



European Commission

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# **Financial Statements**

**Training Seminar**

**Brussels**

**31 January 2006**

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# Overview

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# Introduction

## Principles of cost reimbursement

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### ➤ **CONCEPT OF ELIGIBLE COSTS (see Art.II.19.1)**

- ↪ **Actual, economic and necessary**
- ↪ **In accordance with the usual accounting principles of the contractor**
- ↪ **During the duration of the project ... except ... drawing up the final reports ... which may be incurred during the period of up to 45 days after the end of the project**
- ↪ **Recorded in the accounts ...**
- ↪ **In case of contributions made by third parties ... be recorded in the accounts of the third party**

# Introduction

## Principles of cost reimbursement

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### ➤ **CONCEPT OF NON-ELIGIBLE COSTS (see Art. II.19.2)**

- ↪ **Any identifiable indirect taxes, including VAT or duties;**
- ↪ **Interest owed;**
- ↪ **Provisions for possible future losses or charges;**
- ↪ **Exchange losses;**
- ↪ **Costs declared, incurred or reimbursed in respect of another Community project;**
- ↪ **Costs related to the return on capital;**
- ↪ **Debt and debt related charges;**
- ↪ **Excessive or reckless expenditure;**
- ↪ **Any cost which does not meet the conditions established in Article II.19.1**

# Introduction

## Principles of cost reimbursement

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- Reimbursement of eligible costs claimed by contractors
  - In accordance with the cost reporting models used by each contractor
  - Maximum reimbursement rates of eligible costs per type of activity
  - Approval of requested periodic reports
  - Subject – if required in the contract - to the submission of an audit certificate
  - Taking into account the receipts of the project
  - Limits of public funding established by international regulations and in particular by the Community framework for State aid for research and development for certain activities
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# Introduction

## Renewal of pre-financing – settled payments

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- **Pre-financing is calculated as % of the estimated Community financial contribution corresponding to the first/subsequent reporting period and the 6 months of the subsequent reporting period as indicated in the table of estimated breakdown of costs (See Art. 8.2 of the contract)**
  
- **Pre-financing is normally renewed at each reporting period – however in case of a reporting period without audit certificates then**
  - ↪ **Where less than 70% of a pre-financing has been used at the end of a reporting period, and notwithstanding the approval by the Commission of the related reports, subsequent intermediate pre-financing may be paid only:**
    - ☞ **If an audit certificate is provided for that reporting period; or**
    - ☞ **On the basis of a complementary periodic management report referred to in Art. II.7.2.b that shall be submitted to the Commission once the above-mentioned spending rate has been achieved**
    - ☞ **(See Art. 8.2 of the contract)**

# Introduction

## Renewal of pre-financing – settled payments

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- In the renewal of the pre-financing the following algorithm is applied
  - ↪ Where the amount justified and accepted for the reporting period is less that the pre-financing already paid ... the Commission shall deduct the difference from the subsequent pre-financing
  - ↪ Where the amount justified and accepted for the reporting period is more that the pre-financing already paid ... the Commission shall add the difference from the subsequent pre-financing
- In case audit certificates are submitted a payment is made which settles the amounts justified and accepted during the reporting period

# Introduction

## Timing and approval of financial reports

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### ➤ Art. 8.2

**The Community financial contribution shall be paid in accordance with the provisions of Article II.28 and the following:**

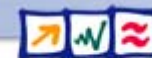
.....

**b) Within 45 days following approval by the Commission of the reports related to each reporting period**

.....

**e) Where no comments, changes or substantial corrections to any of the project activity reports or financial statements are required or where the Commission approves the reports more than 45 days after reception, the Commission shall make the appropriate payment within 90 days of receipt of the project activity reports and associated financial statements.**

**Where substantial comments, changes, further information or adjustments are requested by the Commission within this period, the delay is suspended upon notification by the Commission. The remainder of the 90 day payment period begins again only after submission by the contractors of the required information.**





# Introduction

## Timing and approval of financial reports

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### ➤ **Art. II.7 – Reports and Deliverables**

**All reports and deliverables shall be submitted within 45 days following the end of the respective reporting periods**



# New concepts -reminder

## Cost reporting models

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- **FC: actual direct and indirect costs**
  - ↪ all instruments, however in case of Co-ordination Actions and Specific Support Actions a flat rate for indirect costs (20% of direct costs minus subcontracting) will be reimbursed
  
- **FCF (variant of FC): actual direct costs + flat rate for indirect costs (20% of direct costs minus subcontracting)**
  - ↪ all instruments
  
- **AC: actual additional non-recurring direct costs + flat rate for indirect costs (20% of direct additional costs minus subcontracting)**
  - ↪ all instruments

# **New concepts – reminder**

## **Cost reporting models**

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### **➤ Direct costs for contractors using the Additional Cost model**

**↪ direct costs of personnel shall be limited to the actual costs of the personnel assigned to the project where the contractor has concluded with the personnel**

- ☞ a temporary contract for working on Community RTD projects**
- ☞ a temporary contract for completing a doctorate**
- ☞ a contract which depends, in full or in part, upon external funding additional to the normal recurring funding of the contractor. In that case, the costs charged to this contract must exclude any costs borne by the normal recurring funding**

# **New concepts**

## **Cost reporting models - reminder**

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- **Partners using the AC cost reporting model will have to identify all the resources employed in the project and provide a global estimate of all their costs - not only additional eligible costs**
- **Partners using the AC cost reporting model - exclude any direct additional costs specifically covered by contributions from third parties**
- **Partners using the AC cost reporting model may charge permanent personnel under Management Activities 'where these costs can be identified with precision' – however for these costs no indirect costs can be claimed**

# New concepts

## Third party costs - reminder

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- Resources made available by third parties on the basis of **prior agreement** (prior to the contribution to the project) are eligible as costs for the project
- The **tasks and their execution** by such third parties are **clearly identified** in the Annex I
- **Costs** will have to be **recorded in the accounts of this third party** - to be covered by **audit certificates**
- Contractors shall ensure that third parties whose resources are made available to the project are informed on the use of their resources

# New concepts

## Receipts - reminder

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### ➤ Three kinds of receipts

- ☞ financial transfers or their equivalent to the contractor from third parties, contributions in kind from third parties, income generated by the project

### ➤ Income generated by the project

- ☞ General rule: any income generated by the project itself, including the sale of assets bought for the project, are considered as income to the project
- ☞ Derogation: income generated by the use of the knowledge resulting from the project is not considered as a receipt

# New concepts

## Receipts - reminder

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### ➤ Financial transfers or contributions in kind

- ☞ **These endowments are considered as receipts of the project if the third party has provided them specifically to be used in the project (except if the prior agreement establishes that the resources are made available on the basis that they are to be reimbursed or used for common interest)**
- ☞ **If these endowments are at the discretion of the contractor they are not to be considered as receipts.**

# **New concepts Interests - reminder**

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## **➤ Article II.24.5**

**↪ The Community contribution shall be offset by any interest or equivalent benefits yielded by the pre-financing the coordinator has received from the Commission, as referred to in Article II.27**

## **➤ Article II.27**

**↪ In accordance with the provisions of the Financial Regulation, pre-financing granted to the coordinator on behalf of the consortium remains the property of the Community**

**↪ The coordinator shall inform the Commission of the amount of any interest or equivalent benefits yielded by the pre-financing it has received from the Commission.**

**...**



# New concepts

## Maximum reimbursement rates of eligible costs per instrument, activity and cost model

| Maximum reimbursement rates of eligible costs    | Research and technological development or innovation activities | Demonstration activities  | Training activities                         | Management of the consortium activities   | Other specific activities (*)               |
|--|---|---------------------------|---|---|---|
| Network of excellence                            |   |                           |   | 100%<br>(up to 7% of the contribution)<br>(AC : eligible direct costs)  | 100%  |
| Integrated project                               | FC/FCF : 50%<br>AC : 100%                                       | FC/FCF : 35%<br>AC : 100% | 100%  | 100%<br>(up to 7% of the contribution)<br>(AC : eligible direct costs)  |   |
| Specific targeted research or innovation project | FC/FCF : 50%<br>AC : 100%                                       | FC/FCF : 35%<br>AC : 100% |   | 100%<br>(up to 7% of the contribution)<br>(AC : eligible direct costs)  |   |
| Specific research project for SMEs               | FC/FCF : 50%<br>AC : 100%                                       |                           | 100%<br>(for collective research only)      | 100%<br>(up to 7% of the contribution)<br>(AC : eligible direct costs)  |   |
| Integrated infrastructures initiative            | FC/FCF : 50%<br>AC : 100%                                       | FC/FCF : 35%<br>AC : 100% |   | 100%<br>(up to 7% of the contribution)<br>(AC : eligible direct costs)  | 100%  |
| Coordination action                              |   |                           | 100%<br>(FC indirect costs : flat rate(**)) | 100%<br>(up to 7% of the contribution)<br>(AC : eligible direct costs)<br>(FC indirect costs : flat rate(**)) | 100%<br>(FC indirect costs : flat rate(**)) |
| Specific support action                          |   |                           |   | 100%<br>(up to 7% of the contribution)<br>(AC : eligible direct costs)<br>(FC indirect costs : flat rate(**)) | 100%<br>(FC indirect costs : flat rate(**)) |

(\*) : Other specific activities means:

- for Network of Excellence : Joint Programme of Activities, except management of the consortium activities.
- for Integrated infrastructures initiative: any "specific activity" covered by Annex I, including transnational access to infrastructures
- for Coordination Action: Coordination activities, except management of the consortium activities
- for Specific support action: any "specific activity" covered by Annex I, including transnational access to infrastructures

(\*\*): Flat rate for FC indirect costs : 20% of all their eligible direct costs minus the eligible direct costs of sub-contracts.

# Submission of financial statements reports

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## ➤ Article II.7.2(b)

- **A periodic management including**
  - i. A justification of the resources deployed by each contractor, linking them to activities implemented and justifying their necessity;**
  - ii. The Form C Financial statement set out in Annex VI, provided by each contractor for that period**
  - iii. A summary financial report consolidating the claimed costs of all the contractors in an aggregate form, based on the information provided in Form C.**

## ➤ Article II.7.2(c)

- **A report on the distribution between contractors made during that period of the Community financial contribution.**

# Submission of financial statements reports

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## ➤ Article II.7.3

**The consortium shall submit the audit certificates provided by each contractor ... for each period for which the audit certificate is required. Even though an audit certificate is not required for a specific period, an audit certificate must be provided by each contractor where the Community financial contribution requested by the contractor exceeds € 750,000 for that period.**

# Submission of financial statements Form C

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## Overview

- 1. Resources (Third party(ies))**
- 2. Declaration of eligible costs (in €)**
- 3. Declaration of receipts (in €)**
- 4. Declaration of interest generated by the pre-financing (in €) – to be completed only by the coordinator**
- 5. Request of FP6 Financial contribution (in €)**
- 6. Audit certificates**
- 7. Conversion rates**
- 8. Contractor's Certificate**

# Submission of financial statement Form C

## 2- Declaration of eligible costs (in €)

Please complete only the activity covered by the relevant instrument (and type of action) indicated above and as mentioned in Article II.25 and/or in Annexes I and III of the contract.

If you are a contractor using the additional cost model (AC):

- indicate only your additional eligible costs, except for Management of the Consortium Activity for which you may indicate your full eligible costs;

- do not declare eligible direct additional costs specifically covered by contributions from third parties as mentioned in Articles II.20 and II.23.a and b of the contract.

If you are a contractor using a full cost model (FC/FCF), indicate your full eligible costs.

The costs declared should distinguish between direct and indirect costs.

If necessary, adjustments to previous period(s) may be included where appropriate.

|                                   | Type of Activity  |                  |                   |                  |                                  |                  |  |                  |  |                  |                               |                  |                                     |                  |
|-----------------------------------|---|------------------|-------------------|------------------|----------------------------------|------------------|--|------------------|--|------------------|-------------------------------|------------------|-------------------------------------|------------------|
|                                   | Research and Technological Development / Innovation (A) |                  | Demonstration (B) |                  | Management of the Consortium (C) |                  | Other Specific Activities: Coordination / Networking (D) |                  | Other Specific Activities: Transnational Access / Connectivity (E) |                  | Other Specific Activities (F) |                  | Total (G) = (A)+(B)+(C)+(D)+(E)+(F) |                  |
|                                   | Contractor  | Third Party(ies) | Contractor        | Third Party(ies) | Contractor                       | Third Party(ies) | Contractor   | Third Party(ies) | Contractor   | Third Party(ies) | Contractor                    | Third Party(ies) | Contractor                          | Third Party(ies) |
| Direct costs                      |   |                  |                   |                  |                                  |                  |  |                  |  |                  |                               |                  |                                     |                  |
| Of which subcontracting           |   |                  |                   |                  |                                  |                  |  |                  |  |                  |                               |                  |                                     |                  |
| Indirect costs                    |   |                  |                   |                  |                                  |                  |  |                  |  |                  |                               |                  |                                     |                  |
| Adjustments to previous period(s) |   |                  |                   |                  |                                  |                  |  |                  |  |                  |                               |                  |                                     |                  |
| Total costs                       |   |                  |                   |                  |                                  |                  |  |                  |  |                  |                               |                  |                                     |                  |

# Submission of financial statement

## Form C

### 8- Contractor's Certificate

We certify that:

- the costs declared above are directly related to the resources used to reach the objectives of the project ;
- the receipts declared above are directly related to the resources used to reach the objectives of the project ;
- the costs declared above fall within the definition of eligible costs specified in Articles II.19, II.20, II.21, II.22 and II.25 of the contract, and, if relevant, in Annex III and Article 9 (special clauses) of the contract ;
- the receipts declared above fall within the definition of receipts specified in Article II.23 of the contract ;
- the interest generated by the pre-financing declared above falls within the definition of Article II.27 of the contract ;
- the necessary adjustments, especially to costs reported in previous Financial Statement(s) per Activity, have been incorporated in the above Statement ;
- the above information declared is complete and true ;
- there is full supporting documentation to justify the information hereby declared. It will be made available at the request of the Commission and in the event of an audit by the Commission and/or by the Court of Auditors and/or their authorised representatives.

| Contractor's Stamp | Name of the Person responsible<br>for the work | Name of the duly authorised<br>Financial Officer |
|--------------------|--|--|
|                    | Date   | Date   |
|                    | Signature                                      | Signature  |
|                    |  |  |

# **Submission of the financial statements**

## **Justification of costs/Financial Statements**

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- **a brief description of the work performed by each contractor**
- **explanatory note or any major cost items**
- **a tabular overview of budgeted costs and actual costs, by contractor and by major cost item including personnel**
- **for AC contractors, a tabular overview of all resources employed on the project and a global estimate of all costs**
- **a tabular overview of budgeted person-months and actual person-months, by contractor and by work package**
- **for AC contractors in addition estimate the number of person-months of permanent staff working on the project**
- **a summary explanation of the impact of major deviation from cost budget and from person-month budget**

# Submission of the financial statements

## Form C editor

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- **Form C editor is an EXCEL workbook that**
- **Can be downloaded at <http://www.cordis.lu/fp6/find-doc.htm#reporting> under the sub-heading "Project reporting in FP6- Financial Statements (Form C) - Electronic Version 1.1"**
- **It provides**
  - ↪ **Built-in checks essentially for the completion of Section 2 of the Form C**
  - ↪ **Calculates the theoretical maximum amount of funding that can be requested per contractor and for the project**
  - ↪ **Assist you and the Commission in the processing of the financial statements**
- **Mandatory use in order to comply with electronic submission of Form C**



# Follow up

## Liquidated damages

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### Art. II.30 – Liquidated damages

**Without prejudice to any other measures provided for in this contract, the contractors agree that the Community, with the aim of protecting its financial interests, is entitled to claim liquidated damages from a contractor who is found to have overstated expenditure and who has consequently received an unjustified financial contribution from the Community.**

**Liquidated damages are due in addition to the recovery of the unjustified financial contribution from the contractor.**



# Follow up

## Liquidated damages

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### Example:

Suppose an FC contractor claimed eligible costs of 130.000 Euro – and after assessment – 100.000 Euro is considered to be eligible.

In this case the unjustified contribution is 15.000 Euro, i.e. 50% of (130.000 Euro – 100.000 Euro). The overstated expenditure is 30.000 Euro (130.000 Euro – 100.000 Euro) and the total claimed is 130.000 Euro.

Liquidated damage =  $15.000 * (30.000 / 130.000) = 3.461$  Euro or 23 %.

This amount on top of the 15.000 Euro – unjustified financial contribution – will have to be recovered – in case it is decided to apply liquidated damages.

# Follow up Control and Audits

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## **Art. II.29.1**

**The Commission may, at any time during the contract and up to five years after the end of the project, arrange for audits to be carried out, either by outside scientific or technological reviewers or auditors, or by the Commission departments themselves including OLAF.**

**Such audits may cover scientific, financial, technological and other aspects (such as accounting and management principles) relating to the proper execution of the project and the contract.**

**Any such audit shall be carried out on a confidential basis.**

**Any amounts due to the Commission as a result of the findings of any such audit may be the subject of a recovery.**

# Example

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- **'grant to the budget'**
- **a 3 year project with a yearly reporting period**
- **each financial statement is submitted with an audit certificate**
- **total Community contribution is 1,100,000 Euro split as follows:**
  - ↪ **380,000 Euro for the first year,**
  - ↪ **420,000 Euro for the second year (of which 210,000 year for the first six months of the second year)**
  - ↪ **300,000 Euro for the third year (of which 150,000 Euro for the first six months).**
- **80% pre-financing has been decided.**
- **t0 refers to the start of the project, t1 is after 1 year and t2 is after 2 years.**

# Example

## ➤ At t0:

### ↩ Calculation:

☞ Pre-financing: 80% (year 1 + 6 months of year 2) i.e. 80% of (380,000 + 210,000) = 472,000 Euro.

### ↩ Payment and accounting:

☞ Payment: 472,000 Euro,  
☞ Pre-financing at t0: 472,000 Euro,  
☞ 'Settled' pre-financing: 0 Euro.

## ➤ At t1:

↩ Accepted funding: 350,000 Euro

### ↩ Calculation:

☞ Renewal of the pre-financing: 80% of (year 2 + 6 months year 3), i.e. 80% of (420,000 + 150,000) = 456,000 Euro  
☞ + take account of difference amount justified and accepted and pre-financing,  
☞ i.e. renewal pre-financing + (accepted – pre-financing) or 456,000 Euro + (350,000 – 472,000) = 334,000 Euro.

### ↩ Payment and accounting:

☞ Payment: 334,000 Euro,  
☞ Pre-financing: 456,000 Euro,  
☞ 'Settled' pre-financing: 350,000 Euro.

# Example

## ➤ At t2

↪ Accepted funding:        **400,000 Euro**

↪ Calculation:

- ☞ **Renewal of the pre-financing: 80% of (year 3 + 6 months year 4), i.e. 80% of (300,000 + 0) = 240,000 Euro**
- ☞ **+ take into account difference amount justified and accepted and pre-financing,**
- ☞ **i.e. renewal of pre-financing + (accepted – pre-financing) or 240,000 Euro + (400,000 – 456,000) = 184,000 Euro.**

↪ Payment and accounting:

↪ **Payment:**                                **184,000Euro,**

↪ **Pre-financing:**                        **240,000 Euro,**

↪ **'Settled' pre-financing:**            **750,000 Euro**