

Commission Regulation (EC) No 718/2007 of 12 June
2007 implementing Council Regulation (EC) No 1085/2006
establishing an instrument for pre-accession assistance (IPA)

PART I

COMMON PROVISIONS

TITLE II

COMMON RULES FOR IMPLEMENTATION

CHAPTER II

Management and control systems

Section 1

Decentralised management

Sub-section 2

Structures and authorities

Article 28

Functions and responsibilities of the operating structure

1 For each IPA component or programme, an operating structure shall be established to deal with the management and implementation of assistance under the IPA Regulation.

The operating structure shall be a body or a collection of bodies within the administration of the beneficiary country.

2 The operating structure shall be responsible for managing and implementing the programme or programmes concerned in accordance with the principle of sound financial management. For those purposes, it shall carry out a number of functions that include:

- a drafting the annual or multi-annual programmes;
- b monitoring programme implementation and guiding the work of the sectoral monitoring committee as defined in Article 59, notably by providing the documents necessary for monitoring the quality of implementation of the programmes;
- c drawing up the sectoral annual and final implementation reports defined in Article 61(1) and, after their examination by the sectoral monitoring committee, submitting them to the Commission, to the national IPA coordinator and to the national authorising officer;

Changes to legislation: There are currently no known outstanding effects for the
Commission Regulation (EC) No 718/2007, Article 28. (See end of Document for details)

- d ensuring that operations are selected for funding and approved in accordance with the criteria and mechanisms applicable to the programmes, and that they comply with the relevant Community and national rules;
 - e setting up procedures to ensure the retention of all documents required to ensure an adequate audit trail, in accordance with Article 20;
 - f arranging for tendering procedures, grant award procedures, the ensuing contracting, and making payments to, and recovery from, the final beneficiary;
 - g ensuring that all bodies involved in the implementation of operations maintain a separate accounting system or a separate accounting codification;
 - h ensuring that the national fund and the national authorising officer receive all necessary information on the procedures and verifications carried out in relation to expenditure;
 - i setting up, maintaining and updating the reporting and information system;
 - j carrying out verifications to ensure that the expenditure declared has actually been incurred in accordance with applicable rules, the products or services have been delivered in accordance with the approval decision, and the payment requests by the final beneficiary are correct. These verifications shall cover administrative, financial, technical and physical aspects of operations, as appropriate;
 - k ensuring internal audit of its different constituting bodies;
 - l ensuring irregularity reporting;
 - m ensuring compliance with the information and publicity requirements.
- 3 The heads of the bodies constituting the operating structure shall be clearly designated and shall be responsible for the tasks assigned to their respective bodies, in accordance with Article 11(3).

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