

Pursuant to Article 36, paragraph 2 of the Law on Government of the Republic of Macedonia (Official Gazette of the Republic of Macedonia, No. 59/00, 12/03, 55/05, 37/06, 155/07, 19/08 and 82/08), related to Article 6 and Article 8 of the Framework Agreement between the Government of the Republic of Macedonia and the Commission of the European Communities on the Rules for Cooperation concerning EC Financial Assistance to the Republic of Macedonia in the Framework of the Implementation of the Assistance under the Instrument for Pre-Accession Assistance (IPA) (Official Gazette of the Republic of Macedonia, No. 18/08), the Government of the Republic of Macedonia, at its session held on 16.10.2008, adopted the following

## DECREE

### on Determining Mutual Relations between Bodies and Structures of the Decentralised Management of the First Four Components under the EU Instrument for Pre-Accession Assistance (IPA)

#### Article 1

This Decree shall regulate the mutual relations between the bodies and the structures of decentralised management of the first four components under IPA (hereinafter: decentralised management).

#### Article 2

(1) Bodies for decentralised management of the first four components under the EU Instrument for Pre-Accession Assistance (hereinafter: IPA) shall be Competent Accrediting Officer, National IPA Coordinator, Strategic Coordinator for the Regional Development Component and the Human Resource Development Component, National Authorising Officer and Programme Authorising Officer/ Head of Operating Structure for implementation of the first four IPA components.

(2) Structures of decentralised management of the first four IPA components shall be the National Fund and the Operating Structure for implementation of the first four IPA components.

#### Article 3

##### Definitions

Certain terms used in this Decree shall have the following meaning:

“**Decentralised management of the first four IPA components**” shall be the management system within which part of the management and the responsibilities shall be transferred to the Republic of Macedonia as beneficiary country, while the European Commission shall carry out *ex-ante* control over the management process and retain the final responsibility under the EC Treaties.

“**IPA bodies**” shall be respective structures for IPA implementation, established within the Line Ministries and other IPA beneficiary institutions, as part of the Operating Structure for implementation of one or more of the first four IPA components.

“**Operational Agreement**” shall be the agreement concluded between the Programme Authorising Officer/ Head of Operating Structure and the Senior Programme Officer/ IPA Coordinator, on the bases of which the Programme Authorising Officer/ Head of Operating Structure delegates specific tasks in respect of the technical implementation of IPA funded projects under DIS in the Republic of Macedonia.

“**Operating programme**” shall be a document prepared by the Government of the Republic of

Macedonia and adopted by the European Commission, presenting a coherent set of priority areas (axes), any appropriate measures and activities, as well as the type and the amount of the financial contribution, needed for implementation of the strategies defined in the Multi-Annual Indicative Planning Document.

**“First four IPA components”** shall be the following: Transition Assistance and Institution Building (hereinafter: IPA component I), Cross-Border Cooperation (hereinafter: IPA Component II), Regional Development (hereinafter: IPA Component III), Human Resource Development (hereinafter: IPA Component IV).

**“Framework Agreement”** shall be the Agreement concluded between the Government of the Republic of Macedonia and the Commission of the European Communities on the Rules for Cooperation Concerning the EC Financial Assistance to the Republic of Macedonia in the Framework of the Implementation of the Assistance under the Instrument for Pre-Accession Assistance - IPA (Official Gazette of the Republic of Macedonia, No. 18/08).

**“Audit Authority”** shall be a functionally independent body that audits the organisational set-up and the functionality of the structures and the control systems for management of pre-accession funds of EU in the Republic of Macedonia, established under the Law on Modifications and Amendments to the Law on State Audit (Official Gazette of the Republic of Macedonia, No. 133/ 07).

#### **Article 4**

##### **Competent Accrediting Officer**

(1) Competent Accrediting Officer (hereinafter: CAO) shall be body of decentralised management, issuing accreditation to the National Authorising Officer and the National Fund for decentralised management of the first four IPA components, pursuant to the requirements prescribed in Point 1, Annex A of the Framework Agreement.

(2) CAO, through independent audit, shall check whether the accreditation criteria for the National Authorising Officer and the National Fund are met, as stipulated in Point 1 (c), Annex A of the Framework Agreement.

(3) CAO, following accreditation of the National Authorising Officer and the National Fund, shall be responsible for monitoring, suspending or withdrawing the accreditation of the National Authorising Officer and the National Fund, as well as for informing the European Commission thereof, pursuant to Point 1 (b), Annex A of the Framework Agreement.

(4) CAO shall realise regular meetings and consultations with the independent Audit Authority to the end of ensuring proper functioning of the decentralised management of the first four IPA components.

(5) CAO shall prepare and approve the Internal Manual of Procedures for Competent Accrediting Officer.

(6) CAO shall approve the Internal Manual of Procedures for National Authorising Officer and Internal Manual of Procedures for National Fund, prepared by the National Authorising Officer and the National Fund .

(7) CAO and the National Authorising Officer shall, upon prior consent by the Programme Authorising Officer/ Head of Operating Structure, approve the Programme Implementation Guidelines for Line Ministries/ Beneficiary Institutions, prepared by the Central Financing and Contracting Department.

## **Article 5**

### **National IPA Coordinator**

(1) National IPA Coordinator (hereinafter: NIPAC) shall be body of decentralised management, which pursuant to point 2, Annex A of the Framework Agreement, shall be responsible for the following:

- ensuring overall coordination of IPA assistance,
- ensuring partnership between the European Commission and the Republic of Macedonia, as well as continuous cooperation between the general interest for accession into EU and utilisation of IPA pre-accession funds.

(2) NIPAC, within its competences, shall perform the following tasks:

- annual programming of IPA Component I,
- coordinating the process of programming IPA Component II, IPA Component III and IPA Component IV,
- ensuring coordination of the participation of the Republic of Macedonia in the programmes under IPA Component II,
- monitoring on programme level in respect of the first four IPA components and preparing annual and final implementation report of IPA, which NIPAC shall submit to the European Commission and NAO, pursuant to Article 38 of the Framework Agreement.

(3) NIPAC may delegate the function for ensuring coordination of the participation of the Republic of Macedonia in the programmes under IPA Component II to another body, to be officially appointed as Cross-Border Cooperation Coordinator.

(4) Secretariat for European Affairs of the Government of the Republic of Macedonia shall perform the function of Secretariat of NIPAC.

(5) NIPAC shall prepare and approve the Internal Manual of Procedures for NIPAC in relation to performing its functions of programming and monitoring.

## **Article 6**

### **Strategic Coordinator for the Regional Development Component and the Human Resource Development Component**

(1) Strategic Coordinator for the Regional Development Component and the Human Resource Development Component (hereinafter: Strategic Coordinator) shall be body of decentralised management, ensuring coordination of the assistance awarded in line with the Regional Development Component and the Human Resource Development Component, pursuant to point 3, Annex A of the Framework Agreement.

(2) Strategic Coordinator shall, in cooperation with NIPAC, prepare Strategic Coherent Framework as main document on programming the Regional Development Component and the Human Resource Development Component, and shall submit it to the European Commission.

(3) Strategic Coordinator shall ensure coordination between the strategies and the programmes in the area of regional development and human resource development.

## **Article 7**

### **National Authorising Officer**

(1) National Authorising Officer (hereinafter: NAO) shall be body of decentralised management, managing the operations of the National Fund, which is entrusted the overall responsibility for financial

management of EU funds.

(2) NAO shall, pursuant to point 4, Annex A of the Framework Agreement, be responsible for the legality and regularity of the transactions executed within the decentralised management, as well as for the effective functioning of the management and control systems in line with IPA.

(3) NAO shall, when performing its functions, use the capacities of the National Fund.

(4) For the purpose of carrying out the responsibilities of NAO, Ministry of Finance shall appoint persons, i.e. shall establish an organisational unit for internal audit to ensure effective functioning of management system of EU funds.

(5) NAO shall, upon prior consent by CAO and NIPAC, propose the person (or persons) to perform the function of Programme Authorising Officer/ Head of Operating Structure. NAO shall forthwith inform the European Commission on any replacement of the person (or persons) performing this function.

(6) NAO shall be responsible for awarding accreditation to the Operating Structure for implementation of the first four IPA components, and shall inform the European Commission thereof, pursuant to Article 11 of the Framework Agreement. NAO shall award the accreditation to the Operating Structure after he/ she ensures, on the basis of an independent audit opinion, that the requirements prescribed in Article 9 of the Framework Agreement are met.

(7) NAO shall, following the accreditation of the Operating Structure referred to in paragraph 4 of this Article, be responsible for monitoring, suspending or withdrawing the accreditation, as well as for informing CAO and the European Commission thereof, pursuant to Article 11 of the Framework Agreement.

(8) NAO shall monitor the functioning of the management and control systems within the functioning of the Operating Structure, and shall therefore control the operations of the Programme Authorising Officer, the Head of the Operating Structure and the Central Financing and Contracting Department (hereinafter: CFCD), as well as the operations of the respective IPA bodies through the Programme Authorising Officer/ Head of Operating Structure. Should NAO detect weaknesses in the management and control system, he/ she shall inform the Senior Programme Officers/ IPA Coordinators thereof, and shall give recommendations on undertaking appropriate corrective measures. Should the appointed Senior Programme Officer/ IPA Coordinator not implement the recommended measures, NAO shall inform the competent minister thereof. Should recommended measures not be implemented anyway, NAO shall inform the Government of the Republic of Macedonia thereof and shall give recommendations for overcoming the weaknesses.

(9) NAO may revoke accreditation of the Operating Structure if competent entities do not remove the weaknesses in the management and control systems within the set deadlines.

(10) In order to successfully monitor the functioning of the management and control systems, NAO shall directly communicate with the Audit Authority, which shall submit annual working audit plan, annual report on audit activity and annual audit opinion to NAO.

(11) NAO may, when needed, engage independent auditors to carry out additional audit over all institutions involved in the system for decentralised management of IPA funds, to the end of ensuring effective and efficient functioning of the management and control systems in line with IPA.

(12) NAO shall be responsible for identification of any irregularity within the decentralised management and for informing the European Commission thereof. NAO shall cooperate with the Anti-Fraud Coordination Service (AFCOS) within the Financial Police regarding prevention, detection, reporting and investigating irregularities. Mutual relations between NAO and AFCOS shall be regulated with Memorandum of Understanding.

(13) NAO shall submit Annual Statement of Assurance to the European Commission, pursuant to Article 17 of the Framework Agreement. Should no evidence be available on efficient functioning of the management and control systems and on the legality and the regularity of the main transactions, required

under the Statement of Assurance, NAO shall inform the European Commission and CAO on the reasons and the possible consequences from the event occurred, as well as on the undertaken corrective measures, to the end of overcoming it and protection of interests of the Community.

(14) NAO shall ensure the necessary national co-financing in line with IPA funds, so as to be projected in the Annual Budget of the Republic of Macedonia.

(15) NAO shall approve the Internal Manual of Procedures for CFCD, prepared by CFCD.

(16) NAO shall, together with the Programme Authorising Officer/ Head of Operating Structure, approve the respective Internal Manuals of Procedures by IPA components regarding their operations, being prepared by the respective Senior Programme Officer/ IPA Coordinator, after their approval by the relevant Minister/ Head of the IPA Beneficiary Institution.

## **Article 8**

### **National Fund**

(1) National Fund (hereinafter: NF) shall be central treasury body through which the pre-accession funds from the European Communities shall be transferred to the Republic of Macedonia pursuant to point 5, Annex A of the Framework Agreement, which shall implement and ensure the function of efficient functioning of the management and control systems set in point 4, Annex A of the Framework Agreement.

(2) Functions and responsibilities referred to in paragraph 1 of this Article shall be carried out through respective organisational units within the Ministry of Finance pursuant to the Rulebook on Work and Organisation of the Ministry of Finance and the Rulebook on Systematisation of Working Posts in the Ministry of Finance.

(3) Person appointed to perform the functions of Head of NF, being directly responsible to NAO, shall be responsible for the proper performance of the functions of NF.

(4) NF shall be responsible for the financial management of IPA, under the management of NAO, and shall perform the following tasks within its competences:

- opening and managing bank accounts,
- requesting funds from the European Commission,
- approving the transfer of funds from the European Commission to the Operating Structures for the first four IPA components or to the final IPA beneficiaries, and
- submitting financial reports to the European Commission.

(5) Upon request by NAO, NF shall carry out on-the-spot control in all Line Ministries or IPA beneficiary institutions to the end of more efficient monitoring of the functioning of management and control systems.

(6) When performing its competences regarding financial management of IPA, NF shall cooperate with the National Bank of the Republic of Macedonia (hereinafter: NBRM), where CAO, upon request by NAO, shall open foreign currency accounts for transfer of funds from the European Commission for each IPA component. Mutual relations between NAO, NF, CFCD and NBRM shall be governed by the Bank Protocol for Arranging the Principles and the Conditions for Operating the Foreign Currency Transaction Accounts Opened with the National Bank of the Republic of Macedonia for the Purpose of Managing the Funds for the 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> Component of the Instrument for Pre-accession Assistance (IPA) provided to the Republic of Macedonia under the Decentralised Implementation System.

(7) Segregation of roles and responsibilities between NAO, NF and the Operating Structure, within decentralised management of the first four IPA components, and their mutual relations, shall be determined in the Implementing Agreement signed between CFCD and NAO, describing the roles and responsibilities of the

contracting parties, procedures of transfer and methods for funds utilisation, provisions regarding national co-financing, financial and system control mechanisms, management of bank accounts, accounting and audit.

## **Article 9**

### **Operating Structure for implementation of the first four IPA components**

(1) Operating Structure for implementation of the first four IPA components shall be an institution or a collection of institutions performing the obligations prescribed in point 6, Annex A of the Framework Agreement.

(2) CFCD within the Ministry of Finance shall be solely responsible for carrying out tendering, contracting, recording the transactions in the accounting system and executing payments upon concluded contracts for projects financed within the first four IPA Components, in line with the IPA decentralised management system.

(3) Programme Authorising Officer/ Head of Operating Structure may delegate part of the tasks prescribed in point 6, Annex A of the Framework Agreement to respective structures by signing Operational Agreements with them. In that case, Operating Structure for implementation of the first four IPA components shall also comprise the respective structures for IPA implementation, established within the Line Ministries and IPA Beneficiary Institutions (hereinafter: IPA bodies).

(4) CFCD, as part of the Operating Structure, shall supervise the implementation of projects financed within the first four IPA components according to the IPA decentralised management system in the Republic of Macedonia.

(5) CFCD shall be responsible for management and implementation of the National Programme of the Republic of Macedonia for IPA Component I and the respective Operating Programmes by component in line with the principles of sound financial management and supervision over the implementation and the execution of projects financed under IPA, according to the signed Operational Agreements.

(6) IPA bodies shall be responsible for carrying out the tasks related to the technical implementation of the respective projects, delegated under the provisions in the Operational Agreement.

(7) CFCD, upon an order by the Programme Authorising Officer/ Head of Operating Structure, shall have the right to carry out on-the-spot checks and, should it detect weaknesses in the performance, it may undertake measures aimed at eliminating any obstacles and weaknesses to the effective and timely implementation of the projects by the IPA bodies.

(8) CFCD employees shall, when performing their tasks, adhere to the provisions in the Internal Manual of Procedures for CFCD.

(9) Employees in other IPA structures shall, when performing their tasks related to implementation of IPA funded projects, adhere to the provisions in the Programme Implementation Guidelines for the Line Ministries/ Beneficiary Institutions, as well as to the provisions in the respective Internal Manual of Procedures by IPA component.

## **Article 10**

### **Programme Authorising Officer and Head of Operating Structure**

(1) Programme Authorising Officer shall be body of decentralised management, managing the Operating Structures for implementation of IPA Component I and IPA Component II, and shall be accountable for timely and efficient fulfillment of the obligations referred to in point 6, Annex A of the Framework Agreement.

(2) Head of Operating Structure shall be body of decentralised management, managing the Operating

Structures for implementation of IPA Component III and IPA Component IV, and shall be accountable for timely and efficient fulfillment of the obligations referred to in point 6, Annex A of the Framework Agreement.

(3) Programme Authorising Officer/ Head of Operating Structure shall be a person responsible for managing CFCD within the Ministry of Finance.

(4) Programme Authorising Officer/ Head of Operating Structure shall be responsible for the operations of the Operating Structure, including the operations of the Senior Programme Officers/ IPA Coordinators, appointed within the Line Ministry or the IPA Beneficiary Institution.

(5) Programme Authorising Officer/ Head of Operating Structure shall be responsible for management and implementation of the National Programme of the Republic of Macedonia for IPA Component I and the respective Operational Programmes by IPA Component in line with the principles of sound financial management and supervision over the implementation and the execution of projects financed under IPA, according to the signed Operational Agreements.

(6) Programme Authorising Officer/ Head of Operating Structure shall, on behalf of CFCD and in line with Article 8, paragraph 3 of the Framework Agreement, conclude Operational Agreements on delegation of certain competences to the respective IPA bodies, to the end of distribution of functions and responsibilities between CFCD and IPA bodies within the decentralised implementation of projects financed under IPA.

(7) Should the Programme Authorising Officer/ Head of Operating Structure assess that the Senior Programme Officer/ IPA Coordinator poorly fulfills their tasks delegated under the Operational Agreement, he/ she may initiate certain measures in the Line Ministry/ IPA Beneficiary Institution, so as to overcome such situation.

(8) Programme Authorising Officer/ Head of Operating Structure shall be responsible for fulfilling the obligations under the Operational Agreement or any other document concluded pursuant to Article 8, paragraph 3 of the Framework Agreement.

(9) Programme Authorising Officer/ Head of Operating Structure shall be responsible for implementation of the first four IPA components and establishment of adequate monitoring system, so as to ensure satisfactory level of supervision over the IPA bodies.

(10) Programme Authorising Officer/ Head of Operating Structure shall, at least once a year, assess the capacities of the IPA bodies in the Line Ministries/ IPA Beneficiary Institutions, and inform NAO thereof.

(11) When performing its tasks, Programme Authorising Officer/ Head of Operating Structure shall be responsible to NAO.

## **Article 11**

### **Senior Programme Officer and IPA Coordinator**

(1) Senior Programme Officer shall be a person appointed within the Line Ministry or the Beneficiary Institution under IPA Component I, responsible for the technical aspects of the projects to be implemented within the Line Ministry or the Beneficiary Institution, helping the Programme Authorising Officer in adequate and timely project preparation and implementation.

(2) IPA Coordinator shall be a person appointed within the Line Ministry or the Beneficiary Institution under IPA Component II, IPA Component III or IPA Component IV, responsible for the technical aspects of the projects to be implemented within the Line Ministry or the Beneficiary Institution, helping the Programme Authorising Officer/ Head of the Operating Structure in adequate and timely project preparation and implementation.

(3) Senior Programme Officer/ IPA Coordinator, as well as other persons employed within the IPA bodies shall forthwith inform the Programme Authorising Officer/ Head of Operating Structure of any suspicion on existence of an irregularity or at any determined irregularity when implementing IPA projects.

(4) Senior Programme Officer/ IPA Coordinator shall, within its competences, perform the following tasks:

- shall forthwith inform the Programme Authorising Officer/ Head of Operating Structure of any suspicion on existence of an irregularity or at any determined irregularity when implementing IPA projects;
- shall cooperate on regular basis with the internal auditors during implementation of IPA projects and shall forthwith inform the Programme Authorising Officer/ Head of Operating Structure on the findings from the internal audit;
- shall forthwith inform the Programme Authorising Officer/ Head of Operating Structure on possible problems or risks related to implementation of IPA projects.

(5) When performing the tasks delegated under the Operational Agreement, related to implementation of IPA projects, the Senior Programme Officer/ IPA Coordinator shall be responsible to the Programme Authorising Officer/ Head of Operating Structure for the tasks performed.

(6) Senior Programme Officer/ IPA Coordinator shall manage IPA bodies within the Line Ministry/ Beneficiary Institution that will assist him/ her while performing the tasks delegated to him/her under the respective Operational Agreement.

(7) Senior Programme Officer/ IPA Coordinator shall be responsible to inform the Programme Authorising Officer/ Head of Operating Structure on time on any change regarding human resources within the IPA body he/ she manages.

## **Article 12**

### **Operating Structure for implementation of IPA Component I**

Operating Structure for implementation of IPA Component I shall comprise CFCD and IPA bodies that implement projects financed under IPA Component I, managed by the Programme Authorising Officer, as well as NIPAC and the Internal Auditors within the Line Ministries and IPA Beneficiary Institutions which perform their duties in compliance with the Law on Public Internal Financial Control.

### **Operating Structure for implementation of IPA Component II**

## **Article 13**

Operating Structure for implementation of IPA Component II shall comprise CFCD and IPA body established by NIPAC or body established by the body to which NIPAC delegated the function of Cross-Border Cooperation Coordinator.

## **Article 14**

NIPAC or the body to which NIPAC delegated the function of Cross-Border Cooperation Coordinator shall establish Joint Technical Secretariats and Antenna Offices for implementation of Cross-Border Cooperation Programmes.

## **Article 15**

### **Operating Structure for implementation of IPA Component III**

Operating Structure for implementation of IPA Component III shall comprise CFCD and IPA bodies in the Ministry of Transport and Communications and the Ministry of Environment and Physical Planning,



managed by the Head of Operating Structure.

#### **Article 16**

#### **Operating Structure for implementation of IPA Component IV**

Operating Structure for implementation of IPA Component IV shall comprise CFCD and IPA bodies in the Ministry of Education and Science and the Ministry of Labour and Social Policy, managed by the Head of Operating Structure.

#### **Common Responsibilities of Bodies and Structures**

#### **Article 17**

Operational Agreements shall govern the manner of cooperation and mutual rights and obligations of CFCD and respective Senior Programme Officers/ IPA Coordinators during implementation of IPA Programmes.

#### **Article 18**

(1) Pursuant to Article 6, paragraph 2 of the Framework Agreement, specific bodies may be established within or outside the Operating Structure referred to in Article 8 of this Decree. These shall be bodies to which respective IPA bodies delegate certain tasks on the basis of the Sub-Delegation Agreements, the text of which and all changes thereto shall need to be approved by the Programme Authorising Officer/ Head of Operating Structure.

(2) Pursuant to the Sub-Delegation Agreements, IPA Coordinators shall be responsible for effective performance of the delegated tasks to the specific body, while CFCD shall be responsible for carrying out tendering, contracting, recording the transactions in the accounting system and executing payments for all projects financed under IPA.

#### **Article 19**

(1) Pursuant to Article 36 of the Framework Agreement, six months after the first Financing Agreement for decentralised management of IPA comes into force, IPA Monitoring Committee for all IPA components and Sectoral Monitoring Committees for IPA Component I, IPA Component III and IPA Component IV shall be established, while Joint Monitoring Committees for the Cross-border Cooperation Programmes shall be established for monitoring the implementation of IPA Component II.

(2) IPA Monitoring Committee for all IPA components shall be the main body responsible for monitoring the implementation of the entire IPA assistance pursuant to Article 36, paragraph 3 of the Framework Agreement and the Rules of Procedures of the IPA Monitoring Committee. This Committee shall comprise of representatives of the European Commission, NAO, NF, NIPAC, Programme Authorising Officer/ Head of Operating Structure, Operating Structure and Strategic Coordinator. Representatives of the European Commission and NIPAC shall jointly chair the Committee, while the Secretariat for European Affairs shall perform the function of Secretariat of the Committee and shall be in charge of preparing and submitting all materials to be discussed and reviewed by the Committee.

(3) Sectoral Monitoring Committee for IPA Component I shall be responsible for monitoring the implementation of the Programme within IPA Component I in compliance with the Rules of Procedures of the Sectoral Monitoring Committee for IPA Component I. This Committee shall comprise representatives of NIPAC, NAO, NF, Strategic Coordinator, Operating Structure, the European Commission, international financial

institutions, social partners and civil society organisations. Representatives of NIPAC shall chair the Committee, while the Secretariat for European Affairs shall perform the function of Secretariat of the Committee and shall be in charge of preparing and submitting all materials to be discussed and reviewed by the Committee.

(4) Joint Monitoring Committees for IPA Component II shall be bodies responsible for monitoring the implementation of the Programmes within IPA Component II pursuant to the Rules of Procedures of the Joint Monitoring Committees for IPA Component II. These Committees shall comprise of persons delegated by the respective structures of the countries covered by the Programme, as well as of representatives of the European Commission, local and regional authorities of the countries covered by the Programme, international financial institutions, social partners and civil society organisations. Representative of the Operating Structure of one of the participating countries in the respective Programme or the Managing Authority of the European Union Member State shall chair this Committee. The Joint Technical Secretariat i.e. Antenna Offices pursuant to Article 14 of this Decree shall carry out the function of Secretariat of the Joint Monitoring Committees and shall be in charge of preparing and submitting all materials to be discussed and reviewed by the Joint Monitoring Committee.

(5) Sectoral Monitoring Committee for IPA Component III and IPA Component IV shall be responsible for monitoring the implementation of the Programmes within IPA Component III and IPA Component IV. These Committees shall comprise of representatives of the European Commission, NAO, NF, NIPAC, Strategic Coordinator, Operating Structure, international financial institutions, social partners and civil society organisations. The Head of Operating Structure and representatives of the European Commission shall jointly chair these Committees, while CFCD shall perform the function of Secretariat of the Committee and shall be in charge of preparing and submitting all materials to be discussed and reviewed by the Committee.

## **Article 20**

(1) The Ministers/ Heads of IPA Beneficiary Institutions shall be responsible for introduction of internal audit within their institutions pursuant to Article 12, paragraph 1 of the Law on Public Sector Internal Audit.

(2) Internal audit units shall carry out annual internal audit over all IPA projects pursuant to the annual plan approved by the Minister/ Head of the IPA Beneficiary Institution. Copy of the approved annual plan shall be submitted through the Public Internal Financial Control Department within the Ministry of Finance to the Programme Authorising Officer/ Head of Operating Structure and NAO. Internal auditors shall submit audit reports for the audit carried out over IPA projects to the competent Minister/ Head of IPA Beneficiary Institution and to the respective Senior Programme Officer/ IPA Coordinator

(3) Senior Programme Officer/ IPA Coordinator shall be obliged, after receiving the audit report, within 30 days, to submit information to the Programme Authorising Officer/ Head of Operating Structure on the audit findings and on the undertaken measures, as well as future measures to be undertaken.

## **Article 21**

(1) The Minister/ Head of IPA Beneficiary Institution and the respective Senior Programme Officer/ IPA Coordinator shall convene regular coordinative meetings with CAO and shall communicate with NAO, Head of NF, Programme Authorising Officer/ Head of Operating Structure on regular basis, to the end of timely overcoming of all weaknesses and obstacles to the process of implementation of IPA funded projects.

Minister/ Head of the IPA Beneficiary Institution shall provide its Senior Programme Officer/ IPA Coordinator with appropriate number of qualified persons, according to the data provided in the respective Workload Analysis, and necessary funds for implementation of IPA funded projects within the Budget of the respective Line Ministry/ IPA Beneficiary Institution, both determined by the Senior Programme Officer/ IPA Coordinator.

## **Article 22**

(1) The Government of the Republic of Macedonia shall appoint the persons to perform the functions of CAO, NIPAC, Strategic Coordinator, NAO, Programme Authorising Officer/ Head of Operating Structure and Head of Audit Authority.

(2) The bodies and structures responsible for decentralised management of IPA within the Ministry of Finance, shall perform their functions and responsibilities within the limits of the authorisation given by the Minister of Finance.

(3) The Acts determined by the Minister of Finance which are sent to or sent by the bodies responsible for decentralised management of the first four IPA Components, are distributed on the basis of special archiving symbols pursuant to the Decree on Office Work and Archiving (Official Gazette of the Republic of Macedonia, No. 58/96).

(4) The Minister/ Head of the Beneficiary Institution shall appoint the person to perform the function of Senior Programme Officer/ IPA Coordinator within his/ her institution and shall authorise these persons to sign contracts/ agreements and acts.

(5) Programme Authorising Officer/ Head of Operating Structure shall, prior to signing an Operational Agreement with the person assigned pursuant to paragraph 4 of this Article, assess the readiness and the competence of that person to successfully perform the function of Senior Programme Officer/ IPA Coordinator.

(6) The Minister/ Head of the Beneficiary Institution shall be obliged to inform the Programme Authorising Officer/ Head of Operating Structure, on any replacement of the persons performing the functions of Senior Programme Officer/ IPA Coordinator within his/ her institution, which shall forthwith inform NAO and the European Commission thereof.

## **Final and Transitional Provisions**

### **Article 23**

The Ministry of Finance shall be obliged to harmonise the Rulebook on Work and Organisation of the Ministry of Finance, the Rulebook on Systematization of Working Posts in the Ministry of Finance, and the Decree on Office Work and Archiving, with the provisions of this Decree, in the period of 3 months, at latest, after this Decree enters into force.

### **Article 24**

This Decree shall enter into force next day following the day it is published in the Official Gazette of the Republic of Macedonia.

PRESIDENT OF THE GOVERNMENT  
OF THE REPUBLIC OF MACEDONIA

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**No.19-5168/2**

**16 October 2008**

**Skopje**