

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 II

SPECIFIC PROVISIONS

TITLE II

CROSS-BORDER COOPERATION COMPONENT

CHAPTER II

Programming

Section 2

Operations

Article 97

Special conditions governing the location of operations

1 In duly justified cases, Community funding may finance expenditure incurred in implementing operations or parts of operations up to a limit of 20 % of the amount of the Community contribution to the cross-border programme in NUTS level 3 regions or, in the absence of NUTS classification, equivalent areas, adjacent to the eligible areas for that programme. In exceptional cases as agreed between the Commission and the participating countries, this flexibility may be extended to the NUTS level 2 regions or, in the absence of NUTS classification, equivalent areas in which the eligible areas are located.

[^{F1}At project level, in exceptional cases, expenditure incurred outside the programme area as defined in the first subparagraph, may be eligible, if the project could only achieve its objectives with that expenditure.]

2 The participating countries of each programme shall ensure the legality and regularity of these expenditures.

The selection of operations outside the eligible area as referred to under paragraph 1 shall be confirmed:

- a by the managing authority referred to in Article 102 for programmes or part of programmes implemented in shared management with Member States;
- b by the operating structures referred to in Article 28 for programmes or part of programmes implemented in beneficiary countries under decentralised management;
- c by the Commission for programmes or part of programmes implemented in beneficiary countries under centralised management.

Changes to legislation: There are currently no known outstanding effects for the
Commission Regulation (EC) No 718/2007, Article 97. (See end of Document for details)

Textual Amendments

- F1** Substituted by [Commission Regulation \(EU\) No 80/2010 of 28 January 2010 amending Regulation \(EC\) No 718/2007 implementing Council Regulation \(EC\) No 1085/2006 establishing an instrument for pre-accession assistance \(IPA\)](#).

Changes to legislation:

There are currently no known outstanding effects for the Commission Regulation (EC) No 718/2007, Article 97.