1. **Basic information**
1.1 Desire Number: PL0006.03
1.2 Title: Institution building for early retirement
1.3 Sector: Agriculture
1.4 Location: Poland

2. **Objectives**

2.1 **Wider objectives:**
Improvement of farm structure and competitiveness of Polish agriculture in the process of European integration. Reduction of employment in the sector and improving the standards of living amongst the rural population. Providing conditions conducive to multi-functional rural development and non-agricultural use of land.

2.2 **Immediate objectives:**
Whereas it necessary to adjust the polish legislation and institutional system to rules of Council Regulation (EC) no 1257/1999 of 17 May 1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) and amending and repealing certain regulations - Title II - Rural Development Measures, Chapter IV - Early Retirement the following objectives are planned:

- To draft regulations to enable the implementation of a structurally driven scheme of early retirement in agriculture
- To prepare institutions to the implementation of the structurally driven scheme of early retirement in agriculture.
- To develop a computer data base in the Ministry of Agriculture and Rural Development (MARD) to ensure that the demand for budget resources could be projected in advance.
- Development of a multi-annual programme for the implementation of structurally driven scheme of early retirement in agriculture in line with European Commission requirements.
- To improve the efficiency of the land transfers by the State Treasury Agricultural Property Agency to the State Treasury in order to improve the agrarian structure and expand the size of holdings.
- To establish a group of highly qualified specialists in charge of implementing the structurally driven scheme of early retirement in agriculture.

2.3 **Accession Partnership and NPAA priority**
One of the short term priorities of the 1999 Accession Partnership is the “further elaboration and implementation of rural development plan for sustainable Polish rural economy includes measures aimed at the modernisation of farming and related industries, administration of agricultural land including leasing, the accompanying social measures, and raising public awareness on the future of farming in rural communities”.

This approach has been reflected in the National Programme for the Adoption of the Acquis: one of the aims is to “ensure that structural changes in terms of farm acreage take place”, and, furthermore, “improvement of the early retirement system for farmers who transfer their farms to expand the acreage of some other farms.”

3. **Description**

3.1 **Background and justification**
The stimulation of structural transformations in rural areas combined with the adequate level of social security provided to farmers are indispensable prerequisites in the process of adjusting Polish agriculture in line with the EU requirements. Despite the high share of public funding in the Farmers Social Insurance Fund (KRUS) budget (about 90% of the total), the amount of benefits is only slightly over the minimum amount of the old age pension (PLN 451). However, that system has played a positive role to provide income that could meet farmers’ subsistence needs and has affected generation shift in farming. However, its impact on the structural transformations in agriculture has not been significant so far.

Under the framework of farmers’ social insurance system adopted in 1990, it was possible for a farmer to retire 5 years before the retirement age. In 1998, 84.3 thousand farmers made use of this option as compared to the total number of 1125.2 thousand agricultural pensions. The eligibility criteria are: the termination of farming activities and minimum 30 years of insurance coverage. However, the amount of early retirement pension is lower than that of the “regular” one as the supplementary part is reduced by 25% of the base pension amount. The supplementary part is increased by 5% of the base pension amount following every year that has passed until the farmer has reached the full retirement age. The Act on social insurance for farmers does not specify any terms or conditions concerning the transferor’s instructions as to the transfer of...
the land - it does not matter whether the farm will be split up or transferred to people either incapable of farming, or not willing to. In order to be eligible, it is enough for the transferor to change the title to own or hold the land. It has happened also that the farm already transferred legally to successors continues to be farmed by the retired farmer. The existing legal framework does not provide for the possibility of checking whether the transferor has actually terminated farming operations or not. Therefore, the impact of this system is rather of social nature and it has not played any major role in the process of expanding the size of farms or reducing employment in farming. This also makes it basically different from the early retirement schemes applied in most of the EU Member States.

Work on farmers social insurance system has been underway. Within first phase draft law has been developed for implementation in the year 2000. The proposed draft covers rationalisation of insurance eligibility criteria and adjustment of law provisions to regulations on reforming/changing national insurance system, including health services and the Polish Constitution.

Under the second phase of farmers social insurance system adjustment is planned, amongst others introduction of new principles for system funding through linking amount of contribution to farms income. However new proposal may be implemented after introduction of new tax system for farming, which in not expected before 2001. Detailed schedule of work on farmers social insurance system will be prepared in the first half of 2000. MARD is planning to propose to include support for the farmers insurance system administered by FSIF under the PHARE 2001.

In order to accelerate the process of adjustments in Polish agriculture, the structurally driven scheme of early retirement for farmers has been envisaged in Poland. The scheme will be similar to those applied in the EU, i.e. the pensions will be higher than the ‘regular” ones and financed from the sources other than the Farmers Social Insurance Fund. The Government of Poland is working to prepare a draft of a relevant law according to Council Regulation (EC) no 1257/1999 of 17 May 1999 on support for rural development from the European Agricultural Guidance and Guarantee Found (EAGGF) and amending and repealing certain regulations.

The development and implementation of an early retirement system and structurally driven early retirement scheme in agriculture will be an important measure to implement agricultural policies and structural transformation. The Ministry of Agriculture and Rural Development has already elaborated a provisional outline of the scheme. The basic aim is to improve the farm structure in terms of acreage in Poland, to be achieved by promoting land transfers by farmers 5 years prior to their regular retirement age. The farmland will be transferred to young and educated farmers wishing to establish new, viable and effective farms, or increase their present holdings. As expected, the benefits paid out to farmers under this scheme will be more attractive than those offered under the general social insurance system. At the same time, the eligibility criteria should be more stringent. No land can be transferred in the form of a lease. No support to young farmers (transferees) is envisaged because this will be provided under different measures as set out in the “Coherent policy of rural and agricultural development”. Presently, these include subsidising interest to soft term loans for the establishment or furnishing farms with modern equipment for farmers below 40 years of age. This measure is in line with the provisions specified in Council Regulation (EC) No 1257/1999 of 17 May, 1999 on supporting rural development from the European Agricultural Guidance and Guarantee Fund Committee (EAGGF) (chapter II ”Setting up of young farmers”). As laid out in this. regulation, support to young farmers is regarded as a separate measure supporting rural development.

3.2 Linked activities

Structural schemes have not been implemented in previous PHARE projects. The Government of Poland is preparing a draft law according to Council Regulation (EC) no 1257/1999 of 17 May 1999 on support for rural development from the European Agricultural Guidance and Guarantee Found (EAGGF) and amending and repealing certain regulations.

3.3 Results

- Drafts of basic legal acts will be prepared allowing implementation of the system of structurally driven early retirement scheme in agriculture. The draft acts include both the framework act as well as necessary implementing regulations. Thanks to the twinning co-operation between the Ministry of Agriculture and Rural Development and the partner institution in the EU, the draft acts will take into account the law provisions now in force in the EU as well as the specific situation in Poland.
- Draft nation-wide institutional arrangements will be prepared to implement the structurally driven early retirement scheme in agriculture. The system takes into account the new administrative division of the country and the four-tier administration structure.
The multi-annual implementation programme will be prepared for the structurally driven early retirement scheme in agriculture. It should be in line with the EU requirements and will take into account the early retirement scheme for farmers in place in Poland since 1991.

The forms of documents indispensable for the system functioning will be developed covering all stages from planning of budgetary expenditure for this purpose, the procedure of application/submission by farmers, and proposals of eligibility criteria.

The State Treasury Agricultural Property Agency will be prepared to play a key role in the taking over of farms, land consolidation, acting as intermediary on the land market, planning the management of farms transferred to the State Treasury;

The personnel will be trained: adequate qualifications of personnel obtained, efficient functioning of the system (group of highly qualified specialists);

Information campaign targeted at rural communities to disseminate information on structurally driven scheme of early retirement for farmers, especially about the possibilities and options of obtaining the scheme benefits

Development of a computer data base in the Ministry of Agriculture and Rural Development allowing to predict demand for financing resources from the public budget as well as monitoring, controlling and assessment of the implemented system of structurally driven early retirement scheme in agriculture;

Drafts of basic legal acts to implement the system of structurally driven early retirement scheme in agriculture should provide for the forms of land transfer limiting them to property right because these arrangements will facilitate integration of land and exchange of land property.

Drafts of basic legal acts to implement the system of structurally driven early retirement scheme in agriculture, prepared in line with Council Regulation (EC) no 1257/1999 of 17 May 1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) and amending and repealing certain regulations - Title II - Rural Development Measures, Chapter IV - Early Retirement, do not directly apply to the support for young farmers but the larger offer of the land on the market will contribute to give them better possibilities to expand their farms or create the new once.

3.4 Activities planned in the project

This will be a twinning project (contract 1) and should cover the following activities:

- Drafting regulations and law necessary to implement the structurally driven scheme of early retirement for farmers, which includes drafting the framework act and implementing regulations;

- Improvement of the existing scheme of structure responsible for the implementation of the structurally driven scheme of early retirement for farmers in terms of its organisation as well as flow of documents necessary for efficient system operations. The terms of reference, procedures and areas of responsibilities have to be specified. Institution development should be carried out at national scale with the new administration division of the country being taken into account, as well as the four-tier administration system, which has been in place since 01.01.1999. All the issues relevant to the efficient scheme operations have to be covered, starting with the planning of expenditure financed from the public budget through to the procedures of submitting applications and recovery of cost to refunded once Poland is a member of the EU.

- The Ministry of Agriculture and Rural Development needs to establish and maintain a data base to project the public budget expenditure as well as for the purpose of monitoring, controlling and evaluating the implemented system of structurally driven scheme of early retirement for farmers.

- Development of a multi-annual implementation plan for the structurally driven scheme of early retirement for farmers, which would be in line with the European Commission requirements, and with the currently operational Polish system of early farmers retirement being taken into account.

- Increased role of AWRSP/STAPA (State Treasury Agricultural Property Agency) as land market intermediary in the process of improving the farm acreage structure in Poland, which includes the valuation of farms to be taken over by AWRSP/STAPA, land register, list of farm transferors and transferees, and plans on how to dispose of the transferred farmland.

- Human resources development indispensable for the implementation and efficient operations of the structurally driven scheme of early retirement for farmers will result from the activities listed below:
  - study tours, theoretical and practical training sessions in the counterpart institutions in the EU MS and in Brussels;
  - organisation of seminars and workshops in Poland, elaboration of training materials and guidebooks (texts of lectures, transparencies, slides, brochures, films etc.);
• information campaign targeted at rural communities to disseminate information on structurally driven scheme of early retirement for farmers, especially about the possibilities and options of obtaining the scheme benefits based on case study.

The twinning will be composed of one long term expert PAA (12 months) and short-term EU experts whose profile and number should be commensurate with the tasks to be undertaken as indicated below.

In the course of twinning co-operation, Poland expects long term expert, which would focus in particular on the following:

• presentation on an evolution over time of early retirement schemes in agriculture in the Member States along with the assessment of their social and economic impact upon implementation (both, positive and negative) as compared to the expected output and the expenses involved.

• presenting the scheme amendments and modifications that are either planned or, possibly, already underway as a result of EU regulations in this area amended as of 1 January, 2000 (i.e. as Council Regulation (EC) No 1257/99 came into force on 1 January, 2000 repealing, inter alia, Regulation (EEC) No 1279/92, which, until then, used to provide legal basis for the implementation of early retirement schemes in agriculture)

• given the experience gained in the MS so far, the advice and assistance before deciding about the matters specific for Polish agriculture (significant fragmentation of agrarian structure, excessive employment in farming sector, high unemployment in rural labour markets);
  ⇒ allowing, or not, the option of transferring land in the family (father to son);
  ⇒ including or excluding part time farmers as beneficiaries of the system (i.e. the farmers for whom farming is not the exclusive source of income);
  ⇒ including farmer’s household members in the system of structurally driven early retirement scheme, or not (i.e. the people who, before transferring the farm, relied on the farm work as their sole source of income);
  ⇒ the most effective amount of the benefit to be paid out in virtue of farm transfer in relation to the average national remuneration, the acreage of the transferred farm, the form of transfer and the way in which the transferee has used the land as well as some other criteria.

• giving up, or not, the requirement to carry on farming for 5 years following the farm transfer to the transferee;

• the possibility of transferring the land to the State Treasury if the transferor has no other option, i.e., there is no successor.

Short term EU experts:

• development of application forms for the transferor and transferee as well as the procedure of verifying relevant documentation, including the applications;

• elaboration of a system to project the expenses to cover the cost of benefit payments as well as the reimbursement by the EU.

• location of the system of structurally driven early retirement scheme vis a vis the pension schemes within the general social insurance system, and the relationship between the two systems;

Poland expects expert’s support also for legislative work, both when drafting the basic act on structural pensions as well as when developing regulations implementing that Act.

The twinning will also include:

• study tours, theoretical and practical training sessions in the counterpart institutions in the EU MS and in Brussels;

• organisation of seminars and workshops in Poland, elaboration of training materials and guidebooks (texts of lectures, transparencies, slides, brochures, films etc.);

• information campaign targeted at rural communities to disseminate information on structurally driven scheme of early retirement for farmers, especially about the possibilities and options of obtaining the scheme benefits based on case study.

Local experts will be paid by the Polish cofinancing component and will cover: participation in activities implemented by long and short-term EU experts including: drafting regulations and law necessary to implement the structurally driven scheme of early retirement for farmers, which includes drafting the framework act and implementing regulations; development of the forms of documents indispensable for the system functioning; development of a multi-annual programme for the implementation of structurally driven scheme of early retirement in agriculture in line with European Commission requirements; establish a group
of highly qualified specialists in charge of implementing the structurally driven scheme of early retirement in agriculture; training sessions; dissemination activities including preparation of publication, brochures and other materials for farmers and interested institutions; implementation of information campaign for farmers – project final beneficiaries

**Computer equipment and software (contract 2):**

- Procurement of hardware and software to meet the needs of institutions involved in the development and implementation of the structurally driven scheme of early retirement for farmers.
- Training the personnel and the installation of hardware and other technical equipment to ensure efficient data base operations.

**4. Institutional Framework**

The project will be implemented mainly within the framework of twinning co-operation between the Ministry of Agriculture and Rural Development (MRiRW/MARD), Social Insurance Fund for Farmers (KRUS/SIFF), State Treasury Agricultural Property Agency (AWRSP/STAPA) on the Polish side and the counterpart institutions in the EU. The Ministry of Agriculture and Rural Development will become the owner of the equipment.

**5. Budget (EUR)**

<table>
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<tr>
<th>Items</th>
<th>Investment (I)</th>
<th>Institutional Building (IB)</th>
<th>Total PHARE (I + IB)</th>
<th>Recipients</th>
<th>Grand Total</th>
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<td>- building of implementing institution’s capacity</td>
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<tr>
<td>- study tours, training, information campaign</td>
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<td>TOTAL</td>
<td>150 000</td>
<td>1 850 000</td>
<td>2 000 000</td>
<td>600 000</td>
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</tbody>
</table>

The Polish authorities have assured that the Government cofinancing is available either through the reserve budget foreseen specifically by the Ministry of Finance for this purpose each year, or directly through the budget of the relevant Ministry.

**6. Implementation arrangements**

**6.1 Implementing Agency**

PAO: P. Samecki, Undersecretary of State at the Office of the Committee for European Integration Al. Ujazdowskie 9, Warsaw. Tel.: 4822 694 75 42, 4822 694 7195, 4822 694 6064. FAX: 4822 694 7194, 4822 625 0380. CFCU: Foundation “Cooperation Fund”, 6/12 Nowy Swiat St., 00-400 Warsaw.

The CFCU is responsible for handling tendering, contracting and payments of contracts on behalf of the Ministry of Agriculture and Rural Development which itself shall be responsible for preparing projects and managing their technical implementation.

**6.2 Twinning**

Beneficiary of the twinning is the Ministry of Agriculture and Rural Development.

The project is going to be implemented in the form of a twinning exercise with the EU Member States. The CFCU is going to sign a twinning agreement with a budget of EUR 1 850 000. The contribution of the Polish side is going to total EUR 600 000, which will cover the operational costs of the Ministry of Agriculture and Rural Development, KRUS/SIFF and AWRSP/STAPA to the extent they are related to the implementation of structurally driven early retirement scheme in agriculture. It will also partly cover the cost of domestic seminars and workshops as well as the procurement of additional technical equipment. EUR 50 000 from the total of EUR 600 000 will be allocated for purchasing equipment.

**6.3 Non-standard aspects:** n.a.

**6.4 Contracts:** 2 contracts (twinning 2.4M€ and equipment 0.2M€)

**7 Implementation schedule:**

- Preparation of twinning covenant: September of 2000;
- Start of project activity: 1st quarter of 2001;
• The project is completed: 2\textsuperscript{nd} quarter of 2003.

8. Equal opportunities
The participation of women results from the employment pattern in the Ministry of Agriculture and Rural Development, KRUS/SIFF and AWRSP/STAPA, where women are the majority of employees. Participation of women in the project is going to be measured as the percentage of women participants in the study tours, training courses and seminars.

9. Environment Not applicable
10. Rates of return Not applicable
11. Investment criteria Not applicable

12. Conditionality and sequencing:
Sequencing:
• drafting a bill on a structurally driven early retirement scheme and submitting it for inter-ministerial harmonisation and consultations (I quarter of 2001, PAA, MARD)
• submitting the a/m government bill to be processed in the Parliament (II quarter of 2001 MARD);
• improvement a system of implementing institutions (III quarter of 2001, MARD, PAA);
• elaboration of regulations to set in place a system of institutions that are to implement the structurally driven early retirement scheme in agriculture (during the 6 months: IV quarter of the year 2001- I quarter of the year 2002, MARD, KRUS, PAA);
• development of a data base and procurement of hardware and software in the Ministry of Agriculture and Rural Development (1\textsuperscript{st} half of the year 2002, PAA)
• development of a multi-annual programme to implement the structurally driven early retirement scheme in agriculture (II quarter of 2002 - IV quarter of 2002, PAA, MARD, KRUS, AWRSP, ARMA);
• preparing the State Treasury Agricultural Property Agency to act as intermediary on the land market (IV quarter in 2001 - II quarter of 2002, PAA, AWRSP);
• training courses held domestically and abroad and information campaign amongst the rural population (II quarter of 2001 - II quarter of 2003, PAA and experts)

Benchmarks:

<table>
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<tr>
<th>Activities</th>
<th>I’01</th>
<th>II’01</th>
<th>III’01</th>
<th>IV’01</th>
<th>I’02</th>
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### Annex 1: Logframe

<table>
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<tr>
<th>Programme number:</th>
<th>Institution building for early retirement</th>
<th>Total budget of project</th>
<th>Date of drafting: March 2000</th>
<th>Planning period: January 2001 – June 2003</th>
</tr>
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**Wider objectives**

- Improved structure of farm acreage and the competitiveness of Polish agriculture in the course of European integration process.
- Reduced employment in agriculture and improved living standards amongst rural population. Creation of conditions conducive to multi-functional development of rural areas and non-farming use of land.

**Indicators of Achievement**

- Average acreage of a farm holding; number of farm holdings; employment level in agriculture; acreage of land excluded from farming operations; acreage of land undergoing afforestation.

**Sources of information**


**Assumptions and Risks**

- A: the Government of the Republic of Poland will allocate the funds sufficient to ensure the achievement of aims specified in the structural early retirements scheme in agriculture;
- Proper partner for the twinning co-operation is found;
- The project is given sufficiently high status in the Ministry of Agriculture and Rural Development.
- R: lack of the alternative sources of income for rural people;
- lack of funds for buying the lands

### Immediate Objectives

**Indicators of Achievement**

- Appropriate legislation prepared, bill has been drafted; proposed institutional arrangements have been harmonised; multi-annual implementation programme developed; agrarian structure of farm holdings improved; administration capacity improved; farmers made familiar with the new scheme of structural early retirement in agriculture.

**Sources of information**

- Ministry of Agriculture and Rural Development; KRUS/SIFF; AWRSP/STAPA

**Assumptions and Risks**

- A: Political good will to follow up the results of the project: The Ministry of Agriculture and Rural Development gives a high priority to the structural early retirement scheme in agriculture;
- Both parties of the twinning exercise are equally and fully determined to achieve the best possible results of co-operation;
- Relevant acts and regulations have been issued on time;
- Good co-operation amongst the Polish institutions like MRiRW/MARD, KRUS/SIFF and AWRSP/STAPA;
- Stabilisation of the EU rules on the level and scope of co-financing with regard to the structurally driven early retirement scheme in agriculture.

**R: Inadequate staffing of the MARD to implement the project**

- Difficulties in the project implementation due to the fact that the social insurance of farmers is the responsibility of more than just one ministry.
Legal framework enables implementation of the structurally driven early retirement scheme in agriculture; system of implementing institutions is in place, division of tasks is clear, the forms of documents have been developed; The MARD has a computer database that enables the planning, monitoring and controlling of expenditure as well as the evaluation of the system efficiency. Data collection and verification mode has been developed. Multi-annual programme of system implementation has been set in place with the European Commission’s requirements for fund re-financing as well as Polish conditionalities being taken into account. AWRSP/STAPA is actively involved as an intermediary in trading the land from the Treasury Stock. It performs the valuation of farm holdings to be taken over to the Treasury Stock, manages the register of farm holdings available for transfer and transferred; prepares the usage plans of transferred farms; Adequate qualifications of staff enable the system functioning efficiently; Implementing institutions have been equipped with hardware that enables smooth system operations;

### Indicators of Achievement

- Number of farmers covered by the new, structural scheme of early retirement;
- Progress reports on project activities;
- Data base properly functioning
- Ministry personnel properly implementing their tasks
- High level of farmers’ awareness of the new system

### Sources of information

- MRRW/MARD;
- KRUS/SIFF;
- AWRSP/STAPA

### Assumptions and Risks

- A:
  - Good foreign models have been selected in line with the Polish specific conditions;
  - newly acquired practical skills are not properly implemented by personnel in their daily work.
- R:
  - unknown date for the Parliament approval for the law
  - delays with the adoption of legislation
  - Training participants not properly selected,
  - Trained personnel leave the Ministry
- Delays with the adoption of legislation
- Training participants not properly selected,
- Trained personnel leave the Ministry
  - Proper selection of suppliers of both equipment and training sessions,
<table>
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<tr>
<th>Projects</th>
<th>IMPLEMENTATION SCHEDULE (Semesters)</th>
<th>Budget Allocation</th>
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<tbody>
<tr>
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<tr>
<td></td>
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<td>I’01</td>
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<tr>
<td></td>
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<td>II</td>
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<tr>
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</table>

Legend: D = design of sub-projects / C = tendering and contracting / I = contract implementation and payment

04.03 Institution building for early retirement / 9