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Subject: Proposal for a Regulation of the European Parliament and of the Council
establishing 'ERASMUS FOR ALL': the Union Programme for Education,
Training, Youth and Sport
- Partial general approach

Delegations will find attached the text of the above proposal on which a partial general approach was agreed by Ministers at the Education, Youth, Culture and Sport Council meeting on 11 May 2012.¹

¹ Since the proposed Regulation is one of the package of proposals linked to the Multiannual Financial Framework (MFF), all provisions with budgetary implications have been set aside - and are thus excluded from the general approach - pending further progress on the MFF. These provisions, which appear between square brackets in the text, concern the budget appropriations (Art. 13.1 and Art. 13.2), the minimum allocations per action and per sector (Art. 13.3 and 13.3a respectively) and the proposed student loan guarantee facility (Art. 7.1(a), Art. 14.3 and Art. 22.2(a)). Similarly, all provisions linked to the negotiations on the new Financial Regulation and on drafting a standard article concerning the protection of the Union's financial interests have been placed between square brackets.

Proposal for a
REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
establishing "ERASMUS FOR ALL"

The Union Programme for Education, Training, Youth and Sport

(Text with EEA relevance)

CHAPTER I
General provisions

Article 1

Scope of the Programme

1. This Regulation establishes a Programme for Union action in the field of Education, Training, Youth and Sport called "Erasmus for All" (hereinafter referred to as "the Programme").
2. The Programme shall be implemented for the period from 1 January 2014 to 31 December 2020.
3. The Programme covers the following fields:
 - (a) education and training at all levels, in a lifelong learning perspective, from school education through to vocational education and training (VET), higher education and adult education;

- (b) youth, in particular non-formal and informal learning;
 - (c) sport, in particular grassroots sport.
4. The Programme includes an international dimension aimed at supporting the Union's external action, including its development objectives, through cooperation between the Union and third countries.

Article 2

Definitions

For the purpose of this Regulation, the following definitions shall apply:

1. "lifelong learning" means all general education, vocational education and training, non-formal education and informal learning undertaken throughout life, resulting in an improvement in knowledge, skills and competences within a personal, civic, social and/or employment-related perspective, including the provision of counselling and guidance services;
2. [...]
3. "learning mobility" means moving physically to a country other than the country of residence, in order to undertake study, training or other learning, including apprenticeships, traineeships and non-formal learning or teaching, or participating in a professional development activity. It may include preparatory training in the host language, as well as follow-up activities. Learning mobility also covers youth exchanges, volunteering, non-formal and informal learning and professional development activities involving youth workers;
4. "cooperation for innovation and good practices" means transnational and international cooperation projects involving organisations active in the fields of education, training and/or youth and may include other organisations;

5. "support for policy reform" means any type of activity aimed at supporting and facilitating the modernisation of education and training systems, as well as support for the development of European youth policy, through the process of policy cooperation between Member States, in particular the Open Method of Coordination;
- 5a. "partnership" means an agreement between a group of institutions and/or organisations in different participating countries to carry out joint European activities in the field of education, training and youth or establishing a formal or informal network in a relevant field. In the context of sport, it means an agreement with one or more third parties such as professional sport organisations or sponsors in different participating countries in order to attract additional sources of support for achieving the desired outcomes of the Programme. If the participation is intended to strengthen the quality of the partnership, it can be extended to institutions and/or organisations from third countries;
6. "virtual mobility" means a set of information and communications technology supported activities, organised at institutional level, that realise or facilitate international, collaborative experiences in a context of teaching and/or learning;
7. "staff" means persons who, either on a professional or voluntary basis, are involved in education, training or youth non-formal learning. It may include teachers, trainers, school leaders, youth leaders, youth workers and non-educational staff;
8. "youth work" covers a large scope of activities of a social, cultural, educational or political nature organised by, with and for young people. It takes place in the extracurricular area and is based on non-formal and informal learning processes and voluntary participation;
9. "young people" means individuals aged between thirteen and thirty;

10. [...]
11. [...]
12. [...]
13. [...]
14. [...]
15. "joint degrees" means an integrated study programme offered by at least two higher education institutions resulting in a single degree certificate issued and signed by all the participating institutions jointly and recognised officially in the countries where the participating institutions are located;
16. "double degree/multiple degree" means a study programme offered by at least two (double) or more (multiple) higher education institutions whereby the student receives upon completion a separate degree certificate from each of the participating institution;
17. [...]
18. [...]
19. [...]
20. [...]
21. [...]

22. [...]

23. [...]

24. [...]

25. [...]

26. [...]

26. "Union transparency and recognition tools" means instruments that help stakeholders to understand, appreciate and - as appropriate - recognise learning outcomes and qualifications throughout the Union;

27. "neighbourhood countries" means the countries and territories listed [in the Annex to the Regulation XX/2012 of the European Parliament and of the Council of X YY 2012] establishing a European Neighbourhood Instrument: Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Moldova, Morocco, Occupied Palestinian Territory, Syria, Tunisia and Ukraine;

28. [...]

29. "grassroots sport "means organised sport practised at local level by amateur sportspeople and sport for all.

Article 3

General objective of the Programme

The Programme aims to contribute to:

- the objectives of the Europe 2020 strategy, including the headline education target;
- the objectives of the strategic framework for European cooperation in education and training ("ET2020"), including the benchmarks;
- the sustainable development of third countries in the field of higher education;
- the overall objectives of the renewed framework for European cooperation in the youth field (2010-2018);
- developing the European dimension in sport in line with the Union work plan for sport;
- the promotion of European values in accordance with Article 2 of the Treaty of the European Union.

Article 4

European added value

1. The Programme shall only support those actions and activities presenting a potential European added value and contributing to the achievement of the general objective as referred to in Article 3.
2. The European added value of the actions and activities of the Programme shall be ensured in particular through their:
 - (a) transnational character, particularly with regard to mobility and cooperation aimed at achieving a sustainable systemic impact;
 - (b) complementarity and synergy with other national, international and other Union programmes and policies;
 - (c) contribution to the effective use of Union transparency and recognition tools.

CHAPTER II

Education and Training

Article 5

Specific objectives

1. In line with the general objective, in particular the objectives of the "ET2020" strategic framework for European cooperation in education and training, as well as in support of the sustainable development of third countries in the field of higher education, the Programme shall pursue the following specific objectives in the field of education and training:
 - (a) To improve the level of key competences and skills with particular regard to their relevance for the labour market and society, notably through increased opportunities for learning mobility and through strengthened cooperation between the world of education and training and the world of work;
 - (b) To foster quality improvements, innovation, excellence and internationalisation at the level of education and training institutions, notably through enhanced transnational cooperation between education and training providers and other stakeholders;
 - (c) To promote the emergence of a European lifelong learning area, to complement policy reforms at national level and to support the modernisation of education and training systems, notably through enhanced policy cooperation, better use of Union transparency and recognition tools and the dissemination of good practices;
 - (d) To enhance the international dimension of education and training, notably through cooperation between Union and third country institutions in the field of VET and in higher education, by increasing the attractiveness of European higher education institutions and supporting the Union's external action, including its development objectives, through the promotion of mobility and cooperation between Union and third country higher education institutions and targeted capacity-building in third countries.

- (e) To improve the teaching and learning of languages and to promote linguistic diversity and intercultural awareness.
 - (f) To promote excellence in teaching and research activities in the field of European integration through the Jean Monnet activities worldwide, as referred to in Article 10.
2. For the purpose of evaluating the Programme, measurable and relevant indicators in relation to the specific objectives shall be adopted by the Commission in accordance with the examination procedure referred to in Article 30(2). The Commission shall take into account the indicators already established in the field of education and training.

Article 6

Actions of the Programme

1. In the field of education and training, the Programme shall pursue its objectives through the three following types of actions, whilst respecting the structures and specific needs of education and training sectors in the Member States:
- (a) Learning mobility of individuals;
 - (b) Cooperation for innovation and good practices;
 - (c) Support for policy reform.
2. The specific Jean Monnet activities are described in Article 10.

Article 7

Learning mobility of individuals

1. Learning mobility of individuals action shall support:
 - (a) the mobility of higher education students and vocational education and training students and apprentices between the participating countries as referred to in Article 18. This mobility may take the form of studying at a partner institution or traineeships or apprenticeships abroad. [Degree mobility at Masters level shall be supported through the student loan guarantee facility as referred to in Article 14 (3).]
 - (b) the mobility of staff, within the participating countries as referred to in Article 18. This mobility may take the form of teaching or taking part in professional development activities abroad.
2. This action will also support the international mobility of students and staff to and from third countries as regards higher education, including mobility organised on the basis of joint, double or multiple degrees of high quality or joint calls.

Article 8

Cooperation for innovation and good practices

1. Cooperation for innovation and good practices action shall support:
 - (a) strategic partnerships between organisations and/or institutions involved in education and training or other relevant sectors, aimed at developing and implementing joint initiatives and promoting peer learning and exchanges of experience;

- (b) partnerships between the world of work and education and training institutions in the form of:
- Knowledge Alliances between in particular higher education institutions and the world of work aimed at promoting creativity, innovation and entrepreneurship by offering relevant learning opportunities, including developing new curricula;
 - Sector Skills Alliances between education and training providers and the world of work aimed at promoting employability, contributing to creating new sector-specific or cross-sectoral curricula, developing innovative ways of vocational teaching and training and putting the Union transparency and recognition tools into practice.
- (c) IT support platforms, including e-Twinning, covering education and training sectors and allowing peer learning, virtual mobility and exchanges of best practices, and opening access for participants from neighbourhood countries.
2. This action shall also support development, capacity-building, regional integration, knowledge exchanges and modernisation processes through international partnerships between Union and third countries' higher education institutions, notably for peer learning and joint education projects, as well as through the promotion of regional cooperation, in particular with neighbourhood countries.

Article 9

Support for policy reform

1. Support for policy reform action shall include the activities initiated at Union level related to:
 - (a) the activities related to the implementation of the Union's policy agenda on education and training, using the Open Method of Coordination, as well as activities relating to the Bologna and Copenhagen processes;
 - (b) the implementation in participating countries of Union transparency and recognition tools - in particular Europass, the European Qualifications Framework (EQF), the European Credit Transfer and Accumulation System (ECTS), the European Credit system for Vocational Education and Training (ECVET), the European Quality Assurance Reference Framework for Vocational Education and Training (EQAVET), the European Quality Assurance Register (EQAR) and the European Association for Quality Assurance in Higher Education (ENQA) - and the support to EU-wide networks;
 - (c) the policy dialogue with relevant European stakeholders in the field of education and training;
 - (d) the National Academic Recognition Centres (NARIC), the Eurydice and Euroguidance, as well as the e-Twinning National Support Centres, the Europass National Centres, and the National Information Offices in the neighbourhood countries and acceding countries, candidate countries and potential candidates not fully participating in the Programme.
2. This action shall also support policy dialogue with third countries and international organisations.

Article 10

Jean Monnet activities

The Jean Monnet activities shall aim to:

- (a) promote teaching and research on European integration world-wide among specialist academics, learners and citizens, notably through the creation of Jean Monnet Chairs and other academic activities, as well as by providing aid for other knowledge-building activities at higher education institutions;
- (b) support the activities of European academic institutions or associations active in the field of European integration studies and support a Jean Monnet label for excellence.
- (c) support the following institutions pursuing an aim of European interest;
 - (i) the European University Institute of Florence;
 - (ii) the College of Europe (Bruges and Natolin campuses);
 - (iii) the European Institute of Public Administration (EIPA), Maastricht;
 - (iv) the Academy of European Law, Trier;
 - (v) the European Agency for Development in Special Needs Education, Odense;
 - (vi) the International Centre for European Training (CIFE), Nice.
- (d) promote policy debate and exchanges between the academic world and policy-makers on Union policy priorities.

CHAPTER II a (new)

Youth

Article 10a (new)

Specific objectives

1. In line with the general objective, in particular the objectives of the renewed framework for European cooperation in the youth field (2010-2018), the Programme shall pursue the following specific objectives in the field of youth:
 - (a) to improve the level of key competences and skills of young people, including those with fewer opportunities, as well as to promote their participation in democratic life in Europe and the labour market, their active citizenship, social inclusion and solidarity, notably through increased learning mobility opportunities for young people, those active in youth work or youth organisations and youth leaders, and through strengthened links between the youth field and the labour market;
 - (b) to foster quality improvements in youth work, notably through enhanced cooperation between organisations in the youth field and/or other stakeholders;
 - (c) to support European cooperation and complement policy reforms at local, regional and national level in the youth field, the development of knowledge and evidence-based youth policy and the recognition of non-formal and informal learning, notably through enhanced policy cooperation, better use of Union transparency and recognition tools and the dissemination of good practices;

- (d) to enhance the international dimension of activities in the youth field in complementarity with the Union's external action, notably through the promotion of mobility and cooperation between Union and third country stakeholders and international organisations in the youth field, and through targeted capacity-building in third countries.
2. For the purpose of evaluating the Programme, measurable and relevant indicators in relation to the specific objectives shall be adopted by the Commission in accordance with the examination procedure referred to in Article 30(2). The Commission shall take into account the indicators already established in the youth field.

Article 10b (new)

Actions of the Programme

In the field of youth, the Programme shall pursue its objectives through the three following types of action:

- (a) Learning mobility of individuals;
- (b) Cooperation for innovation and good practices;
- (c) Support for policy reform.

Article 10c (new)

Learning mobility of individuals

1. Learning mobility of individuals shall support:
 - (a) the mobility of young people in non-formal and informal learning activities between the participating countries as referred to in Article 18. This mobility may take the form of youth exchanges and volunteering through the European Voluntary Service;
 - (b) the mobility of those active in youth work or youth organisations and youth leaders. This mobility may take the form of training and networking activities;
2. This action will also support the international mobility of young people, those active in youth work or youth organisations and youth leaders, to and from third countries.

Article 10d (new)

Cooperation for innovation and good practices

1. Cooperation for innovation and good practices shall support:
 - (a) strategic partnerships between organisations involved in the youth field, aimed at implementing joint initiatives, including youth initiatives and citizenship projects, and aimed at developing active citizenship, participation in democratic life and entrepreneurship, through peer learning and exchanges of experience;
 - (b) IT support platforms in the youth field and allowing peer learning, knowledge-based youth work and exchanges of best practices.

2. This action shall also support development, capacity-building and knowledge exchanges in the youth field through partnerships between the Union and third countries, in particular with neighbourhood countries and notably through peer-learning.

Article 10e (new)

Support for policy reform

1. Support for policy reform action shall include activities relating to:
 - (a) activities linked to the implementation of the Union policy agenda in the youth field, using the Open Method of Coordination;
 - (b) implementation in the participating countries of Union transparency and recognition tools, notably the Youthpass, and support for EU-wide networks and European youth NGOs;
 - (c) policy dialogue with relevant European stakeholders in the youth field, including the structured dialogue with young people;
 - (d) the European Youth Forum, resource centres for the development of youth work and the Eurodesk network.
2. The action shall also support policy dialogue with third countries and international organisations.

CHAPTER III

Sport

Article 11

Specific objectives

1. In line with the general objective and with the Union work plan for sport, the Programme shall mainly focus on grassroots sport and shall pursue the following specific objectives in the field of sport:
 - (a) to tackle cross-border threats to sport such as doping, match fixing, violence, racism and intolerance;
 - (b) to promote and support good governance in sport and dual careers of athletes;
 - (c) to promote voluntary activities in sport, as well as social inclusion, equal opportunities and health-enhancing physical activity through increased participation in sport.
2. For the purpose of evaluating the Programme, measurable and relevant indicators in relation to the specific objectives shall be adopted by the Commission in accordance with the examination procedure referred to in Article 30(2).

Article 12

Activities

1. The objectives of cooperation in sport shall be pursued through the following transnational activities, which should mainly focus on grassroots sport:
 - (a) support to collaborative projects;
 - (b) [...]
 - (c) support the strengthening of the evidence base for policy making ;
 - (d) [...]
 - (e) dialogue with relevant European stakeholders.

2. The sport activities referred to in paragraph 1 shall, where appropriate, leverage supplementary funding through partnerships with third parties such as private undertakings.

CHAPTER IV

Financial Provisions

Article 13

Budget

1. The financial envelope for the implementation of this Programme as from 1 January 2014 is set at EUR [17 299 000 000].

The following amounts shall be allocated to the actions of the Programme:

- a) EUR [16 741 738 000] for actions in the field of education, training and youth, of which EUR [xxx] for youth, as referred to under Article 6(1) and Article 10b;
 - b) EUR [318 435 000] for the Jean Monnet activities, as referred to under Article 10;
 - c) EUR [238 827 000] for activities relating to sport, as referred to in Chapter III.
2. In addition to the financial envelope as indicated in paragraph 1, and in order to promote the international dimension of higher education, an indicative amount of EUR [1 812 100 000] from the different external instruments (Development Cooperation Instrument, European Neighbourhood Instrument, Instrument for Pre-accession Assistance, Partnership Instrument and the European Development Fund), will be allocated to actions of learning mobility to or from countries other than those as referred to in Article 18(1) and to cooperation and policy dialogue with authorities/institutions/organisations from these countries. The provisions of this Regulation will apply to the use of those funds.

The funding will be made available through 2 multiannual allocations only covering the first 4 years and the remaining 3 years respectively. This funding will be reflected in the multiannual indicative programming of these instruments, in line with the identified needs and priorities of the countries concerned. The allocations can be revised in case of major unforeseen circumstances or important political changes in line with the Union's external priorities. Cooperation with non-participating countries may be based, where relevant, on additional appropriations from partner countries to be made available in accordance with procedures to be agreed with these countries.

3. In accordance with the expected European added value of the three types of actions as referred to in Article 6(1) and Article 10b, the amounts indicated in Article 13.1(a) will be indicatively allocated as follows:
 - [65%] of this amount is allocated to learning mobility of individuals;
 - [26%] of this amount is allocated to cooperation for innovation and good practices;
 - [4%] of this amount is allocated to support for policy reform;
 - [3%] of this amount will cover operating grants to National Agencies;
 - [2%] of this amount will cover administrative expenditures.

- 3a. Subject to Article 13.1(a) of this Regulation, the implementation of the Programme shall not result in an allocation to the main education and training sectors of less than:
 - Higher education: [25%]
 - Vocational education and training: [15%]
 - School education: [7%]
 - Adult education: [2%]

4. The financial allocation for the Programme may also cover expenses pertaining to preparatory, monitoring, control, audit and evaluation activities, which are required for the management of the Programme and the achievement of its objectives; in particular, studies, meetings of experts, information and communication actions, including corporate communication of the political priorities of the Union as far as they are related to the general objectives of this Regulation, expenses linked to IT focusing on information processing and exchange, together with all other technical and administrative assistance expenses incurred by the Commission for the management of the Programme.
5. The financial allocation may also cover the technical and administrative assistance expenses necessary to ensure the transition between the Programme and the measures adopted under Decision No 1720/2006/EC establishing the Lifelong Learning Programme, Decision No 1719/2006/EC establishing the Youth in Action Programme and Decision No 1298/2008/EC establishing the Erasmus Mundus Programme. If necessary, appropriations could be entered in the budget beyond 2020 to cover similar expenses, in order to enable the management of actions and activities not yet completed by 31 December 2020.
6. The funds for the learning mobility of individuals referred to in Article 6.1(a) and Article 10b(a) that are to be managed by a National Agency shall be allocated on the basis of population and cost of living in the Member State, distance between capitals of Member States and performance. The parameter of performance accounts for 25% of the total funds according to the criteria as referred to in paragraphs 7 and 8. The funds for strategic partnerships referred to in Article 8(1)(a) and Article 10d (1)(a) that are to be selected and managed by a National Agency shall be allocated on the basis of criteria to be defined by the Commission in accordance with the examination procedure referred to in Article 30(2). These formulae should, as far as possible, be neutral with respect to the different education and training systems of the Member States, should avoid substantial reductions in the annual budget allocated to Member States from one year to another and should minimise excessive imbalances in the level of grants allocated.

7. Allocation of funds based on performance applies in order to promote an efficient and effective use of resources. The criteria used to measure performance shall be based on the most recent data available and shall focus in particular on:
 - (a) the level of annual realised outputs;
 - (b) the level of annual payments realised.
8. The allocation of funds for the year 2014 shall be based on the latest available data on actions carried out and the level of budget expended under the Lifelong Learning Programme, Youth in Action and Erasmus Mundus Programmes up until 1 January 2014.
9. The Programme may provide support through specific innovative funding modalities, in particular those set out in Article 14(3).

Article 14

Specific funding modalities

1. The Commission shall implement the Union financial support [in accordance with Regulation XX/2012 (the Financial Regulation)].
2. The Commission may launch joint calls with third countries or their organisations and agencies to finance projects on the basis of matching funds. Projects may be evaluated and selected through joint evaluation and selection procedures to be agreed upon by the funding agencies involved, [in compliance with the principles set out in Regulation XX/2012 (Financial Regulation)].

3. [The Commission shall provide the funding for guarantees for loans to students resident in a participating country as defined in Article 18(1) undertaking a full Masters degree in another participating country, to be delivered through a trustee with a mandate to implement it on the basis of fiduciary agreements setting out the detailed rules and requirements governing the implementation of the financial instrument as well as the respective obligations of the parties. The financial instrument shall comply with the provisions regarding financial instruments in the Financial Regulation and in the Delegated Act replacing the Implementing Rules.

In accordance with Article 18(2) of the Regulation (EC, Euratom) No 1605/2002, revenues and repayments generated by the guarantees should be assigned to the financial instrument. This financial instrument, including market needs and take-up, will be subject to the monitoring and evaluation as referred to in Article 15(2).]

4. Public bodies, as well as schools, higher education institutions and organisations in the fields of education, training, youth and sport that have received over 50% of their annual revenue from public sources over the last two years shall be considered as having the necessary financial, professional and administrative capacity to carry out activities under the Programme. They shall not be required to present further documentation to demonstrate this.
5. [...]
6. The amount referred to in Article [127(1) of the Financial Regulation] shall not apply to financial support for learning mobility awarded to individuals.

CHAPTER V

Performance results and dissemination

Article 15

Monitoring and evaluation of performance and results

1. The Commission, in cooperation with the Member States, shall regularly monitor and present information on the performance and results of the Programme against its objectives, particularly regarding:
 - (a) the European added value as referred to in Article 4;
 - (b) the distribution of funds associated with the education, training and youth sectors, with a view to ensuring - by the end of the Programme - an allocation of funding which guarantees sustainable systemic impact.
2. In addition to the continuing monitoring, the Commission shall establish a mid-term evaluation report no later than end 2017 in order to assess the effectiveness in achieving the objectives, the efficiency of the Programme and its European added value. The evaluation shall address the scope for simplification, its internal and external coherence, the continued relevance of all objectives, as well as the contribution of the measures to the Union priorities of smart, sustainable and inclusive growth. It shall also take into account evaluation results on the long-term impact of the predecessor programmes (Lifelong Learning, Youth in Action, Erasmus Mundus and other international higher education programmes).
3. Without prejudice to the requirements set out in Chapter VII and the obligations of National Agencies as referred to in Article 22, Member States shall submit to the Commission, by 30 June 2017 a report on the implementation and the impact of the Programme.

4. A final evaluation of the Programme shall be submitted by the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions no later than 30 June 2022.

Article 16

Communication and dissemination

1. The Commission in cooperation with Member States shall ensure the dissemination of information, publicity and follow-up with regard to all actions and activities supported under the Programme, as well as the dissemination of the results of the previous Lifelong Learning, Erasmus Mundus and Youth in Action Programmes.
2. Beneficiaries of the supported projects through actions and activities as referred to in Articles 6, 10, 10b and 12 should ensure a proper communication and dissemination of the results and impacts obtained.
3. The National Agencies as referred to in Article 22 shall develop a consistent policy with regard to the effective dissemination and exploitation of results of activities supported under the actions they manage within the Programme and assist the Commission in the general task of disseminating information on the Programme, including actions and activities managed at national and Union level, and its results.

4. The public and private bodies within the main education sectors covered by the Programme shall use the brand name "Erasmus" for the purpose of communication and dissemination of information relating to the Programme; the brand name shall be associated with the main sectors as follows:
- "Erasmus Schools", associated with school education;
 - "Erasmus Higher Education", associated with all types of higher education, in Europe and internationally;
 - "Erasmus Vocational Education and Training", associated with initial and continuing vocational education and training;
 - "Erasmus Adult Education", associated with all forms of non-vocational adult learning;
 - "Erasmus Youth Participation", associated with youth non-formal learning;
 - "Erasmus Sport", associated with activities in the field of sport.
5. Communication activities shall also contribute to the corporate communication of the political priorities of the Union provided that they are related to the general objectives of this Regulation.

CHAPTER VI

Access to the Programme

Article 17

Access

1. Any public or private body active in the fields of education, training, youth and sport may apply within this Programme. In the case of Article 10c (1)(a) and Article 10d (1)(a), the Programme is also intended to support groups of young people who are active in youth work, but not necessarily in the context of a youth organisation.

2. When implementing the Programme, the Commission and the Member States shall ensure particular efforts to promote social inclusion and the participation of people with special needs or with fewer opportunities.

Article 18

Country participation

1. The Programme is open to the participation of the following countries (herein referred to as the ‘participating countries’):
 - (a) the Member States;

- (b) the acceding countries, candidate countries and potential candidates benefiting from a pre-accession strategy, in accordance with the general principles and general terms and conditions for the participation of those countries in Union programmes established in the respective Framework Agreements, Association Council Decisions or similar agreements;
 - (c) the EFTA States that are party to the EEA Agreement, in accordance with the provisions of that Agreement;
 - (d) the Swiss Confederation, on the basis of a bilateral agreement to be concluded with that country;
 - (e) the countries covered by the European Neighbourhood Policy which have concluded agreements with the Union providing for the possibility of their participation in the Union's programmes, subject to the conclusion of a bilateral agreement with the Union on the conditions of their participation in this programme.
2. The participating countries shall be subject to all the obligations and shall fulfil all the tasks set out in this Regulation in relation to Member States.
 3. The Programme shall support the cooperation with partners from third countries, notably partners from neighbourhood countries, in actions and activities as referred to in Article 6, Article 10 and Article 10b.

CHAPTER VII

Management and audit system

Article 19

Complementarity

The Commission, in cooperation with Member States, shall ensure overall consistency and complementarity with:

- (a) the relevant Union policies, in particular those in the fields of culture and the media, employment, health, research and innovation, enterprise, justice, consumer, development and cohesion policy;
- (b) the other Union relevant funding sources in the fields of education, training, youth and sport policies, in particular the European Social Fund and the other financial instruments relating to employment and social inclusion, the European Regional Development Fund, the Research and Innovation Programmes, as well as the financial instruments relating to justice and citizenship, health, external cooperation programmes and the pre-accession instruments.

Article 20

Implementing bodies

The Programme shall be implemented by the following bodies:

- (a) the Commission at Union level;
- (b) the National Agencies at national level in the participating countries.

Article 21

National Authority

- 1. For the purpose of this Regulation the term "National Authority" may refer to one or more National Authorities in accordance with national legislation and practice.

1. Within two months of the entry into force of this Regulation, the Member States shall notify the Commission by way of a formal notification transmitted by their Permanent Representation of the person(s) legally authorised to act on their behalf as the "National Authority(-ies)" for the purpose of this Regulation. In case of replacement of a National Authority in the course of the Programme's lifetime, the Member State shall notify the Commission thereof immediately according to the same procedure.

2. The Member States shall take all appropriate measures to remove legal and administrative obstacles to the proper functioning of the Programme.

3. Within three months of the entry into force of this Regulation, the National Authority shall designate a "National Agency" (or "National Agencies"). In cases where there is more than one National Agency, Member States shall ensure an appropriate mechanism for the coordinated management of the implementation of the Programme at national level, particularly with a view to ensuring coherent and cost-efficient implementation of the Programme and effective contact with the Commission in this respect, and to facilitating the possible transfer of funds between agencies, thereby allowing for flexibility and better use of allocated funds to Member States. Each Member State shall determine how it organises the relationship between the National Authority and the National Agency, including tasks such as the establishment of the National Agency's annual work programme.

The National Authority shall provide the Commission with an appropriate ex-ante Compliance Assessment that the National Agency complies with [the provisions of Article 55(1)(b)(vi) and Article 57(1), (2) and (3) of the Regulation No XX/2012, and Article X of its Delegated Regulation NoXX/2012], as well as with the Union requirements for internal control standards for National Agencies and rules for the management of Programme funds for grant support.

4. The National Authority shall designate an independent audit body as referred to in Article 24.
5. [...]
6. The National Authority shall base its ex-ante Compliance Assessment on its own controls and audits, and/or on controls and audits undertaken by the independent audit body referred to in Article 24.
7. In the case that the National Agency designated for the Programme is the same as the National Agency designated for the predecessor Lifelong Learning or Youth in Action Programme, the scope of the controls and audits for the ex-ante Compliance Assessment may be limited to the requirements that are new and specific for the Programme.
- 7a. The National Authority shall monitor and supervise the management of the Programme at national level. It shall inform and consult the Commission in due time prior to taking any decision that may have a significant impact on the management of the Programme, in particular regarding the National Agency.
- 7b. The National Authority shall provide adequate co-financing for the operations of the National Agency to ensure that the Programme is managed in respect of the applicable Union rules.

8. In case the Commission rejects the designation of the National Agency based on its evaluation of the ex-ante Compliance Assessment, the National Authority shall ensure that the necessary remedial actions are taken for the National Agency to comply with the minimum requirements set by the Commission or designate another body as National Agency.
9. [...]
10. Starting on the basis of [the yearly management declaration of assurance of the National Agency, the independent audit opinion thereon and] the Commission's analysis of the National Agency's compliance and performance, the National Authority shall inform the Commission by 30 October of each year on its monitoring and supervision activities on the Programme.
11. The National Authority shall take responsibility for the proper management of the Union funds transferred by the Commission to the National Agency for grant support to be awarded under the Programme.
12. In the event of any irregularity, negligence or fraud attributable to the National Agency, as well as in the case of serious shortcomings or underperformance of the National Agency, and where this gives rise to claims by the Commission on the National Agency, the National Authority shall be liable towards the Commission for the funds not recovered.
13. In the events and cases referred to in paragraph 12, the National Authority may revoke the National Agency either on its own initiative or upon request from the Commission. In case the National Authority wishes to revoke the National Agency for other justified reasons, it shall notify the Commission of the revocation at least six months before the envisaged date of termination of the mandate of the National Agency. In such case, the National Authority and the Commission shall formally agree on specific and timed transition measures.

14. In case of revocation, the National Authority shall implement the necessary controls regarding the Union funds entrusted to the revoked National Agency and ensure an uninhibited transfer of these funds as well as of all documents and management tools required for the Programme management to the new National Agency. The National Authority shall provide the revoked National Agency with the necessary financial support to continue implementing its contractual obligations vis-à-vis the Programme beneficiaries and the Commission until the transfer of these obligations to a new National Agency.
15. If so requested by the Commission, the National Authority shall designate the institutions or organisations, or the types of such institutions and organisations, to be considered eligible to participate in specific Programme actions in their respective territories.

Article 22

National Agency

- 1. For the purpose of this Regulation the term "National Agency" may refer to one or more National Agencies in accordance with national legislation and practice.
1. The National Agency shall:
 - (a) have legal personality or be part of an entity having legal personality, and be governed by the law of the Member State concerned. A ministry may not be designated as National Agency;
 - (b) have the adequate management capacity, staff and infrastructure to fulfil its tasks satisfactorily, ensuring an efficient and effective management of the Programme and sound financial management of Union funds;
 - (c) have the operational and legal means to apply the administrative, contractual and financial management rules laid down at Union level;

- (d) offer adequate financial guarantees, issued preferably by a public authority, corresponding to the level of Union funds it will be called upon to manage;
 - (e) be designated for the duration of the Programme.
2. The National Agency shall be responsible for managing all stages of the project lifecycle of the following Programme actions, in conformity with [the Articles 55(1)(b)(vi) of Regulation N°XXX/2012 (future Financial Regulation) and of Article X of its Delegated Regulation N°XXX/2012 (future Implementing Rules)]:
- (a) all Programme actions within the key action "Learning Mobility of Individuals", with the exception of the mobility organised on the basis of joint or double/multiple degrees [and the Union loan guarantee scheme];
 - (b) the Programme action "Strategic Partnerships" within the key action "Cooperation for innovation and good practice";
 - (c) the management of small-scale activities supporting the structured dialogue in the youth field within the key action "Support for Policy Reform".
3. By way of derogation from paragraph 2, the selection and award decisions for the strategic Partnerships referred to in paragraph 2(b) may be centralised, if so decided in accordance with the examination procedure referred to in Article 30(2) and only in specific cases where there are clear grounds for such centralisation.
4. The National Agency shall issue grant support to beneficiaries either by way of a grant agreement or a grant decision, as specified by the Commission for the Programme action concerned.

5. The National Agency shall report to the Commission and to its National Authority [on a yearly basis in accordance with the provisions set in Article 57(5) of the Financial Regulation N°XX/2012]. The National Agency shall be in charge of implementing the observations issued by the Commission following its analysis of the yearly management declaration of assurance, as well as of the independent audit opinion thereon.
6. The National Agency may not delegate to a third party any task of Programme or budget implementation conferred on it without prior written authorisation from the National Authority and the Commission. The National Agency shall retain sole responsibility for the tasks delegated to a third party.
7. In case of replacement of a National Agency, the revoked National Agency remains legally responsible for implementing its contractual obligations vis-à-vis the Programme beneficiaries and the Commission until the transfer of these obligations to a new National Agency.
8. The National Agency shall be in charge of managing and winding up the financial agreements relating to the predecessor Lifelong Learning and Youth in Action Programmes (2007-2013) that will still be open at the beginning of the Programme.

Article 23

European Commission

1. Within two months of receipt of the ex-ante Compliance Assessment as referred to in Article 21(3) from the National Authority, the Commission shall accept, conditionally accept or reject the designation of the National Agency. The Commission shall not enter into a contractual relationship with the National Agency until the acceptance of the ex-ante Compliance Assessment. In case of a conditional acceptance, the Commission may apply proportionate precautionary measures to its contractual relationship with the National Agency.

2. The Commission shall formalise the legal responsibilities with regard to financial agreements relating to the predecessor Lifelong Learning and Youth in Action Programmes (2007-2013) and still open at the start of the Programme upon its acceptance of the ex-ante Compliance Assessment on the National Agency designated for the Programme.
3. The document governing the contractual relationship between the Commission and the National Agency shall:
 - (a) stipulate the internal control standards for National Agencies and the rules for the management of the Union funds for grant support by the National Agencies;
 - (b) include the National Agency work programme comprising the management tasks of the National Agency to which Union support is provided;
 - (c) specify the reporting requirements for the National Agency.
4. The Commission shall make the following Programme funds available to the "National Agency" on a yearly basis:
 - (a) funds for grant support in the Member State to the actions of the Programme the management of which is entrusted to the National Agency;
 - (b) a financial contribution in support of the Programme management tasks of the National Agency. This will be provided in the form of a flat-rate contribution to the operational costs of the National Agency. It will be established on the basis of the amount of Union funds for grant support entrusted to the National Agency.

5. The Commission shall set the requirements for the National Agency work programme. The Commission shall not make Programme funds available to the National Agency until after formal approval of the relevant National Agency work programme by the Commission.
6. On the basis of the compliance requirements for National Agencies referred to in Article 21(3), the Commission shall review the national management and control systems, in particular through the assessment of the ex-ante Compliance Assessment of the National Authority, [of the yearly management declaration of assurance of the National Agency and of the opinion of the independent audit body thereon,] taking due account of the yearly information from the National Authority on its monitoring and supervision activities on the Programme.
7. [Upon its assessment of the yearly management declaration of assurance and of the opinion of the independent audit body thereon,] the Commission shall address its opinion and observations thereon to the National Agency and the National Authority.
8. [In the event that the Commission cannot accept the yearly management declaration of assurance or the independent audit opinion thereon, or] in the case of an unsatisfactory implementation of the Commission's observations by the National Agency, the Commission may implement any precautionary and corrective measures necessary to safeguard the Union financial interests [in accordance with Article 57 (4) of the Financial Regulation N°XX/2012].
9. The Commission shall organise regular meetings with the network of National Agencies in order to ensure a coherent implementation of the Programme across all participating countries.
10. [...]

Article 24

Audit body

1. [The independent audit body shall issue an audit opinion on the yearly management declaration of assurance referred to in Article 57(5)(d) and (e) of the Financial Regulation N°XX/2012].

2. The independent audit body shall:
 - (a) have the necessary professional competences for undertaking public sector audits;
 - (b) ensure that audit activity takes account of internationally accepted audit standards;
 - (c) not be in a position of conflict of interest with regard to the legal entity of which the National Agency is part. It shall notably be functionally independent with regard to the legal entity of which the National Agency is part.

3. [The independent audit body shall provide the Commission and its representatives as well as the Court of Auditors full access to all documents and reports in support of the audit opinion that it issues on the yearly management declaration of assurance of the National Agency.]

CHAPTER VIII

Control system

Article 25

Principles of the control system

1. The Commission shall take appropriate measures ensuring that, when actions financed under this Regulation are implemented, the financial interests of the Union are protected by the application of preventive measures against fraud, corruption and any other illegal activities, by effective controls and, if irregularities are detected, by the recovery of the amounts wrongly paid and, where appropriate, by effective, proportionate and deterrent penalties.
2. The Commission shall be responsible for the supervisory controls with regard to the Programme actions managed by the National Agencies. It shall set the minimum requirements for the controls by the National Agency and the independent audit body.
3. The National Agency shall be responsible for the primary controls of grant beneficiaries for the Programme actions as referred to in Article 22(2). These controls shall give reasonable assurance that the grants awarded are used as intended and in compliance with the applicable Union rules.
4. With regard to the Programme funds transferred to the National Agencies, the Commission will ensure proper coordination of its controls with the National Authorities and the National Agencies, on the basis of the single audit principle and following a risk-based analysis. This provision does not apply to OLAF investigations.

[Article 26

Protection of the financial interests of the Union

1. The Commission or its representatives and the Court of Auditors shall have the power of audit, on the basis of documents and on-the-spot, over all grant beneficiaries, contractors, subcontractors and other third parties who have received Union funds. They may also conduct audits and controls of the National Agencies.
2. The European Anti-fraud Office (OLAF) may carry out on-the-spot controls and inspections on economic operators concerned directly or indirectly by such funding in accordance with the procedure laid down in Regulation (Euratom, EC) No 2185/96 with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union in connection with a grant agreement or grant decision or a contract concerning Union funding.
3. Without prejudice to the paragraphs 1 and 2, cooperation agreements with third countries and international organisations and grant agreements and grant decisions and contracts resulting from the implementation of this Regulation shall expressly empower the Commission, the Court of Auditors and OLAF to conduct such audits, on-the-spot controls and inspections.]

CHAPTER IX

Delegations of powers and implementing provisions

Article 27

Delegation of powers to the Commission

In order to place the management of tasks at the most appropriate level, the Commission shall be empowered to adopt delegated acts in accordance with Article 28 concerning the amendment of Article 22(2), only in respect of providing for additional actions to be managed by the National Agencies.

Article 28

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. The power to adopt delegated acts referred to in Article 27 shall be conferred on the Commission from the date of entry into force of this Regulation and for the duration of the Programme.
3. The delegation of power referred to in Article 27 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
5. A delegated act adopted pursuant to Article 27 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of 2 months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by 2 months at the initiative of the European Parliament or the Council.

Article 29

Implementation of the Programme

1. The Commission shall adopt by means of implementing acts the following measures:
 - (a) the annual work programme, including priorities, the body responsible for implementation and the method to be used, the total amount of the financing plan, a description of the actions to be financed, an indication of the amount allocated to each action, the distribution of funds between the Member States for the actions managed through the National Agencies, an indicative implementation timetable and - with regard to grants - the priorities, the essential evaluation criteria and the maximum rate of co-financing;
 - (b) the indicators referred to in Article 5 (2), Article 10a (2) and Article 11 (2).
2. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 30(2).

Article 30

Committee procedure²

1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.
- 1a. The Committee may meet in specific configurations to deal with sectoral issues.
2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

CHAPTER X

Final Provisions

Article 31

Repeal - Transitional provisions

1. Decision No 1720/2006/EC establishing the Lifelong Learning Programme, Decision No 1719/2006/EC establishing the Youth in Action Programme and Decision No 1298/2008/EC establishing the Erasmus Mundus Programme shall be repealed from 1 January 2014.

² New recital to be included.

"The Programme covers three different fields, and the Committee established under Article 30 of this Regulation will deal with both horizontal and sectoral issues. It is for the Member States to ensure that they send the relevant representatives in accordance with the topics on the agenda, and it is for the Committee Chair to ensure that meeting agendas clearly indicate the sector, or sectors, involved and the topics, according to sector, to be discussed during each meeting".

2. Actions which are initiated on or before 31 December 2013 on the basis of Decision No 1720/2006/EC, Decision No 1719/2006/EC and Decision No 1298/2008/EC shall be administered, where relevant, in conformity with the provisions of this Regulation.
3. Member States shall ensure at national level the uninhibited transition between the actions carried out in the context of the previous Programmes in the fields of lifelong learning, youth and international cooperation in higher education and those to be implemented in the Programme.

Article 32

Entry into force

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2014.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at [...],

For the European Parliament

The President

For the Council

The President
