



LATVIJAS REPUBLIKAS FINANŠU MINISTRIJA  
MINISTRY OF FINANCE OF THE REPUBLIC OF LATVIA

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Communication and CAD, Office: J-27 04/04

***Applying 1828/2006<sup>1</sup> Article 9 requirements***

**Dear Mr. Goulet**

The Ministry of Finance of the Republic of Latvia as the European Social Fund, European Regional Development Fund and Cohesion Fund (EU Funds) Managing Authority (MA) has faced numerous issues when applying 1828/2006 Article 9 requirements in promoting EU Funds projects. They include the following:

**1. Applying 1828/2006 Article 9 requirements to press and internet (media) articles.**

1.1. A press or internet article includes the emblem of the European Union (EU) with reference to the EU (9 (a)). Reference to the fund (9 (b)) is mentioned in the article. The statement "Investing in your future" (9 (c)) is missing.

Is the case an irregularity and should a financial correction be applied?

1.2. A press or internet article includes the EU emblem with reference to the EU (9 (a)). Reference to the fund (9 (b)) and the statement "Investing in your future" (9 (c)) are missing.

Is the case an irregularity and should a financial correction be applied?

1.3. A press or internet article does not include neither the EU emblem (9 (a)), nor reference to the fund (9 (b)), nor the statement "Investing in your future" (9 (c)). However reference to the EU funding is mentioned in the article.

Is the case an irregularity and should a financial correction be applied?

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<sup>1</sup> COMMISSION REGULATION (EC) No 1828/2006 of 8 December 2006 setting out rules for the implementation of Council Regulation (EC) No 1083/2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and of Regulation (EC) No 1080/2006 of the European Parliament and of the Council on the European Regional Development Fund

- 1.4. A press or internet article does not include neither the EU emblem with reference to the EU (9 (a)), nor reference to the fund (9 (b)), nor the statement “Investing in your future” (9 (c)).

Is the case an irregularity and should a financial correction be applied?

In opinion of the MA, it is not correct to apply a financial correction and to consider that information and publicity measures are not met if a media article doesn't include some of the Article 9 requirements but it provides a detailed story about what has been done and achieved with the EU support.

In order to meet Article 9 points (a), (b) and (c) in media articles project promoters and EU Funds institutions are pushed to buy media advertisement's spaces to publish project stories. This leads to distortions of media publications– the information appears mainly in paid spaces framed with logos and the slogan – and is perceived as an advertisement instead of a user friendly publication.

## **2. Applying 1828/2006 Article 9 requirements to project information materials (booklets, leaflets, flyers, publications etc.).**

- 2.1. An information material includes the EU emblem with reference to the EU (9 (a)), reference to the fund (9 (b)) is provided through the Fund's logo containing the name of the Fund. The statement “Investing in your future” (9 (c)) is missing.

Is the case an irregularity and should a financial correction be applied?

- 2.2. An information material includes the EU emblem with no reference to the EU (9 (a)), reference to the fund (9 (b)) is provided through the Fund's logo containing the name of the Fund. The statement “Investing in your future” (9 (c)) is missing.

Is the case an irregularity and should a financial correction be applied?

- 2.3. An information material includes the EU emblem with reference to the EU (9 (a)). Reference to the fund (9 (b)) and the statement “Investing in your future” (9 (c)) are missing.

Is the case an irregularity and should a financial correction be applied?

- 2.4. An information material does not include neither the EU emblem with reference to the EU (9 (a)), nor reference to the fund (9 (b)), nor the statement “Investing in your future” (9 (c)).

Is the case an irregularity and should a financial correction be applied?

## **3. Applying 1828/2006 Article 9 requirements to project related documents**

Each project includes numerous administrative papers, such as project application form, project implementation agreement, tender documentation, project progress reports etc. Are these considered as project information and publicity measures and 1828/2006 Article 9 requirements should be applied?

In opinion of the MA, the above mentioned are not information and publicity measures as referred to in 1828/2006 Article 9 and therefore application of Article 9 requirements is not mandatory. The same would apply to regular press releases disseminated by EU Funds institutions that provide regular information to the media, including information about EU Funds using institution's defined press release format, therefore these institutions are not obliged to design a special press release corresponding to Article 9 requirements.

#### **4. Applying 1828/2006 Article 9 closing sentence**

It is also disputable how should 1828/2006 Article 9 closing sentence “For small promotional objects, points (b) and (c) shall not apply.” be understood. Are small promotional objects anything else than representative gadgets (cups, umbrellas, breloques etc.) and stationery (pens, pencils, USB memories, folders, calendars etc.)?

**The MA would welcome a precise explanation from the Commission about applying 1828/2006 Article 9 requirements in all the above described cases.** Based on Commission’s explanation a more precise guidance in MA’s issued Publicity Guidelines (available at [http://www.esfondi.lv/upload/00-vadlinijas/7-13\\_publicitate\\_vadlinijas.pdf](http://www.esfondi.lv/upload/00-vadlinijas/7-13_publicitate_vadlinijas.pdf)) for beneficiaries would be provided.

Looking forward to your reply at your earliest convenience.

Yours sincerely

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Deputy State Secretary on European Union  
Structural Funds and Cohesion Fund Affairs