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(Acts whose publication is not obligatory)

COUNCIL

DECISION No 6/2001 OF THE EU-ROMANIA ASSOCIATION COUNCIL

of 17 October 2001

adopting the terms and conditions for the participation of Romania in the 'Culture 2000' programme

(2001/802/EC)

THE ASSOCIATION COUNCIL,

HAS DECIDED AS FOLLOWS:

Having regard to the Additional Protocol to the Europe Agreement establishing an Association between the European Communities and their Member States, of the one part, and Romania, of the other ⁽¹⁾, concerning Romania's participation in Community programmes, and in particular Articles 1 and 2 thereof,

Whereas:

- (1) According to Article 1 of the Additional Protocol, Romania may participate in Community framework programmes, specific programmes, projects or other actions in particular in the field of culture.
- (2) According to Article 2 of the said Protocol, the terms and conditions for the participation of Romania in this area are to be decided by the Association Council,

Article 1

Romania shall participate in the 'Culture 2000' programme according to the terms and conditions set out in Annexes I and II which shall form an integral part of this Decision.

Article 2

This Decision shall enter into force on the first day of the month following its publication in the Official Journal.

It shall apply for the duration of the 'Culture 2000' programme, starting from 1 January 2001.

Done at Brussels, 17 October 2001.

For the Association Council

The President

L. MICHEL

⁽¹⁾ OJ L 317, 30.12.1995, p. 40.

ANNEX I

Terms and conditions for the participation of Romania in the 'Culture 2000' programme

1. Romania will participate in the activities of the 'Culture 2000' programme (hereinafter called 'the Programme') in conformity, unless otherwise provided for in this Decision, with the objectives, criteria, procedures and deadlines as defined in Decision No 508/2000/EC of the European Parliament and of the Council ⁽¹⁾ establishing the Programme.
2. To participate in the Programme, Romania will pay each year a contribution to the general budget of the European Union according to the detailed arrangements described in Annex II. If necessary in order to take into account programme developments, or the evolution of Romania's absorption capacity, the Association Committee is entitled to adapt this contribution, so as to avoid a budgetary imbalance in the implementation of the programme.
3. The terms and conditions for the submission, assessment and selection of applications related to eligible institutions, organisations and individuals of Romania will be the same as those applicable to eligible institutions, organisations and individuals of the Community. Romanian experts may be taken into consideration by the Commission when appointing independent experts according to the relevant provisions of the decision establishing the Programme to assist it in the project evaluation.
4. With a view to ensuring the Community dimension of the Programme, in order to be eligible for Community financial support, projects and activities will have to include at least a partner from one of the Member States of the Community.
5. The maximum amount of financial support for the activities of the Cultural Contact Points will not exceed 50 % of the total budget for its activities.
6. Without prejudice to the responsibilities of the Commission of the European Communities and the Court of Auditors of the European Communities in relation to the monitoring and evaluation of the Programme pursuant to Article 8 of Decision No 508/2000/EC, the participation of Romania in the Programme will be continuously monitored on a partnership basis involving the Commission of the European Communities and Romania. Romania will submit to the Commission relevant reports and take part in other specific activities set out by the Community in that context.
7. In conformity with the Community's Financial Regulations, contractual arrangements concluded with, or by, entities of Romania shall provide for controls and audits to be carried out by, or under the authority of, the Commission and the Court of Auditors. As far as financial audits are concerned, they may be carried out for the purpose of controlling such entities' income and expenditures, related to the contractual obligations towards the Community. In a spirit of cooperation and mutual interest, the relevant authorities of Romania shall provide any reasonable and feasible assistance as may be necessary or helpful under the circumstances to perform such controls and audits.
8. Without prejudice to the procedures referred to in Article 5 of Decision No 508/2000/EC, representatives of Romania will participate as observers in the Management Committee for the points which concern them. This committee shall meet without the presence of representatives of Romania for the rest of the points, as well as at the time of voting.
9. The language to be used in all sorts of contacts with the Commission, as regards the application process, contracts, reports to be submitted and other administrative arrangements for the programme, will be one of the official languages of the Community.
10. The Community and Romania may terminate activities under this Decision at any time upon twelve months' notice in writing. Projects and activities in progress at the time of termination shall continue until their completion under the conditions laid down in this Decision.

⁽¹⁾ OJ L 63, 10.3.2000, p. 1.

ANNEX II

Financial contribution of Romania to 'Culture 2000'

1. The financial contribution to be paid by Romania to the general budget of the European Union to participate in the Programme will be the following (in euro):

(EUR)

| 2001 | 2002 | 2003 | 2004 |
|---------|---------|---------|---------|
| 709 536 | 709 536 | 709 536 | 709 536 |

2. Romania will pay the contribution mentioned above, partly from the Romanian national budget, and partly from Romania's PHARE National Programme. Subject to a PHARE separate programming procedure, the requested PHARE funds will be transferred to Romania by means of a separate Financing Memorandum. Together with the part coming from Romania's State budget, these funds will constitute Romania's national contribution, out of which it will make payments in response to annual calls for funds from the Commission.
3. PHARE funds will be requested according to the following schedule:

(EUR)

| 2001 | 2002 | 2003 | 2004 |
|---------|---------|---------|---------|
| 317 540 | 317 540 | 317 540 | 317 540 |

The remaining part of the contribution of Romania will come from the Romanian State budget.

4. The Financial Regulation applicable to the general budget of the European Communities will apply, in particular to the management of the contribution of Romania.

Travel costs and subsistence costs incurred by representatives and experts of Romania for the purposes of taking part as observers in the work of the committee referred to in Annex I, Point 8 or other meetings related to the implementation of the Programme shall be reimbursed by the Commission on the same basis as and in accordance with the procedures currently in force for non-governmental experts of the Member States of the European Union.

5. After the entry into force of this Decision and at the beginning of each following year, the Commission will send to Romania a call for funds corresponding to its contribution to the budget of the Programme under this Decision.

This contribution shall be expressed in euro and paid into a euro bank account of the Commission.

Romania will pay its contribution according to the call for funds:

- by 1 May for the part financed from its national budget, provided that the call for funds is sent by the Commission before 1 April, or at the latest one month after the call for funds is sent if later;
- by 1 May for the part financed from PHARE, provided that the corresponding amounts have been sent to Romania by this time, or at the latest within a period of 30 days after these funds have been sent to Romania.

Any delay in the payment of the contribution shall give rise to the payment of interest by Romania on the outstanding amount from the due date. The interest rate corresponds to the rate applied by the European Central Bank, on the due date, for its operations in euro, increased by 1,5 percentage points.