**AMENDMENT REQUEST FOR AN IP PHASE UPDATE - BENEFICIARY CHECKLIST**

*This checklist is meant to assist the coordinating beneficiary in the preparation and submission of an amendment request for an* ***IP Phase update****. This checklist lists the individual forms that need to be revised and in some cases the additional supporting documents that need to be provided per type of change. This checklist shall be consulted together with Part C of the “General guidelines for the presentation of an amendment to the grant agreement” available on the LIFE website in the* [*Contract and financial aspects*](https://cinea.ec.europa.eu/life/contract-and-financial-aspects_en) *section. The guidance further denotes which Parts of Annex II or the entire Annex II should be resubmitted depending on the range of modifications proposed, and describes the other contents of the amendment request package (cover letter, amendment request document, comparative budget tables). For ad hoc amendments that might become necessary in the course of a phase, the guidance (Part A of the afore-mentioned “General guidelines”) and checklist for traditional projects apply.*

***Please note that all amendment requests must be submitted formally by the coordinating beneficiary through a cover letter, signed with a qualified electronic signature (QES) or on paper (blue-ink original signature) by the legal representative or contact person as mentioned in the grant agreement. In case these persons have changed, you are reminded that CINEA should be (or have been) notified by email prior to receiving the amendment request.***

***The cover letter should contain an Annex (available in the*** [***Contract and financial aspects***](https://cinea.ec.europa.eu/life/contract-and-financial-aspects_en) ***section of the LIFE website) confirming that the coordinating beneficiary has checked the Amendment Request Package completeness and correctness. Please pay special attention to the submission requirements – either fully digital submission***[***via email to CINEA-LIFE-MONITORING@ec.europa.eu***](mailto:CINEA-LIFE-MONITORING@ec.europa.eu)***with the request signed with a QES or submission by postal/delivery services in case signing with a QES is not possible. Further instructions on the submission, digital/paper and signature requirements are given in the*** [***Reporting***](https://cinea.ec.europa.eu/life/life-reporting_en#ecl-inpage-1064) ***section of the LIFE website and the aforementioned Annex to the cover letter. Essentially, revised or new forms and supporting documents requiring signature may be provided as scanned copies of the signed originals (originals to be kept by the beneficiary in case of a future audit) or as digital files signed with a QES. The only document required in original (or signed with QES) is the cover letter as noted above.***

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **NATURE OF THE MODIFICATION(s)** |  | **✓**  where  relevant | **REQUIRED DOCUMENTS** | **TIPS AND NOTES** |
| ***Timetable modifications*** | ***Extension of the project duration*** | | |
|  | Revised forms A1, C2 and C3. | An overall project prolongation should be a rare occurrence and will normally only be considered at the stage of the last phase update or during the last phase. The need for a prolongation should be clearly explained and justified in the amendment request document and should not be motivated solely by the will to improve under-spending. |
| ***Revised timetable without a change in overall duration*** | | |
|  | Revised forms C2 and C3. | This modification refers to timetable revisions concerning any of the project phases (revised duration of action(s), and/or the revision of deadlines of deliverables / milestones). On rare occasions the change may concern rescheduling of the project, including changes in the duration of the individual phases and related reporting. |
| ***Partnership modification: withdrawal and / or addition of one or more beneficiaries*** |  | Revised forms A1, A2, A3 (signed by the legal representative), A4 (signed by the legal representative), A5, as appropriate, and form FC.  ***Notes:***   1. *If the withdrawing beneficiary has already incurred expenses both “withdrawing” and new beneficiaries are listed in form A1 with the indications until <date> and since <date> respectively.* 2. *C forms and F forms (other than form FC), solely for the purpose of replacing the withdrawing with the new beneficiary, are not required. However if the C and F forms are being revised with further modifications then the beneficiary information should be updated too. They should also be updated if there is redistribution of tasks among remaining partners.* | The amendment request document shall: explain the withdrawal of benefiary/ies and / or justify the participation of new beneficiary/ies; **confirm explicitly** that all the other beneficiaries have been informed and are in agreement with the partnership modification; provide assurances of success including substantiation of the technical capacity / competence / added value of the new beneficiary/ies or the beneficiary/ies taking over the tasks of the withdrawing beneficiary; confirm that the scope of the project is not altered; clearly explain what will happen with the tasks of the withdrawing beneficiary/ies (e.g. have outputs already produced / equipment already purchased been handed over, to which beneficiary/ies have the remaining tasks been reassigned?).  The withdrawing beneficiary should submit to the coordinating beneficiary its input for the final report (technical, financial and supporting documents), at the time of the signature of the amendment. It is in the interest of the coordinating beneficiary to secure this input which should be incorporated in the Interim and / or Final report and should not be submitted with the Amendment Request. Non-submission of a final report of a withdrawing beneficiary could imply that eventual costs of this beneficiary are considered as ineligible by the Agency / Commission; this applies as well if no evidence of their activities / results and corresponding costs is provided. |
| ***+ in the case of withdrawal of a beneficiary*** | |
|  | Letter from the legal representative of the withdrawing beneficiary reasoning its withdrawal, giving the date of withdrawal and specifying if it waives the right to claim any cost or not. In the latter instance, confirmation that it will submit to the coordinating beneficiary all required input for the final report (as elaborated in Annex X, paragraph XIV; see also the note in the right-hand column), at time of the signature of the amendment. |
| ***+ in the case of addition of a beneficiary*** | |
|  | Letter from the legal representative of the new beneficiary stating the date on which it would start participating in the grant agreement. |
|  | Legal Entity File (LEF).  *Please fill in the form available at:* [*https://commission.europa.eu/publications/legal-entities\_en*](https://commission.europa.eu/publications/legal-entities_en) |
|  | Supporting legal documents certified by the legal representative of the organisation:   * Public entities => resolution/law/decree/ decision establishing the entity or any other official document attesting the establishment of the entity, * Private entities => the company registration, the statutes, an extract publication in the official journal (official gazette). |
|  | In the case of a new 'private' coordinating beneficiary: most recent annual accounts (balance sheets + profit and loss) + Simplified Financial Statement.  In the case the beneficiary has a VAT nr : VAT registration document (if applicable), |
|  | In the case of a new associated beneficiary: Mandate to the coordinating beneficiary duly signed by the authorised representative (the form is annexed to this checklist). |
|  | In the case of a new coordinating beneficiary: New signed mandates of all the associated beneficiaries (the form is annexed to this checklist). |
|  | In the case of a new “beneficiary” claiming to be a ‘public body’ while the entity is private from a legal point of view, the public body declaration annexed to this checklist should be filled-in and submitted. |
| ***Addition or withdrawal of Affiliate / Member*** |  | Revised relevant forms C describing the affiliates’ / members’ activities. | The amendment request document shall: confirm agreement with the withdrawal / addition of affiliate(s) / member(s); explain the withdrawal of affiliate / member and / or the need for the involvement of a new affiliate / member and why this was not foreseen in the original proposal; confirm that the scope of the project is not altered by the withdrawal and/or describe the activities to be undertaken by the affiliate / member; give the contact details of the affiliate/member: name of the legal representative, official legal name of the entity, address, other contact details (phone, e-mail). |
|  | Revised relevant financial forms F showing the allocation of the affiliates’ / members’ costs *(affiliates’ costs should be allocated to the corresponding “mother” beneficiary but the name of the affiliate must be included in brackets in the description field)*. |
| ***+ in the case of addition of an affiliate / member*** | |
|  | Legal Entity File (LEF) of the affiliate member.  *Please fill in the form available at:* [*https://commission.europa.eu/publications/legal-entities\_en*](https://commission.europa.eu/publications/legal-entities_en) |
|  | Supporting legal documents certified by the legal representative of the organisation:   * Private entities => VAT registration form (if applicable), the company registration, the statutes, an extract publication in the official journal (official gazette). |
|  | Proof of legal / capital link, that is, structure of the organisation through legal documents (statutes etc.) that prove the affiliate or membership status (incl. % of ownership). |
|  | Confirmation that the entity is not in any of the situations foreseen under Article 136(1), 136(4) and 141 of the EU Financial Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012, OJ L 193, 30.7.2018, p. 1 |
| ***Addition and/or withdrawal of one or more co-financers*** *(this modification may or may not require an amendment depending on the significance of the co-funding for the project and possible impact on the 2% rule when the co-financing concerns public beneficiaries; to be discussed with the designated monitoring team and project advisor)* | ***In the case of addition of a co-financer (or significant increase of the amount committed by an existing co-financer)*** | | The amendment request document shall describe the proposed modification(s) and, in the case of withdrawal of a co-financer: it shall clarify the amount (if any) that has thus far been contributed, confirm that the scope of the project is not altered by the withdrawal and provide assurance that the funds that will no longer be provided by the co-financer will be covered by own funding. |
|  | New (or revised) form A6 and revised form FC |
| ***In the case of withdrawal of a co-financer*** | |
|  | Letter from an authorised person of the withdrawing co-financer reasoning its withdrawal giving the date of withdrawal and confirming the amount, if any, thus far contributed |
|  | Revised form FC and, for LIFE18 and earlier projects, revised forms A3/A4, signed by the legal representative of the beneficiary, as appropriate, for beneficiaries with an increased contribution |
| ***Technical modifications*** |  | Relevant revised forms C1, C2 and C3, as appropriate.  Additionally, if the changes to the actions for the IP itself and or the complementary actions include changes / updates to any of the target plan / strategy, stakeholders, complementary funds, the relevant B forms should also be updated such as Forms B1, B2c, B5. Changing circumstances implying changes to the expected constraints and risks also require revision of Form B6. | Technical modifications may include: (i) relatively minor changes for the fine-tuning and updates of the forthcoming phase(s), if the original description is not sufficient (e.g. replacement of the Action XY activity / deliverable x with activity / deliverable y) and/or (ii) significant changes in the nature / content of an action / deliverable (e.g. enlargement of Action C3; replacement of method x by method y; addition / deletion of an action).  The amendment request document shall describe and justify the proposed modification(s); confirm that all the other beneficiaries are in agreement; provide assurances of success; confirm that the scope of the project is not altered. |
| ***For LIFE-Nature: Changes in geographical scope including site modification*** |  | Revised forms B2a (if relevant), B2b, B2d, relevant form(s) C (only in specific cases, if the type of work to be done is being changed and/or if the C forms are being revised with further modifications then the site information should be updated too). | The amendment request shall describe and justify the proposed modification(s); confirm that all the other beneficiaries are in agreement; provide assurances of success; confirm that the scope of the project is not altered. |
| ***Financial modifications*** |  | Relevant financial forms R, F.  For LIFE18 and earlier projects, if increased contribution from any of the beneficiaries, updated A3 and A4 forms, signed by the legal representative of the beneficiary, may be provided | Financial modifications may involve one or more of the following aspects:  • Elaboration of budget for Phase n+1 (e.g. breakdown of totals per category into itemised costs similar to details for Phase 1 in the initial GA)  • Budget shift from Phase n to Phase n+1 or other Phase(s)  • Budget shifts outside the flexibility of Art. II.22  • Budget shifts within the flexibility of Art. II.22  • Changes to the EU contribution or total costs. Note that a decrease in budget and hence in the EU contribution should be avoided (!!) and is not advisable especially in the early phases. The EU contribution cannot be increased so an increase in total costs necessitates an increase in the beneficiary’s (ies’) own contribution(s).  • Finance plan modification for the IP itself (e.g. through co-financing).  • Finance plan modification for the complementary actions (i.e. complementary financing modification reflected in Form FP).  The amendment request document shall describe and justify the proposed modification(s); itemise significant transfers with explanatory comments; justify both increases and decreases; confirm that all the other beneficiaries are in agreement; provide assurances of success; confirm that the scope of the project is not altered. |
| ***Coordinating / associated beneficiary’s/ies’ administrative modification****.* |  | New Legal Entity File (LEF) of the pertinent beneficiary.  *Please fill in the form available at:* [*https://commission.europa.eu/publications/legal-entities\_en*](https://commission.europa.eu/publications/legal-entities_en)  *Please note that if the modification only concerns the name and legal address of a ministry, a department's university or a subpart of a local authority there is no need to provide a new LEF and FI; however, the change should still be communicated and at least a document proving the new name/address should be included.* | An administrative modification refers to one or more of the following changes: name / legal address / legal status / VAT nr of the coordinating beneficiary or name of an associated beneficiary.  This applies as well in case of modification following a **merger** or a **demerger** (see below).  The amendment request document shall describe the proposed modification(s). |
|  | Supporting legal documents certified by the legal representative of the organisation:   * Public entities => resolution / law / decree / decision establishing the entity or any other official document attesting the establishment of the entity, * Private entities => the company registration, the statutes, an extract publication in the official journal (official gazette). * Entities that have a VAT nr : VAT registration document (if applicable) |
|  | If coordinating beneficiary: New Financial Identification (FI) form.  *Please fill in the form available at:*  [*https://commission.europa.eu/publications/financial-identification\_en*](https://commission.europa.eu/publications/financial-identification_en) |
|  | Revised forms A1, A2, A3 (signed), A4 (signed), A5, as appropriate.  *Please note that if the modification only concerns the name, there is no need to have new mandates (forms A4) nor new declaration (form A3). However, if the analysis of the supporting documents brings evidence that the change of name leads to a new Legal Entity this would be equivalent to a modification of partnership and therefore the corresponding instructions above would apply.* |
| ***Changes in banking references of coordinator*** |  | New Financial Identification (FI) form.  *Please fill in the form available at:*  [*https://commission.europa.eu/publications/financial-identification\_en*](https://commission.europa.eu/publications/financial-identification_en) | |

***A merger*** *is when a beneficiary (A) is merged with another entity (B) to create a third (AB) that will be a new legal entity but where there is a complete takeover of all rights and obligations of A by the new entity (including the accounts so the financial statements for the past can be drawn up by AB). In the case when the merger leads to the creation of a new entity C that does not take over all rights and obligations of A, this is considered a partnership modification (the relevant guidance given above applies).*

*The same reasoning applies to the case of* ***a demerger****. If a beneficiary A splits into A and B and A remains in the partnership no amendment is required. However, if B becomes the new beneficiary this is considered a partnership modification (the relevant guidance given above applies).*

**LIFE Integrated Projects 20YY - A4**

**ASSOCIATED BENEFICIARY DECLARATION and MANDATE**

I, the undersigned,

[forename and surname of the legal representative of the future associated beneficiary signing this mandate],

representing,

[full official name of the future associated beneficiary] *[ACRONYM]*

[*official legal status or form*]

[*official registration No*]

[full official address]

[*VAT number*],

hereinafter referred to as "the associated beneficiary",

for the purposes of the signature and the implementation of the grant agreement [Title] with the Contracting Authority (hereinafter referred to as "the grant agreement")

hereby:

1. Mandate

[full official name of the coordinating beneficiary] *([ACRONYM])*

[*official legal status or form*]

[*official registration No*]

[full official address]

[*VAT number*],

represented by [forename, surname and function of the legal representative of the coordinating beneficiary]

(hereinafter referred to as "the coordinating beneficiary”)

to sign in my name and on my behalf the grant agreement and its possible subsequent amendments with the Contracting Authority.

2. Mandate the coordinating beneficiary to act on behalf of the associated beneficiary in compliance with the grant agreement.

I hereby confirm that the associated beneficiary accepts all terms and conditions of the grant agreement and, in particular, all provisions affecting the coordinating beneficiary and the associated beneficiaries. In particular, I acknowledge that, by virtue of this mandate, the coordinating beneficiary alone is entitled to receive funds from the Contracting Authority and distribute the amounts corresponding to the associated beneficiary's participation in the action.

I hereby accept that the associated beneficiary will do everything in its power to help the coordinating beneficiary fulfil its obligations under the grant agreement, and in particular, to provide to the coordinating beneficiary, on its request, whatever documents or information may be required.

I hereby declare that the associated beneficiary agrees that the provisions of the grant agreement, including this mandate, shall take precedence over any other agreement between the associated beneficiary and the coordinating beneficiary which may have an effect on the implementation of the grant agreement.

I furthermore certify that:

1. The associated beneficiary has not been served with bankruptcy orders, nor has it received a formal summons from creditors. My organisation is not in any of the situations listed in Articles 106(1) and 107 of Council Regulation No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union (OJ L298 of 26.10.2012).
2. The associated beneficiary will contribute ……….. € to the project.

My organisation will participate in the implementation of the following actions: ………………………………………………………………………………………..

The estimated total cost of my organisation's part in the implementation of the project is……………€.

1. The associated beneficiary will conclude with the coordinating beneficiary an agreement necessary for the completion of the work, provided this does not infringe on our obligations, as stated in the grant agreement with the Contracting Authority. This agreement will be based on the model proposed by the Contracting Authority. It will describe clearly the tasks to be performed by my organisation and define the financial arrangements.
2. I commit to comply with all relevant eligibility criteria, as defined in the LIFE Multiannual Work Programme 2018-2020 and the LIFE Call for Proposals including the LIFE Guidelines for Applicants.

This declaration and mandate shall be annexed to the grant agreement and shall form an integral part thereof.

I am legally authorised to sign this statement on behalf of my organisation.

I have read in full the LIFE Model Grant Agreement and the Financial and Administrative GUIDELINES provided with the LIFE application files.

I certify to the best of my knowledge that the statements made in this proposal are true and the information provided is correct.

At ................................................. on........................................................

Signature of the Associated Beneficiary:

Name(s) and status/function of signatory:



**PUBLIC BODY DECLARATION**

The undersigned hereby certifies that:

My organisation *(add organisation's name)* ………………………………………………is either

A. the State, or a regional or local authority,

or

B. a body governed by public law, or an association formed by one or more of such authorities or bodies governed by public law, or an entity registered as private law body wishing to be considered for the purpose of this call as equivalent to "public body"; **it** **fulfils all four following criteria** and will prove it by providing evidence upon first request::

1. it is established for the specific purpose of meeting needs in the general interest, not having an industrial or commercial character, and
2. it has a legal personality and
3. it is financed, for most part, by the State, or regional or local authorities, or other bodies governed by public law; or subject to management supervision by those bodies; or having an administrative, managerial or supervisory board, more than half of whose members are appointed by the State, regional or local authorities or by other bodies governed by public law, and
4. **in the event the organisation stops its activities, its rights and obligations, liability and debts will be transferred to a public body**.

It should be therefore considered a "public body" for the purpose of this Call LIFE XXXX (*please insert the year of the call*).

I am legally authorised to sign this statement on behalf of my organisation.

At ................................................. on........................................................

Signature of the Beneficiary:

Name(s) and status of signatory: ......................................................................................



**AFFILIATE / MEMBER DECLARATION**

The undersigned hereby certifies that:

My organisation complies with the eligibility and non-exclusion criteria applying to applicants of the Call LIFE XXXX (*please insert the year of the call*).

The structural link i.e. a legal or capital link between my organisation and beneficiary *(please insert the name of the beneficiary of which your organisation is affiliated or member)* is neither limited to the project nor established for the sole purpose of the project implementation: so the link exists independently of the award of the grant; it existed before the call for proposals and remain valid after the end of the project.

My organisation has not been served with bankruptcy orders, nor has received a formal summons from creditors and it is not in any of the situations listed in Articles 106(1) and 107 of Council regulation N° 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union (OJ L298 of 26.10.2012). More in particular :

**Art. 106 (1):**

(a) they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;

(b) they or persons having powers of representation, decision making or control over them have been convicted of an offence concerning their professional conduct by a judgment of a competent authority of a Member State which has the force of res judicata;

(c) they have been guilty of grave professional misconduct proven by any means which the contracting authority can justify including by decisions of the EIB and international organisations;

(d) they are not in compliance with their 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 they are established or with those of the country of the contracting authority or those of the country where the contract is to be performed;

(e) they or persons having powers of representation, decision making or control over them have been the subject of a judgment which has the force of res judicata for fraud, corruption, involvement in a criminal organisation, money laundering or any other illegal activity, where such illegal activity is detrimental to the Union's financial interests;

(f) they are subject to an administrative penalty referred to in Article 109(1).

Points (a) to (d) of the first subparagraph shall not apply in the case of the purchase of supplies on particularly advantageous terms from a supplier which is definitively winding up its business activities or from the receivers or liquidators of a bankruptcy, through an arrangement with creditors, or through a similar procedure under national law.

Points (b) and (e) of the first subparagraph shall not apply where the candidates or tenderers can demonstrate that adequate measures have been adopted against the persons having powers of representation, decision making or control over them, who are subject to a judgement as referred to in points (b) or (e) of the first subparagraph.

**Art. 107:**

(a) are subject to a conflict of interests;

(b) are guilty of misrepresenting the information required by the contracting authority as a condition of participation in the procurement procedure or fail to supply that information;

(c) find themselves in one of the situations of exclusion, referred to in Article 106(1), for the procurement procedure.

I am legally authorised to sign this statement on behalf of my organisation.

At ................................................. on........................................................

Signature of the Affiliate/Member:

Name(s) and status of signatory: ......................................................................................