



# EUROPEAN COMMISSION

## TRANS-EUROPEAN TRANSPORT NETWORK



- Annual Work Programme
- Multi-Annual Work Programme 2007-2013
  - ERTMS
  - MoS
  - ITS
- European Economic Recovery Plan Work Programme

### APPLICATION FORM

#### PART B.1

Administrative information

### CALL FOR PROPOSALS 2009

Title of the proposed action

TENtec number

**For TEN-T EA use only**

Received on:

Number:

## ADMINISTRATIVE INFORMATION ON APPLICANTS

### 1. LEGAL ENTITY

Public and private undertakings or bodies and international organisations must provide the Legal Entity form, which can be downloaded in several languages at:

[http://ec.europa.eu/budget/execution/legal\\_entities\\_en.htm](http://ec.europa.eu/budget/execution/legal_entities_en.htm)

Attach this form to the proposal, along with additional documents referred to in the Legal Entity form.

### 2. ADDITIONAL FORMAL REQUIREMENTS FOR PUBLIC AND PRIVATE UNDERTAKINGS AND BODIES

Are you a public or private undertaking or body operating under private law (i.e. NOT a public sector body or body governed by public law - see definitions in the Glossary of the Guide for Applicants)?  Yes  No

If Yes, follow the instructions in below sections 2.1., 2.2. and 2.3.

If No, move to the following Section "Compliance with Community Policy and Law".

#### 2.1. Financial capacity

Public and private undertakings and bodies must have the financial capacity to complete the Action for which the grant is sought. Provide therefore the annual accounts certified by an external auditor for the last financial year for which the accounts have been closed.

#### 2.2. Technical capacity

Public and private undertakings and bodies must have the technical and operational capacity to complete the Action for which the grant is sought. Provide therefore appropriate documents attesting to that capacity (proof of experience in carrying out similar or related actions).

#### 2.3. Compliance with Article 114(3) of the Financial Regulation and its Implementing Rules

The public or private undertakings or bodies must comply with Article 114(3) of the Financial Regulation<sup>1</sup> and be aware of Article 134b of its Implementing Rules<sup>2</sup>.

The declaration form in Annex I must be completed and signed by public or private undertakings or bodies directly involved in the implementation of the Action.

<sup>1</sup> Council Regulation (EC, Euratom) n° 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities, OJ L 248 of 16 September 2002, p. 1, amended by Council Regulation (EC, Euratom) n° 1995/2006 of 13 December 2006 (OJ L 390 of 30 December 2006, p.1)

<sup>2</sup> Commission Regulation (EC, Euratom) n°2342/2002 laying down detailed rules for the implementation of Council Regulation (EC, Euratom) n°1605/2002 (OJ L 357 of 31.12.2002 p.1), as last amended by Commission Regulation (EC, Euratom) n°478/2007 of 23 April 2007 (OJ L 111 of 28.04.2007, p.13)

## COMPLIANCE WITH COMMUNITY POLICY AND LAW

- Study
- Study with physical intervention
- Works

### 1. COMPLIANCE WITH COMMUNITY POLICY ON ENVIRONMENTAL PROTECTION

#### 1.1. Does the Action:

- contribute to the objective of environmental sustainability (e.g. European climate change policy, halting loss of biodiversity, etc.)?
- respect the "polluter pays" principle<sup>3</sup>?

#### 1.2. Consultation of environmental authorities

Have the environmental authorities likely to be concerned by the Action been consulted?

- Yes  
 No

- If Yes, provide the name(s) and address(es) and explain that authority's responsibility:

- If No, explain why:

#### 1.3. Environmental Assessment

##### 1.3.1. DEVELOPMENT CONSENT<sup>4</sup>

1.3.1.1. Has a development consent already been given to the Action?

- Yes  
 No

1.3.1.2. If yes, indicate when:

(dd/mm/yyyy)

1.3.1.3. If no, when was the formal request for the development consent introduced?

(dd/mm/yyyy)

1.3.1.4. By which date is the final decision expected?

(dd/mm/yyyy)

1.3.1.5. Indicate which competent authority(ies) has(have) given or will give the development consent

<sup>3</sup> The "polluter pays" principle, as indicated in the EC Treaty, implies that those who cause environmental damage should bear the costs of avoiding it or compensating for it.

<sup>4</sup> 'Development consent' means the decision of the competent authority or authorities which entitles the developer to proceed with the action, as per Council Directive 85/337/EEC on Environmental Impact Assessment

**1.3.2. APPLICATION OF COUNCIL DIRECTIVE 85/337/EEC ON ENVIRONMENTAL IMPACT ASSESSMENT (EIA)**

1.3.2.1. Is the Action a class of development covered by:

- Annex I of the Directive (then go to question 1.3.2.2)
- Annex II of the Directive (then go to question 1.3.2.3)
- Neither of the two annexes (then go to question 1.3.3)

1.3.2.2. If covered by Annex I of the Directive, attach in annex the following documents:

- a) the information referred to in Article 9 (1) of the Directive
- b) the non-technical summary<sup>5</sup> of the Environmental Impact Study carried out for the Action;
- c) information on consultations with environmental authorities, the public concerned and, if applicable, with other Member States.

1.3.2.3. If covered by Annex II of the Directive, has an Environmental Impact Assessment been carried out for this Action?

- YES - in which case, attach in annex the documents listed under point 1.3.2.2
- NO - in which case, explain why the Environmental Impact Assessment has not been carried out and give the thresholds, criteria or case by case examination carried out to reach the conclusion that the Action has no significant environmental effects

**1.3.3. APPLICATION OF THE STRATEGIC ENVIRONMENTAL ASSESSMENT DIRECTIVE 2001/42/EC<sup>6</sup> (SEA-Directive)**

Does the Action result from a plan or programme falling within the scope of the SEA Directive?

- NO - in which case provide a short explanation:

- YES - in which case, in order to appreciate if wider potential cumulative effects of the Action have been addressed, please provide a copy of :
  - a) The non-technical summary of the Environmental Report carried out for the plan or programme prepared under Art. 5 (1)
  - b) The documentation required by Art. 9 of the SEA Directive

**1.4. Impact of the Action on Natura 2000 sites**

Is the Action likely to have a significant effect on sites included or intended to be included in the NATURA 2000 network?

- NO - in which case attach a completed Annex II-A declaration, signed, dated and stamped by the relevant authority
- YES - in which case:

(a) Provide a summary of the conclusions of the assessment carried out in accordance with Article 6(3) of Directive 92/43/EEC

<sup>5</sup> Prepared under Article 5 (3) of Directive 85/337/EEC, as amended.

<sup>6</sup> Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment, OJ L 197 of 21.7.2001.

- (b) If the assessment carried out in accordance with Article 6 (3) has led the competent national authorities to ascertain that the project will not adversely affect the integrity of the Natura 2000 sites, attach a completed Annex II-A form, signed, dated and stamped by the relevant authority.
- (c) If the conclusion of the assessment carried out in accordance with Article 6(3) is negative or uncertain, then Article 6(4) applies. Attach a completed Annex II-B form, signed, dated and stamped by the relevant authority.

**1.5. Additional environmental integration measures**

Apart from the Environmental Impact Assessment, does the Action plan any additional environmental integration measures (e.g. environmental audit, environmental management, specific environmental monitoring)?

- Yes
- No

If yes, specify:

DRAFT

**1.6. Actions with a potential impact on water - Water Framework Directive 2000/60/EC<sup>7</sup>**

Does the Action involve a modification that could cause the deterioration of water status or failure to achieve good water status in accordance with Article 4(7) of the Water Framework Directive?

- NO – in which case attach a completed Annex II-C declaration, signed, dated and stamped by the relevant authority)
  
- YES – in which case answer the following questions:

(a) Have all practicable steps been taken to mitigate the adverse impacts on the status of water bodies?

(b) Are there other means, that are technically feasible or not disproportionately costly, to achieve the beneficial objectives of the Action?

**Authority responsible for water management:**

Contact person:

Name:

Function:

Signature: \_\_\_\_\_

Official stamp:

<sup>7</sup> Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy

## 2. COMPATIBILITY WITH COMMUNITY POLICY ON INTEROPERABILITY (RAILWAY ACTIONS ONLY)

- Is the Action in conformity with the technical specifications of interoperability currently in force and/or approved by the "Article 21" Committee, as established by Directive 96/48<sup>8</sup> and Directive 2001/16/EC<sup>9</sup>?  Yes  No

If no indicate which elements of the interoperability specifications are not respected and why. If appropriate, make reference to any exemption request previously addressed to the Commission:

- Is the Action putting in place the necessary measures to be in compliance with the requirements of Directive 2008/57/EC<sup>10</sup>? Please comment.  Yes  No

- For works involving speed testing systems and/or signalling systems including the upgrading of interlocking, will the ETCS system be implemented on the section undergoing the construction works?  Yes  No

If Yes, confirm that relevant works are carried out in compliance with the ETCS, System Requirements Specifications, version 2.3.0d<sup>11</sup>.

If no, specify the reasons why ETCS will not be implemented during the execution of the construction works, and indicate when the ETCS system will be deployed on the line.

### Authority responsible for rail certification:

Contact person:

Name:

Function:

Signature: \_\_\_\_\_

Official stamp:

<sup>8</sup> Council Directive 96/48/EC of 23 July 1996 on the interoperability of the trans-European high-speed rail system - OJ L 235, 17.9.1996

<sup>9</sup> Directive 2001/16/EC of the European Parliament and of the Council of 19 March 2001 on the interoperability of the trans-European conventional rail system - OJ L 110, 20.4.2001

<sup>10</sup> Directive 2008/57/EC of the European Parliament and of the Council of 17 June 2008 on the interoperability of the rail system within the Community

<sup>11</sup> as defined in Commission Decision 2008/386/EC of 23/04/2008 - OJ L 136, 24.5.2008

**3. COMPATIBILITY WITH COMMUNITY LAW ON STATE AIDS**

Have State aids been granted or are foreseen to be granted to this Action which might be incompatible with EC competition law (Articles 87 – 89 of the EC Treaty)?  Yes  No

If Yes, explain.

**4. COMPATIBILITY WITH COMMUNITY LAW ON ROAD CHARGING**

Art. 7(10) of the Directive 1999/62/EC on the charging of heavy goods vehicles for the use of certain infrastructures as amended allows under certain conditions a mark-up to be added to the tolls of specific sections.

Does Article 7(10) of the Directive 1999/62/EC apply to the Action?

- NO
- YES – in which case answer the questions below

If Yes, provide information on the conditions fulfilled:

When did the Member State(s) concerned submit the plan for charges to the Commission?

Did the Commission (i) agree to these plans, or (ii) reject these plans, or (iii) request modifications of these plans - if so, when did the Commission agree to the modified plans?

Provide the decision number and date of the Decision of the Commission:

## ANNEX I

### Declaration form of the public or private undertakings or bodies applying for the Community financial aid

In accordance with Article 114(3) of the Council Regulation No 1605/2002<sup>12</sup> on the award of grants, and in accordance with Commission Regulation No 2342/2002<sup>13</sup>, I declare on my honour:

- I. that the body or undertaking I am representing is not in any of the following situations which would exclude it from participating in a grant award procedure:
- a) it is not bankrupt, being wound up or having its affairs administered by the courts, it is not entered into an arrangement with creditors, it has not suspended business activities, is subject of proceedings concerning those matters, and it is not in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
  - b) it has not been convicted of an offence concerning its professional conduct by a judgment which has the force of *res judicata*;
  - c) it has not been found guilty of grave professional misconduct proven by any means which can be justified;
  - d) it has not failed to fulfil obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which it is established or with those of the Member State which is the beneficiary of the financial support or those of the state where the action is to be executed;
  - e) it has not been the subject of a judgment which has the force of *res judicata* for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Communities' financial interests;
- The cases referred to in point e) cover:
- i) cases of fraud as referred to in Article 1 of the Convention on the protection of the European Communities' financial interests established by the Council Act of 26 July 1995<sup>14</sup>;
  - ii) cases of corruption as referred to in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, established by the Council Act of 26 May 1997<sup>15</sup>;
  - iii) cases of participation in a criminal organisation, as defined in Article 2(1) of Joint Action 98/733/JHA of the Council<sup>16</sup>;
  - iv) cases of money laundering as defined in Article 1 of Council Directive 91/308/EEC<sup>17</sup>.
- f) it is currently not subject to an administrative penalty referred to in Art: 96 of the Council Regulation No 1605/2002;
- g) it is not subject to a conflict of interest during the grant award procedure;
- h) it is not guilty of misrepresentation in supplying the information for the procedure or of failure to supply this information required during the grant award procedure;
- II. that the body or undertaking I am representing undertakes to provide, as soon as possible, the documents referred to in Article 134 and 174 of Commission Regulation No 2342/2002 at the request of the European Commission, failing which the grant may not be awarded in accordance with Article 114 of the Council Regulation No 1605/2002);
- III. that this application for funding is not the subject of any other application for funding under the Community budget.
- IV. If applicable (in case the applicant is a private body or undertaking): In accordance with article 173 of Commission Regulation No 2342/2002, I declare on my honour that the private body or undertaking I am representing has the financial and operational capacity to complete the action proposed in this application.

Done at: \_\_\_\_\_ on \_\_\_\_\_  
Name: \_\_\_\_\_  
Function: \_\_\_\_\_  
Name and address of the body or undertaking: \_\_\_\_\_

Signature: \_\_\_\_\_  
\_\_\_\_\_

<sup>12</sup> Council Regulation (EC, EURATOM) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities (OJ L 248 of 16.09.2002, p. 1) modified by Council Regulation (EC, EURATOM) No 1995/2006 (OJ L 390 of 30.12.2006)

<sup>13</sup> Commission Regulation (EC, EURATOM) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation (EC, EURATOM) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities (OJ L 357 of 31.12.2002, p. 1) as last modified by Commission Regulation (EC, EURATOM) No. 478/2007 of 23 April 2007 (OJ L 111 of 28 April 2007)

<sup>14</sup> OJ C 316, 27.11.1995, p. 48.

<sup>15</sup> OJ C 195, 25.6.1997, p. 1.

<sup>16</sup> OJ L 351, 29.12.1998, p. 1. Joint action of 21 December 1998 on making it a criminal offence to participate in a criminal organisation in the Member States of the European Union.

<sup>17</sup> OJ L 309, 25.11.2005, p. 15-36. Directive 2005/60/EC of the European Parliament and of the Council of 26 October 2005 on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing (Text with EEA relevance).

## ANNEX II –A

### DECLARATION BY THE AUTHORITY RESPONSIBLE FOR NATURA 2000 SITES

Responsible Authority:  
Having examined the Action application:  
Which is to be located at:

Declares that the Action is not likely to have significant effects on a NATURA 2000 site on the following grounds:

Therefore an assessment as described by Article 6 (3) of Directive 92/43/EEC was not deemed necessary.

Declares that the assessment carried out in accordance with Article 6(3) concludes that the Action will not affect the integrity of the site concerned on the following grounds:

A map at scale of 1:100.000 (or the nearest possible scale) is attached, indicating the location of the Action as well as the NATURA 2000 sites concerned, if any.

Date (dd/mm/yyyy):

Signed: \_\_\_\_\_

Name:

Position:

Organisation:

(Authority responsible for monitoring NATURA 2000 sites)

Official Seal:

## ANNEX II-B

### INFORMATION ON ACTIONS LIKELY TO HAVE SIGNIFICANT NEGATIVE EFFECTS ON NATURA 2000 SITES

Member State:	Date:
Competent national authority:	
Address:	
Contact person:	Signature, date and stamp (the latter if applicable)
Tel., fax, e-mail:	

#### 1. PLAN OR ACTION

Name and code of Natura 2000 site affected:

This site is

- a SPA under the Birds directive
- a SCI under the Habitat directive
- hosting a priority habitat/species

Summary of the plan or action having an effect on the site:

A map at the scale of 1:100.000 (or the nearest possible scale) is **attached**, indicating the location of the action as well as the Natura 2000 sites concerned

## 2. NEGATIVE EFFECTS

Summary of the assessment of the negative effects on the site:

N.B.: this summary should focus on the adverse effect expected on the habitats and species for which the site has been designated, include the appropriate maps and describe the already decided mitigation measures

## 3. ALTERNATIVE SOLUTIONS

Summary of alternative solutions studied by the Member State

Reasons why the competent national authorities have concluded that there are no alternative solutions

#### 4. IMPERATIVE REASONS

Reason to nevertheless carry out this plan or action

- Imperative reasons of overriding public interest, including those of a social or economic nature (in the absence of priority habitat/species)
- Human health
- Public safety
- Beneficial consequences of primary importance for the environment
- Other imperative reasons of overriding public interest

Short description of the reason:

#### 5. COMPENSATION MEASURES

Foreseen compensatory measures and timetable:

## ANNEX II –C

### DECLARATION BY THE AUTHORITY RESPONSIBLE FOR WATER MANAGEMENT

Responsible Authority:  
Having examined the action application:  
Which is to be located at:

Declares that the action is not likely to alter water bodies:

Therefore an assessment as described in Article 4 (7) of the Water Framework Directive<sup>18</sup> was not deemed necessary.

Date (dd/mm/yyyy):

Signed: \_\_\_\_\_

Name:

Position:

Organisation:

(Authority responsible for water management)

Official Seal:

<sup>18</sup> Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy