

ANNEX III – FINANCIAL AND CONTRACTUAL RULES

KEY ACTION 1 – LEARNING MOBILITY

I. RULES APPLICABLE TO BUDGET CATEGORIES BASED ON UNIT CONTRIBUTIONS

I.1 Conditions for eligibility of unit contributions

Where the grant takes the form of a unit contribution, the number of units must comply with the following conditions:

- (a) the units must be actually used or produced in the period set out in Article I.2.2 of the Special Conditions;
- (b) the units must be necessary for implementing the Project or produced by it;
- (c) the number of units must be identifiable and verifiable, in particular supported by records and documentation specified in this Annex.

I.2 Calculation and supporting documents for unit contributions

A. Travel

(a) Calculation of the grant amount: the grant amount is calculated by multiplying the number of participants per distance band, **including accompanying persons**, by the unit contribution applicable to the distance band concerned, as specified in Annex IV of the Agreement. The unit contribution per distance band represents the grant amount for a return travel between the place of departure and the place of arrival.

For the establishment of the distance band applicable, the beneficiary shall indicate the distance of a one-way travel using the on-line distance calculator available on the Commission's website at http://ec.europa.eu/programmes/erasmus-plus/tools/distance_en.htm. The beneficiary will calculate in Mobility Tool+ the grant amounts for travel based on the applicable unit contribution rates.

By default, the place of origin is understood as the place where the sending organisation is located and the place of the venue as the place where the receiving organisation is located. If a different place of origin or venue is reported, the beneficiary shall provide the reason for this difference.

In case no travel took place or it was funded from other sources than the Erasmus+ Programme (e.g. a mobility participant is already at the place of the venue in relation to another activity than the one funded from the Agreement), the beneficiary shall report that situation accordingly in Mobility Tool+ for each mobility concerned. In this case, no grant support for travel costs will be awarded.

(b) Triggering event: the event that conditions the entitlement to the grant is that the participant has actually undertaken the reported travel.

(c) Supporting documents: For travel taking place between the sending organisation and the receiving organisation: proof of attendance of the activity abroad in the form of a declaration signed by the receiving organisation specifying the name of the participant, the purpose of the activity abroad, as well as its starting and end date. In exceptional cases of travel from a place different than

that where the sending organisation is located and/or travel to a place different than that where the receiving organisation is located which leads to a change of distance band, the actual travel itinerary shall be supported with travel tickets or other invoices specifying the place of departure and the place of arrival.

B. Individual support

- (a) Calculation of the grant amount: the grant amount is calculated by multiplying the number of days/months per participant, including accompanying persons, by the unit contribution applicable per day/month for the receiving country concerned as specified in Annex IV of the Agreement. In the case of incomplete months for long-term mobilities, the grant amount is calculated by multiplying the number of days in the incomplete month by 1/30 of the unit contribution per month. One travel day before the activity and one travel day following the activity can be included for the calculation of individual support if relevant.
- In case of an interruption during the stay, the period of interruption will not be counted when calculating the individual support grant.
 - In case of termination by the participant of the agreement with the beneficiary due to "force majeure", the participant shall be entitled to receive the amount of the grant corresponding to the actual duration of the mobility period as defined in article 2.2 of the agreement between the beneficiary and the participant. Any remaining funds shall have to be refunded, except if agreed differently with the beneficiary.
 - In case of suspension by the participant of the grant agreement with the beneficiary due to "force majeure", the participant shall be allowed to continue the activities after the interruption, provided that the mobility end date does not exceed the final date of the mobility project. This should be reported in Mobility Tool+ as a single mobility with an interruption period.
- (b) Triggering event: the event that conditions the entitlement to the grant is that the participant has actually undertaken the activity abroad for the specified period.
- (c) Supporting documents: proof of attendance of the activity abroad in the form of a declaration signed by the receiving organisation specifying the name of the participant, the purpose of the activity abroad, as well as its start and end date.
- (d) Reporting:
- Participants in the mobility activities shall report on this activity via an on-line questionnaire providing their feedback in terms of factual information and their appreciation of the activity period abroad, as well as of its preparation and follow-up.

C. Organisational support

- (a) Calculation of the grant amount: the grant amount is calculated by multiplying the total number of participations in mobility activities by the unit contribution applicable as specified in Annex IV of the Agreement. The total number of persons considered for organisational support excludes persons accompanying learners at their activity abroad.

- (b) Triggering event: the event that conditions the entitlement to the grant is that the participant has actually undertaken the activity abroad.
- (c) Supporting documents: proof of attendance of the activity abroad as specified for "individual support" above.

D. Linguistic support

D.1. Linguistic support (only for languages not covered by OLS)

- (a) Calculation of the grant amount: the grant amount is calculated by multiplying the total number of learners receiving linguistic support by the unit contribution as specified in Annex IV of the Agreement.
- (b) Triggering event: the event that conditions the entitlement to the grant is that the participant has actually undertaken language preparation in the language of instruction of work abroad.
- (c) Supporting documents:
 - proof of attendance of courses in the form of a declaration signed by the course provider, specifying the name of the participant, the language taught, the format and duration of the linguistic support provided, or
 - invoice for the purchase of learning materials, specifying the language concerned, the name and address of the body issuing the invoice, the amount and currency, and the date of the invoice, or
 - in case the linguistic support is provided directly by the beneficiary: a declaration signed and dated by the participant, specifying the name of the participant, the language taught, the format and duration of the linguistic support received.

D.2. Online Linguistic Support (OLS) [*Only applicable for mobilities for which the main language of instruction, work or volunteering is Czech, Danish, Greek, English, French, German, Italian, Spanish, Dutch, Polish, Portuguese or Swedish (or additional languages once they become available in the Online Linguistic Support (OLS) tool), with the exception of native speakers*]

OLS language assessments

- Language assessment licenses are provided for participants undertaking a mobility period abroad for a minimum period of one month.
- The licences shall be distributed to the participants from the sending institution. The beneficiary shall ensure the uptake of the licences and make every effort to ensure that all the allocated licences are used by the selected participants.
- The beneficiary shall distribute the language assessment licences to participants after their selection for the mobility activity abroad.
- The beneficiary shall ensure that mobility participants take the first OLS language assessment before their mobility period and the second OLS language assessment at the end of their mobility period.
- The beneficiary will be notified of the assessment results by the service provider.

OLS language courses

- Participants must have taken an OLS assessment before they can be awarded a licence to follow an OLS language course. Licences for OLS language courses shall be awarded to all participants willing to follow the course and according to the participant's linguistic needs.
- Licences shall be distributed among the participants from the sending institution according to their needs. All participants having taken the language assessment have the opportunity to follow a language course.
- Mobility participants with a level of B2 or higher at the first language assessment in their main language of instruction, work or volunteering have the opportunity to follow an OLS language course either in that language or in the local language of the country, provided it is available in the OLS. It is up to the sending institution or the beneficiary to indicate this choice in the OLS.
- OLS language course licences must be used in the period between the OLS first and second language assessments, before and during the mobility activity of the participants concerned.
- The beneficiary shall monitor the use of licences on the basis of the information provided by the service provider.
- The beneficiary shall make every effort to ensure that all the allocated licences are actively used by the selected participants.

All licences

- Mobility participants commit themselves by signing the individual mobility grant agreement to complete both OLS language assessments (before and at the end of the mobility period) and to follow the OLS language course, if awarded.
- The beneficiary shall act in line with the guidelines for the use of the OLS provided by the service provider.
- The beneficiary shall report on the number of used language assessment and language course licences in the final beneficiary report.
- In case of unused or non-allocated licences at the time of final beneficiary report, the NA may decide to take this into account for the allocation of the number of licences awarded to the beneficiary in the subsequent call years.

II. RULES APPLICABLE FOR THE BUDGET CATEGORIES BASED ON REIMBURSEMENT OF ACTUAL INCURRED COSTS

II.1. Conditions for the reimbursement of actual costs

Where the grant takes the form of a reimbursement of actual costs, the following conditions shall apply:

- (a) they are incurred by the beneficiary;
- (b) they are incurred in the period set out in Article I.2.2.;
- (c) they are indicated in the estimated budget set out in Annex II or eligible following budget transfers in accordance with Article I.3.3;

- (d) they are incurred in connection with the Project as described in Annex II and are necessary for its implementation;
- (e) they are identifiable and verifiable, in particular are recorded in the beneficiary's accounting records and determined according to the applicable accounting standards of the country where the beneficiary is established and with the beneficiary's usual cost accounting practices;
- (f) they comply with the requirements of applicable tax and social legislation;
- (g) they are reasonable, justified, and comply with the principle of sound financial management, in particular regarding economy and efficiency;
- (h) they are not covered by a unit contribution as specified in Section I of this Annex.

II.2. Calculation of actual cost

A. Special needs support

- a) Calculation of the grant amount: the grant is a reimbursement of 100% of the eligible costs actually incurred.
- b) Eligible costs: costs directly related to participants with disabilities and accompanying persons (including costs related to travel and subsistence, if justified and as long as a unit contribution for these participants is not requested through budget categories "travel" and "individual support" and that are additional to costs supported by a unit contribution as specified in Section I of this Annex.
- c) Supporting documents: invoices of the actual costs incurred, specifying the name and address of the body issuing the invoice, the amount and currency, and the date of the invoice.
- d) Reporting:
 - The beneficiary shall report in Mobility Tool+ whether additional grant support for special needs support or accompanying person was used for any of the participants with special needs.
 - In such case, the beneficiary shall report in Mobility Tool+ the type of additional expenses as well as the real amount of related additional costs incurred.

B. Exceptional costs

- (a) Calculation of the grant amount: the grant is a reimbursement of 75% of the eligible costs actually incurred for the financial guarantee, of 80% of the eligible costs for expensive travel costs of participants from outermost regions and OCTs and of 100% of the eligible costs actually incurred for the participation of learners with fewer opportunities.
- (b) Eligible costs:
 - costs that are indispensable to allow learners with fewer opportunities to participate in the project (excluding costs for travel and individual support for participants and accompanying persons) and that are additional to costs supported by a unit contribution as specified in Section I of this Annex;

- costs relating to a pre-financing guarantee lodged by the beneficiary where such guarantee is required by the NA, as specified in Article I.4.2 of the Agreement.
- costs of travel for participants of outermost regions and OCTs for which the standard funding rule does not cover at least 70% of the eligible costs.

(c) Supporting documents:

- In the case of costs related to the participation of learners with fewer opportunities: invoices of the actual costs incurred, specifying the name and address of the body issuing the invoice, the amount and currency, and the date of the invoice.
- In the case of a financial guarantee: proof of the cost the financial guarantee issued by the body providing the guarantee to the beneficiary, specifying the name and address of the body issuing the financial guarantee, the amount and currency of the cost of the guarantee, and providing the date and signature of the legal representative of the body issuing the guarantee.
- In the case of the costs for travel for participants from outermost regions and OCTs, proof of payment of the related costs on the basis of invoices specifying the name and address of the body issuing the invoice, the amount and currency, and the date of the invoice;

III. CONDITIONS OF ELIGIBILITY OF PROJECT ACTIVITIES

- a) The beneficiary shall ensure that the activities of the project for which grant support was awarded are eligible in accordance with the rules set out in the Erasmus+ Programme Guide for each Key Action and each field.
- b) Activities undertaken that are not compliant with the rules set out in the Erasmus+ Programme Guide as complemented by the rules set out in this Annex shall be declared ineligible by the NA and the grant amounts corresponding to the activities concerned shall be reimbursed in full. The reimbursement shall cover all budget categories for which a grant was awarded in relation to the activity that is declared ineligible.
- c) The eligible minimum duration of mobility activities specified in the Programme Guide is the minimum duration of the activity excluding time for travel.

IV. RULES AND CONDITIONS FOR GRANT REDUCTION FOR POOR, PARTIAL OR LATE IMPLEMENTATION

- Poor, partial or late implementation of the Project may be established by the NA on the basis of the final report submitted by the beneficiary (including reports from individual participants taking part in the mobility activities).
- The NA may consider also information received from any other relevant source, proving that the Project is not implemented in accordance with the contractual provisions. Other sources of information may include monitoring visits, desk checks or on the spot checks undertaken by the NA.
- The final report will be assessed on the basis of quality criteria and scored on a total of maximum 100 points. If the final report scores below 50 points in total, the NA may reduce the final grant amount for organisational support on the basis of poor, partial or late implementation of the action even if all activities reported were eligible and actually took place.

- **[For VET accredited organisations only]** In the case of accredited organisations, if the NA considers that the implementation of the Project does not respect the quality commitment undertaken by the beneficiary, the NA may in addition or alternatively require the beneficiary to develop and implement an action plan within an agreed timeframe to ensure respect of the applicable requirements. If the beneficiary does not implement the action plan in a satisfactory manner by the due date, the NA may withdraw the accreditation.
- The final report will be assessed in conjunction with the reports from the mobility participants, using a common set of quality criteria focusing on:

[For non-accredited organisations]

- The extent to which the action was implemented in line with the approved grant application
- The quality of the learning outcomes and impact on participants
- The impact on the participating organisations
- The quality of the practical arrangements provided in support of the mobility, in terms of preparation, monitoring and support to participants during their mobility activity
- The quality arrangements for the recognition/validation of the learning outcomes of participants
- The extent to which the grant amounts due to mobility participants were transferred to them in accordance with the contractual provisions set out in the agreement between the respective beneficiary and participant following the templates provided in Annex VI of the Agreement.

[for VET accredited organisations:]

- The extent to which the action was implemented in line with the approved grant application.
 - The extent to which the action was implemented in respect of the quality and compliance requirements set out in the Erasmus+ VET Mobility Charter.
 - The extent to which the grant amounts due to mobility participants were transferred to them in accordance with the contractual provisions set out in the agreement between the beneficiary and the participant following the templates provided in Annex VI of the Agreement.
- A grant reduction based on poor, partial or late implementation may be applied to the final amount of eligible expenses for organisational support and may be of:
 - 25% if the final report scores at least 40 points and below 50 points;
 - 50% if the final report scores at least 25 points and below 40 points;
 - 75% if the final report scores below 25 points.

V. GRANT MODIFICATIONS

(a) Grant modification due to additional funds being available

- In the event of additional funds becoming available to the NA for (re)allocation to beneficiaries, the total maximum grant amount indicated in Article I.3.1 may be increased in accordance with the following conditions:
 - The beneficiary has not been awarded the full grant requested under the main selection round due to the high demand and limited budget rather than for reasons of weak past performance of the beneficiary;
 - On the basis of the information provided in the ad hoc interim report and data registered in Mobility Tool+, the realisation level of mobilities granted initially is in line with the Grant Agreement.
- The final grant amount awarded shall not exceed the grant amount requested by the applicant in the initial grant application.

(b) Contractual modifications

- In accordance with Article II.13 of the Agreement, any modification of the grant as set out in Sections V (a) above will take the form of an amendment to the Agreement.

VI. CHECKS OF GRANT BENEFICIARIES AND PROVISION OF SUPPORTING DOCUMENTS

In accordance with Article II.27, the beneficiary may be subject to checks and audits in relation to the Agreement. Checks and audits aim at verifying whether the beneficiary managed the grant in respect of the rules set out in the Agreement, in order to establish the final grant amount to which the beneficiary is entitled.

A final report check shall be performed for all projects. In addition, the project may be subject to further desk check or on-the-spot check if the project Agreement is included in the NA sample required by the European Commission or if the NA has selected it for a targeted check based on its risk assessment.

For final report check and desk check, the beneficiary shall supply copies of supporting documents (including supporting documents from the other beneficiaries) to the NA, unless the NA makes a request for originals to be delivered. The NA shall return original supporting documents to the beneficiary upon its analysis thereof. If the beneficiary is legally not authorised to send original documents for final report or desk checks, the beneficiary concerned may send a copy of the supporting documents instead.

The beneficiary shall note that for any type of check the NA may additionally request supporting documents or evidence that are typically specified for another type of check.

The different checks shall include the following:

a) **Final report check**

The final report check is undertaken at final report stage at the NA premises in order to establish the final grant amount to which the beneficiary is entitled.

The beneficiary shall submit to the National Agency a final report through Mobility Tool+ which will include the following information on grant expenditure:

- Unit contributions consumed for budget categories:
 - Travel
 - Individual support
 - Organisational support
 - Linguistic support

- Actual costs incurred for budget category:
 - Special needs support

- Actual costs incurred and supporting documents specified in Section II of this Annex for budget category:
 - Exceptional costs

b) Desk check

Desk check is an in-depth check of supporting documents at the NA premises that may be conducted at or after the final report stage.

Upon request, the beneficiary shall submit to the National Agency the supporting documents for all budget categories.

c) On-the-spot checks

On-the-spot checks are performed by the NA at the premises of the beneficiary or at any other relevant premise for the execution of the Project. During on-the-spot checks, the beneficiary shall make available for review by the National Agency original supporting documentation as specified for final report and desk checks.

There are three types of possible on-the-spot checks:

On-the-spot check during project implementation

This check is undertaken during the implementation of the Project in order for the National Agency to verify directly the reality and eligibility of all project activities and participants,

On-the-spot check after completion of the project

This check is undertaken after the end of the Project and usually after the final report check.

In addition to providing all supporting documentation, the beneficiary will enable the National Agency access to the recording of project expense in the beneficiary accounts.

System check

The systems check is performed to establish the beneficiary's compliance with the commitments undertaken as a result of the VET mobility charter. The beneficiary shall enable National Agency to verify the reality and eligibility of all project activities and participants.