issues encountered by the NA in relation to programme management

## Part - D Relationship between the NAU and the NA

### 10) Memorandum of Understanding (MOU)

Erasmus+ Regulation Article 27(4) ...each Member State shall determine how it organises the relationship between its National Authority and the national agency, including tasks such as the establishment of the National Agency's annual work programme.

- a) The National Authority and the National Agency shall enter into a Memorandum of Understanding which will determine certain aspects of the relationship between the National Authority and the National Agency.
- b) The Memorandum of Understanding will be established between the NA and the NAU but may be changed unilaterally by the NAU as it deems fit.
- c) The MOU shall be drafted by the NAU and sent to the Agency for their feedback
- d) Upon receipt of any feedback the NAU may accept or reject any feedback in part or in full and amend the MOU accordingly.
- e) The NAU shall forward an amended and signed hard copy to the Agency for signature.
- f) The NAU reserves the right to issue a fresh Memorandum of Understanding that revokes and replaces a previous MoU or an addendum to the MOU that amends the standing MoU without prior consultation with the NA.

11) **Co-financing** Article 27(9). The National Authority shall provide adequate co-financing for the operations of its National Agency to ensure that the Programme is managed in compliance with the applicable Union rules.

(Procedure applicable as of January 2015)

- a) On an annual basis based on the requirements set out in Article 14 of the Fiscal Responsibility Act, the NA is responsible for completing the Business and Financial Plan and communicating it to the Ministry responsible for European Affairs.
- b) The NAU may call a meeting with the National Agency and the Ministry responsible for Education to discuss the said plan (This may be a separate meeting or the discussion can take place during the periodical meetings between the NA, NAU and Ministry). The NAU may alternatively choose to conduct such checks at desk check level (following the receipt of the said plan by the NA or Ministry).
- c) Unless otherwise agreed the meeting shall discuss:
  - i) The proposed Business and Financial plan
  - ii) National Budget allocations
  - iii) The frequency of instalments (if applicable)
  - iv) Salaries (as applicable)
- d) The National Authority reserves the right to conduct checks to ascertain the veracity of the values provided and to ensure that the budget has been spent in accordance with the laws and regulations applicable to the National Agency.
- e) Virtue of S.L.327.316<sup>4</sup> in the case of national funds co-funding the operations of the National Agency, the Minister responsible for Education shall consult in writing with the National

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<sup>4</sup> <http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=9993&l=1>

Authority before any negotiations on the allocation and inform the National Authority each time tranches are transferred to the National Agency;

- 12) **Co-funding** – As per guide for NAUs (Article 4.3.4) there may also be an element of co-funding, yet this is optional. After consultation with the relevant Ministries it has been determined that there will be no co-funding element attached to the Erasmus+ program. The matter may be revisited from time to time as deemed necessary by the head of the National Authority upon consultation with the relevant Ministries.

## Part - E Checks by the National Authority and Reporting

### 13) NAU Checks and Reporting

#### a) Annual October report

- 1) Based on National Agency's yearly Management Declaration, the independent Audit Opinion thereon (and other audit reports available at that time) and the Commission's analysis of the national agency's compliance and performance, the National Authority shall ***provide the Commission, by 31 October of each year, with information concerning its monitoring and supervision activities in relation to the Programme.***
- 2) The NAU shall send the October 31 report as per template provided by the Commission from time to time.
- 3) The NAU will have to present:
  - a) A Description of the strategy for monitoring and supervising the National Agency (organisation, set-up, based on risks etc)
  - b) Description of the main monitoring and supervision activities undertaken by the National Authority during the aforementioned period, indicating for each type of activity the objective, content and conclusion.
  - c) Description of the functioning of the coordination mechanism among NAs (coordination activities which took place) and any changes in the mechanism for coordinated management
  - d) Follow-up made of shortcomings detected by the Commission (evaluation conclusion letter)
  - e) The IAB's audit plan (specifying timing and subject of audit activities) for the next IAB Opinion
  - f) National contribution to management costs and the establishment of these amounts (methodology, budget considerations etc).
  - g) National policy on co-funding in relation to the Erasmus+ Programme.
  - h) Review of NA Activity Report.
  - i) Implementation of NA work programme.
  - j) Follow-up made by the National Authority on all open recommendations addressed to the NA
  - k) Complementary monitoring and supervision activities the NAU has undertaken or will undertake on the basis of these three documents.
  - l) Any other information deemed useful by the National Authority.
- 4) The NAU shall conduct checks by way of follow up to the Commission Observations resulting from the management declaration and the results of the IAB findings as per [Section 14](#) of this MoP.
- 5) The NAU shall compile and complete the necessary documentation internally, sign and date it.
- 6) Once finalised the document shall be uploaded in word format in the dedicated NAU folder in the Commission's tool CIRCABC and inform the Commission of it by email to the functional mailbox [EAC-NAU-CONTACT@ec.europa.eu](mailto:EAC-NAU-CONTACT@ec.europa.eu).
- 7) The page with the management representation should however be scanned after it is dated and signed.

#### b) EU Secretariat

- 1) When deemed necessary, the NAU shall send official EC documentation through the EU Secretariat.
- 2) This applies to official EC correspondence and reporting requirements. This shall not apply for informal/technical communication/clarifications.
- 3) The NAU shall where and when possible subject to the discretion of the head of the National Authority, send the documentation for EU SEC clearance before the deadline.
- 4) The NAU shall provide the EU Sec with:

- a) A copy of the document to be sent
- b) A copy of the original request
- c) Any supporting documentation
- d) A brief explanation of the document being provided

**c) NAU Monitoring checks**

- 1) Virtue of Article 27(8) of the Erasmus+ Regulation, the National Authority shall monitor and supervise the management of the Programme at national level.
- 2) Monitoring checks can be conducted through:
  - a) Desk checks of NA supporting documentation
  - b) Monitoring Visits
  - c) Audits
  - d) Meetings
  - e) Phone calls
- 3) Monitoring checks may be related to the fulfilment of the obligations of the Work Programme, NA Activity Report or other areas as deemed necessary by the NAU.
- 4) The NAU shall monitor:
  - a) The NA website
  - b) The NA Eurodesk Newsletter
  - c) The NA Facebook Pages
  - d) NA Events/Activities (as deemed necessary by NAU management)
- 5) Please refer to [Section 7 \(MEMOs\) and Section 5](#) above.

**d) Independent Audit Body (IAB)**

- 1) It is the role of the NAU to designate an IAB for the duration of the E+ Programme. It shall therefore be designated as per legal requirement set out [Article 27\(5\) of the Regulation establishing the Erasmus+ Programme](#).
- 2) The NAU may<sup>5</sup>
  - a) Designate an IAB for the entire period of Erasmus+ programme
  - b) Designate an IAB for more than one audit period
  - c) Designate an IAB for one audit period
- 3) If the NAU opts to designate an IAB for the entire period of Erasmus+ Programme the IAB will be responsible to conduct both a system and a financial audit and their necessary follow-ups for the entire duration of the Erasmus+ Programme.
- 4) If the NAU opts to designate an IAB for one audit period the IAB will be responsible to conduct both systems and financial audits and their necessary follow-ups for the N-1 year of the Erasmus+ Programme.
- 5) The length of such designation may vary and is up to the discretion of the NAU. Regardless of this statement, the auditors engaged in 2015 and 2018 to conduct such work shall also be instructed

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<sup>5</sup> The NAU does not exclude the possibility of designating one IAB to conduct the Systems Audit and another to conduct the Financial Audit for the same Management Declaration year.

to draft a three year multiannual audit plan to ensure that there is completeness and continuity in the audit process.

- 6) The NAU shall engage the IAB through the means of an engagement letter and/or Contract. The NAU shall also ensure to bind the IAB to all the provisions set out in the guidance provided by the Commission.
- 7) The IAB must make its workings available to the NAU upon request.
- 8) It is the responsibility of the NAU to check whether the IAB has executed the work as agreed. In light of this the NAU shall:
  - a) Send to the IAB any updates of the terms of reference as they are made available;
  - b) Keep in regular contact (as deemed necessary) with the IAB to ensure that work is progressing as required;
  - c) Conduct a series of meetings (as agreed bilaterally between the NAU and IAB – these should at least include an initial meeting and a final meeting. Such meetings shall be minuted);
  - d) Check that the terms of reference sent have been respected (i.e. check whether the scope, methodology, sampling etc have been observed);
  - e) Request copies of samples selected, methodology used to conduct checks and templates developed for such checks as needed.
- 9) The NAU may choose to cancel the designation of the IAB if:
  - a) The IAB fails to deliver the audits within the deadlines as indicated in the Terms of Reference;
  - b) The quality of the work and/or follow-up of observations is not up to the expected standard;
  - c) For any other reason – if deemed necessary by the NAU to protect its interests.
- 10) The IAB shall within the deadlines stipulated in its terms of reference deliver to the NAU a final Audit report and IAB Opinion for onward forwarding to the Commission.
- 11) Payment for the services rendered by the IAB shall not be processed until the NAU confirms that it is satisfied with the work having been conducted by the IAB. Hence the NAU is to send a letter in hard and soft copy to the IAB to indicate that it has accepted the audits presented.

Refer to Annex 10 – Checklist for IAB work Conducted

#### **e) Risk Assessment**

- 1) The NAU shall conduct a risk assessment exercise annually.
- 2) This assessment will allow the NAU to ensure that there is efficient and effective programme implementation; facilitate the enhancement of the management system and the achievement of the defined objectives;
- 3) The risks will be based on the following programme Objectives:
  - a) Foster participation in learning mobilities in order to improve the level of key competences and skills
  - b) Foster the cross-sectoral dimension of transnational and international co-operation between organisations, the co-operation between the world of education, training and youth sector and the world of work, as well as quality improvement, co-operation, innovation and internationalisation at the level of educational risks and in youth work.
  - c) Enhance the international dimension of education, training youth activities and the role of youth workers and organizations as support structures for young people by encouraging mobility and cooperation projects with Partner Countries.

- d) Foster participation of people with special needs<sup>6</sup> or fewer opportunities in the programme.
  - e) Foster improvement of teaching and learning of languages, promotion of the Union's broad linguistic diversity and intercultural awareness;
  - f) Complement policy reforms at local, regional and national level and to support the development of knowledge and evidence-based youth policy as well as the recognition of non-formal and informal learning, notably through enhanced policy cooperation.
  - g) Efficient, effective and compliant programme management.
- 4) The NAU shall highlight which are the risks affecting these broad criteria. The NAU will go through an exercise with the NA whereby it will ask them to provide what mitigating actions are being done to minimise these risks. The NAU and the NA may opt to conduct this exercise via e-mail or through a meeting which should be minuted.
  - 5) For any significant resultant risks the NAU will make recommendations to the NA and follow them up until the risk is reduced to a tolerable level. A Memo may be issued to follow up any Risks that were not suitably mitigated.
  - 6) The risk assessment may be reviewed by the NAU on an annual basis or as deemed necessary.

#### **f) Obligation to inform the Commission**

Article 27(8). The National Authority shall monitor and supervise the management of the Programme at national level. It shall inform and consult the Commission in due time prior to taking any decision that may have a significant impact on the management of the Programme, in particular regarding its national agency

- i) The NAU shall take all the necessary precautions to ensure that the Commission is informed in due time prior to any decision taken that may have a significant impact on the management of the Programme, in particular regarding its National Agency
- ii) The NAU shall send any such information on the Commissions working e-mail address [EAC-NAU-CONTACT@ec.europa.eu](mailto:EAC-NAU-CONTACT@ec.europa.eu)
- iii) If the NAU feels that matters of a necessary severity, the NAU will forward such communication in hard copy.

#### **g) Review of NA Activity Report**

Section 4.3.5 of the **Erasmus+ Programme 2014-2020 Guidelines for National Authorities on monitoring and supervision activities**, states:

The NAU reports on its review of the NA Activity report (of year N-1) principally in the October report (of year N). If the review of the NA Activity Report leads to major concerns on the NA performance, the NAU should inform the Commission as soon as possible and not wait until the preparation of its October report.

The Commission provides comments to the NA and NAU on the basis of its analysis of the yearly NA Activity Report and possible comments received from the NAU before submission of the October report (vide p. 6) .

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<sup>6</sup> Please note that “people with special needs” only relates to persons with disabilities.

In this regard, following NA submission of the NA Management Declaration (15 February Year N), the NAU shall undertake an evaluation of the NA year N-1 activity Report. NAU checklists (Annex 16) shall be used to guide the NAU in the evaluation process and record the checks conducted and the respective NAU comments made in relation to significant issues necessitating follow-up.

NAU feedback on the resulting findings/comments necessitating NA follow-up / clarifications and shall be communicated to the NA formally through a letter addressed to the National Coordinator using the NAU template provided.

#### NA Activity Report Review Process:

- a) The NAU shall receive a copy of the report by no later than February 15 of any given year.
- b) The NAU shall conduct checks on the NA Activity report to ensure that the targets set out in the Work Programme were reached and that the information sent to the Commission is correct.
- c) The NAU shall report on its findings to the Commission (if any) in the October report
- d) In case of major concerns on the NA performance for which NA mitigating actions implemented (if any) have been assessed as not sufficient, the NAU shall inform the Commission in writing as soon as possible, prior to the October Report

#### **h) Interim report**

- 1) In light of the NAU's monitoring activities as defined in the **Erasmus+ Programme 2014-2020 Guidelines for National Authorities on monitoring and supervision activities**, the NA Interim Report on the Implementation of the *NA WP* shall to provide the NAU with the necessary information for the monitoring and evaluation of the NA implementation of the *NA work programme* in relation to NA activities and targets described and agreed upon in the said NA work programme.
- 2) As a result of this evaluation process, apart from monitoring the implementation of the NA WP and ensuring efficient and effective programme management, the NA and the NAU will be better guided in their preparation for the upcoming NA Work Programme in terms of ensuring:
  - a) the follow-up and adaption of the strategic framework for the implementation of the Programme covering its full duration (2014 – 2020) as specified in the yearly NA work programme (Part I);
  - b) an appropriate target setting for the NA operational objectives for each specific programme objective specified in Part I of the yearly NA work programme;
  - c) the follow-up of the functioning of the NA to ensure that it boasts the necessary conditions and resources for the efficient and effective implementation of the programme;
  - d) the proper management of the tasks entrusted to the NA in terms of budget execution, used resources, effective risk management, results and outputs.
- 3) The interim report will also help to highlight factors impacting programme management and NA activities held during the programme year of implementation. This will provide further insight in relation to better target setting, risk assessment and the identification of strengths and weaknesses in the NA programme implementation and management. It will thus highlight areas to be improved upon in order to ensure a more effective and efficient programme management.

4) Reporting Periods to be covered by the Interim Report template:

- a) *Year N-1* (for communication activities implemented for the promotion/guidance etc...of a Year N+1 Work Programme)
- b) *1 January Year N till 30 June Year N* in relation to NAU monitoring of the NA implementation of the NA Year N Work Programme (June – December will be covered by the NA Activity Report that will be received by the NAU in February of any given year).

5) Interim Report Procedure

**Stage 1: NAU updates, checks and feedback prior to forwarding of the Interim Report Template for NA completion**

Every year the Interim Report template and its annexes need to be updated with information of the final NA work programme year N+1.

Timeframe:

- (a) During the process of the NA WP year N+1 evaluation and/or following final draft version of NA WP sent to EC for approval;

Estimated time of update: October year N till December year N

- (b) In case of amendments to NA WP following EC evaluation, (where usually minor revisions take place), Interim report template/s to be amended accordingly following receipt of EC feedback;

Estimated time of EC feedback: January year N+1 till February/March year+1, as communicated by Commission yearly work schedule to NAU.

**Stage 2: Forwarding of the Interim Report Template for NA completion.**

Timeframe:

- i. Following the completion of all updates and the provision of NAU feedback (where applicable) in the necessary templates
- ii. Estimated times of Interim Report Template forwarding: May
- iii. Interim Report Template should be forwarded to the NA Head of Programmes via email with the necessary information and deadline for submission which unless otherwise decided between the Nau and the Nau shall by the 10<sup>th</sup> July of any given year. Email can make reference go meetings which can be set with the NA to discuss the requirements and provide guidance if necessary.

**Stage 3: Receipt or Non-receipt of Interim Report**

- i. In case of non-receipt of Interim Report an email reminder should be sent to the NA establishing a final deadline.

- ii. In case of incomplete report, requests for additional information to be made through e-mail correspondence / meetings. In the case the deadline for NAU review of report shall be suspended till supported material is received.
- iii. Upon receipt of Interim Report, an acknowledgement of receipt email should be sent to the NA stating the estimated time of the provision of NAU feedback.

#### **Stage 4: NAU review of Interim Report**

- a) The NAU shall review the NA Interim Report and present feedback in the respective Interim Report NAU Follow-Up Sections / templates accordingly in light of the NA feedback on the implementation of the NA Year N WP (also bearing in mind the impact of the Year N results / factors reported may have on the Year N+1 WP.
- b) NAU evaluation of the Interim Report to be communicated via e-mails ensuring that a final deadline for follow-up NA action is given, clearly pointing out that this final feedback will be taken as a NA's final response to all NAU and EC highlighted issues. NA response to open findings resulting from these monitoring and supervision activities may have to be disclosed in the Year N October Report depending on criticality of this issue.

#### **Stage 5: Receipt / Non-receipt of the NA Interim Report Final Feedback on follow-up action to be taken in relation to NAU and EC Evaluation Conclusions**

- i. In case if non-receipt of NA final feedback an email reminder should be sent to the NA establishing a final deadline.
- ii. In case of incomplete NA feedback, requests for additional information should be made through email correspondence / meetings.

#### **Stage 6: Final NAU Evaluation of NA Interim Report final feedback / follow-up actions:**

Timeframe: Second week of September year N / 7 working days from receipt of NA feedback

- a) NAU Final Evaluation should focus on NA response and mitigating actions being implementation / proposed in light of NAU comments made in Stage 4 above, in relation to *the progress of activities of NA Year N Work Programme* and the impact (if already evident and if applicable) these results may have on the NA Work Programme.
- b) Submission of NA Final Evaluation of NA Interim Report final feedback / followup action. The NAU Final Evaluation should be forwarded via email to NA clearly pointing out:
  - i. *Significant issues to be addressed by the NA without further delay;*
  - ii. *In case of NA progress on mitigating actions taken for epdning issues, the NAU should be notified immediately but not later than 30 September so as to update the Year N Report accordingly;*
  - iii. *Important / Very important and Critical issues still pending by 30 September may have to be included in the October Report.*

#### **Stage 7: NAU Follow-Up of Interim Report Evaluation / Resulting Conclusions:**

- 1) NAU Follow-up shall be divided into the following catehgories:
  - a) *October Reporting* on significant issues highlighted in the Interim Report on the NA implementation of the Year N Work Programme

- b) October Reporting on the significant issues highlighted in the Interim Report which have been assessed as having an impact or very likely to occur during the implementation of the Year N+1 Work Programme.

NAU review should take into consideration the requirements of the October Report and follow the process outlined in the NAU MoP Section 13(a). However, in case of issues being highlighted in the October Report for which NA actions are still pending, an update on the state of play should be requested from the NA through an email if an update has not been given by the NA itself.

- c) NAU monitoring and review of NA results achieved in relation to the implementation of the NA Year N Work Programme

The NAU review / follow-up process in this regard should entail:

- i. Meeting/s to be held with the NA in end September to request updated on point c) above
- ii. Review of the **draft NA Year N+1 Work Programme** once submitted by the NA as per process outlined in the NAU MoP Section 4b and the NA WP Terms of Reference.

2) Follow up Checks on Observations issued by the Commission:

- a) Following the submission of the Yearly Management deceleration and the IAB opinion, the NAU (as set out in the regulation) expects to receive feedback from the Commission after 90 days from the receipt of the IAB opinion. A tentative date is also communicated yearly by the Commission.

- b) Upon receipt of EC Preliminary Evaluation Conclusions (or other such feedback) the NAU will:

- i. Communicate such feedback to the Agency requesting an action plan and any other such supporting documentation needed.
- ii. The NA shall formulate an action plan for any observations directed directly to the NAU.

- c) The NAU shall await receipt of the NA Action Plan which as per NA MoP shall include:

- i. The Commission observation / recommendation
- ii. The Description of NA management Action
- iii. Due Date
- iv. Responsible Officer
- v. Task Status

- d) The NAU should ensure that the tasks are fulfilled within the deadlines set out by the Commission (if applicable).

- e) Matters may be discussed through meetings and other means of communication.

- f) The NAU shall check whether the mitigations measures have been applied and the recommendations addressed by the NA through its monitoring checks.

- g) The NAU shall report to the Commission in the October Report unless otherwise requested to the Commission.

- h) In case of Observations / recommendations, made specifically towards the NAU, the NAU shall formulate an Action Plan which is to include:

- i. The Commission Observation / Recommendation
- ii. The Description of NAU management Action
- iii. Due Date
- iv. Responsible Officer
- v. Task Status

- i) The NAU shall report to the Commission in the October Report unless otherwise requested by the Commission.

## Part - F Other NAU Obligations

### 15) Other obligations of the NAU

#### a) Removing legal and administrative obstacles - Article 27(3).

The Member States shall take all appropriate measures to remove legal and administrative obstacles to the proper functioning of the Programme, including, where rise to difficulties possible, measures aimed at resolving issues that give in obtaining visas.

- i) The Member States shall take all appropriate measures to remove legal and administrative obstacles to the proper functioning of the Programme, including, where rise to difficulties possible, measures aimed at resolving issues that give in obtaining visas.
- ii) For the purposes of this provision legal and administrative obstacles shall be taken to mean issues based on law and/or policy which have had a negative impact on the functioning of the NA. Issues that are of a managerial and or communications nature do not fall under this definition.
- iii) For the purposes of this obligation the NAU's role is solely limited to obstacles that are of a legal and/or administrative nature.
- iv) It shall be the responsibility of the National Agency to identify the legal and administrative obstacles.
- v) The NAU shall where applicable:
  - (1) Liaise with the Ministry responsible for Education with reference to the legal/administrative obstacles highlighted.
  - (2) Facilitate meetings to discuss the matters at hand
  - (3) Initiate and facilitate discussion with key stakeholders
  - (4) Conduct the appropriate checks and ground work to ascertain the basis of the problem
  - (5) Facilitate the necessary legal/policy updates
  - (6) Follow up any recommendations
- vi) Unless otherwise indicated by the head of the National Authority, **on an annual basis** the NAU shall request the NA to provide a list of legal and administrative obstacles.
- vii) The NAU shall unless otherwise agreed between the NA and the NAU within a period of time as specified in the Memorandum of Understanding reply to the NA indicating the way forward.

#### b) Designate a National Agency (or National Agencies)

- i) The National Authority is responsible for the designation of the National Agency. The related procedure was set out in Regulation 1288 of 2013 and supported by guidance received from the Commission including Ares(2013) 2583716 – 05/07/2013 and Ares(2013) 3777622 – 20/12/2013

- ii) The NAU's designation of the National Agency as the European Union Programmes Agency was accepted by the Commission on July 14 2014 via communication ARES(2014)2333014

**c) Provide the Commission with appropriate ex-ante compliance assessment that the National Agency complies with all legal requirements;**

- i) The NAU shall complete the ex-ante compliance assessment and send it to the Commission within the deadline set out in the regulation.
- ii) The NAU shall designate through a letter of engagement, an external auditor to conduct the necessary checks on the National Agency to ensure that it is compliant with the requirements set out in the regulation.
- iii) The NAU shall instruct its auditors to rely on previous audits when conducting checks for the compliance assessment.
- iv) The NAU shall reply to any feedback on the compliance assessment as sent by the Commission and shall follow-up on any observations made by the Commission to ensure that the NA is deemed compliant.
- v) This task was completed on May 15 2015

**d) Revocation and reinstatement of a National Agency**

- i) The National Authority may revoke the mandate of the National Agency
- ii) The National Authority may do so for reasons of:
  - (1) any irregularity, negligence or fraud attributable to the national agency,
  - (2) any serious shortcomings or underperformance on the part of the national agency,
  - (3) any other justified reason
- iii) The National Authority shall through its Auditors keep track of any possible irregularity, negligence or fraud attributable to the national agency and serious shortcomings or underperformance on the part of the national agency. If any such issues are not addressed to the satisfaction of the National Authority and if the gravity of the issues leads to a qualified audit result the National Authority shall after consultation with the relevant ministries revoke the designation of the National Agency.
- iv) In the event of such revocation the National Authority shall notify the Commission of the revocation at least six months before the date of termination. The National Authority shall ensure that adequate transition measures are put in place and that these are discussed and agreed with the Commission.
- v) In case of Revocation the National Authority shall ensure to carry out all the necessary controls and checks which may include:
  - (1) Take on the management role of the NA until provisions are made for the newly designated NA to take charge and carry out the necessary controls regarding the Union funds entrusted to the national agency whose mandate has been revoked
  - (2) Ensure a clear action plan for the transition
  - (3) Designate a new National Agency to take on the role
  - (4) Ensure that there is no breach of Industrial employee rights
  - (5) Ensure that there is proper handover of all issues surrounding previous and past programmes

- (6) Ensure that the necessary legal action is taken if and where necessary
  - (7) Engage auditors to conduct a full audit on all the workings of the National Agency if and where necessary
  - (8) Ensure that there is no unnecessary risk on public funds
  - (9) Ensure a smooth continuation of beneficiary grants already initiated and suspend any agreements that have not yet been signed until deemed necessary. The National Authority shall provide the national agency whose mandate has been revoked with the necessary financial support to continue to meet its contractual obligations vis-à-vis the beneficiaries of the Programme and the Commission pending the transfer of those obligations to a new national agency.
- vi) Ensure an unimpeded transfer to the new national agency of those funds and of all documents and management tools required for the management of the Programme

**e) NA Legal representative**

- i) Should the case arise that the NA finds itself without legal representation the NAU request the way forward/mitigating measures being applied by the NA, and Ministry responsible for European Affairs so that the matter can be handled by the NA and the Ministry in light of the procedures set out in the NA delegation agreement and in light of internal ministry procedure.
- ii) The NAU shall follow up the matter with the Agency and the Ministry as deemed necessary to ensure that at no point is the Agency without a legal representative.
- iii) The NAU shall request NA feedback on whether EC has been informed of the change in legal representative as per Delegation Agreement and Guide for NAs requirements. The obligation to inform the Commission lies with the NA. The NAU will remind the NA of such obligation should it transpire that they have not fulfilled it.

## Part - G Irregularity, Negligence and Fraud

- f) ***The NAU is liable to reimburse to the Commission the funds not recovered in the event of any irregularity, negligence or fraud attributable to the National Agency, or any serious shortcomings or underperformance on the part of the National Agency, where this gives rise to claims by the Commission against the National Agency.***
- i) The NAU is responsible for funds not recovered in cases of irregularity, negligence or fraud attributable to the NA.
- ii) Definitions:
- (1) Irregularity: any infringement of a provision of EU law or any breach of a contractual obligation resulting from an act or omission by an economic operator, which has, or would have, the effect of prejudicing the general budget of the European Communities or allocations managed by them, by an unjustified item of expenditure.
  - (2) Fraud: in respect of expenditure, any intentional act or omission relating to: the use or presentation of false, incorrect or incomplete statements or documents, which has as its effect the misappropriation or wrongful retention of funds from the general budget of the EU or budgets managed by, or on behalf of, the EU; non-disclosure of information in violation of a specific obligation, with the same effect; the misapplication of such funds for purposes other than those for which they were originally granted;
  - (3) Fraud: in respect of revenue, any intentional act or omission relating to: the use or presentation of false, incorrect or incomplete statements or documents, which has as its effect the illegal diminution of the resources of the general budget of the EU or budgets managed by, or on behalf of, the EU, non-disclosure of information in violation of a specific obligation, with the same effect, misapplication of a legally obtained benefit, with the same effect.
- iii) As part of the checks conducted on the NA's Yearly Management Declaration and IAB Opinion the NAU will keep track of:
- (1) Any possible cases of any fraud cases being reported by the NA/IAB
  - (2) Any recoveries that are still pending 6 months after the NA issues its final notification.
- iv) Any recovery order or other transaction deemed irregular, negligent or fraudulent that is discovered by the NAU or its designated IAB though the course of their checks shall be followed up though the interim reporting procedure or through an action plan detailing:
- (1) A description of the problem
  - (2) A history of the problem
  - (3) Actions taken to date
  - (4) Follow up action
  - (5) NAU/IAB recommendations
  - (6) Conclusions
- v) It is up to the NAUs discretion whether it wishes to inform the relevant Permanent Secretaries on any such case.

- vi) Such cases will be followed up through e-mail communications, the [regular meetings between the NA NAU and MEDE](#) meetings and any other means necessary.
- vii) The NAU shall request (virtue of the MOU) that the NA informs the NAU Immediately of any suspected irregularity or fraud case or recovery order pending for longer than 6 months.
- viii) The NAU shall place the above point as a standing agenda point in the [regular meetings between the NA NAU and MEDE](#) meeting held every two months.
- ix) Without prejudice to any other action that the National Authority is required take, where the National Authority identifies through its check that serious irregularities or fraud has taken place, the NAU has the right to immediately inform the Minister to withhold or partially withhold any further payments of national funds. In such a case the NAU shall also inform and consult with the Commission.

## **Part - H Internal NAU matters**

### **16) Information Technology**

- 1) The Malta Information Technology Agency (MITA) is responsible for the upkeep of the Government of Malta ICT Policies, Directives and Standards, collectively referred to as the GMICT Policy Framework.
- 2) The GMICT Policy Framework will continue to evolve according to Government's changing business requirements to make them work together as a consistent whole. These measures are aimed at making the complete GMICT Policy Framework more flexible and maintainable.
- 3) GMICT Policy applies to all of the National Authority staff, in line with the Statute of MITA, which states that: "It shall be a purpose of the Agency to deliver and manage the execution of all programmes related to the implementation of information technology and related systems in Government with the aim of enhancing public service delivery" (Statement 3(1b)).

### **17) Staff Training**

- 1) Any organisation, public or private, depends on the knowledge, skills, expertise and motivation of its human resources.
- 2) Meeting the development needs of the NAU employees should, therefore, be amongst the Funds and Programme's Division's major and long-term aims. This priority aim can be addressed by:
  - a) Providing staff with training opportunities to achieve maximum effectiveness in the shortest possible term;
  - b) Ensuring that staff develops their skills and capabilities to be able to operate flexibly and respond rapidly to changes within their organisations;
  - c) Ensuring that the best use is made of the natural abilities and individual skills of all employees for the benefit of the organisation and their career.
- 3) Development and training are a continuous and systematic process.
- 4) All training is based on the identification of the needs in relation to the functions, policies and objectives of the NAU.
- 5) Training opportunities for the NAU are available on the CDRT website and circulated through the daily Government Intranet Information Dissemination communication.
- 6) In order to apply for training with CDRT or other training institution, and unless specific provisions apply, NAU officers need to:
  - a) Bring the call for application to the attention of their direct superior;
  - b) Following a confirmation that the officer may attend, the officer is to apply directly with the Institute for Public Services (IPS) or institution.

### **18) Audit Trail**

- 1) The NAU shall keep a clear Audit trail
- 2) In order to do so the NAU shall:
  - a) Keep green files containing all official correspondence and all final/conclusive emails;
  - b) Keep working documents and other correspondence (where applicable) in a separate working file;
- 3) Green files may be opened following the registry system in place at FPD at any such time;
- 4) Working files may be opened at the discretion of the NAU officer;
- 5) A separate working file needs to be kept for the compilation of the October 31 report.