EUROPEAN UNION
Cohesion Fund
Operational Programme Technical Assistance

MINISTRY
OF REGIONAL
DEVELOPMENT CZ

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ZPĚT NA ŘO OPTP

24 January 2017

Mr. Andreas von Busch

European Commission

DG Regional and Urban Policy

HoU - Unit F3

Avenue de Beaulieu/Beaulieulaan 5
B-1160 Bruxelles/Brussel

Mr. Marek Kupsa

Ministry of Regional Development

Staroměstské náměstí 6

110 15 Prague 1

Czech Republic

Dear Mr. A. von Busch,

I am writing to you regarding the provision laid down in the Programming Document of OPTA 2014-2020 applicable to some MS2014+ projects under Priority axis 2. Pursuant to this provision the expenditure from contracts concluded based on the audited tenders or the expenditure covered by the pending police investigation will be neither reimbursed to the beneficiaries, nor included in the requests for payment to the Commission until all the audit findings, including the results of police investigation, have been duly settled. Since the police investigation has been under way for more than a year and a half and the police authorities do not provide any information on progress achieved, the OPTA MA cannot anticipate the future development or results of the investigation.

Nonetheless, I would like to make sure that the requirement for not including this expenditure in the requests for payment will come to an end once the police investigation is closed, which means that it will not last during the potential subsequent initiation of legal proceedings and

issuance of a final decision, the result of which cannot be foreseen. Since the expected duration of legal proceedings can even exceed the implementing period of OPTA 2014-2020, it would result in a failure to absorb the allocation to the projects concerned. Therefore, I would like to ask you provide guidance and clarify these matters since as the OPTA MA we need to take every possible step in order to fulfil the N+3 rule and we also have to be prepared for all the scenarios. We consider transferring the allocation to other types of activities as an option.

Dear Mr. von Busch, the MoRD has prepared projects on MS2014+ operation amounting to more than EUR 40 million, which is why we would highly appreciate if the Commission can pay as much attention as possible to these matters.

Yours sincerely

Marek Kupsa

Director - Operational Programme Technical Assistance

Managing Authority Department

26 -01- 2017

Do výpravny došlo dne .....
Vypraveno dne ..... s příl. .....

obyč. ..... dopor. ..... spěš. .....
poslem .....