



EUROPEAN COMMISSION
Employment, Social Affairs and Inclusion DG

Social Market Economy in Member States I : ESF
ESF Legislation and Policy, Financial Engineering

Brussels,
EMPL/E1/MG/LW/md (2012)

Ms BETH

E-mail: ask+request-161-2b072b46@asktheeu.org

Dear Madam,

Subject: Your application for access to documents – Ref GestDem No 2012/3190

We refer to your e-mail dated 27/06/2012 in which you make a request for access to documents, registered on 27/06/2012 under the above mentioned reference number.

- 1) As concerns your request on "Those documents that explain to countries/regions/Managing Authorities the process for how they and secure funds from the Commission."**

In accordance with Article 161 of the Treaty establishing the European Community *"the Council, acting unanimously on a proposal from the Commission and after obtaining the assent of the European Parliament and consulting the Economic and Social Committee and the Committee of the Regions, shall define the tasks, priority objectives and the organisation of the Structural Funds, which may involve grouping the Funds. The Council, acting by the same procedure, shall also define the general rules applicable to them and the provisions necessary to ensure their effectiveness and the coordination of the Funds with one another and with the other existing Financial Instruments."* Pursuant to this legal basis a Council Regulation (EC) No 1083/2006 of 11 July 2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and repealing Regulation (EC) No 1260/1999 (latter on referred as: Regulation No 1083/2006) was adopted. In this legal act in Chapter V as well as in the Annex I and II the resources available from the Funds for the period 2007 to 2013 were set.

- 2) **As concerns your request on "Those documents that explain to countries/regions/Managing Authorities how to draft their National Strategic Reference Framework and Operational Programme, and the approval process for both of these."**

Title II (art. 25-28) of the Regulation No 1083/2006 sets up the provisions for the content, both of the Community Strategic Guidelines on Cohesion as well as of the National Strategic Reference Framework. Moreover, the Title III (art. 32-36) of the Regulation No 1083/2006 foresees the procedure of the preparation and approval of operational programmes.

- 3) **As concerns your request on "Those that explain to countries/regions/Managing Authorities the criteria by which to allocate funds to specific projects (and where funding is prohibited)."**

The Regulation No 1083/2006 (art. 56) regulates the eligibility of expenditure. However, the rules on the eligibility of expenditure are laid down at national level subject to the exceptions provided for in the specific Regulations for each Fund. In the case of the European Social Fund they are regulated in art. 11 of the Regulation (EC) No 1081/2006 of the European Parliament and of the Council of 5 July 2006 on the European Social Fund and repealing Regulation (EC) No 1784/1999 (Regulation (EC) No 1081/2006).

Based on the principle of shared management between the European Union and the Member States and regions the latter are responsible for the selection and allocation of specific projects (see art. 14 of the Regulation No 1083/2006).

- 4) **As concerns your request on "Those that explain the process of evaluation, and the criteria for this evaluation, after funding has been spent on specific projects."**

The general provisions of evaluation are set up in the Title IV (art. 47-50) of the Regulation No 1083/2006.

More information on the European Social Fund can be found here:

<http://ec.europa.eu/social/main.jsp?langId=en&catId=325>

Yours faithfully,



Manuela Geleng