Introduction

The purpose of this document is to set out the reference framework for selecting and financing the actions described in the Annex to the Public health programme.

— The Commission, assisted by a Committee comprising of representatives of the Member States (subsequently referred to as the Public Health Committee), will identify, on an annual basis, priority projects/proposals with a view to the progressive implementation of those actions. The annual priorities will be set out in a special document (1). They must contribute to achieving the programme’s three priority objectives:

— to improve information and knowledge for the development of public health,

— to enhance the capability of responding rapidly and in a coordinated fashion to threats to health,

— to promote health and prevent disease through addressing health determinants across all policies and activities.

— The procedure for selecting and funding actions set out in this document has been drafted by the Commission, assisted by the Public Health Committee, in accordance with the financial rules applicable to the European institutions. The Committee will also assist the Commission in the process of selecting projects, in line with the provisions of Decision No 1786/2002/EC.

1. RULES FOR THE SELECTION AND FUNDING OF ACTIONS

1.1. Actions under the Public health programme are eligible for funding through grants for projects and also by public contracts, which are not the principal subject of this document.

1.2. The Financial Regulation adopted on 25 June 2002 (2) by the Council lays down the rules to be applied with a view to ensuring that the procedures for a sound management of Community funds are complied with. This Regulation and the associated implementing rules constitute reference documents for all financial measures necessary for the implementation of the Public health programme, and their provisions are binding in all Member States. The Commission bears ultimate responsibility for implementation of the budget, in accordance with Article 274 of the Treaty.

1.3. The Financial Regulation makes the awarding and monitoring of Community grants subject to specific provisions reflecting the principles of transparency, equal treatment, part-financing, non-retroactivity and control (Title VI of the Financial Regulation).

1.4. In the case of public contracts awarded by the Commission under the present programme, the Financial Regulation states that the rules contained in the Directives of the European Parliament and of the Council concerning the coordination of procedures for the award of public works, service and supply contracts (subsequently referred to as ‘public procurement directives’) shall apply (Title V of the Financial Regulation). It should be noted that the Commission is regarded as the awarding authority for contracts awarded on its own account (3). As such, the Commission is responsible for ensuring compliance with the fundamental principles of transparency, proportionality, equal treatment and non-discrimination, and with the statutory provisions resulting from the public procurement directives. The Commission departments are therefore directly responsible for managing the procedures relating to call for tenders, in line with the principles laid down in the Financial Regulation.

The awarding of contracts is the task of the authorising officer — the Director-General of DG Health and consumer protection (SANCO) — in compliance with the selection and award criteria stipulated beforehand in the documents relating the call for tenders and the rules on the award of contracts (4). The Public Health Committee is informed of the outcome of the contract award procedures. The Commission has the option of consulting this Committee when preparing technical specifications, in accordance with the consultation procedure referred to in Article 9(3) of Decision No 1786/2002/EC, provided the confidentiality of data is strictly observed.

1. Introduction

   The purpose of this document is to set out the reference framework for selecting and financing the actions described in the Annex to the Public health programme.

   — The Commission, assisted by a Committee comprising of representatives of the Member States (subsequently referred to as the Public Health Committee), will identify, on an annual basis, priority projects/proposals with a view to the progressive implementation of those actions. The annual priorities will be set out in a special document (1). They must contribute to achieving the programme’s three priority objectives:

   — to improve information and knowledge for the development of public health,

   — to enhance the capability of responding rapidly and in a coordinated fashion to threats to health,

   — to promote health and prevent disease through addressing health determinants across all policies and activities.

   — The procedure for selecting and funding actions set out in this document has been drafted by the Commission, assisted by the Public Health Committee, in accordance with the financial rules applicable to the European institutions. The Committee will also assist the Commission in the process of selecting projects, in line with the provisions of Decision No 1786/2002/EC.

1. Rules for the Selection and Funding of Actions

   1.1. Actions under the Public health programme are eligible for funding through grants for projects and also by public contracts, which are not the principal subject of this document.

   1.2. The Financial Regulation adopted on 25 June 2002 (2) by the Council lays down the rules to be applied with a view to ensuring that the procedures for a sound management of Community funds are complied with. This Regulation and the associated implementing rules constitute reference documents for all financial measures necessary for the implementation of the Public health programme, and their provisions are binding in all Member States. The Commission bears ultimate responsibility for implementation of the budget, in accordance with Article 274 of the Treaty.

   1.3. The Financial Regulation makes the awarding and monitoring of Community grants subject to specific provisions reflecting the principles of transparency, equal treatment, part-financing, non-retroactivity and control (Title VI of the Financial Regulation).

   1.4. In the case of public contracts awarded by the Commission under the present programme, the Financial Regulation states that the rules contained in the Directives of the European Parliament and of the Council concerning the coordination of procedures for the award of public works, service and supply contracts (subsequently referred to as ‘public procurement directives’) shall apply (Title V of the Financial Regulation). It should be noted that the Commission is regarded as the awarding authority for contracts awarded on its own account (3). As such, the Commission is responsible for ensuring compliance with the fundamental principles of transparency, proportionality, equal treatment and non-discrimination, and with the statutory provisions resulting from the public procurement directives. The Commission departments are therefore directly responsible for managing the procedures relating to call for tenders, in line with the principles laid down in the Financial Regulation.

   The awarding of contracts is the task of the authorising officer — the Director-General of DG Health and consumer protection (SANCO) — in compliance with the selection and award criteria stipulated beforehand in the documents relating the call for tenders and the rules on the award of contracts (4). The Public Health Committee is informed of the outcome of the contract award procedures. The Commission has the option of consulting this Committee when preparing technical specifications, in accordance with the consultation procedure referred to in Article 9(3) of Decision No 1786/2002/EC, provided the confidentiality of data is strictly observed.

---


(2) Article 8(1)(b) of Decision No 1786/2002/EC: annual plan of work for the implementation of the programme, setting out priorities and actions to be undertaken, including allocation of resources.


(4) Article 104 of the Financial Regulation.

(5) Article 100 of the Financial Regulation.
2. CRITERIA FOR THE SELECTION AND FUNDING OF ACTIONS UNDER THE PROGRAMME (*) (GRANTS FOR PROJECTS (**))

To be eligible for financial support under the Public health programme, projects must serve the protection of human health and improvement of public health and contribute to achieving one or more of the objectives set out in Decision No 1786/2002/EC. Eligible projects are identified following a call for proposals with a view to the awarding of grants governed by the Financial Regulation.

In implementing the programme, the Commission will give priority to projects which:

— provide **European added value** (activities yielding relevant economies of scale at European level, conducted in as many Member States as well as applicant countries and EFTA/EEA countries as possible and capable of being applied elsewhere),

— are **large scale** (in content and geographical coverage), **multianual** and **multidisciplinary** (activities which cover an issue in a broad way involving all relevant partners and disciplines, span several years and cover a wide scope of issues),

— lead to **sustainable results** and outputs (which are likely to make a lasting contribution both to the objectives of the programme and to the development of the Community's health strategy),

— support policy developments at Community level in the field of public health, as set out in the annual priorities for the achievement of the programme's objectives,

— devote appropriate attention to the **evaluation** of the process and results.

Projects to be co-funded are identified by applying three sets of evaluation criteria: **exclusion criteria** (assessment of eligibility), **selection criteria** (assessment of the applicant's capacity) and **award criteria** (assessment of quality in relation to the cost of the project).

**NB:** Applicants must, without fail, provide all useful information of relevance to the funding of their project, including details and outcome of any other funding applications for the same project submitted to other national or international bodies or other Community programmes. Applicants are required to forward such information throughout the duration of the project.

2.1. Exclusion criteria (**)

2.1.1. In principle, commercial companies cannot take part in calls for proposals unless they can demonstrate that the immediate objective of the project proposed is non-commercial and absolutely non-profit-making (**).

2.1.2. Any application submitted by an agent on behalf of a third party will be excluded.

2.1.3. Any application submitted by an organisation to which any of the criteria for exclusion from a public contract listed in Article 114(2) of the Financial Regulation apply will be excluded. This means organisations which (**):

(a) are bankrupt or being wound up, are having their affairs being administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;

(b) have been convicted of an offence concerning their professional conduct by a judgment which has the force of **res judicata**;

(c) have been guilty of grave professional misconduct proven by any means which the contracting authority can justify;

(d) have not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the contracting authority or those of the country where the contract is to be performed;

(e) have been the subject of a judgement which has the force of **res judicata** for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Communities' financial interests;

**(*)** Calls for tenders are governed by the legislation on the award of public contracts and will be launched separately in accordance with the applicable procedures (see section 1 of this document).

**(**) The amount of the financial contribution under the programme can, in principle, be up to 80 % of the eligible costs for the projects considered. However, this figure is a maximum, not the norm for all projects, and the Commission will determine in each individual case the maximum percentage to be warded.

---

**Note:**

(8) Article 115(1) of the Financial Regulation.

(9) Article 109(2) of the Financial Regulation.

(10) Basis: declaration on the applicant’s honour, attached to the funding application form.
following another procurement procedure or grant award procedure financed by the Community budget, have been declared to be in serious breach of contract for failure to comply with their contractual obligations.

2.1.4. Any action or stage thereof which has already been completed on the date when the funding application is registered by DG Health and consumer protection (SANCO) will not be eligible. A grant may be awarded for an action which has already begun only where the applicant can demonstrate the need to start the action before the agreement is signed. In such cases the provisions of Article 112 of the Financial Regulation will be applied.

2.1.5. Any action which seeks to promote, either directly or indirectly, a message which runs contrary to the policies of the European Union or which is associated with an image contrary to that of the institutions will not be eligible.

2.1.6. Any proposals received after the deadline for receipt or failing to meet the formal requirements laid down in the call for proposals will be excluded. Only applications submitted using the standard application form will be considered. All the obligatory fields in the form must be completed clearly, accurately and in full.

Any incomplete or unsigned applications will automatically be eliminated from the selection procedure.

Any applications which do not meet the following eligibility criteria will be disregarded:

— applications must be submitted by a body legally established and registered in a Member State, or in one of the countries mentioned in Article 10 of Decision No 1786/2002/EC, provided that the official agreements have been signed between the governments of these countries and the Community concerning their participation in the programme (11).

— projects must relate to an action under the scope of the Public health programme as defined in Decision No 1786/2002/EC and the annual plans of work,

— the budget presented must show a balance between expenditure and income and clearly state the costs eligible for funding from the Community budget.

2.2. Selection criteria (12)

2.2.1. The paper version of the form is the authentic one. All applications must also be submitted in electronic form on CD-ROM or diskette, preferably in one of the following formats: HTML (hypertext mark-up language), Word, Excel, PDF, TIF or JPG; failing that, in RTF (rich text format) or TXT (unicode text).

2.2.2. Only legally established organisations are eligible for funding. In order to prove legal status, the following supporting information must be enclosed with the application (unless the application is submitted by a recognised public authority):

(a) the organisation’s articles of association and a copy of the registration certificate;

(b) if not appended to the Articles of Association, a list of the members of the board;

(c) all the information required in the application form (business name, VAT number, etc.).

2.2.3. Only organisations able to ensure their functioning can be awarded a grant. To back up the application, the applicant must enclose a copy of the organisation’s annual accounts (or the annual budget in the case of a public body) for the last financial year finalised before the submission of the application. The signatures of the partners contributing to project funding or a declaration signed by the coordinator confirming that he or she is authorised to submit the proposal and that this has been approved by the partners must also be enclosed. Moreover, the forward budget for the project must be balanced in terms of income and expenditure. For actions where the costs to be financed exceed EUR 300 000, the application must be accompanied by an external auditor’s report (13). In the case of agreements linking the Commission and a number of beneficiaries, these thresholds shall apply to each beneficiary.

(11) EFTA/EEA countries, associated central and eastern European countries, Cyprus, Malta and Turkey.

(12) See Article 115(1) of the Financial Regulation.

2.2.4. Only organisations with the necessary operational resources, skills and professional experience may be awarded a grant. To this end, the following information must be enclosed in support of the application:

(a) the organisation's most recent annual activity report;

(b) the CV of the project coordinator and/or project leader;

(c) any references concerning participation in activities funded by the European Community or the conclusion of contracts with the Commission, other international organisations or Member States.

2.3. Award criteria

(14) After the exclusion and selection criteria have been applied, a list of the proposed actions responding most closely to the following two criteria will be drawn up: quality of the proposed action and cost-effectiveness of the project. For evaluation purposes, these two criteria will be analysed on the basis of the following subcriteria: conformity with the Commission's predefined objectives; Community added value; dissemination of results and visibility of the Community action; results likely to be taken into consideration; relevance of the methods and quality of the proposed management; effectiveness of partnerships; consistency of the funding plan.

2.3.1. Quality of the proposed action

2.3.1.1. Conformity with the Commission's predefined objectives

(a) Good understanding of the issues at stake in the Community: the project must meet the needs identified in Decision No 1786/2002/EC and the annual plans of work. The applicant must offer evidence of the links between the proposed project and the priorities. The applicant must, for example, explain if and how the project contributes to strengthening solidarity and cohesion within the Community, responds to needs arising out of conditions and structures established through Community action in other fields, takes account of new developments, new threats and new problems, or brings together activities undertaken in relative isolation and with limited impact at national level by complementing them.

(b) Clear description of the proposed project, compliance with specific requirements: scale of the project (in terms of content and geographical coverage), multiannual and multi-disciplinary character.

2.3.1.2. Community added value

(c) Extent to which the project can contribute to health protection and/or the improvement of public health, so contributing to the resolution of problems at Community level: the applicant must describe the benefits of project implementation at European level. For example, projects will be taken into consideration if they contribute to the comparability of data and methods between Member States, contribute to uniformity and consensus between Member States, provide expertise for the definition of new approaches, identify the scale of public health problems common to the Member States, contribute to the exchange of best practices between Member States, or identify effective methods of intervention with regard to health threats and health determinants.

(d) European added value of the partnership(s): taking account of the objectives pursued, the applicant must describe the complementarity of the skills available in the various organisations participating at European level.

(e) Originality, innovative nature and progress compared with the state of the art: the applicant must compare the project with the existing situation in the Member States and at Community level.

(f) Analysis of synergies: in evaluating the project, account will be taken of the activities undertaken by other Commission departments, European agencies, and/or national and international organisations, so as to avoid overlapping, foster synergy and promote consistency and complementarity of approaches. On the basis of the available information, the applicant must place the project in the appropriate context:

(i) complementarity of the project compared with other projects already developed in the field;

(ii) connection with projects developed in the context of other Community policies;
(iii) connection with projects developed in the context of other international or national organisations:

(iv) REMINDER: Applicants must, without fail, provide all useful information of relevance to the funding of their project, including details and outcome of any other funding applications for the same project submitted to other national or international bodies or other Community programmes. Applicants are required to forward such information throughout the duration of the project.

(g) Number of Member States as well as applicant countries and EFTA/EEA countries involved: priority will be given to large-scale projects involving as many Member States, applicant countries and EFTA/EEA countries as possible, taking account of the specific features of the project under consideration. The applicant must specify how these countries are to be involved in or concerned by the project. The balance between the scale of the project (number of Member States, applicant countries and EFTA/EEA countries involved) and its characteristics will be evaluated by the Commission assisted by the Public Health Committee as part of the procedure described in section 3(A).

2.3.1.3. Dissemination of results and visibility of the Community action

(h) The project must include the dissemination and exploitation of the results, using suitable dissemination strategies (choice of target groups, etc.). The applicant must describe in detail the dissemination plan, covering all the levels envisaged (international, national, local), and must state how the Community nature of the project will be brought to bear.

2.3.1.4. Results likely to be taken into consideration

(i) The project must define specific and realistic objectives, with the aim of producing lasting results conducive to the realisation of the programme’s objectives. The applicant must state the specific objectives pursued and their link with the programme’s objectives.

(j) The project must set verifiable and quantifiable objectives. The applicant must specify how the results are to be measured. The project must include suitable evaluation measures. The applicant must describe the envisaged evaluations in detail, in terms of both procedures and results.

2.4. Cost-effectiveness of the project

2.4.1. Relevance of the methods and quality of the proposed management

(k) The applicant must explain the basis for adopting the proposed methods and must provide information allowing an assessment of the clarity and feasibility of the proposed timetable for implementation, the coherence of tasks and the tools to be used to monitor the project. The applicant must provide an analysis of risks which might hinder the implementation of the project as originally intended and suggest alternative ways of achieving the objectives pursued.

2.4.2. Effectiveness of partnerships

(l) The applicant must describe the multiplier effects expected from the development of the project, and must explain the complementarity of the resources available and the economics of scale generated under the project.

2.4.3. Consistency of the funding plan

(m) The applicant must provide evidence of the appropriateness of the planned budget in relation to the expected results: in particular, he/she must describe the nature of the work to be undertaken by each person involved in implementing the project and provide an estimate of the workload of each person involved as a result of this work (detailed justification of the number of working days proposed in the project budget and the relevant costs).

3. PROCEDURE FOR THE SELECTION AND FINANCING OF ACTIONS

A. Selection procedure

Though not applicable to the year in which the programme is being launched (2003), for which a special timetable will be set out in the call for proposals, an indicative timetable for the selection procedures is shown below, to illustrate the timescale for the operations envisaged. The project selection procedure will consist of the following stages.
3.1. On the basis of the draft presented by the Commission, the Committee will deliver its opinion each year (for example by March (15)) on the main aspects of the next year's plan of work. The plan of work will be adopted by the Commission and published on its Internet site on grants (16). On this basis, a call for proposals will also be published on the Internet site of the Commission (DG Health and consumer protection/DG SANCO).

3.2. Each year there will be one closing date (for example 30 June) for the submission of funding applications for the following year. However, depending on the nature of the call for proposals, the Commission has the option of changing this deadline. The Commission will take the necessary measures to publicise the types of action to be carried out, as well as the conditions and deadlines for the submission of proposals.

3.3. The Commission will register funding applications which have been submitted using the standard form duly completed and sent by the specified closing date (as evidenced by the postmark). It will send an acknowledgement of receipt to the parties concerned.

3.4. The Commission will examine the funding applications, where appropriate with the assistance of experts recognised for their competence and chosen by the Commission on an ad hoc basis, and will draw up a list of recommendations on the basis of the evaluation criteria listed in section 2. The list of recommendations will separate funding applications into three categories:

— acceptable to the Commission departments at this stage of the selection procedure,

— agreed in principle, subject to certain conditions (explained in the list of recommendations),

— proposed rejection (stating the reasons).

3.5. The Commission's representative will submit the list of recommendations to the Committee for its opinion (in accordance with the consultation procedure referred to in Article 9(3) of Decision No 1786/2002/EC). This consultation of the Committee will take place each year (for example in November), subject to the provisions of point 3.10.

3.6. The Commission will also transmit to the Committee a summary of the applications received under each funding round.

3.7. The appropriate measures will be adopted by the Commission, taking the utmost account of the opinion expressed by the Committee.

3.8. The Commission will inform each applicant of the final decision taken and of the next steps, and will set in motion the procedures necessary for the preparation of financing contracts (this stage includes dialogue with the beneficiaries concerning any necessary technical and financial adjustments, as well as all the procedures relating to expenditure commitments).

3.9. If necessary, especially in the light of the results of the call for proposals and/or the emergence of new priorities, a second call for proposals may be issued, following the procedures set out in points 3.2 to 3.9 and on the basis of an ad hoc timetable.

3.10. Spontaneous grants may be awarded for the organisation of conferences by Member States under their Council Presidency. Spontaneous grants are subject to appropriate planning of events. They may also be awarded in the event of exceptional and duly substantiated emergencies (17). The conditions for the awarding of grants are applicable (evaluation in accordance with the criteria set out in this document) (18), subject to budget availability.

3.11. Where appropriate, calls for tenders with a view to awarding public contracts will also be published on the basis of procedures suited to the nature and amount of the contract in question (see section 1 of this document). In the case of contracts for an amount below a certain threshold, lists of experts drawn up on the basis of calls for expressions of interest may be used. Calls for expressions of interest are published on the Commission's Internet site.

3.12. The Committee is kept informed of financial assistance granted in connection with the provisions of Article 12(1) of Decision No 1786/2002/EC (annual report on the implementation of actions).

3.13. Details of grants awarded during a financial year are published on the Commission's Internet site, in accordance with the implementing rules for the Financial Regulation (19).

(15) Article 110(1) of the Financial Regulation.
(18) Article 166 of the implementing rules for the Financial Regulation.
B. Financing procedure

3.14. The Commission, after consulting the Committee mentioned in point 3.5, will determine the amount of financial assistance to be awarded, based on the available budget. It will ensure compliance with the distribution of resources as stipulated in Article 8(1)(a) of Decision No 1786/2002/EC.

3.15. Project financing will be based on the principle of shared costs, in accordance with Articles 109 and 113 of the Financial Regulation. The rate of co-funding under the Public health programme is laid down in the annual plans of work adopted in accordance with Article 8(1)(a) of Decision No 1786/2002/EC. For the record, contracts awarded under the procedures for public contracts described in section 1 refer to the acquisition of goods or services and are therefore financed at the rate of 100%.

3.16. If the amount awarded by the Commission is less than the amount requested by the applicant, it is up to the latter to find additional funding or to reduce the total cost of the project without reducing the objectives or the content from the point of view of Community interest.

3.17. The Commission will forward a draft financing contract to the beneficiary. Once the beneficiary has signed the financing contract, he/she will submit it to the Commission for signature. In principle, and except in duly justified special cases, the activities provided for under the project may not begin until the date on which the contract is signed by the Commission's representative. If a project starts earlier, in contravention of this rule of principle, given that the Commission is under no obligation to enter into a contract as a result of the selection procedure, applicants thus absolve the Commission of all responsibility whatsoever. The Commission will not bear any responsibility, whatsoever which could arise as a result of the early start.

3.18. The payment arrangements will be as follows:

— projects where the Community contribution exceeds EUR 50 000: 30 % within 60 days of the contract being signed by the Commission representative, 40 % on presentation of an interim report, and the balance after the Commission's acceptance of the final report and the financial report,

— projects where the Community contribution is less than or equal to EUR 50 000: 50 % within 60 days of the contract being signed, and the balance after the Commission's acceptance of the final report and the financial report.

3.19. The amount granted is a proportion of the estimated cost of the project and will be reduced accordingly if the total actual cost is less than the total estimated cost.

3.20. The Commission will evaluate the final report within 45 days of receiving it.