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NOTE FOR THE ERASMUS+ YOUTH NA DIRECTORS

Subject: References to the new Financial Regulation and Directive on payment services in the internal market in grant agreements regarding the European Solidarity Corps

Dear Colleagues,

The aim of this note is to provide you with updated references to the Financial Regulation and Directive on payment services in Annex I to the Framework Partnership Agreement (for action Volunteering Partnerships implemented in the context of the European Solidarity Corps) and in Annex I to the Standard Mono-beneficiary Grant Agreement (for other actions in the context of the European Solidarity Corps).

The current changes concern Article II.17.2 and Article II.26.4 of the aforesaid documents, reflecting certain changes in EU legislation applicable to the grant agreements and referenced in the articles concerned.

From our point of view, the modification of the legal references does not require you to amend the existing grant agreements.

However, should you be in a situation of needing to apply one of the concerned articles, kindly use the updated references, as shown in the transition table overleaf.

Transition table with updated references:

Document/Article	Previous version	Updated version
European Solidarity Corps Framework Partnership Agreement – Special Conditions, General Conditions - Volunteering Partnerships: December 2018/ II.17.2.2 Termination of the Framework agreement or a Specific agreement based on explicit grounds (d)	the partner or any person that assumes unlimited liability for the debts of the partner comes under any of the situations provided for in points (a) or (b) of Article 106(1) of the Financial Regulation ¹ ;	the partner or any person that assumes unlimited liability for the debts of the partner comes under any of the situations provided for in points (a) or (b) of Article 136(1) of the Financial Regulation ² ;
European Solidarity Corps Framework Partnership Agreement – Special Conditions, General Conditions - Volunteering Partnerships: December 2018/ II.17.2.2 Termination of the Framework agreement or a Specific agreement based on explicit grounds (e)	the partner or any related person comes under any of the situations provided for in points (c), (d), (e) or (f) of Article 106(1) or comes under Article 106(2) of the Financial Regulation;	the partner or any related person comes under any of the situations provided for in points (c), (d), (e), (f), (g) or (h) of Article 136(1) or comes under Article 136(2) of the Financial Regulation;
European Solidarity Corps Framework Partnership Agreement – Special Conditions, General Conditions - Volunteering Partnerships: December 2018 II.26.4 Bank Charges	bank charges incurred in the recovery process must be borne by the partner, unless Directive 2007/64/EC ³ applies.	bank charges incurred in the recovery process must be borne by the partner, unless Directive 2015/2366/EU ⁴ applies.

¹ Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union.

² Regulation (EU, Euratom) No 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union.

³ Directive 2007/64/EC of the European Parliament and of the Council of 13 November 2007 on payment services in the internal market amending Directives 97/7/EC, 2002/65/EC, 2005/60/EC and 2006/48/EC and repealing Directive 97/5/EC..

⁴ Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU) No 1093/2010, and repealing Directive 2007/64/EC.

European Solidarity Corps – General Conditions Model grant agreement (mono beneficiary): December 2018/ II.17.2.1 Grounds for termination (d)	the beneficiary or any person that assumes unlimited liability for the debts of the beneficiary comes under any of the situations provided for in points (a) or (b) of Article 106 (1) of the Financial Regulation; ⁵	the beneficiary or any person that assumes unlimited liability for the debts of the beneficiary comes under any of the situations provided for in points (a) or (b) of Article 136 (1) of the Financial Regulation; ⁶
European Solidarity Corps – General Conditions Model grant agreement (mono-beneficiary): December 2018/ II.17.2.1 Grounds for termination (e)	the beneficiary or any <i>related person</i> comes under any of the situations provided for in points (c), (d), (e) or (f) of Article 106 (1) or comes under Article 106 (2) of the Financial Regulation;	the beneficiary or any <i>related person</i> comes under any of the situations provided for in points (c), (d), (e), (f), (g) or (h) of Article 136 (1) or comes under Article 136 (2) of the Financial Regulation;
European Solidarity Corps – General Conditions Model grant agreement (mono-beneficiary): December 2018/ II.26.4 Bank Charges	bank charges incurred in the recovery process must be borne by the beneficiary, unless Directive 2007/64/EC ⁷ applies.	bank charges incurred in the recovery process must be borne by the beneficiary, unless Directive 2015/2366/EU ⁸ applies.

In order to inform the beneficiaries about these changes, we also kindly request that you to publish this update on your website.

In case of any further questions or clarifications, do not hesitate to contact directly the colleagues responsible for the Solidarity Corps at EAC-NA-YOUTH@ec.europa.eu.

Kind regards,

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Head of Unit

⁵ Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union..

⁶ Regulation (EU, Euratom) No 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union.

⁷ Directive 2007/64/EC of the European Parliament and of the Council of 13 November 2007 on payment services in the internal market amending Directives 97/7/EC, 2002/65/EC, 2005/60/EC and 2006/48/EC and repealing Directive 97/5/EC.

⁸ Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU) No 1093/2010, and repealing Directive 2007/64/EC.