

# **FINANCING AGREEMENT**

BETWEEN

THE GOVERNEMENT OF MONTENEGRO

AND

THE EUROPEAN COMMISSION

## **AMENDING THE FINANCING AGREEMENT**

BETWEEN

THE GOVERNEMENT OF MONTENEGRO

AND

THE EUROPEAN COMMISSION

concerning the "Interreg IPA cross-border cooperation Croatia-Bosnia  
and Herzegovina-Montenegro programme" for the years 2014-2020  
(CCI 2014TC16I5CB004)  
under the Instrument for Pre-accession Assistance (IPA II)

(shared management)

## THE GOVERNMENT OF MONTENEGRO

and

## THE EUROPEAN COMMISSION,

Hereafter jointly referred to as "the Parties" or individually as "the Commission", in the case of the European Commission,

Having regard to Article 82 in Annex IV to the Financing Agreement between the Government of Montenegro and the Commission concerning the "Interreg IPA cross-border cooperation Croatia-Bosnia and Herzegovina-Montenegro programme" for the years 2014-2020 under the Instrument for Pre-accession Assistance,

### Whereas

- (1) The "Interreg IPA Cross-border cooperation Croatia-Bosnia and Herzegovina-Montenegro programme" for the years 2014-2020 under the Instrument for Pre-accession Assistance (IPA II) was adopted by Commission Decision C(2015) 8447 and was last amended by Commission Decision C(2017) 6267. Based on Article 4 of Commission Decision C(2015) 8447, the Decision adopting the programme is to be implemented by means of multi-annual Financing Agreement to be concluded between the Commission, Bosnia and Herzegovina, and Montenegro.
- (2) The Financing Agreement between the Commission and the Government of Montenegro concerning the "Interreg IPA cross-border cooperation Croatia-Bosnia and Herzegovina-Montenegro programme" for the years 2014-2020 under the Instrument for Pre-accession Assistance ("the Financing Agreement") was signed on 15 September 2016.
- (3) By Decision C(2017) 6267 the Commission approved an amendment of the cooperation programme consisting in adding the missing performance framework. Annex I to Commission Decision C(2015) 8447 was replaced by the text set out in the Annex to Commission Decision C(2017) 6267. Annex I to the Financing Agreement should therefore be amended accordingly.
- (4) The Financing Agreement should also take into account the need to extend the rules on nationality and origin in the public procurement procedures in accordance with Article 8(2) of Regulation (EU) No 236/2014<sup>1</sup>.
- (5) The Financing Agreement should therefore be amended accordingly,

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<sup>1</sup> Regulation (EU) No 236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action – L 77/95 of 15.3.2014.

HAVE AGREED AS FOLLOWS:

*Article 1*

The Financing Agreement (between the Commission and the Government of Montenegro concerning the "Interreg IPA cross-border cooperation Croatia-Bosnia and Herzegovina-Montenegro programme") is amended as follows:

(1) Annex I (the revised cooperation programme) is replaced by the Annex to this Financing Agreement.

(2) In Annex IV on the General Conditions, Article 34(2) on rules on nationality and origin is replaced by the following:

"All supplies purchased under a procurement contract, or in accordance with a grant agreement, financed under IPA II shall originate from an eligible country or from any country which is eligible under the rules of the partner or other donor or Member State or determined in the constitutive act of the trust fund."

*Article 2*

All other terms and conditions of the Financing Agreement remain unchanged.

*Article 3*

The amendment to this Financing Agreement shall enter into force on the date on which it is signed by the last Party.



Signed, for and on behalf of the  
Government of Montenegro,

Signed, for and on behalf of the  
Commission,

by Ivana Glišević Đurović  
National IPA Coordinator

by Marc Lemaître  
Director-General of  
DG for Regional and Urban Policy



*Ivana Glišević Đurović*  
.....  
(signature)

Podgorica, date

*04.09.2019.*

*Marc Lemaître*  
.....  
(signature)

Brussels, date

*07.05.2019*